

ENGINEERSnews

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DEFENDING THE AMERICAN DREAM

September 26, 2004 • Semi-Annual Meeting

Business Manager John Bonilla





For The Good & Welfare

By John Bonilla, Business Manager

In solidarity we trust

As your business manager, I believe the success of our union ultimately lies in the success of its members. That's why at Local 3 we ensure our members' prosperity by offering top-notch training through our apprenticeship and journey-level upgrade programs, providing unparalleled representation through our business representatives and staff, offering incomparable fringe benefits, and staying politically active to elect labor-friendly leaders.

But what really makes Local 3 members and our union thrive is when everyone comes together to solve common problems. I'm talking about solidarity; it's what built this union 65 years ago, and it's what keeps it strong today.

When people unite for one cause, amazing things occur. One of the greatest displays of this happened recently with the resolution of the Graniterock strike. Local 3 joined with the Teamsters Local 287, the Laborers Local 270 and International Association of Machinists Local 93 to form the "Rock Solid Union." Members of these unions held strong, standing together, united for one cause: a fair contract and preserving the right to strike — something Graniterock tried to deny them. These members stood by each other, united until the end, even gathering on the Fourth of July and on Labor Day to show their commitment. Because of their solidarity and unfailing support for each other, all four unions prevailed, preserving the right to strike for more than 500 workers, and guaranteeing them the opportunity to earn a decent standard of living. The success of the Rock Solid Union is owed to the power of solidarity.

We've also made great strides through another coalition, the Basic Crafts/ Heavy Highway Alliance, in which the Carpenters, Laborers and Operators have joined forces. This alliance gives us incredible political power. There is strength in numbers, and the greater the numbers we have sticking together, the more leverage we have in negotiating on behalf of our members.

One of the greatest things that has happened since the formation of the Basic Crafts/ Heavy Highway Alliance is that we've been able to solve longstanding problems among our organizations. Since the beginning of time it seems, there have been jurisdictional disputes between the Carpenters, Laborers and the Operators. But since January, since we've aligned forces, these disputes are down about 90 percent. This is great for the members of these three unions, because we can now focus solely on the members' issues instead of wasting time and energy arguing with each other; we can work together for the betterment of our members' working conditions, health care, wages and contracts. Working together, on the same side of the fence, we are stronger.

Staying united has brought great victories on the organizing front as well. Just recently, members from our Public Employees Division — from the County Employees' Management Association — joined together to strengthen their affiliation agreement with Local 3. This will provide CEMA more power in negotiating on behalf its members. Local 3 looks forward to working more closely with CEMA in this new, stronger relationship, and we hope to bring these members continued success.

Thank you to all who attended the Sept. 26 Semi-Annual. By coming out in support of your union, each one of you has truly displayed the brotherhood Local 3 so proudly boasts. Your involvement and commitment makes our union stronger.

Thanks also to the members and staff who volunteered their time phone banking and precinct walking during this election season. Once again, you have proven that coming together for a common cause makes a world of a difference.

In Solidarity,

John A. Bonilla

John A. Bonilla
Business Manager and
IUOE General Vice President



From left: Local 3 members Gene Pratt, Manny Simas and Martin Stout at the Sept. 26 Semi-Annual meeting in Sacramento.....9

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In the News

Governor's California Performance Review must be terminated

When he was running for office, Gov. Arnold Schwarzenegger promised he wouldn't just reform government, he would "blow up the boxes" and radically transform California government into something we would all love. So, he created something called the "California Performance Review" and asked a bunch of career bureaucrats with input from campaign contributors and special-interest lobbyists to redesign government to make it work more efficiently. There was virtually no input from organized labor, consumer organizations, seniors or health advocates.

Well, the proposal has now been published, and the governor is pretending it's not his. From our perspective, the CPR, as it is known, is pretty awful. It was as if someone was attempting to construct the perfect system to destroy labor law enforcement in California. Many important boards, including the OSHA Standards Board, the Industrial Welfare Commission, the California Apprenticeship Council, the Fair Employment and Housing Commission, the Employment Training Panel, The Workers' Compensation Appeals Board and the Unemployment Insurance Appeals Board (to name a few) would be abolished. Their functions would be taken over by nameless and faceless bureaucrats, and one person, the secretary of labor, would ultimately decide all appeals — tens of thousands per year in widely differing areas of law. Moreover, the wage and hour, employment discrimination and OSHA regulations would also be decided by the secretary of labor. So, one single political appointee would control every issue.

If that is not enough, public sector members fall under the CPR shadow as well. The review report also proposes to consolidate the Public Employment Relations Board into a new Labor and Economic Development Agency. The board oversees collective bargaining statutes covering public employees who work for the state, in higher education, in cities, counties and special districts, and in trial courts. It also is a quasi-judicial body, hearing appeals in cases involving alleged contract violations. PERB must remain an expert independent agency given its unique and specialized duty to enforce differing statutes in often contentious labor disputes and contract interpretations. This entity has worked well as an independent board with five appointees by the governor. We share the concerns of many labor organizations that management will gain more influence over employees' rights if the functions of this board are shifted to a large bureaucracy.

While there are some boards and commissions that might have outlived their usefulness, most serve an important function and contain experts in their fields. If they are abolished, we will lose public participation, and our members will be denied a fair shake in the system. As far as we can see, CPR is a dog, and we will be fighting it all the way.

This article was written by Local 3 Legislative Advocate Tim Cremens, who lobbies daily at the state capitol on behalf of working men and women in California, particularly the members of Local 3.

Talking Points

By Bob Miller, President



No matter the outcome

Because of press deadlines, I'm writing this column without knowing the outcome of November's federal, state and local elections. American workers have a lot riding on these government elections. One thing I know for sure, no matter which candidates win, Local 3 and the rest of the labor movement will continue to have a lot of work to do.

We'll continue to work hard at the federal level to find solutions to lower the skyrocketing costs of health care so that members and retirees can keep more in their pocket. The creation of good-paying jobs will also be high on our agenda. The development of reliable funding mechanisms to meet America's growing needs for transportation and infrastructure improvements will also be important. Improving workers' ability to organize will also be high on our agenda as we push for passage of the "Free Choice Act." We'll also work against any attempt to weaken or repeal the Davis-Bacon Act.

At the state level in California, we'll be working hard to close Proposition 42 loopholes. We've got to stop politicians from stealing transportation dollars. We'll also be monitoring implementation of California Performance Review Commission recommendations to ensure they don't adversely impact our Craft Maintenance members. We'll be making sure the California Apprenticeship Council stays intact. This labor-management body plays a key role in ensuring continued high-quality apprenticeship training.

In Nevada, Hawaii and Utah, we'll be working hard to create more good jobs. Their state economies are improving. Nevada in particular is much stronger, but we still need more good jobs, especially in Utah. In Hawaii, overall unemployment is low, but we need more construction work. Utah also needs better labor laws to help level the playing field for fair contractors.

In every state, we'll continue to work on getting worker-friendly candidates elected in "off-year" elections. From local school boards, water districts, city councils, county boards of supervisors and state representatives, we'll be holding candidates and elected officials accountable. If they don't deliver for workers, they won't get our support.

Lastly, and perhaps most importantly, we'll continue our organizing efforts to take back our industries. Union density remains the key to our ability to negotiate industry standard contracts. The bigger Local 3 is, the better your contracts will be.

Like I said, no matter the outcome of the November elections, we've still got a lot of work to do. Local 3 members standing up and standing tall for what's right will help us win these fights. Thanks for your ongoing support!

Cosumnes Power Plant:

Years of work underway after years of action



Business Manager John Bonilla and Asst. District Rep. Justin Diston pose with Local 3 members on the day shift at the Cosumnes Power Plant. Bonilla presented each member a Local 3 baseball cap to thank them for their hard work and dedication to the project.

Work is well underway at the Cosumnes Power Plant project in Sacramento County, just 25 miles southeast of the city of Sacramento. A joint effort of operators, surveyors, pipefitters, boilermakers, electricians, carpenters, laborers, cement masons, teamsters, plumbers and welders, the project keeps about 300 union workers busy.

Local 3 member and Job Steward Bruce Lockwood said there is a good harmony among the crafts on the job.

"It's like a little city all in itself," Lockwood said. "It's a close-knit group; everybody knows everybody."

Lockwood said a strong sense of teamwork is one of the greatest assets on the project, with every craft involved in building the structure. The operators are involved in excavations and moving material around the plant, and as Lockwood said, the operators' work is greatly service-oriented, as their work involves supporting everyone else on the job. The operators employ forklifts, loaders, cranes and excavators; there are about 12 cranes of various sizes on the job.

The project is located on about 30 acres of an overall 2,480-acre site owned by the Sacramento Municipal Utility District. It will consist of a nominal 1,000 megawatt combined-cycle natural gas facility. The plant will be constructed in two phases, each consisting of 500 megawatts.

Each phase will have two combustion turbines, one condensing steam turbine, and two heat recovery steam generators (HRSGs). The transmission line will consist of 0.4 miles of new 230 kilovolt line from the onsite switchyard to the existing switchyard in Rancho Seco. The natural gas line will be supplied by 26 miles of district-owned gas line.

Fru-Con Construction of Ballwin, Mo., is the general contractor on the job. Fru-Con's experience includes building two 90-megawatt "peaker" power plants in Kings County, a 115-megawatt power plant in Arkansas, and a 200-megawatt plant in Texas.

This time, Fru-Con is in charge of building the 1,000-megawatt Cosumnes



Local 3 members gathered at the SMUD Board hearing Nov. 21, 2002 to show their support for the use of a Project Labor Agreement for SMUD's new power plant project.

plant, the largest in Greater Sacramento. Upon completion of the Cosumnes Power Plant, SMUD would be able to provide enough energy to power about 500,000 homes.

The project did not come without a struggle. SMUD applied for an Application for Certification on Sept. 13, 2001; it took more than two years to finally get everything worked out so the project could get started.

Because of political ties District 80 in Sacramento established with the elected SMUD Board, SMUD was convinced to build the new power plant using a

Project Labor Agreement. However, matters of this type must go to a vote of the board with public testimony. This set the battleground for union members and the Associated Builders and Contractors, which is generally opposed to the use of PLAs.

Because outside pressure can cause elected bodies to change their vote, it was imperative that Local 3 made sure the SMUD Board did not change its mind upon hearing the ABC's case.

On Nov. 21, 2002, more than 300 union members from the greater Sacramento area, including nearly 75 Operating Engineers from the Sacramento, Fairfield, Stockton and Yuba City districts, met at the SMUD Board meeting. Every seat in the room, plus the overflow room, was filled with a union member. The ABC didn't stand a chance, and the board voted six to one in favor of using a PLA for the new power plant.

Because of labor's efforts, about 300 union members now have steady work and will until the end of 2007 when the job is scheduled for completion.

Business Manager John Bonilla visited the Cosumnes Power Plant jobsite this fall to thank the members for their hard work and dedication to the project.

"We worked hard to negotiate this project; we fought hard to get the PLA passed," Bonilla said. "It's because of member involvement and political action that our members have this work."

Bonilla presented each Operating Engineer with a Local 3 baseball cap.



CREDIT UNION

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

Auto buying – three essential tips

Have you checked out any 2005 cars? Our union brothers and sisters have released some good-looking vehicles this year. The new models often inspire many of us to finally purchase that new truck or family car. Local 3 members frequently ask me how they can get the best deal on a car purchase. Since this is information we all can use, I've created a condensed guide of the basics. Read this through, and you'll see it all hinges on step one – doing your homework. Friends, you may have left school some time ago, but I promise this is one of the easiest assignments you've ever had. If you're planning on buying a new car (or know someone who is), be prepared.

Do your homework. I can't emphasize this enough. You absolutely must know how much your new car is worth before making an offer – or preferably, before setting foot inside a dealership. You can easily obtain this information on the Internet. Two good sources are Kelley Blue Book (kbb.com) and Edmunds (Edmunds.com). You can accomplish all the research you need in about an hour. One hour could literally save you hundreds – even thousands. Plus, if you don't spend an hour doing your homework, you'll probably spend it watching the salesperson go back and forth to the "secret manager room."

A reasonable new-car price is generally somewhere between the invoice price and the MSRP, depending on the model and its availability. For some models, it's reasonable to pay \$500 over invoice. For other models, it may be more. But in most cases, the MSRP is too much. Make special note of the different option packages and beware of additional dealer profit markups.

Refuse to feel pressured, especially if you just started looking. Remember, there's more than one dealer selling the car you want. That said, when you begin negotiations, assure the salesperson that you will buy the car from him or her if s/he is reasonable and works with you. Let him or her know that you've done your homework.

Negotiate the price of your new car before discussing the trade. After you've settled on a price for your purchase, it's time to discuss the trade. (See page 6 in the June 2004 issue of *Engineers News* for more information on your trade.)

Once again, you must know your car's trade-in value before any negotiation (Kelley Blue Book, kbb.com, is a good resource.)

If you still owe money on your trade, be sure you know the payoff balance before heading to the dealership. If you handle the trade negotiations and the new car negotiations separately, there's much less chance for confusing the numbers and paying too much. If you owe more on your trade than it's worth, the excess will be added onto the price of your new car. That makes it even more crucial to negotiate a good deal on the purchase.



Avoid the monthly payment trap – it's all about the total amount financed. When dealers sense you are interested in a car, one of the first things they'll do is focus on how low they can make your monthly payment. After all, affordability really does come down to your monthly budget. But beware. How many of these "low monthly payments" do you want to pay?

Ultimately, when the deal is done, the total amount financed should be equal to or less than the original price you negotiated on the new vehicle. If the total amount financed approaches or exceeds the MSRP, stop and re-evaluate the transaction – or walk away. You can always go home, do your homework and return the next day. If you're not comfortable with the deal, do not take the car home with you. More than likely, that will cement your obligation to buy it on the dealer's terms. Of course, the dealer may tell you it's just a trial, but I can't tell you how many times I've heard horror stories of a trial deal turned permanent. You don't want to be stuck with a raw deal for years.

Of course, there are many more aspects to car buying than I have room to list here, but if you follow these basics, you'll come out ahead. Also, be sure to ask your dealer for Operating Engineers Local 3 Federal Credit Union (OEFUCU) financing.

If you would rather do anything than spend a weekend at a dealership, try making your purchase the easy way – with OEFUCU's auto buying service available to OE3 members. For more information, visit OEFUCU's online auto center at www.oefcu.org, or call a friendly loan officer at (800) 877-4444.

OEFUCU branch offices to serve you

CALIFORNIA

Alameda - ATM location
1620 South Loop Road
Alameda, CA 94502
(510) 748-7440

Auburn
1915 Grass Valley Hwy., Suite 400
Auburn, CA 95603
(530) 889-2969

Burlingame
828 Mahler Road, Suite A
Burlingame, CA 94010
(650) 697-0598

Dublin - ATM location
7300 Amador Plaza Road
Dublin, CA 94568
(925) 560-9660

Eureka
1213 Fifth St.
Eureka, CA 95501
(707) 441-9590

Fairfield
2540 N. Watney Way
Fairfield, CA 94533
(707) 425-4489

Fresno
4860 N. Cedar Ave.
Fresno, CA 93726
(559) 241-0508

Modesto
538 McHenry Ave.
Modesto, CA 95354
(209) 525-8460

Redding
20308 Engineers Lane
Redding, CA 96002
(530) 222-5184

Sacramento
9806 Old Winery Place, Suite 5
Sacramento, CA 95827
(916) 369-6752

Sacramento (Arco Arco)
4044 N. Freeway Blvd., Suite 150
Sacramento, CA 95834
(916) 565-6190

Sonoma County
6225 State Farm Drive, Suite 102
Rohnert Park, CA 94928
(707) 585-1552

San Jose - ATM location
798 N. First St.
San Jose, CA 95112
(408) 995-5095

Stockton
1916 N. Broadway
Stockton, CA 95205
(209) 943-2455

W. Stockton
1818 Grand Canal Blvd., Suite 1
Stockton, CA 95207
(209) 472-0708

Yuba City
468 Century Park Drive, Suite B
Yuba City, CA 95991
(530) 742-5285

HAWAII

Honolulu
1111 Dillingham Blvd., Suite E1B
Honolulu, HI 96817
(808) 841-6396

NEVADA

Reno
1290 Corporate Blvd.
Reno, NV 89502
(775) 856-2727

Elko - ATM location
1720 Mountain City Hwy.
Elko, NV 89801
(775) 753-8585

OREGON

Gladstone
805 E. Berkeley St.
Gladstone, OR 97027
(503) 655-5462

UTAH

West Valley City
2196 West 3500 South
Suite C-8
West Valley City, UT 84119
(801) 954-8001





INSIDE NEGOTIATIONS

By Frank Herrera, Vice President

In the spirit of cooperation

Business Manager John Bonilla and the Local 3 officer team takes pride in the fact that our union is committed to establishing positive and constructive relationships with other labor unions. By working in cooperation with our fellow union brothers and sisters, we are improving the management of jurisdictions on our jobsites, creating a stronger presence in the political arena and establishing greater leverage in contract negotiations.

It is because of these great benefits to the Local 3 membership that we are working hard to maintain strong working relationships with the Carpenters and Laborers of the Basic Craft Alliance and with the Rock Solid Union, an alliance involving the Operating Engineers, Teamsters, Laborers and Machinists.

These alliances are young, but they are strong, and I have confidence they will continue to gain strength and prosper. My confidence comes from Local 3's great record of working with others. Consider, for example, our longtime working relationship with emergency first-responders (i.e. firefighters, police, and search and rescue).

For years Operating Engineers have worked in partnership with first-responders. In the event of an emergency, a building collapse or a mudslide, for example, we assist them with hydraulics and heavy-rigging equipment – like when the levee broke near Stockton this summer and when the San Francisco-Oakland Bay Bridge collapsed in 2002. Of course, we all remember the incredible spirit of cooperation between first-responders and Operating Engineers at ground zero in 2001.

Our relationship with first-responders has grown in recent years and reached the point where we are now sharing resources. As recently as October, we were able to assist the Sacramento-area firefighters of Local 522 by providing classroom facilities and field-training space for their trench rescue course at the Rancho Murieta Training Center. RMTC instructors assisted by digging trenches on the training center site, which allowed the firefighters to conduct real-life, hands-on rescue training – something they had not been able to do on their own training grounds at McClellan Air Force base.

The great thing about being involved with the firefighters' training is that it enables Operating Engineers to better understand their concerns and needs in the event of an emergency, so we can better prepare for those types of situations.

Another partnership we maintain at Rancho Murieta is with the Teamsters. For years, the Teamsters have leased portions of RMTC to train their members. They benefit from having ample space while we benefit from the extra help in training our apprentices on dust control and moisture control. In addition, Teamsters provide assistance in preparing our members for the commercial drivers' license test whenever the need arises.

The Local 3 officer team and the entire Local 3 staff are committed to our partnerships at Rancho Murieta with the Teamsters and with the Local 522 firefighters, as long as it continues to benefit our members. The same holds true for the alliances we have established with others in the trade.

In solidarity.



OE CAT

By Cindy Tuttle, Political Director

Local 3 gets out the vote



California Assemblywoman Lois Wolk joined Business Manager John Bonilla, President Bob Miller, Treasurer Russ Burns and Local 3 CAT activists Oct. 16 for a precinct walk in Fairfield. California State Sen. Mike Machado also participated in the precinct walk.

Historically, big business political spending has far out-distanced the contributions made by working families through their unions. The 12-to-1 corporate advantage translates to \$709 million from big business, compared with \$62 million from working families, according to an analysis of data from the Federal Election Commission.

It certainly seems like an unfair advantage. But all things considered, it is not. As many of you know, our advantage over big business is our people power.

People-powered politics is the very foundation of the OE CAT, a program that strives to give Local 3 members and their families a voice in politics, oppor-

tunities to serve their communities and the ability to mobilize wherever the struggle may be.

During the 2000 election cycle, CAT activists and union members from across the nation called more than 8 million other union members to talk about the issues that matter to working people, such as good jobs, affordable health care and policies that balance work and family. Union volunteers participated in forums on working family issues, and they worked hard to promote get-out-the-vote efforts.

By the 2002 off-year elections, tens of thousands of union volunteers had mobilized to overcome the big business advantage over working families. In all, volunteers distributed more than 17 million fliers, made 5 million phone calls to union households, sent 15 million pieces of mail to union family voters and knocked on more than 500,000 doors.

Though the AFL-CIO has not released figures for the 2004 election cycle, the consensus is that it will break records in terms of union member participation. Local 3's CAT activists know this first hand.

Working together, we helped the labor movement get out the vote this election season by coordinating one of the largest, most comprehensive grassroots political mobilizations in our union's history. Across Local 3's jurisdiction, members participated in more than 200 phone banks and more than 65 precinct walks. That's something we should be proud of regardless of the election outcome.



From front: Apprentices Lamont Maldonado and Chris Lake, Redding District Rep. Jim Horan, Apprentice Coordinator Jeff Jones, Volunteer Rob Carrion and Apprentice Doug Meader phone bank for John Kerry from the Redding District hall.



FRINGE BENEFITS

By Charlie Warren, Director

Nurse Connections — 24/7

For members covered by the Operating Engineers and Pensioned Operating Engineers Health & Welfare Comprehensive plans, a nurse hotline is now available 24 hours a day, seven days a week. Nurse Connections uses nationally accredited guidelines to provide you timely, reliable information. Registered nurses will advise you personally, no matter how big or small the

concern. From general health, wellness and medical information to triage or urgent issues, your nurse will help you make informed decisions. Nurse Connections is provided at no out-of-pocket expense and can be accessed by calling (866) 676-0740. Members covered by the Kaiser Permanente plan should use Kaiser's advice nurse service.

Small steps can make a big difference

Improving your health doesn't always require major lifestyle changes. Sometimes, all it takes are small steps. Try these tips from the U.S. Department of Health & Human Services:

- Use fat-free milk instead of whole milk.
- Drink water before a meal.
- Walk instead of driving whenever you can.
- Avoid food portions larger than your fist.
- Mow the lawn with a push mower.
- Increase the fiber in your diet.
- Don't eat late at night.
- Skip buffets.

- Grill, steam or bake instead of frying.
- Use vegetable oils over solid fats.
- Don't skip meals.
- Park farther from the store and walk.
- Avoid labor-saving devices.
- Stop eating when you are full.
- When walking, go up hills instead of around them.

For more tips, visit the U.S. Department of Health & Human Services Web site at www.smallstep.gov.

How does your hour bank work?

Hour banks allow active members covered under the Operating Engineers Health & Welfare Trust Fund to continue coverage for themselves and their families at no additional cost during the off-season. Members can accumulate up to nine months of coverage (12 months of coverage for members who established eligibility before July 1992).

Once eligibility is established, maintaining your benefits requires 110 hours per month (for most contracts). Any hours worked in excess of 110 hours is stored in your hour bank. For months in which you work less than 110 hours, hours are drawn from your hour bank to make up the difference.

Hour bank example for California after initial eligibility is established:

| Work Month | Eligibility Month | Hours Worked | Hours Required for Eligibility | Hours Applied/Deducted from Hour Bank | Hour Bank Balance |
|------------|-------------------|--------------|--------------------------------|---------------------------------------|-------------------|
| June | August | 180 | 110 | 70 | 70 |
| July | September | 190 | 110 | 80 | 150 |
| August | October | 140 | 110 | 30 | 180 |
| September | November | 70 | 110 | -40 | 140 |
| October | December | 110 | 110 | 0 | 140 |
| November | January | 0 | 110 | -110 | 30 |
| December | February | 110 | 110 | 0 | 30 |

If you have any questions about your hour bank balance, contact the Trust Fund Office at (800) 251-5014 or the Fringe Benefits Service Center at (800) 532-2105.



ORGANIZING

By Ras Stark,
Organizing Director

It's not over until we say it is

I've previously reported on frustrating organizing campaigns Local 3 has been involved with. None have been more frustrating to me than our campaign at Brundage Bone Concrete Pumping. For more than two years, Local 3 has worked hard to bring the benefits of union membership to Brundage Bone workers and help level the playing field for signatory concrete pumpers. During this time, we've had some setbacks, and it's starting to feel like we're in a boxing match with the company. We win one round; they win another.

Round one of our fight started in early 2003 when Local 3 organizers contacted Brundage Bone workers. Many of the workers quickly began to see the positive benefits of union representation; they were growing tired of low wages and unfair treatment. When the company learned of our growing support, it filed charges with the NLRB containing false information about our activities. Unfortunately, the NLRB believed the false information and issued an injunction that stopped Local 3 from being able to picket the company.

In 2004, we continued into round two of our fight. Local 3 still had the trust and respect of the workers. Our continued presence and worker support surprised the company. Because of the NLRB injunction, it probably thought we would give up and go away. In response to our having the continued support of its workers, the company committed numerous unfair labor practices. We filed charges with the NLRB that allowed us to resume our picketing. With the help of other crafts, we were able to shut down a number of Brundage Bone jobsites. A number of fair contractors also refused to use their services. The successful picketing began to put a real hurt on the company's pocketbook.

In response to our successful picketing, round three of our fight began several months ago. Brundage Bone used a new tactic; it figured out that an employer can file for a NLRB election, and it did just that. After filing, it immediately began campaigning against Local 3 by telling its workers that if they voted for the union, they would lose their jobs. In addition, it said it would close the shop. Through threats, intimidation and harassment, Brundage Bone effectively scared its workers into saying no to Local 3 representation. Because of this illegal employer misconduct, we've filed unfair labor practice charges with the NLRB. Our unfair labor practice picketing continues. It looks like we are now headed into round four of our fight.

It's a very frustrating situation, but, as Business Manager John Bonilla would say, "It's not over until we say it is." Thanks to all of the signatory employers and Local 3 members who have supported us in this fight. I'll keep you posted on our progress.

RETIREE ASSOCIATION MEETINGS

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



TECH NEWS

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

Structural steel and high-strength bolting

The customary practice of fabricating steel in the shop before erection conveniently allows division of observation of structural steel into two basic categories, shop and field. Often, the shop is fabricating other projects concurrently and may operate two or three shifts per day. The shop work is closely related to mass production, while the fieldwork relates closer to handcrafting.

Qualified special inspectors under the direct supervision of the materials engineering laboratory should perform these duties. To better achieve the objective of quality assurance, it is wise to use only one agency to fulfill the duties of both shop and field observation.



Observational duties

A. Documents

1. Review the approved plans, specifications and approved shop drawings.
2. Review applicable sections of referenced codes, particularly the American Welding Society Structural Welding Codes (AWS D1.1) and the manual and specifications of the American Institute of Steel Construction (AISC).
3. Review welding procedure qualifications when other than standard AWS prequalified joints and procedures are involved.

B. Mill test reports

1. Review mill test reports and check heat numbers with material as received.
2. Verify that proper identification of steel is maintained during fabrication.

C. Sampling and testing

1. When required by project specifications (particularly schools and hospitals), mark sample location with steel stamp on each piece tested.
2. Record sample number and location, and maintain sample identification as they are delivered to laboratory.
3. When steel members are delivered to finish length and no "crop ends" are available for sample cutting, coordinate cutting and patching requirements with architect/engineer and fabricator.

D. Welding observation (applicable to shop and field)

1. Check each welder's certification and verify that the welder does work only as covered by his or her certification.
2. Keep a written record of each welder by name, his or her identifying steel mark and the percentage of rejectable welds.
3. Upon detection of a rejectable weld (either visually or by nondestructive test), the inspector in charge will notify the welder and/or his or her foreperson to verify the defect. The inspector in charge will observe removal of defects and repairs to check whether acceptable procedures were used.
4. Check structural members for thickness adjacent to welds.
5. Inspect joints for proper preparation, including bevel, root faces and root openings.

6. Check the type and size of electrodes to be used for the various joints and positions. Check storage facilities to see if they are adequate to keep electrodes dry.
7. Observe the technique of each welder periodically with the use of a welding inspection shield.
8. Verify the use of proper preheat and interpass temperatures.
9. Observe multi-pass welds continuously. Continuous observation is defined as follows: The inspector is present in the welding area at all times. The extent of inspection of individual welds will depend on the number of operators welding.
10. Observe single pass fillet welds periodically (in accordance with code requirements), after determining that the operator is capable of producing the welds required.
11. If straightening or restraining of weldments is necessary, verify that approved methods will be used.
12. Tag or stamp accepted weldments with the inspector's identification stamp.

E. Workmanship

1. Check straightening and bending procedures.
2. Check cut edges, including those flame-cut, sheared or milled.
3. Check bolt holes in major connections for size.

F. Additional field duties

1. Discuss welding sequence, general construction plans and specific joint sequence with steel contractor and engineering to verify proper sequence to minimize restraint.
2. During adverse weather conditions, check that adequate steps are taken to prevent moisture penetration at welding location.

G. High-strength bolting

1. Sample high-strength bolts, washers and nuts for testing from the lots in the shop or on the jobsite, if required.
2. Review type of joint specified (i.e. slip critical, non-slip critical).
3. Check bolts, nuts and washers for compliance to project specifications.
4. Review the procedure for installing bolts. The amount and type of inspection during installation will depend on the method used.
5. Check joint surfaces to verify they are free of burrs, dirt, etc.
6. Verify that installation procedures meet minimum bolt tensions required by code.
7. Check the calibration of wrenches for tightening capacity in a wrench calibrator.

H. Painting

1. Verify cleaning operations are to condition specified.
2. Verify conformance of paint to specification.
3. Verify application method, brush, roller or spray.
4. Check for thickness of each coating, final thickness and holidays.
5. Check touchup for final finish.

I. 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/engineer. Report all uncorrected deviations from plans or specifications.

Defending the American Dream

Semi-Annual focuses on Nov. 2 election, member involvement



The union officers bow their heads in a moment of silence called by Chairman of the California Democratic Party and retired State Sen. Art Torres (at the podium). Torres asked for a moment of silence to remember the young men and women who have lost their lives to war.

By Kelly Walker, managing editor

Photos by Kelly Walker, Heidi Mills and Dominique Beilke

The Sacramento Convention Center — just across from California's political center, the state capitol — was the ideal setting for the Sunday, Sept. 26 Semi-Annual meeting of the membership, which focused primarily on politics and the upcoming election.

A healthy start

Local 3 staff arrived early Sunday morning to ensure the convention center was ready for the event and to welcome members as they walked in. Members began strolling in as early as 10 a.m. and were presented a Kerry-Edwards "Hope is on the way" T-shirt donning the Local 3 logo upon their arrival. As usual, members were eager to take advantage of the many informational booths offered by Local 3 departments, as well as the free health consultations and screenings, including a bone density test, blood pressure checks, blood glucose and cholesterol screenings.

A call to order

Attendees began choosing their seats in anticipation of the meeting around noon, and promptly at 1 p.m., Local 3 President Bob Miller asked everyone to stand, then called the meeting to order. Everyone remained standing for the Pledge of Allegiance, then Miller introduced "Talk of da Town," a five-member a capella group, including Local 3 member Paul Carrington, which sang the national anthem (read more about Talk of da Town on page 11). Talk of da Town's inspiring rendition of the song was met with an impressive round of applause as the audience took their seats.

Miller then officially welcomed the attendees, including those who watched the meeting at their district offices via video conference in Hawaii and Utah. Miller's warm welcome was followed by the roll call of officers by Rec. Corres. Secretary Rob Wise and Conductor/ San Jose District Rep. Fred Herschbach. Next, Miller read the report of the per capita tax paid to the International Union of Operating Engineers for the months of January 2004 through June 2004. Then Treasurer Russ Burns presented the Semi-Annual Report of Certified Public Accountants. Wise followed with the minutes of the March 14, 2004 Semi-Annual meeting and a general report of the Local 3 Executive Board.

Gratitude for service

With no unfinished or new business, the meeting proceeded to the good of the order with Miller introducing the day's first honored guest speaker, Chairman of

the California Democratic Party and retired California State Sen. Art Torres.

Upon taking the podium, Torres thanked Business Manger John Bonilla for his leadership in California.

"The work that we've been doing together over the years is going to provide a victory for working men and women in California," Torres said.

He then thanked the union members for their support and service over the years to working people in America.

On the note of service, Torres asked the audience to stand in a moment of silence for the young men and women who have lost their lives to war. The memory of those we have lost should propel us to honor the memory of those who return, he said. And in doing so, we must ensure that when they return, their jobs will be available and their homes will be safe because of the service they provided for our country, no matter where we stand on the war in Iraq.

Nationwide struggle

Right now, Torres said, the nation is in a struggle, with people evenly divided between two candidates for president. Because the Nov. 2 election will probably be the closest election our country has ever seen, Torres urged the audience to get out and vote on Election Day because there is a lot at stake. No excuses, he said.

Protecting the "villages"

Joking about California Gov. Arnold Schwarzenegger referring to the cities and counties in California as "villages," Torres reminded the audience that Schwarzenegger is no friend of the working men and women in California.

Torres urged the audience to start educating their friends and neighbors that Schwarzenegger is a "phony" when it comes to critical working family issues, such as protecting the state's infrastructure needs, providing seniors access to affordable drugs and increasing the minimum wage.



California State Treasurer Phil Angelides thanks the audience for their work in building the wealth of the state.

Continued on page 10



Business Manager John Bonilla congratulates Journey-level operator Felicia Ramos, a six-year Local 3 member, on being named Volunteer of the Year in Sacramento District 80.



Job Corps member Alex Hernandez sits for a caricature drawing by artist Wolfgang.



Vice President Frank Herrera talks with Retiree Ken Bowersmith, a Local 3 member since 1949 and former Sacramento district representative.



President Bob Miller catches up with members before the meeting.

Treasurer Russ Burns shares a laugh with a member after the meeting.

Continued from page 9

Torres explained that the governor vetoed legislation to help create a Web site where seniors can find out where to get less expensive drugs because drug companies financed his campaign, as well as paid for him to go to the Republican National Convention in New York. Schwarzenegger also vetoed legislation to increase the minimum wage in California by one dollar, as well as legislation to encourage companies to keep jobs in California, instead of sending them overseas.

Torres closed by telling the audience they had a lot of work to do to win the White House, to make sure Barbara Boxer goes back to the U.S. Senate, and to elect the right Senate and Assembly candidates. And most importantly of all, Torres said, we have to begin to educate the people of California that Schwarzenegger is no friend to working people.

President Bob Miller then introduced the next honored guest speaker, California State Treasurer Phil Angelides.

Building the wealth

"He brought to this state his talent as an effective public leader and an innovative businessman," Miller said. "He thinks about where California needs to be a decade or two from now, not just what's on his desk today. Please welcome State Treasurer Phil Angelides."

Angelides opened by saying that what made America the strongest society and economy in the world's history is that we relied on the labor, toil and sweat of working men and women to build this country, to build the middle class and to give everyone opportunity instead of giving more money to a wealthy few.

"And you, you get credit for building our state, the highways, the universities, the water projects that have given life to our economy," Angelides told the audience. "For fighting yes for prevailing wages, the very notion of decent wages so people can live with dignity if they do a week's work in this country."

Angelides applauded former Business Manager Don Doser's leadership and lifetime of commitment to the working men and women in California. He then spoke of Business Manager John Bonilla.

"In John Bonilla here, you've got a great man. He says what he believes; he stands up for his values; he's a real fighter, and democrats and labor need more of that each day," Angelides proclaimed.

Angelides explained that when he first entered office, "the wind was at our back" with Bill Clinton in office. But when Bush entered office, things began to go south. When people ask him how bad things have been under the Bush Administration, Angelides said he explains it this way:

"If any of you went out and bought \$1,000 worth of Enron stock in September of 2000, you'd have a

whopping 71 cents in your pocket today. If you'd gone out and bought \$1,000 worth of WorldCom in the same month, you'd have a penny in your pocket today," Angelides explained. "Now, if you'd gone out and bought \$1,000 worth of Budweiser — and I mean the beer, not the stock — and you drank it all and returned the cans for deposit, you'd have \$70 bucks in your pocket today."

Upon receiving laughs, cheers and applause, Angelides said although it sounded like he was telling them to drink heavily and recycle, what he really wanted to get across was that it is necessary to get Bush out of the White House.

Opportunity and Fairness

The Nov. 2 election is about how we're viewed in the world and the values that make our country great, such as an undying commitment to opportunity and fairness — values that are under assault today by people who don't believe in the issue of fairness or decent wages for working people and who exalt a culture of greed, Angelides said.

It's time for all of us to stand up, he added. He said it was at our best moments that we as Americans stood up for the working men and women who created the wealth of this country.

Although Bush boasts about 66 percent of Americans owning homes in America, Angelides said this didn't happen under Bush's watch; it happened because of legislation and programs created by great presidents like Harry Truman. In fact, in Bush's America, Angelides said, CEOs make more than 500 times the average working person, and Bush's tax cuts give the wealthiest 1 percent in California \$12 billion a year while the California governor says we can't afford affordable college education, mass transit for the future or to repair the state's bridges and roadways.

At the Republican National Convention, Gov. Schwarzenegger stood with President Bush for a set of values we can't accept, Angelides said. Angelides instructed the crowd to sign up to change America — walk precincts, phone bank and educate others about what's right for working people. And lastly, to start the march on the state capitol so that in November 2006, Schwarzenegger is "sent back to the movie set where he belongs."

Following Angelides' speech, Business Manager John Bonilla delivered the state-of-the-union address.

Sixty-five years of service

Bonilla thanked the guest speakers, then the members for attending and for their years of service to the union, particularly those with 65 years of membership.

Bonilla said the battle working people fight today is the same battle they fought 65 years ago when Local 3 was established: to defend the American Dream. Today, however, workers are up against "Wal-Mart America," in which employers and politicians want to take away safe working conditions, dignity on the job-site, quality health care and a sound retirement. Local 3 and the labor movement are the only thing standing between the American Dream and Wal-Mart America, Bonilla said.

"It is up to us to defend the dream," he said "We have done it for 65 years, and we will continue to do so."

Hope is on the way

Shouts of NO filled the room as Bonilla asked the audience if they could stand another year of Bush and Cheney. We have a choice Nov. 2, he said, and hope is on its way with John Kerry and John Edwards.

Bonilla urged everyone's involvement in getting the Kerry-Edwards team elected, including volunteering for phone banks and precinct walks.

"You've got to look yourselves in the mirror as members of Local 3 and see if you've done all you can do," Bonilla said.

After touching on some key races throughout the local's jurisdiction, Bonilla focused on California Propositions 68 and 70, the Indian gaming initiatives. Because transportation money that would have come from Proposition 42 was stolen via the Prop. 42 loophole, California is lacking transportation funds. California must defeat Prop. 68 and Prop. 70 to gain \$1 billion in trans-

portation dollars, Bonilla said, especially since Caltrans has just \$183 million left to get them through the end of the year.

"We've got our work cut out for us" in getting the right people into office and voting for measures that will bring in transportation dollars, ensuring work for our members, Bonilla said.

Sticking to the issues

The union is tired of politicians saying they will help working people and not sticking by their word, Bonilla said. So, he makes a point to stick to the



OE3 member Andrew Lumpkins, standing with First-step Apprentice Joshua McNary and future OE3 member Joshua Lumpkins, proudly displays the "Hope is on the way" T-shirt he received at the Semi-Annual.



Members check out the Rancho Murieta Training Center's mobile classroom unit that was on display inside the Convention Center.

Financial Secretary Harold K. Lewis visits with retiree Bill Seemann.

issues, and this year, a Republican who promised to stand up for Local 3's issues. Abel Maldonado for California State Assembly District 25, received the local's endorsement.

"He promised us he'd do what we needed to get done," Bonilla said. "He's right on the issues, and we're going to go that way."

Bonilla said he also makes a point to stick to the issues when dealing with legislators at the capitol, most recently in negotiating with Speaker Fabian Núñez regarding the Prop. 42 loophole.

Bonilla described a recent meeting with Núñez and the leaders of the Carpenters and the Laborers, with whom the Operating Engineers have formed the Basic Craft/ Heavy Highway Alliance. Together, demanding the language to close the loophole, the three business managers received a promise from Núñez to get the proper language.

Better off working together

There have always been jurisdictional fights in the field, Bonilla said, but since the formation of the Basic Craft/ Heavy Highway Alliance, these fights have significantly dwindled among the participating crafts — by about 90 percent. This frees up time for the union to focus on the members.

"Now it's time to get out there and negotiate contracts and service the members and take care of the real problems, like terminations," Bonilla said.

With the basic crafts aligned, the only way for a jurisdictional dispute to get to arbitration is if the three business managers cannot agree, and this has not yet happened. The crafts are better off working together, Bonilla said.

Although Local 3 is part of this alliance, members shouldn't worry about Local 3 losing its strength, as the union has always been out in front and will continue to lead, Bonilla said.

Local 3 is working on putting together a program for the three crafts to help the unions protect workers' compensation and save money on health and welfare. Local 3 has taken great strides to save health and welfare dollars, Bonilla said, including auditing the institutions that manage Local 3's health and welfare program to ensure everything is being done correctly. Local 3 also has committees working on the issue, as well as trustees meeting to discuss solutions.

Local 3 is working on getting all of its members on

the same health and welfare rate. Currently, there are two rates, \$5.03 an hour and \$5.65 an hour, "and we're going to get everybody to the construction rate," Bonilla said. "I'm tired of seeing the construction guys in this state subsidize everyone else."

Although the union's retirees haven't had a pension increase in some time due to a poor economy and the rising rate of health and welfare, the union is doing everything it can to take care of its retirees, Bonilla said.

"When we get this thing turned around, we'll take care of the retirees and the pensioners health and welfare," Bonilla said. "I'd have to be the biggest fool in the nation to not want to take care of the retirees. They're the ones who built this thing, the ones that put it together for everybody out here."

Times are changing, as are unions, the business manager said. With a Republican president, times have been tough, and Bonilla urged the members to vote for their pocket-books, not for issues like guns and ammunition.

"You don't need to worry about buying bullets if you can't afford to buy bullets when you've got those two yo-yos, Schwarzenegger and Bush, doing what they're doing to us," Bonilla said.

Next, Bonilla expressed his pride in the Rock Solid Union of the Laborers,

Machinists, Operating Engineers and Teamsters and congratulated them on their victory with the recent resolution of the Graniterock strike.

"They stayed rock solid; I'm so proud of them for standing together," Bonilla said. "You know, we didn't get everything we wanted, but I tell you what, we got dignity out of it — that's an important thing right there, and we got it."

Strength in membership

On the topic of organizing, Bonilla recognized the union's success in organizing 140 new companies. "And that means jobs for everybody in this room," he said to cheers.

Local 3 is only as strong as its members, the business manager said, and Local 3 is building the strongest membership by offering top-notch training at the Rancho Murieta Training Center. Bonilla congratulated RMTTC Director Curtis Brooks for his success in running an outstanding program and urged each member to take a tour of the RMTTC.



Rec. Corres. Secretary Rob Wise visits with Yuba City E-board Member Dennis Moreland.

Star-spangled winners

Talk of da Town starts Semi-Annual on good note



In spring 2004, Local 3 set out on what it termed a "Star-Spangled Search" to find a talented Local 3 member to sing the national anthem at the Sept. 26 Semi-Annual meeting of the membership at the Sacramento Convention Center in downtown Sacramento.

Interested Local 3 members were called upon to submit audition audio or video tapes. After receiving and reviewing several impressive entries, Local 3 found not just one, but five winners with Talk of da Town, a dynamic, soulful, five-member a cappella singing group, including Local 3 member Paul Carrington and friends Rayfield Ragler, Andrew Lockwood, Douglas Stepney and Carl Douglas.

Local 3 and its members were charmed by Talk of da Town's refreshing sound and allure at the Semi-Annual. The group opened the 1 p.m. meeting with an enchanting harmonized rendition of the "Star Spangled Banner."

Since forming the group in 1982, Carrington and friends have traveled the world with Talk of da Town, performing at venues in the United States and Europe. They are best known for covering elements of Motown, R&B, traditional gospel and "doo-wop."

As award-winning singers, the group has been fortunate to share the stage with such greats as the late Ray Charles, James Brown, The Temptations, The Pointer Sisters, Stevie Wonder and more.

Congratulations to Local 3 member Paul Carrington and the rest of Talk of da Town for being selected as Local 3's Star-Spangled winners, and thanks to this talented group for starting the Semi-Annual on a good note.

In closing, Bonilla told the audience, "together, we can achieve the American Dream" and thanked them for attending.

President Bob Miller took to the podium next, thanking Bonilla for a job well done during his first year as business manager. To lead an organization as large as Local 3, he must provide a clear vision to those who work under him, and he must work harder than any one of them, Miller said. Bonilla does all of this and is supported by the officers and staff "1,000 percent," Miller continued.

"(Bonilla) is a true fighter and true leader for Local 3," Miller said. "Let's give him another round of applause."

Volunteer of the Year awards followed, then the raffle drawing. With nothing more under the good of the order, a motion to adjourn was approved.

"Let's give a round of thanks," Miller said. "Thanks for coming out; it was a great meeting."



Brad Barkley, a 15-year Local 3 member, operates a grader on Hwy. 99 beside Second-step Apprentice Doug Piatt on the scraper.

Infamous Blood Alley to disappear

Union contractors widen roadway notorious for deadly crashes

The stretch of Hwy. 99 from Yuba City to the Hwy. 70 split in Sutter County is known to many as "Blood Alley," and according to the California Highway Patrol, that reputation is well deserved. CHP officials report the 20-mile pass is one of the deadliest in the state, with five times the number of crashes that one would expect to see on a typical California highway.

Plans to reduce the number of deadly accidents and head-on collisions that made the highway infamous involve multiple roadway widenings, two of which are now complete, thanks to longtime Local 3 contractors Baldwin Contracting Company and DeSilva Gates.

Baldwin Contracting Company completed its portion of the project, reconstructing six miles of Hwy. 99 south of Yuba City, in September. DeSilva Gates completed its paving project on seven miles of Hwy. 70 south of Marysville in November. Combined, the projects kept 15 Operating Engineers from the Yuba City District working the entire summer and into fall. Baldwin Contracting Company kept a five-member crew; DeSilva Gates, 10.

Engineers News caught up with the crews hard at work one blistering hot day in June. The forecast predicted temperatures in the upper 90s, but it was well into the triple digits on the pavement.

Paving Foreman Bubba Leonard said the temperature on the pavement the day before had reached 114 degrees. Despite the heat, Leonard said his crew was prepared to lay 3,000 tons of asphalt by the end of the day. Using a paving machine, breakdown roller, secondary roller and a finish roller, in addition to a remix paver, they were set to pave a section of the new northbound lane on Hwy. 70.

Leonard said the remix paver was necessary because they had experienced some problems with the amounts of oil and sand in the asphalt mixture. DeSilva Gates bought the remix paver to help resolve the issue.

Local 3 members from Signet Testing, a testing and inspection subcontractor to DeSilva Gates, were checking the compaction and density of the asphalt once it was poured, packed and finished. Field Tester Greg Lochemes, a 10-year Local 3 member, was checking compaction on one end of the remix paver while Inspector Alan Dias, a nine-year Local 3 member, was testing from the other end.

Lochemes said he was using a device known as a thin-lift-nuclear-density gauge to measure the density of the compacted asphalt. After conducting two tests, Lochemes said their compaction was looking good at 97 percent; the state requires that asphalt meet a minimum of 96 percent compaction. He said his next test would be 378 feet down the road, according to Caltrans specifications.

Several miles down the road from the Hwy. 70 job, Baldwin Contracting Company's crew was finishing up their dirt work and grading on Hwy. 99.

Foreman Brian Wilson was measuring off different sections of grade with Gradesetter Ron Graves, as Operators Brad Barkley and Doug Piatt were in their seats, moving dirt. Wilson said the crew was preparing the dirt for the subgrade's base rock and ultimately for asphalt.

With that paving job and the Hwy. 70 job now complete, the goal is to widen the entire 20-mile stretch of Hwy. 99 from Yuba City to Hwy. 70 into a four-lane highway by 2008. The hope is that as the highway is widened, fewer impatient drivers will make dangerous passes and the "Blood Alley" reputation will fade.



Screedman Kurt Faria, a 19-year Local 3 member, checks compaction of the asphalt on Hwy. 70.



The DeSilva Gates paving crew on Hwy. 70 includes, front row, from left: Alan Dias, Saul Gonzalez, Steve Madrigal, Paving Foreman Bubba Leonard and Salvador Tejeda. Back row, from left: Larry Aldred, Kurt Faria, Troy Ziel and District Rep. Dan Mostats.

Foreman and eight-year Local 3 member Brian Wilson and Gradesetter Ron Graves, a six-year Local 3 member, check grade on Hwy. 99.





SAFETY

By Michael Dunlap,
Safety Director

Killed at work

That headline could be the opening line on your gravestone if you work for a living in the United States. What's worse for our members, it's more likely to be, because once again the construction industry was responsible for the largest number of fatal work injuries of any sector in 2003.

The total number of work-related fatalities was up again, this time to 5,559 nationwide.

Building construction and Heavy and Highway accounted for more than 45 percent of the construction-related total.

This year at Local 3, the numbers are not looking good. We have had some significant on-the-job injuries, and yes, I am sad to report, we have lost members to fatal jobsite accidents.

Let me take this opportunity to remind you that it is the responsibility of each and every operator to ensure we are constantly aware of the who and what around our equipment.

There is no question that Local 3 operators are the best in the world, better trained, more highly skilled, respected and more productive than any other group. Let's not let our drive for production overcome our ability to deliver a completed job safely.

Work safe. Vote for your wallet. Prosper.

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 |

OE3 Scholarship Fund: Giving gifts that last a lifetime

A charity is only as strong as its contributors want it to be, and the Local 3 Scholarship Fund is no exception. Today the fund is strong, both financially and in the support it receives from the organization. It has grown substantially in the last five years, with much of the success due to an increase in donations from members and the employer community. Many contributions are from longtime supporters, but new members and organizations have recently become acquainted with the fund.

If Local 3 has touched you or your family, please consider the scholarship fund as an opportunity to give back to the union. Gifts to the fund make it possible for members to play a role in helping young adults understand the importance and economic relevance of union membership. Every gift makes the scholarship fund stronger.

To encourage and enable the most talented and deserving students, a partnership between Local 3, employers and related businesses created the scholarship fund to provide financial assistance for the children of Local 3 members. The Thomas Morton Foundation became the charter member of the Local 3 Scholarship Emeritus Circle with a donation of \$25,000 this year. Established by Ann Parks in memory of her husband, the Ed Parks Memorial Fund sponsored one of this year's first-place scholarship winners. In 2005, the Donald R. Doser Scholarship will be awarded to a first-place winner.

As the demand for meaningful scholarships increased, Local 3 developed new fund-raising opportunities. In 2003, many Local 3 members participated in a cruise to Alaska with \$50 of the fee earmarked as a donation to the scholarship fund. Members have the same opportunity this year with a special cruise to Mexico in January 2005.

The T.J. Stapleton Invitational Golf Tournament held annually in September remains the biggest source of revenue for the fund. The 2004 tournament raised more than \$60,000.

Most contributions come in the form of traditional cash donations, but some have chosen more creative donation methods. Because of tax considerations, some contributions can result in the donor being able to give a gift that is greater than s/he thought possible. These gifts help build the strength and future of the scholarship fund and allow the donor to experience giving the gift of a lifetime.

The Local 3 Scholarship Fund offers a variety of ways to contribute:

- **Cash gifts to the general scholarship fund.** Gifts can be in any amount.

- **Memorial and Honor Gifts.** You can contribute to the scholarship fund in the memory or honor of a loved one, friend, colleague or to commemorate a special occasion. The fund will acknowledge your gift by letter to the person(s)

you designate, and will also provide written acknowledgment of your gift and the amount. A \$500 minimum is necessary to establish a named gift, and there are four donation levels:

| | |
|----------|---------|
| Bronze | \$500 |
| Silver | \$1,000 |
| Gold | \$5,000 |
| Platinum | \$6,000 |

- **Bequests.** Gifts made through your will allow you to retain control of your assets during your lifetime and distribute them as you wish upon your death. Many people choose to include a gift to the Local 3 Scholarship Fund. The most common types of bequests are leaving a fixed dollar amount or specific property. A charitable bequest may reduce your estate tax. Consulting an attorney is advisable any time you make or change a will.

- **Securities.** There may be an advantage to giving marketable securities – stocks, bonds or mutual funds – instead of cash. In some cases, you may receive a charitable deduction on your taxes, as well as avoid taxes on capital gains. Consult your financial adviser for details.

If you would like more information on donating to the scholarship fund, or if you have questions, please contact the fund administrator, Rec. Corres. Secretary Rob Wise at (510) 748-7400.

TAKE TWO:

Operating Engineers Local 3 cruises to Alaska

If you have always wanted to see Alaska and experience world-class cruising, come along on our second cruise to Alaska on board the beautiful *Sapphire Princess*. You will be supporting the OE3 Scholarship Fund, as a tax-deductible contribution is included in the cruise fare.

We will sail from Seattle May 15, 2005 on a seven-night Inside Passage cruise that will visit Ketchikan, Juneau and Skagway, cruise the Tracy Arm and stop in Victoria, B.C., before returning to Seattle May 22. This wonderful vacation offers you all the amenities of a first-class resort, outstanding entertainment choices during the day and every night, and total comfort while you view the majestic scenery of Alaska.

You can dress casually during your trip if you wish, because Princess Cruises offers "Personal Choice" dining (you have the freedom of restaurant-style dining, where you choose the time, place and style). There are nightly Broadway and Las Vegas-style reviews, several lounges (including a piano bar and karaoke lounge), a lavish casino, a nightclub/disco and first-run feature films. You can also indulge yourself at the Lotus Spa, keep in shape at the Fitness Center or even take classes



in culinary arts, photography and computers through the ScholarShip@Sea program.

The *Sapphire Princess* also boasts four swimming pools, a nine-hole putting course and two computerized golf simulators. Bring the kids or the grandchildren, too — Princess has the best kids' program in the cruise industry.

Our group rates include a \$50 per person contribution to the OE3 Scholarship Fund. Inside cabins are \$899 per person; outside cabins (with picture window) are \$1,229 per person; and balcony cabins start at \$1,349 per person. All rates are based on double occupancy. Third and fourth passenger and single rates are available. The additional government tax (paid at the time of final payment) is \$37 per person. The price includes all meals and entertainment. Shore excursions, spa treatments, personal incidentals, tips and drinks are not included.

If you are interested in getting more information, or if you wish to get your name on the sign-up list, please call (888) 713-0441 and leave your name, address and phone number. Flyers and deposit forms will be available soon.

Scholarship Contest Rules for 2005

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 jobs now 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 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 an accredited U.S. college or university.

Winners also receive an additional \$1,000 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 2004) or 2) the spring semester (beginning in 2005), 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 a scholarship must

have achieved not less than a "B" average in their high school work.

Applications will be accepted between January 2005 and March 31, 2005.

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, 2005:

- 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 one 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 award twenty (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, 2005. 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

FROM EUREKA

District targets unorganized companies

Hello from the North Coast. We wish our members a happy Thanksgiving and hope this message finds everyone happy and healthy.

Work continues on the Behavioral Sciences building at Humboldt State University. We look forward to seeing iron in the air and elevators moving. Figas Construction performed the demolition work. Bill Sheppard Construction did the underground work. Hoisting hasn't been awarded, but all bidders are union contractors.

We were successful in signing four non-union contractors to agreements to train apprentices, which helped keep several District 40 apprentices in their home district this year. We thank our apprentices who worked for these contractors and showed them the advantages of being union.

Speaking of organizing, in the last six months, we have focused our efforts on common targets. Many non-union companies in our area have opened the door for communication, and we are on our way to increasing our market share.

We are negotiating with the North Coast Air Quality Management District, and we are aggressively approaching targeted construction companies.

Every Local 3 member has an opportunity to help with organizing. Give us a call, or come by the hall to find out how.

Tickets will be available soon for our annual Crab Feed Feb. 12 at the Eureka Elk's Club. The Eureka Crab Feed features raffles, entertainment and, of course, all the fresh crab you can eat. Come by, or call the hall for prices. This is our "district picnic" and always a good time. If you are coming from out of town, call us for room rates; we can help. Hope to see you there.

In closing, I thank the Eureka District members for their support since I have become district representative. Come by or call us – the door is always open.

Be safe,

Steve, Carol, Bran and Tina

FROM STOCKTON

G&L Brock Construction signs master agreement

After a low-key organizing campaign, which began in 2000 and was kept alive with periodic meetings with the employer, we are pleased and proud to announce G&L Brock Construction signed our master construction agreement. Most members in the Stockton District know about Brock Construction. The company has been in business almost 20 years, and it has continually grown in volume and in its scope of work. Initially, Brock Construction concentrated on underground work. However, through the years, it added a variety of equipment and personnel. Brock Construction has evolved to become a real competitor in our area. We initially dispatched eight Operating Engineers to its workforce, and we now have 15. The number of dispatched Operating Engineers will continue to grow as the employer completes the jobs in progress at the time we signed the agreement. Brock Construction has always done quality work, and we anticipate a long, harmonious and mutually beneficial relationship with the company.

The work situation in the Stockton District has improved greatly since our last report. The number of operators at the preparation yard for the new span of the Oakland Bay Bridge is near the number of Operating

Engineers we had when a major layoff took place in July 2004 because of problems at the bridge. The rock plants continue to operate with near capacity crews, supplying material for our contractors. Most of the work is in the private sector with a few jobs in the public works arena. The Sutter Creek Bypass job on Hwy. 49 is noteworthy. Stimpel-Wiebelhaus is performing this work with several members getting good hours.

The KFM preparation yard currently employs 14 members, who will also work throughout winter. RGW is in full operation on its job at I-5 and Eight Mile Road.

One major public works job looming on the horizon is a \$55 million road improvement job on Hwy. 99 and Hammer Lane. This part of Hwy. 99 is a traffic-stopping bottleneck that becomes a parking lot twice a day as the commuter traffic overwhelms the ability of the roadway to move traffic. The bid date was Oct. 28, and there were five bidders – all union contractors. We will keep everyone informed as the situation develops.

As we approach Thanksgiving, the Stockton District staff wishes everyone a safe and festive season.

FROM YUBA CITY

Caltrans workers gear up for snow season

The Hwy. 70 project south of Olivehurst was completed in October. This was a two-year job for DeSilva Gates.

Granite Construction's Oroville branch was the low bidder at almost \$11 million to add an inside lane and a rumble stripe on Hwy. 70 from Olivehurst Avenue north to the Yuba River Bridge. Granite Construction was the low bidder on the Cottage Creek parking lot at Bullard's Bar Reservoir. Both jobs started in October.

Jaeger Construction was the low bidder at \$2.5 million on some 50 housing pads and on the underground work for the Feather Falls Casino in Oroville. Baldwin finished the Hwy. 99 project south of

Yuba City. The Plumas Lakes subdivision is going strong with Teichert Construction doing most of the work. Work in the private sector in District 60 was good this season.

The quarries have slowed down. However, Teichert Hallwood reports it will keep almost everyone working through winter. It's been a good year for them. Baldwin Hallwood also had a good year.

Caltrans is gearing up for the snow season. During winter, Caltrans employees take turns removing snow from the highways. This usually means long hours for these members so the rest of us can get to Reno or other areas east. Next time you see them on

the road, give them a thumbs-up for the great job they do. Also, please slow down in their work areas. The general public too often takes these workers for granted. They work 12-hour days in the cold and are away from their families from one week to six weeks at a time so we can travel safely in the comfort of our automobiles.

Thanks to the members who volunteered their time for phone banks and precinct walks in October. Your efforts to further union strength and union principles through involvement in the political process are greatly appreciated.

District 60 wishes you and your family a safe and happy Thanksgiving.



Jessica Barbosa participates in District 60's precinct walk Oct. 2 in Marysville.



James Blount phone banks for John Kerry from the Yuba City District office.

DISTRICT MEETINGS*All meetings convene at 7 p.m.***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

JANUARY 2005

6th District 04: Fairfield, CA
Engineers Building
2540 N. Watney Way

13th District 80: West Sacramento, CA
ILWU Hall
600 4th St.

25th District 40: Eureka, CA
Best Western Bayshore Inn
3600 Broadway

26th District 70: Redding, CA
Engineers Building
20308 Engineers Lane

27th District 60: Oroville, CA
Feather River Recreation & Parks Dist.
1200 Myers St.

OE3 welcomes new members

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

District 17 - Honolulu
Mark Little
Derek Novak

District 17 - Maui
Brandon Daniel Prepose
Tyler Lee Prepose

District 20 - Oakland
Clint Curtis
William Fargo

Around town

President and Geotechnical Engineer Member Jim Foley gets first-hand instruction from RMTC Instructor Roger Chavarin.



California State Assembly Speaker Fabian Núñez and Business Manager John Bonilla share a laugh while touring Local 3's Engineers Publishing print shop in Sacramento.

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.

| | |
|-------------------|---------|
| William Bernard | 1262875 |
| James Billingsley | 0772936 |
| Leonard Canto | 1351548 |
| William Clark | 1281428 |
| Gerald Edie | 1386903 |
| Jerold Eisenhut | 1181574 |
| Yutaka Fujimoto | 1136278 |
| Delbert Gainous | 1411233 |
| Roy Harvey | 1382368 |
| Wayne Kitchen | 1411252 |
| Charles Lawson | 1175057 |
| Robert Lopes | 1171938 |
| Hilario Oliva Jr. | 1324965 |
| Reed Pearson | 1245019 |
| Jerry Pritz | 1411430 |
| Feliz Rodriguez | 1257025 |
| Antone Sanchez | 1374977 |
| Kleton Schramm | 1003194 |
| James Taaffe | 0959340 |
| Arcadio Villa | 1157886 |
| John Wathen | 1243030 |
| Carl White | 1332632 |

**Operating Engineers
Local 3 welcomes the
following new contractors**

| |
|--|
| G D Barri & Associates District 01 - San Francisco |
| Neville Structures DBA Neville Bros. District 01 - San Francisco |
| SNC Plumbing & Fire Protection District 01 - San Francisco |
| Quality Erectors Construction District 20 - Oakland |
| Tim Aikens General Eng. Contractor District 20 - Oakland |
| Biller McCoy Builders District 20 - Oakland |
| H & H Backhoe District 30 - Stockton |
| Sierra Communications & Construction District 50 - Fresno |
| Tim Froman Backhoe Service District 60 - Yuba City |
| Pompilio Excavating & Grading District 60 - Yuba City |
| Wolf Construction Management & Consulting, Inc. District 80 - Sacramento |
| Martin General Engineering District 80 - Sacramento |
| Matriscope Eng. Lab District 80 - Sacramento |
| Abney Excavating District 80 - Sacramento |
| Associated Concrete Pumping District 11 - Reno |
| Coker Equipment Company District 11 - Reno |

Shop Union for the Holidays



For a fine selection of holiday gifts,
go to: www.shopunionmade.org

United States Postal Service
Statement of Ownership, Management, and Circulation

1. Publication Title: **ENGINEERS NEWS**

2. Issue Frequency: **Monthly**

3. Issue Date: **01/17/04**

4. Number of Issues Published Annually: **12**

5. Annual Subscription Price: **\$6.75 (non-members)**

6. Annual Subscription Price: **\$12.00 (members)**

7. Complete Mailing Address of Known Office of Publication (Not business office, city, county, state, and ZIP+4):
3920 Lomane Drive, Sacramento, CA 95834

8. Complete Mailing Address of Headquarters or General Business Office of Publisher (Not printer):
SAME

9. Full Names and Complete Mailing Addresses of Publisher, Editor, and Managing Editor (Do not leave blank):
Publisher (Name and complete mailing address):
Operating Engineers Local Union No. 3
Editor (Name and complete mailing address):
John A. Bonilla
Managing Editor (Name and complete mailing address):
Kelly A. Walker

10. Owner (Do not leave blank. If the publication is owned by a corporation, give the name and address of the corporation immediately followed by the names and addresses of all stockholders owning or holding 1 percent or more of the total amount of stock. If not owned by a corporation, give the names and addresses of the individual owners. If owned by a partnership or other unincorporated firm, give its name and address, as well as those of each individual owner. If the publication is published by a corporation or other organization, give its name and address.)

11. Known Bondholders, Mortgagees, and Other Security Holders Owning or Holding 1 Percent or More of Total Amount of Bonds, Mortgages, or Other Securities. If none, check box.

12. Tax Status (For completion by nonprofit organizations authorized to mail at nonprofit rates) (Check one):
☐ The purpose, function, and nonprofit status of this organization and the exempt status for federal income tax purposes.
☐ Has Not Changed During Preceding 12 Months.
☐ Has Changed During Preceding 12 Months (Publisher must submit explanation of change with this statement).

PS Form 3526, October 1999 (Post Instructions on Form 3526)

13. Publication Title: **ENGINEERS NEWS**

14. Issue Date for Circulation Data Below: **October**

15. Extent and Nature of Circulation

| A. Total Number of Copies (Net press run) | | B. Total Number of Copies (Net press run) | |
|--|--------|--|--------|
| 1. Total Number of Copies (Net press run) | | 2. Total Number of Copies (Net press run) | |
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| (3) Paid Through Dealers and Carriers, Street Vendors, Counter Sales, and Other Retail Sales (Include paid circulation outside the United States and foreign paid circulation) | 0 | (3) Paid Through Dealers and Carriers, Street Vendors, Counter Sales, and Other Retail Sales (Include paid circulation outside the United States and foreign paid circulation) | 0 |
| (4) Other Classes Mailed Through the USPS | 0 | (4) Other Classes Mailed Through the USPS | 0 |
| (5) Total Paid and/or Paid-in-Advance Circulation (Sum of 15A(1), 15A(2), and 15A(4)) | 35,176 | (5) Total Paid and/or Paid-in-Advance Circulation (Sum of 15A(1), 15A(2), and 15A(4)) | 35,176 |
| (6) Free Distribution by Mail (Include free distribution outside the United States and foreign free distribution) | 0 | (6) Free Distribution by Mail (Include free distribution outside the United States and foreign free distribution) | 0 |
| (7) Free Distribution Outside the Mail (Include free distribution outside the United States and foreign free distribution) | 0 | (7) Free Distribution Outside the Mail (Include free distribution outside the United States and foreign free distribution) | 0 |
| (8) Total Free Distribution (Sum of 15B(6) and 15B(7)) | 0 | (8) Total Free Distribution (Sum of 15B(6) and 15B(7)) | 0 |
| (9) Total Distribution (Sum of 15A(5) and 15B(8)) | 35,176 | (9) Total Distribution (Sum of 15A(5) and 15B(8)) | 35,176 |
| (10) Copies not Distributed | 200 | (10) Copies not Distributed | 200 |
| (11) Total (Sum of 15A(1) and 15A(10)) | 38,976 | (11) Total (Sum of 15A(1) and 15A(10)) | 38,976 |
| (12) Percent Paid and/or Paid-in-Advance Circulation (15A(5) divided by 15A(11)) | 100% | (12) Percent Paid and/or Paid-in-Advance Circulation (15A(5) divided by 15A(11)) | 100% |

16. Signature and Title of Editor, Publisher, Business Manager, or Owner: **John A. Bonilla**

17. Date: **9/15/04**

I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).

Instructions to Publishers

1. Complete and file one copy of this form with your postmaster annually on or before October 1. Keep a copy of the completed form for your records.

2. In cases where the stockholder or security holder is a trustee, include in items 10 and 11 the name of the person or corporation for whom the trustee is acting. Also include the name and address of individuals who are stockholders who own or hold 1 percent or more of the total amount of stock, mortgages, or other securities of the publishing corporation. In item 11, if none, check box. Use blank sheets if more space is required.

3. Be sure to furnish all circulation information called for in item 15. Free circulation must be shown in items 15B(6) and 15B(7).

4. Item 15B(10) Copies not Distributed, must include (1) newspaper copies originally stated on Form 3541, and returned to the publisher; (2) estimated returns from news agents; and (3) copies for office use, leftovers, spoiled, and all other copies not distributed.

5. If the publication had previously been authorized as a general or requester publication, this Statement of Ownership, Management, and Circulation must be published. It must be printed in any issue in October or, if the publication is not published during October, the first issue printed after October.

6. In item 16, indicate the date of the issue in which this Statement of Ownership will be published.

7. Item 17 must be signed.

Failure to file or publish a statement of ownership may lead to suspension of Periodicals authorization.

PS Form 3526, October 1999 (Revised)

Departed Members

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

| | | | |
|---|--|--|--|
| Ashabranner, Irvin Corning, CA 09-01-04 | Emerson, Paul San Pablo, CA 08-14-04 | Lupinacci, Frankie Holladay, UT 08-20-04 | Storrs, George Provo, UT 08-15-04 |
| Barton, James Yerington, NV 08-07-04 | Franceschi, Richard Forestville, CA 08-25-04 | Martin, Edward Clearlake, CA 07-23-04 | Switzer, Jack Fort Bragg, CA 08-20-04 |
| Baylard, Glenn Clearlake, CA 08-01-04 | Frankland, Ernest Portland, OR 08-03-04 | Matteis, Louis San Jose, CA 08-03-04 | Thomas, Alphons Castro Valley, CA 09-03-04 |
| Belden, Dean Tollhouse, CA 06-28-04 | Gibson, Earl Silver Springs, NV 09-12-04 | McCoid, Larry Escalon, CA 08-14-04 | Tonkin, Herbert San Jose, CA 05-11-04 |
| Boldt, Brandon Clayton, CA 09-03-04 | Giles, Milton Springville, UT 07-31-04 | McKinney, Al Redding, CA 07-06-04 | Torres, Robert Pearl City, HI 08-15-04 |
| Brazil, Joe Shingle Springs, CA 07-15-04 | Herrera, Jimmy Redmond, OR 08-02-04 | Moore, Robert Cottonwood, CA 07-25-04 | Trogia, Harry Manteca, CA 08-26-04 |
| Bresciani, James Napa, CA 08-22-04 | Hoffman, Ralph Yuba City, CA 08-24-04 | Moreno, Felipe Elk Grove, CA 08-23-04 | Tuck, Doyle Twain Harte, CA 08-14-04 |
| Broussard, Wilfred Reno, NV 07-04-04 | Hopper, James Battle Mountain, NV 08-25-04 | Naki, Sterlin Hauula, HI 07-31-04 | Tuso, George Ukiah, CA 08-29-04 |
| Brown, Clive Waianae, HI 07-30-04 | Igeta, Terumas Kealahou, HI 08-13-04 | Pasley, Merle Rogue River, OR 09-11-04 | Uemura, Tony Captain Cook, HI 08-16-04 |
| Cambra, Henry Antelope, CA 08-22-04 | Kaanehe, Douglas Mililani, HI 08-26-04 | Perry, Ray Soulsbyville, CA 07-19-04 | Wilkinson, Verl Provo, UT 09-03-04 |
| Casari, Pete Piedmont, CA 06-30-04 | Kogan, Rebecca Menlo Park, CA 09-03-04 | Roper, Clifford Paradise, CA 09-03-04 | Wolfe, Daryl Vacaville, CA 05-03-04 |
| Clemons, Artist Citrus Heights, CA 08-09-04 | Levi, Melvin Waianae, HI 07-09-04 | Rorner, Omer Carmichael, CA 08-23-04 | Yeadon, Dale Salt Lake City, UT 06-13-04 |
| Coelho, Victor Los Banos, CA 08-28-04 | Lewis, Lynn Roseville, CA 08-29-04 | Schalesky, Fred Redding, CA 08-12-04 | Yturiaga, Ervol Reno, NV 08-22-04 |
| Danuser, Richard Kahuku, HI 07-23-04 | Lewis, Donald Red Bluff, CA 08-12-04 | Sprogis, Ilmars San Jose, CA 08-02-04 | |
| Ellis, Steven Salt Lake City, UT 07-12-04 | Lopez, Abran Foresthill, CA 08-23-04 | Starkes, Moses Daly City, CA 08-16-04 | |

Deceased Dependents

| | | | |
|---|----------|--|----------|
| Duarte, Doreen, Wife of Duarte Sr., Johnny | 09-03-04 | McLaughlin, Nancy, Wife of McLaughlin, Bernard (Dec) | 05-31-04 |
| Aki, Marian, Wife of Aki, George (Dec) | 06-10-04 | Weeks, Florence, Wife of Weeks, Irven (Dec) | 08-13-04 |
| Anderson, Joan, Wife of Anderson, Gilbert | 09-05-04 | Skeans, Dolores, Wife of Skeans, Harold (Dec) | 08-16-04 |
| Bennett, Anna, Wife of Bennett, Thurman (Dec) | 08-04-04 | Stackhouse, Betty, Wife of Stackhouse, Harold | 08-16-04 |
| Cummins, Ellen, Wife of Cummins, Harold (Dec) | 07-27-04 | Urbani, Jayne, Daughter of Strang, William | 09-09-04 |
| Gilson, Barbara, Wife of Gilson, William (Dec) | 08-27-04 | Valente, Mabel, Wife of Valente, William (Dec) | 08-25-04 |
| McLaughlin, Lucille, Wife of Hill, Kenneth (Dec) | 08-25-04 | Wilbanks, Mary, Wife of Wilbanks, J. D. (Dec) | 08-13-04 |
| Isabel, Helen, Wife of Isabel, Henry (Dec) | 08-02-04 | Wilson, Leslie, Wife of Wilson, Clarence (Dec) | 07-24-04 |
| Kaffka, Josephine, Wife of Kaffka, Edward (Dec) | 08-13-04 | Wood, Cecily, Wife of Wood, Medford | 08-28-04 |
| Lopez, Carol, Wife of Lopez, Luis | 06-13-04 | Schumacher, Ruth, Wife of Wright, Owen (Dec) | 08-19-04 |
| Maggetti, Margaret, Wife of Maggetti, Arnold (Dec) | 08-23-04 | Youngblood, Goldie, Wife of Youngblood, Chester (Dec) | 08-05-04 |

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: Tow bar and base plate #162-2, Falcon 5250 made by Tow Master. Very good condition. Safety cables and pins. Tow bar rating 5,000lbs, all instructions for mounting. New \$710, will sell for \$325. 831-637-2464. Reg. #1586184

FOR SALE: 80 acres 25 miles west of Red Bluff, CA. Three-quarter miles of live creek through middle of land is beautiful oasis. 1570sf mobile home, 1,500 gal. water tank, gravity to house. Generator power, cell phone, year round road, older D4 Cat dozer, M.F. backhoe. \$190,000. 530-949-0361. Reg. #0841515

FOR SALE: Great fishing boat. '88 Marlin, 17' foot, hard top, cuddy cabin, 165hp, 4cyl. Merc. I/O, cabin heater, 9.9hp Mariner kicker. '01 Pacific trailer, dual axle w/brakes. DF/VHF/CB \$6,500. 775-265-2668. Reg. #0976160

FOR SALE: 1987 CASE 580 Super E Backhoe, Cab. 12", 18", 24", 36" buckets, new engine, torque converter, radiator bushings, over \$10,000 in upgrades. 1986 C-70 Chevy truck, 114,000 miles, 366 gas engine, 5 speed with 2 speed. 1992 Flatbed Ramp Walton goose neck trailer, 24,000GVW. Retiring. \$20,000. 408-848-6031. Reg. #1117488

FOR SALE: 1946 Harley Davidson Knucklehead 74 CI Engine rebuilt by HD dealer. Mostly stock & good running. Very clean unique motorcycle. \$18,500. 707-442-5265. Reg. #1620480

FOR SALE: '98 Silverado ext. cab, 3rd door, Rhino liner, tow pkg, Z71, V8-350 5.7L, 106k mi., \$12,500/obo; '98 inflatable 10ft, 8hp Nissan, w/trailer \$1,500. 707-332-4918. Reg. #2475056

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. Reduced for Quick sale: \$189,000. 650-726-7810. Reg. #2023990

FOR SALE: 300 amp Arco Welder. Made by Miller same as Miller. 4 cylinder continental trailer mounted. Lots of Leed. \$750. 510-758-1064. Reg. #1159561

FOR SALE: Advanced turbo system for 7.3 diesel, new, in box, \$1,800. National Truck Crane 24,000lbs lift, 57ft. reach. \$6,000/obo. Wayne Chipper \$3,000. 530-357-4208 evenings. Reg. #2290906

FOR SALE: Livestock Powder River Equipment, used 14' loading chute, six rail - 3' walk gate, two 8' gates, one 10' gate and one 12' gate. Also set of slide-in livestock 8' pickup bed racks. E-mail if interested to charles@theoliveina.com or call 925-455-8710. Reg. #0811400

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: 2003 Harley Davidson V-Rod, 500 miles, some surface scratches, \$15,000/obo. Call for details. 707-372-8060.

FOR SALE: Three burial lots. Will sell individually. \$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. Closer 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 on .acre. 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: 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. New \$21,000, asking \$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: 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 14x66 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

FROM UTAH

District 12 members meet for Semi-Annual teleconference

The Sept. 26 Semi-Annual meeting brought together members, retirees and their families for a nice afternoon with lunch and, of course, gift certificate raffle prizes. The raffle winners in District 12 were Rick Nielsen, Jerry Baker and David Henrie.

As many projects are winding down, we look forward to several jobs beginning soon and lasting through winter. The winter work picture is looking better each day with Ames Construction and W.W. Clyde recently being awarded jobs. Ames picked up a multi-million rail container yard that will keep about 40 operators busy the next several months. Also on Ames' schedule is work at Kennecott Copper that will employ another 35 to 40 operators. W.W. Clyde is preparing for work on a water treatment plant at the Point of the Mountain in Salt Lake.

Correction: In the picture featuring Utah's 50-year members in the August edition of *Engineers News*, the retiree standing furthest left is Doyle Barney.



Members, retirees and their families gather for a picture after the Sept. 26 Semi-Annual meeting, which was viewed from the district office via teleconference.

FROM SACRAMENTO

Work season ends on strong note

It has been slow getting started, but the work picture for the rest of the year looks busy.

Teichert has some good jobs going. The company is doing underground work on 500 pads at the Bridge Lakes project in West Sacramento. It also has underground work on the Washington Lakes project in West Sacramento. Teichert has a subdivision in Natomas, and it is hoping to start more house pads off San Juan Road. In Woodland, Teichert is doing the first phase of about 700 house pads behind the new high school off Gibson Road.

DeSilva Gates is working in the Natomas area on a small subdivision, keeping four to five operators busy.

Collet is still working at Cache Creek Casino, and it picked up another phase that may keep crews busy for the rest of the year. Currently, the company employs five to 10 operators.

Granite is working on Jefferson Boulevard in West Sacramento. The project should keep 10 to 12 operators busy throughout winter. MCM did

the bridge work for Granite.

Kiewit picked up the Lower Northwest Interceptor New Natomas and South River Pumping Stations project. This project has two sites, one in Natomas and one in West Sacramento. Kiewit has driven the street pile in Natomas, and it is doing the dirt work in West Sacramento. The project should last about three years.

We have lots of sewer-flood-control work coming up. Mountain Cascade picked up a large phase of the Natomas pumping stations project, but the company hasn't set a start date. Ranger Pipe has some of the work, along with Las Vegas Paving. Affholder picked up a \$44 million phase of the project. We signed Affholder to a Project Labor Agreement, so the project will work union.

The rock, sand and gravel plants are busy. Syar, Teichert, Rinker and Granite have their crews working; most are working lots of hours.

Despite the slow start, it looks like the work season will finish on a strong note. Have a safe and productive year.

FROM ROHNERT PARK

Killean retires, E-board member O'Halloran joins staff

The Rohnert Park District staff thanks the volunteers who helped phone bank and precinct walk in September, October and November. We made lots of phone calls and covered many miles walking neighborhoods for John Kerry, promoting a "Yes" vote on Measure M, and "No" votes on Proposition 68 and Proposition 70.

We have mixed feelings about Business Rep. Jim Killean's retirement. The office

staff is saddened by Jimmy's retirement because we will miss him. It's like losing a family member. It's been said we spend more time with our co-workers than with our own family members, so not working with him every day will leave a void. On the other hand, we are happy he is retiring. He has earned it and deserves to enjoy



The Granite crew at the plant on Talmage Road in Ukiah includes, standing, from left: Welder Tom Shaffer, Mechanic Asst. Joe Angenete, Foreman Allan Watkins and Dragline Operator Gary Pete. Kneeling, from left: Steward and Loader Operator John Milligan, and Mechanics Rich Klaisner and Sam Griffith.

Petaluma. C. Hardy works on small, private jobs and prevailing wage jobs.

Other contractors working in our area include Dutra Construction, which has a dredge working at Bodega Bay; Gordon N. Ball, which has a crew working on the sound wall on Hwy. 101 in Santa Rosa; North Bay

his retirement. We wish him the best.

We are pleased to welcome to our staff Pat O'Halloran, a 28-year member, who recently served on the Executive Board. O'Halloran has worked primarily for local contractors in District 10. He brings to the position of business representative a dedicated willingness to serve the Local 3 membership.

We welcome new signatory contractor C. Hardy, a small contractor located in

Construction, which has a crew working on the Petaluma overlay; and MCM Construction, which has a crew working on the bridge replacement at Grange Road and Bennett Valley Road.

We remind Rohnert Park District members to attend the district meeting Dec. 2 at 7 p.m. at the Lakeport Yacht Club.

Congratulations to Joel and Melanie Duckworth on the Sept. 14 birth of Ashlee Marie. She was born at 2 p.m. in Petaluma Valley Hospital and weighed 8 pounds, 10 ounces. The family resides in Rohnert Park.



President Bob Miller and Rec. Corres. Secretary Rob Wise pose for a picture with Retiree Paul Koich, who received his 35-year pin Sept. 2 at the Retiree meeting in Ukiah. Koich worked for Granite Construction as a foreman before his retirement.

FROM NEVADA

Granite moves dirt in Panther Valley

When we talk about subdivision work in Nevada, members usually think Q&D, but this year Granite Construction is moving most of the dirt on its Panther Valley subdivision project. Area Superintendent and Local 3 member Scott Stromberg oversees the project's day-to-day operations.

The project consists of building more than 300 house pads and moving about a million yards of dirt. Granite Construction brought in 651 scrapers to move the majority of the dirt; the bigger scrapers need four D10s to keep them rolling through the cut. Granite also has four 40-ton Volvo articulating trucks being loaded by a John Deere 800, which is run by Operating Engineer Brian Thrailkill. Other support equipment keeps more than 20 Operating Engineers busy on the project.

This job is unique because it's one of the few in the area being built using GPS. Foremen Robert Leedom and Bill Hagler have a tough schedule with completion of the first phase expected in June 2005.

The Nevada staff wishes everyone a great Thanksgiving.



Above: This picture of Granite's crew in Panther Valley was taken after a lunch barbecue given to them for working three months injury-free.

At left: Operator Brian Thrailkill loads a 40-ton articulating truck.

FROM FRESNO

Airport area humming with construction activity

The Fresno District is working on a positive note with members continuing to work as many hours as possible. Not only is the work picture holding steady, but the district is busy with precinct walking and phone banking for political candidates. We are looking to have some victories for the labor movement. "In my 20 years as an Operating Engineer, I have never understood why people try to lower wages and take away the rights of working men and women," said District Rep. Ras Stark. "We appreciate the support and participation from our members whose efforts benefit all working people."

Improvement efforts are being made in downtown Fresno. Dick Corporation improved the downtown Fresno skyline with the new federal courthouse becoming the tallest structure in the area. Two members are continuing to operate the construction elevators while Emmett's Excavation, W.M. Lyles and others are aiding in new construction.

Granite Construction, E.L. Yeager, Bartholomew and Ford Construction have the area around the Fresno airport humming with activity. Companies working for developers on housing and commercial endeavors have work scheduled into winter, and they are expecting a decent spring workload. While the work in this area is not booming, it is enough to keep many members busy. As long as the interest rates do not skyrocket, we should have the same amount of work next year.

Subdivision work in the northern portion of our district continues at a strong pace. Allen Waggoner is now performing dry utilities, which helps them become more of a full-service underground company. Other upcoming projects in the area include Agee Construction for a \$724,000 road project in Madera County, W. Jaxon Baker for a \$2.28 million overlay project in Fresno County, American Paving for a \$633,000 overlay in Fresno County, Haydon Construction for a \$935,000 storm drain improvement in Fresno



Above: An OE3 crew works alongside the slip-form paver for Bartholomew Enterprise.

At left: Louis Pancotti operates the belt feeder for Bartholomew Enterprise's white paving on the E.L. Yeager project.



County and Emmett's Excavation for a \$1.5 million main canal modernization project in Merced County.

Several contractors are working in the south valley. Granite Construction is paving in various locations while W. Jaxon Baker is working on Mooney Boulevard in Visalia and paving on I-5. Garrett Construction, Emmett Excavation, Farris Construction, Performance Compaction, Foster & Sons, Menefee Construction, Tri County, Bill Nelson General Engineering, Floyd Johnston, W.M. Lyle, Bobbie Mack

Grinding and Lee's Paving have several jobs throughout the area. Rising Sun is working in Exeter and Hanford with another job starting in Kingsburg. Golden State Excavation's juvenile center project in Fresno is near completion. However, General Crane is still busy on the project with one of its cranes and two rented cranes from Maxim. Golden State is working in Orange Cove on a new school project alongside Emmett Excavation.

The Lemoore Naval Air Station is looking to release more work in the near future. Don Berry Construction is currently working on the base.

A.J. Diani Construction is working in Coalinga on a hazardous material project, and Harris Plumbing is on the Indian casino project in Lemoore.

Thanks to our members for their continued involvement. With the holidays around the corner, we wish everyone safe travels.

District notes

Congratulations to Jeff Utter and Misty on the Sept. 5 birth of McKenzie Lauren Utter. She weighed 4 pounds, 9 ounces.

Thanks to all who participated in the Fresno Golf Tournament Sunday, Oct. 2. We hope to see even more golfers next year.

Wednesday evenings are an excellent time to visit the Fresno District office. Horseshoes have been added to our popular Wednesday night barbecue.

Public Employee News

VOL. 5, #11 • OPERATING ENGINEERS LOCAL UNION NO 3 • ALAMEDA, CA • NOVEMBER 2004

CEMA members vote to make CEMA more powerful

By Tom Starkey, business representative

Local 3 has been the labor representative for the County Employees' Management Association since 1977 — I have been exclusively assigned to CEMA for more than 10 years.

We have seen the membership nearly double, and I have 12 negotiated MOUs or contract extensions as CEMA's chief negotiator. Local 3 assisted members with a successful Fair Labor Standards Act lawsuit and has seen the organization through two dues increases and bylaw revision votes. I also have helped steer CEMA through serious problems at the Valley Transportation Authority because we were not members of the AFL-CIO and not protected by Article 20 of the AFL-CIO constitution.

During the past few years, the executive board has been aware that we have not been able to focus on the many activities needed to make CEMA more powerful.

The recent passage of the dues and bylaws proposals and the executive board actions to strengthen the affiliation agreement with Operating Engineers Local 3 are positioning CEMA to be more powerful in advocating for the membership and



CEMA Executive Board members count ballots from a vote that resulted in increased dues and long overdue changes to the bylaws to make CEMA more powerful.

getting a stronger contract when we negotiate in 2006. Members have clearly spoken that they want responsive representation and stronger advocacy. Now that dues income can support two business representatives, CEMA can continue to build the membership. We can focus on getting a CEMA Site Liaison at each work location to improve communications and hear from members about important CEMA issues. We also now have the resources to build membership involvement in

CEMA's political action efforts in conjunction with Local 3 so CEMA-endorsed candidates know CEMA-OE3 members played a critical role in their victory.

The members and the executive board of CEMA and Local 3 have placed the organization on a new plateau. I believe CEMA now has the resources to take the organization to a much higher level. However, our success will only get us so far unless we have members involved in all of the activities of CEMA. We are only as strong as our members who participate, and with member participation, I see a very optimistic future for CEMA-OE3 members.

Organizing everywhere

By Bob Titus, assistant director

North Coast Unified Air Quality Management District came on board recently with Local 3. Seeking better recognition and representation, contract negotiations and disciplinary coverage, the employees of NCUAQMD sought out Local 3 to assist them in their endeavors and struggles with the district.

Business Rep. Tina Love, with the assistance of Eureka District Rep. Steve Harris and I, submitted to the district a petition for recognition June 16, with full support of the employees. The district, however, did not have any Employee-Employer Relations rules (EER), which dictate the procedures used for recognizing an employee organization and the processes. We are in the process of working with the district to help craft those rules. If this does not work, most likely the State Mediation and Conciliation Service will be contacted to conduct a card check and recognize those employees. We welcome the members of NCUAQMD and look forward to supporting them in their relations with the district.



Stockton Central Parking District employees recently joined the ranks of the Operating Engineers Local 3 Public Employee Division. Needing a voice in the workplace and with the city, the employees of SCPD sought out Local 3. Business Rep. Dean Cofer and District Rep. Tom Aja spoke with the employees and obtained majority support to gain recognition for them. After a few weeks of gathering signatures, a recognition petition was prepared and sent to the

city of Stockton. Because of the response of the city, it was necessary to contact the State Mediation and Conciliation Service to confirm support of the employees. A card check was conducted by State Mediation, and recognition was confirmed for the employees of SCPD. We look forward to servicing these new members and helping them in their relations with the city of Stockton.

We welcome all our new members and congratulate them on their success.

NEWS FROM THE public employees



by

KURT BENFIELD

**Director of public
employee division**

Broke and working

Busting butt, but it's not enough

It is late 2004 and soon to be 2005, and you're working more hours than last year, or you may be working the same long hours but seem to be losing financial ground. You are asking yourself whether it's inflation or something else. The kids' sports, school projects, lunches, car insurance and field trips are costing more and more, and you cannot seem to get ahead. I will not even mention the gas prices debacle.

Fortunately, the bright spot for some was that mortgage interest rates went down and many refinanced, saving them a few hundred bucks a month to help make up for the shortfall. Many people, however, who do not own a house or cannot afford one, were unable to take advantage of that situation.

While inflation keeps climbing, the average hourly wage for NON-UNION workers seems to stay the same. The average hourly NON-UNION wage for the low-wage workforce is \$7.09 an hour. The average hourly wage for total workforce, which includes UNION jobs, is \$17.15, as recorded by the Economic Policy Institute. That is about a \$10-an-hour difference. Today, more than 28 million people, making up about a quarter of the workforce between the ages of 18 and 64, earn less than \$9.04 an hour. That translates into a salary of \$18,800 a year. Do

you know what the income marker is for the federal poverty line for families of four? That's right, it is \$18,800 a year.

What about benefits?

Although inflation continues and non-union salaries are staying the same, the compounding problem is the issue of benefits. There have been numerous articles on the health-care cost fiasco during the last two to three years. The rising costs of medical benefits and prescription drugs dig deep into your already reduced income.

Many try to make ends meet by getting a second job to increase their income, or they get a medical or other benefit that is not provided with their first job. If you're barely getting by on your wages, you're only one serious illness or accident away from poverty if your medical benefits are not up to par. If you have kids, this just increases the potential for medical needs in the future. Add to this the NON-UNION employers that are pressured to get more for less and in turn cut worksite child care programs, slash work hours, fail to pay sick days, make employees work off the clock, don't pay overtime and are saving millions at employees' expense. Often, employers have a good medical program, but as soon as an employee gets close to qualifying for them, s/he finds his or her

hours cut back, or something changes that keeps him or her just below the benefit qualification level.

Conversely, UNION members regularly enjoy significantly better medical benefits, as well as wages. Union contracts are enforced, making sure overtime is paid, wages are increased and benefits keep up with the times.

Again, it's politics

It is so important this November that you vote your wallet. Vote for the candidates that support union ideals, workers' rights and better health care for all. You can be sure Business Manager John Bonilla and his team of officers at Operating Engineers Local 3 will defend those precious rights and benefits gained through collective bargaining, power of the membership and political power and support.

During these times of great change, it is important that you stick together as employees in defense of your rights. It is also important that you stick together as a family and support your family in this month of Thanksgiving. From all of us at Operating Engineers Local 3, we wish you the best this Thanksgiving month.



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Employment probation — what it means

By Chuck Smith, business representative

One of the most common refrains heard from cut-and-complain right-wing activists is that government should be run more like a business.

Sounds good, but when you examine that notion closely, you begin to see just how absurd the statement is.

The fact is, government service used to be run just like many businesses, and the results were disastrous. When elected leaders had the authority to fire entire crews of workers for no cause whatsoever and hire their own friends and relatives — much like they could if they owned the business — there was an incredible amount of corruption in cities, counties and state governments across the United States.

Slowly but surely, the concept of the merit system developed. And here's the premise, as iterated by the California Supreme Court in its *Skelly v. State Personnel Board* ruling that establishes many key rights for public employees: All government jobs are owned by the people, not by the department heads, and not by the mayor or other elected leaders.

The jobs are earned by merit, through testing and interviews. It is true that hiring procedures are not always foolproof and favoritism can creep in, but on the whole, systems in most jurisdictions provide a measure of fairness.

Once earned, a job becomes the property of the employee holding the job, and that property cannot be taken away by the government employer without two things: just cause and due process.

This does not mean a government employee can't lose his or her job through poor performance or bad behavior. On the contrary, government can be very efficient in weeding out bad employees. It only means that a government employee in

California cannot be fired just because the mayor wants to hire his sister as the clerk in the police department, or because the department head is a Raiders fan and one of his road maintenance workers likes the 49ers. (Don't laugh; it has been tried.)

Government must prove its case against a worker. But how does this apply to employees who are on probation?

A probationary period, often anywhere from six months to 18 months, depending on the jurisdiction and the position, is, under the view of the courts, an extension of the interview process. In other words, a new employee is still being considered for a permanent appointment.

Unfortunately, probationary employees can be terminated without just cause or due process during their initial probationary periods, but they cannot be let go after they have achieved permanent status without just cause and due process.

Does that mean a probationary employee can be fired for any reason whatsoever? The answer to that question is no. Employers cannot fire a probationary employee for discriminatory reasons based on bias toward someone's race, color, religion, sex, national origin, disability or age.

Because employers are not required to explain themselves when they let a probationary employee go, proving discrimination is difficult. However, it has been done, and your union representative should be consulted if you believe that is why you have been let go while on probation.

As always, employees — whether they are probationary or permanent — should show up to work every day and be eager to perform their duties. Employers respect such employees, and a healthy work attitude can prevent a lot of workplace grief.



New units bring nearly 70 members to OE3

By Dean Cofer, business representative

I am pleased to report that three new bargaining units have joined OE3, the largest and greatest Operating Engineers local union.

In September 2004, the Rio Vista Police Officers' Association and the Rio Vista Fire Employees' Association chose to affiliate with OE3. These two units bring 13 new members to the ranks of OE3.

OE3 has represented the Rio Vista Miscellaneous Bargaining Unit (public works, water, wastewater and parks employees) for a number of years, and stewards Jeff Fernandez and Rudy Diaz have never missed an opportunity to praise OE3 when discussing work-related issues with their police and fire department brethren. Thanks, Fernandez and Diaz, for your persistence and loyalty.

I would also like to thank POA President/Police Sergeant Glenn Myer, Vice President/Police Officer James Duncan, Treasurer/Police Sergeant John Baratone, Steward/Police Officer Nick McDowell and Steward/Fire Captain Bob Bartley for their help and support in bringing these bargaining units into OE3.

I was pleased to receive a letter Oct. 2 from State Mediator Shirley Campbell notifying us that after a recent card check of "Request for Recognition" forms, the state has granted us exclusive recognition for a bargaining unit for parking attendants and

security personnel employed by the Stockton Central Parking District. This new bargaining unit will bring 56 new members to our OE3 ranks.

I would like to specially thank parking attendants Bill Griffin and Bill Limos for their assistance. I would be remiss if I did not recognize and thank Business Rep. Steve Lopez, who gave me invaluable help and support in this successful organizing campaign.

OE3 members, by singing our praises and pointing out the benefits of union membership, are our most effective organizers and advertisers. Keep up the good work!

Whenever and wherever you encounter a non-union worker, please take time to talk to him or her about the benefits of joining the union. In addition, explain the principles of unionism (all for one and one for all; an injury to one is an injury to all; and by staying united we can improve our working conditions, job security, wages and benefits). Remember: Organizing is the lifeblood of unionism. It is our duty as union members to help bring the uninitiated "into the light" so they, too, can enjoy the benefits of being an OE3 member.

Please join me in welcoming our new brothers and sisters from the Rio Vista Police Department, Rio Vista Fire Department and the Stockton Central Parking District.

NEWS FROM THE
public
employees



Central Valley update

By Doug Gorman, business representative

Newman

We recently settled our long pay dispute with the city, and we look forward to a positive relationship between the Police Officers' Association and the city. Congratulations to former POA President Johnny Lemus on his recent promotion to sergeant, and to Officer David Ham, who was recently elected president of the Newman POA.

Dos Palos

Former POA President Barry Mann was recently given the chief's position in Dos Palos. Barry had been serving as acting chief for awhile, and he was able to beat out several applicants for the position. I look forward to seeing big things happen here. Good luck, Barry!

Los Banos POA

The union is getting involved in assisting the POA in supporting the new public safety ballot measure that will bring additional revenue to the city if passed in November. The union has agreed to print flyers for the POA, and we look forward to helping the Los Banos POA in any way we can.

Livingston

The city recently decided to impose its last, best and final offer on the POA. The surprising thing is, one of the councilmembers called OE3 to ask for the POA's support after he voted to impose the contract on us. When I asked him why he did that, he told me he had spoken with the chief, and the chief said everybody wanted it.

It appears this councilmember doesn't realize what collective bargaining is all about. There are a lot of issues with this unit; we have two grievances and two arbitrations outstanding, all stemming from actions within the police department. I believe we will prevail here, and I look forward to some changes in management.

Madera

After several bargaining sessions with the city, it appears we will be going to impasse over the contract. Management is trying to make our members pay for their PERS, which isn't going to happen soon. It amazes me that management doesn't believe we do our homework. PERS is better off now than it ever has been. And the talk around the valley is that PERS rates will go down in November and employers will become super-funded again. Wow!

Firebaugh

The Firebaugh POA and the Firebaugh Miscellaneous Employees' Association units are still in contract negotiations, which have been strange to say the least. I am optimistic about securing a contract with the present city manager.

Kings County DSA

We have several issues going on with this unit. The county has decided to not conform with the grievance procedures we have in place, so our law firm was forced to file a motion to compel arbitration with the superior court. We also have a pending complaint with the Public Employment Relations Board on the

county's refusal to provide information for us to investigate a possible pay dispute. Both of these issues are ongoing, and I will keep you apprised of the situation.

Fresno

We are beginning contract negotiations with the irrigation district.

Negotiations are ongoing with the mosquito district, and I believe things will work out here. Talks have been very positive.

The airport public safety division has another new interim chief, and talks have been very positive with him. In just 30 minutes, we were able to resolve an issue that has been ongoing for six months. I look forward to good things happening here.

Porterville

Both units are in negotiations at this time, and still the city continues to lowball its employees. This city was able to roll over \$3.2 million last year. I asked the city if it would be willing to invest some of this into its employees; the answer was no, the council may want to build a bridge. Once again, it looks like we are going to impasse with both units here.

Westlands

A recruitment drive is currently underway here, as the district failed to enforce the agency shop provision of the contract. We have been able to get 16 new applications, and hopefully we continue to pursue the issue.

As always, thanks for giving me the opportunity to serve you; I look forward to working for you.

NEWS FROM THE public employees

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A question of jurisdiction

By Carl D. Carey, business representative

Jurisdictional questions are not new to labor organizations. We have all heard of jurisdictional issues in the labor ranks for years. Can a truck driver operate a boom truck? When is a fork lift sole jurisdiction of the Operating Engineers, and when are other trades allowed to operate it? Can a carpenter relocate an electrical line?

Fortunately, thanks to Business Manager John Bonilla's foresight and recent agreement with the Carpenters and Laborers forming a Basic Craft Alliance, jurisdictional issues are now a thing of the past. However, on occasion jurisdictional issues arise in the Public Employee Division.

Just recently, I filed two grievances with the San Francisco International Airport regarding equipment jurisdiction. We prevailed on one grievance, and the other can best be described as a settlement. These types of jurisdictional issues, for the most part, can be satisfactorily settled at the lowest level. I said for the most part, as I am currently embroiled in a jurisdictional grievance that not only questions jurisdiction of

work, but also brings into question management rights as it relates to layoffs and reorganization of a department because of budgetary restraints.

During the 2003 budget cycle in San Francisco, the Department of Public Works, along with other departments, was told to reduce its budget because of the deficits the city was facing. Layoffs cannot be grieved, as they fall under management rights clauses that allow the employer to organize and direct the workforce. What can be grieved are the ramifications of those layoffs to the membership.

The issue that arose during this time was, can work being performed by the classification affected by layoffs be transferred to another classification? When this started occurring, the union's position was that this was a violation of the contract and that our membership was being adversely affected to the betterment of another. Subsequently, a jurisdictional grievance was filed that also encompassed other issues, such as not bargaining in good faith and unfair labor practices.

Going through the grievance process is not a speedy proposition. At each step, time elements have to be adhered to,

allowing both sides to present their position. The union did not prevail during the lower grievance steps and requested that the matter go to arbitration.

The city argued this was a layoff issue not subject to arbitration. The matter was turned over to Anthony Ruiz of Van Bourg, Weinberg, Roger & Rosenfeld, who successfully argued the matter was subject to arbitration, with an arbitration date set for Sept. 24, 2004.

During this time, the Department of Public Works management decided further reorganization of the department was necessary, and additional layoffs were scheduled for this same classification. Now, instead of the OE3 members' work being given to other employees, management chose to outsource our members' work to Central Shops, which had to hire three new employees to handle the work.

An addendum to the original grievance was filed so these additional matters can be argued before the arbitrator. Because of the additional issues, a new arbitration date was scheduled.

As you can imagine, this is an issue the union feels strongly about; the union is actively pursuing positive resolution for our members.



Compelled military service for our children?

By Tina Marie Love, business representative

Could this really be happening in our free, democratic country? You bet it could, and yes it is, right under our noses.

Senate Bill 89 and House of Representatives Bill 163 were advanced shortly after George Bush invaded Iraq in March 2003. The quintessential component of both bills require our children, ages 18 to 26, males and females, citizens and legal residents alike, to serve a minimum of two years in either a branch of our military armed forces or as a civil servant to our country. Absent defeat, these bills are due to be implemented in January 2005.

Shortly after George Bush unilaterally took us into Iraq in March 2003, several elected representatives determined the only way to ensure an impartial deployment of military-service-related personnel was to advance a bill that would potentially eliminate exclusions for the children of senators, congressman and other privileged elite in the country into military service. However, it is unclear if the children of any president who fall within the 18 to 26 year old age bracket would also be required to answer the call to serve their country.

I use the term "potentially" because there is a provision written into the bills that permits the president of the United States to provide exclusion to either or both types of compelled service based on "hardship." The definition of "hardship" is void in both bills, but the historical utilization of what constitutes a "hardship"

can be inferred. Individuals who service the nation in some other way, like the aide to a senator or congressman, have been granted "hardship" exclusions to military service. You know, Senator X's child, the aide to Congressman Y, or Supreme Court Justice S's child serving as intern to an advisor — great resume stuff — while our children are being shot at and killed regardless of which aspect of this bill they serve in (military or civil service).

Having two daughters, one 26 and the other 20, I found myself extremely concerned with these bills. The scope of these bills would require my youngest daughter into compelled service. Wanting to better understand what constitutes "civil service," I asked several friends in active service and in reserve status for some clarity — I was distressed at what I learned. Civil servants are not in any less danger than regular military, but could be placed in situations of even greater risk and exposure. Civil servants can be deployed to the same locations as regular military to provide support services to the active military — but without the ability to protect themselves. Typically, they are not trained in the use of weapons and are not issued arms. That makes them sitting ducks. I did not have my children to be fodder to the ideologies of the self-appointed elite in this country who stand to benefit from my child's blood, while their children are excused from the same potential perils. The question also has to be asked, would our government leaders be so quick to engage other countries that don't share

our views and philosophies if their children were going to be sent to the frontline to defend the views of their parents? We need not look any further than the current example to draw from. While John Kerry was serving in active duty in Vietnam, George Dubya was stateside somewhere.

School attendance will no longer provide the extended deferment option it once did. Those individuals who are in school when called to begin their two years of service may be permitted to complete the term they are currently in. However, when they conclude that term, they will have to report to duty. There are no provisions in either bill for single parents or only children. In the case of the conscientious objectors, civil service is being touted to accommodate.

Individuals between the ages of 18 and 26 who want to travel outside our country will need written consent and approval from our government — a measure taken to ensure someone does not go abroad to avoid compliance with the provision of Senate Bill 89 and House of Representatives Bill 163.

Preferential treatment is not a newly applied practice in this government. However, in our increasingly politically active population, we have some hope in our collective voice; stand in solidarity to ensure our democratic way of life is one that is practiced in America and not just spoken while our youth are being sent to fight for that ideology in some faraway land.