

ENGINEERSnews

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POWER OF PROGRESS
Energy center brings 400 union jobs, 600 megawatts to Silicon Valley





For The Good & Welfare

By John Bonilla, Business Manager

Higher wages equal better workers, better product

An interesting news article crossed my desk recently. The title, "Highways Faster, Cheaper to Build with Higher Paid, Skilled Workers," caught my attention.

The article discussed results of a study released by the Construction Labor Research Council for the National Heavy and Highway Alliance. The results didn't surprise me. Instead, they confirmed something I've known for quite some time.

The study found that although many would like to believe that higher wages inevitably increase construction costs, this is not so. The total cost per mile of highway in states with high wages is actually about 3 percent less than in states with comparatively low wage rates.

The study confirms what Davis-Bacon advocates and proponents of union labor have been saying for some time: When workers' skills and productivity justify higher wage rates, highways can be built at the same, or even lower cost per mile than when lower wage, lower skilled workers are employed.

Workers earning a higher wage, like most union workers, tend to be more valuable. Because of their better wages and benefits, they tend to have a higher level of motivation to work hard, and they are often better trained than their non-union counterparts. Union workers, especially the members of Operating Engineers Local 3, appreciate excellent training programs that make them better prepared and more skilled on the job.

For these reasons, Davis-Bacon, the act that ensures a fair wage for millions of workers by requiring contractors to pay prevailing community wage rates and benefits on public works projects valued at more than \$2,000, benefits not only workers but also employers.

Employers operating under prevailing wage provisions clearly benefit with better-trained workers, a higher quality of work, lower turnover and increased productivity. It is for these reasons that construction

costs per mile are consistently lower in states with prevailing wage provisions.

So why is it that so many oppose Davis-Bacon? Many say it is because it increases construction costs. Opponents often argue that prevailing wage rates inflate the cost of federal projects by as much as 38 percent in rural areas and up to 15 percent in urban areas. But this has clearly been proven untrue.

The sad truth is that many are just uneducated about the benefits of the act and hang on to false beliefs as a result. This lack of education is plaguing our government right now. There are currently several infrastructure bills on the line in Congress that could create millions of construction-related jobs. These bills are being held hostage because they include federal prevailing wage coverage. These bills would pass "just like that" if Davis-Bacon were not included, one lobbyist recently said.

We can't let a lack of education keep working people from getting the fair wage they deserve, and we absolutely cannot allow job-creating infrastructure bills to be held up because of this lack of knowledge.

Our job as union members and working people is to ensure that those making decisions that affect our livelihood understand what they will be taking away if these infrastructure bills don't pass, or if they pass with no Davis-Bacon provisions. Every \$1 billion invested in infrastructure creates 47,000 jobs. Davis-Bacon provides stability, security and a decent standard of living for millions of hardworking Americans like the members of Local 3.

Now, let's get the word out to our legislators; let's make sure they're educated on our issues, and this election season, let's do everything in our power to elect labor-friendly leaders who will fight to the end for our issues on behalf of working people.



Power of progress 11

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In the News

House Republicans block overtime vote

WASHINGTON, DC – Republican Congressional leaders struck another blow against America's workers May 12 by denying members of Congress the opportunity to debate and vote on the Bush Administration's new overtime pay regulations that will deny overtime to millions of workers.

Representative George Miller (D-Calif.) offered a motion in the House May 11 to ensure that any worker currently eligible for overtime pay would not lose that benefit under new regulations authored by the Bush Administration, while allowing the Bush Administration to extend overtime pay eligibility to workers who do not currently have it.

But on May 12, Majority Leader Tom Delay (R-Texas) offered his own motion to stop any debate or vote on Miller's motion. Delay's "motion to table" the Miller motion was approved by the House, 222 to 205. All but two House Republicans voted to deny House members a chance to debate the overtime rules.

"They have shut down debate and denied a vote in Congress so that the Bush Administration can take away workers' overtime pay," said Miller, the top Democrat on the House Education and Workforce Committee. "It is obvious that the House Republican majority is simply rubber-stamping the orders of the Bush Administration."

The GOP-controlled Senate approved a similar motion by Sen. Tom Harkin (D-Iowa) in May. However, the House GOP leaders are expected to try and delay a vote on the Harkin amendment until after the Bush Administration's new overtime pay regulations go into effect. As a result, "the vote on the Miller motion ... may be the only chance for the House to support the Senate overtime amendments and guarantee that workers will not lose their overtime rights," the AFL-CIO said in a May 11 letter to House members.

The Harkin amendment allows updates to the Fair Labor Standards Act's rules that govern overtime eligibility but ensures no currently eligible workers lose their overtime pay and lets stand any provision that actually expands overtime eligibility. It also applies retroactively. If the Bush overtime regulations go into effect before the legislative process is finalized, the Harkin amendment would halt the administration's overtime pay grab.

For weeks, the White House has argued its new regulations are an expansion of overtime eligibility that would not cost workers their overtime pay rights. But labor leaders don't agree.

"America's workers deserve to at least have a vote on this matter in the House so that they can see where their leaders stand on Bush's efforts to slash overtime pay," AFL-CIO President John Sweeney said in a written statement.

Unless Congress acts or President Bush backs down, the administration's regulations will go into effect Aug. 23.

Talking Points

By Bob Miller, President



Let us know what's on your mind

By now most of you have heard Business Manager John Bonilla say his No. 1 priority is service to our members. Every day John and the rest of your officers and staff do their best to make sure Local 3 is following through on his commitment. I know that your officers and staff think we are working in the right direction. But we often ask ourselves "how can we know that our members think we are doing the right thing?" We believe that to better answer this question, we've got to improve our communication with you.

Under John's direction we've taken steps to improve our main method of communication from us to you, the *Engineers News*. We're also working to further improve the content of our district and Semi-Annual meetings. The health care crisis presentations at recent district meetings are an example of this effort. As our schedules allow, the business manager and officers also are trying to get out into the field to talk directly with members. Business representatives have been directed to stop at jobsites, even when there isn't a problem. We've also reinvigorated OE CAT activities in every district. These are all important steps, but I think we can do even more. We'll need your help to be successful.

Your team of officers needs to hear from you about what you have on your mind. And, we need to hear it on a regular basis. We don't want the only time we hear from you to be during local union election campaigns or contract ratification meetings. We need to hear from you more frequently than that. I'm asking you to take steps to help us help you. If you've got a problem on the job or a question about your contract, give your district office a call. They can't know about a problem or try to solve it if you don't tell them about it.

We also need to hear from you about things other than on-the-job issues. For example, we need to hear about how you think your fringe benefit plans are working; your take on local, state and national political issues; your career training and upgrading needs; your hopes for your family and your community and what your future financial and retirement needs might be. The more we know about you and your needs, the better able we'll be to meet them.

I've given you some ideas as to the types of things we would like to know about. The question now is how are you going to let us know? You can start by attending district and Semi-Annual meetings. Time is set aside at every meeting for us to hear what you have to say. If you can't make a district or Semi-Annual meeting, take advantage of your district office "late night." Every district office is open until 8 p.m. every Wednesday, with the exception of Hawaii, which has its "late night" every Monday. Stop by and talk to your district representative or a business representative. If you can't make it by the office to talk, phone your district representative or business representative. If you don't like to talk, you can always send a letter.

I'm confident that with improved communication, Local 3 will be able to serve its members better than ever. Your officers are doing their part to improve it, and I'm hoping that you'll do yours. Take the time to let us know what you think. The time you spend doing it will help us, working together, build a better and stronger union.



The Marysville Plant supplies CA, Concrete Aggregate, (shown here) and two other types of material – AB, Aggregate-Based products and MAs, Mineral Aggregates – to construction companies in Yuba, Sutter, Nevada and Placer counties.



From left: Standing in front of the primary wash operation are Business Rep. Frank Rodriguez, Plant Superintendent Jim De Alba, District Rep. Dan Mostats, Repairman Mike Butler, Plant Manager Brandon Stauffer, Leadman Doug Hammons, Heavy Duty Repairer Eric Mallow and Heavy Duty Repairer Wesley Holland.

A proper operation

Teichert committed to worker safety and environment at new Marysville Plant

Story and photos by Heidi Mills, associate editor

The nine Local 3 members working at Teichert's new aggregate plant in Marysville, Calif., begin their workday in an interesting and unusual way. Before doing anything else, they take five minutes alone at their workstations to visualize. Their first task is to identify any potential hazards associated with the job they will be performing that day. The second task is to visualize what they can do to reduce or eliminate those hazards.

The two-part mental safety check is what Teichert calls pre-job planning, and it is an important component of the company's philosophy of safe production, according to Plant Manager Brandon Stauffer.

"We're establishing a culture of working safe," Stauffer said. "We tell the guys that if they take time to do the job safe and right, it will pay in the end – they will be able to go home safe at the end of the day."

Stauffer said he believes the crew has benefited from this type of mental exercise, even though it is unusual and has taken some getting used to. He said it helps that the crew has been through extensive safety training courses and are knowledgeable about working safely.

"This group is different from people we've hired in the past," Stauffer said. "This group of workers has been through extensive safety training."

Before the Marysville Plant began mining operations in 2002, the entire crew attended a training course designed and taught by Teichert's Safety Department. Stauffer said the two-day course went "over and above" the U.S. Department of Labor's Mine Safety Health Administration (MSHA) standards, focusing primarily on fork-lift and man-lift training. The course also included information about how workers can prevent injury and fatalities on the jobsite.

In offering this course and planning other training courses,

Teichert's Safety Department has been a major part of operations at the Marysville Plant. While the department typically plays an important role in most of Teichert's plant operations, Stauffer said its role in the development of the Marysville Plant has been extraordinary.

It was at this site, for the first time in Teichert's 117-year history, that the Safety Department was involved in the design and engineering of a plant before it was built.

From the time it was sketched on paper through the last day of construction of the plant, safety staff worked with operations staff to create the safest possible mining operation. The result of their joint effort can be found in several innovative features of the plant, including walking ramps, direct-drive motors and the use of rubber and plastic urethane to reduce noise levels.

Walking ramps were installed in the plant instead of more conventional man-lifters, like ladders or stairs, to provide workers a safer route to reach different levels of the plant. The idea is that ramps, unlike ladders or stairs, can prevent workers from stumbling and reduce the risk of falling. The idea behind direct-drive motors is the same – they are safer than their conventional counterpart.

Direct-drive motors are motors with no transmission components. To provide torque, direct-drive motors require more magnetic structure with a higher number of poles and coils. The Marysville Plant was built with direct-drive motors in place of pulleys and v-belts, the more common and more hazardous sources of power in aggregate plants. Direct-drive motors are used predominately in European aggregate plants, but more recently have become popular in newer U.S. plants for their safety, speed and accuracy.

Stauffer said Teichert decided on direct-drive motors in the end

because in comparison to pulleys and v-belts, the workers' exposure to danger is minimal.

To further promote worker safety, rubber and plastic urethane products were designed and installed on the plant's shoots – where one conveyor belt connects to another conveyor belt – to eliminate noise hazards.

As pointed out by Stauffer, Teichert is committed to a safe environment for its workers and equally committed to the environment. Evidence of the company's commitment to the environment, he said, can be found in its plans for reclamation at the Marysville site.

Reclamation is the process of "reclaiming," or restoring mined land to its natural habitat. All mining operations in the state of California must have a reclamation permit that meets certain requirements, which are outlined in the state's Surface Mining And Reclamation Act. SMARA requires mining operations to be conducted in a way that benefits long-term land use. Beyond that, mining operations can decide if they want to put more effort into reclamation, but they must at least meet the minimum requirements.

The reclamation permit for operations at the Marysville Plant exceeds the minimum requirements. It was designed by Teichert and approved by the state as an exemplary reclamation.

In the years to come, operations will work with biologists to create a shoreline habitat



From the plant's control tower, Leadman and 10-year Local 3 member Doug Hammons keeps in contact with workers in the plant and on the ground with radio-controlled walkie talkies.

around the lake as mining operations proceed. This process of reclaiming the land every few years as it is mined is most beneficial to the long-term use of the land. It gives biologists the opportunity to see if the plants and wildlife that were acclimated to the shoreline in years past are surviving and make adjustments, if necessary, to ensure the habitat's long-term survival.

The first shoreline reclamation at the site is scheduled for fall 2004. Reclamation will continue for the next 80 years the plant has been permitted to operate.



From left: Business Rep. Frank Rodriguez, two-year Local 3 member Robert Triplett and District Rep. Dan Mostats. Triplett is one of the loader operators at the Marysville site who is responsible for feeding material onto the beltline and into dump trucks.

Site under construction

When the official go-ahead for construction of the Marysville Plant was given in the fall of 2002, Teichert immediately broke ground and started developing the site. One of its first projects was to design and build an intersection at the main entrance on Hammonton-Smartsville Road. Because there was no existing intersection, it was necessary to install turning lanes and an entrance road. Teichert began developing internal roads once construction of the entrance road and the intersection was complete; then built scale-house facilities to house its administration offices.

The next major development project was to build a berm – a landscaped mound of earth – around the perimeter of the plant site. Permit conditions with the state required Teichert to build a berm and install an irrigation system for it for aesthetic purposes.

A portable aggregate plant was erected on the site in the fall of 2002, and mining operations began within the same year. Teichert brought in a permanent plant to replace the portable plant in the fall of 2003, and by year's end, the permanent plant was producing products for sale.

It is the newest of 11 permanent plants owned by Teichert in the state of California.



One-year Local 3 member Mike McAllister excavates material at the Marysville site with a Lima 2400B dragline.



Excavator Operator Scott Paul dumps a load of mined material at the Marysville site.



CREDIT UNION

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

Beyond purchase price – the wrong loan can be costly

Does the tailgate on your truck get stuck unless you do that special trick with the handle? Does your car need \$200 in repairs this month – again? Will you soon need room for six in that five-passenger sedan?

Life happens, and it can be hard on a car. That's when many of us find ourselves at a dealership trading in a manageable budget for a paycheck stretched too thin. It doesn't have to be that way. These days, consumers know it's important to research and negotiate the fair purchase price of their dream car, but that's only half of the pocketbook battle. Let's focus on two frequently overlooked aspects of getting the best car deal.

I. Your trade-in

The bottom line in most cases is that you'll get more for your car if you sell it yourself. However, most people's hectic lifestyles demand the ease and convenience of a dealer trade-in. Just keep these points in mind:

- Research your vehicle's trade-in value before visiting a dealership. Visit Operating Engineers Local 3 Federal Credit Union's online Auto Center at www.oefcu.org, and click on the Kelley Blue Book link to get an idea of your vehicle's value. Note that this well-respected resource is merely a guideline. A dealership's perception of value includes additional factors such as its current used inventory mix or even the make of cars they sell (that F-150 may be more attractive to a Ford dealer than a BMW dealer). Even if your car never missed an oil change or a weekend wash and wax, you won't get as much for a vehicle that's not in demand on your dealer's lot or at local auctions.
- Negotiate the price of your purchase before discussing the trade. Can't believe you're getting so much for your trade? You're probably not. The dealer is simply not coming down as far on the purchase price. When the trade-in and purchase price are lumped together, it's difficult to tell how much you're getting

for either. It's an effective way to distract customers from the real numbers (dealers like to direct your focus to monthly payments).

- Do you owe more than your vehicle is worth? You should still negotiate your new purchase first. Yes, the difference between the amount you owe on your vehicle and its value will be added to the purchase price, but you will know that's the only thing being added. Beware: If this addition sends your overall purchase amount beyond the sticker price, think hard before signing on the dotted line. It's all too easy to start a cycle of owing more on your car than it's worth.

II. Getting the right loan is as important as getting the right car

It's no secret that dealers make sizable profits from financing and after-market loan add-ons. The wrong loan can be expensive. Thankfully for credit union members, getting the right loan is as easy as asking your dealer for OEFCU financing. In fact, you should insist on it. When you get a credit union loan, you're not only supporting the union movement, you're getting some of the lowest rates around. Also, your friendly credit union staff will be there to help you long after the deal is done. Visit the credit union's online Auto Center at www.oefcu.org for a complete list of local participating dealers.

Done deal? Don't worry. It's not too late to get great rate credit union financing!

Are you living with the burden of a high rate, high payment or dealing with a company who's never there when you need them? Maybe you're feeling the pinch of an astronomical payment from that 0 percent dealer financing you took last year. It's not too late to do something about it. It pays to see if your credit union can bring some welcome relief to your monthly budget. Ask your OEFCU auto loan expert about refinancing today. Have your current car loan information handy and call (800) 877-4444, or apply online at www.oefcu.org.

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FRINGE BENEFITS

By Charlie Warren, Director

Looking ahead to retirement: How will my pension be paid?

Upon retirement, pension is paid to the member in the form of a monthly benefit for his or her lifetime. If the member is married, the automatic form of payment is the 50 percent Husband and Wife pension, unless the spouse rejects his or her right to this form of payment. Under this option, a reduction is made to the member's pension. The amount of the reduction depends on the member and spouse's difference in age. The member receives a lifetime monthly benefit, and if the member predeceases the spouse, the spouse will receive a monthly benefit equal to 50 percent of the member's benefit for the rest of his or her life. The plan also allows the member to take a higher reduction and provide a benefit of 75 percent or 100 percent to the surviving spouse.

If the member is not married or if the spouse had rejected the Husband and Wife pension, the normal form of payment is the Life Pension with a 60-month guarantee. Under this payment form, monthly benefits are payable to the member for his or her lifetime. If the member passes away within the first 60 months of payment, the balance of the 60 months is payable to the beneficiary. The plan also provides an option allowing the member to take a reduced benefit and extend the guarantee period to 120 months.

American Diversified Pharmacies' prescription drug plan

RETAIL PHARMACY PLAN (34-day maximum supply)

Under the ADP plan, the member goes to a participating pharmacy (most major and many independent pharmacies), presents his ID card and pays the appropriate co-pay. There is a \$10 co-pay for generic drugs, and a \$15 co-pay for a brand-name drug when no generic drug is available. If you purchase a brand-name drug when a generic is available, your co-pay will be \$25 plus the cost difference between the generic and brand-name drug. If the doctor stipulates no substitution of a generic drug is allowed, the co-pay is \$25.

MAIL ORDER OPTION (90-day supply for California Active H&W plan and 100-day supply for Pensioned H&W Plan)

Your Rx drug benefit also provides mail-order service for your prescription needs. Mail-order service is available through American Diversified Pharmacies (ADP) in Sacramento. You may send an original prescription or have your doctor phone or fax a prescription to ADP. The mail-order option is perfect for those using maintenance drugs. When using the mail-order option, there is no out-of-pocket cost to the member for generic drugs. There is a \$10 co-pay for brand-name drugs with no generic drug available. A \$25 co-pay will apply for brand-name drugs if there is a generic drug available. It may take up to two weeks to receive your mail-order prescriptions. If you need a new prescription filled immediately, you should use the retail pharmacy plan.

Self-Care *for Health Care* Tip of the month

Exercise with arthritis

People with arthritis can participate in a variety of sports and exercise programs. Here's how to get started:

- Discuss exercise plans with your doctor, and ask if any fitness activities are off limits.
- Look for programs or individual sessions that provide you with supervision from a physical therapist or qualified athletic trainer.
- Set modest goals and build up activity gradually. Pay attention to your body's reactions, and slow down if you're doing too much too soon.
- Apply heat to sore joints before exercise. This is optional, but many people with arthritis begin exercise sessions this way.

Three types of exercise are best for people with arthritis:

- Range-of-motion exercises (e.g., dance or Tai Chi) increase flexibility, relieve stiffness and help maintain normal joint movement.
- Strengthening exercises (e.g., weight training) help keep or increase muscle strength. Strong muscles help support and protect joints affected by arthritis. Start strengthening exercises slowly with small weights (a one-pound or two-pound weight can make a big difference) and build up gradually.
- Aerobic or endurance exercises (e.g., bicycle riding) improve cardiovascular fitness, help control weight and improve overall function. Weight control can be important to people who have arthritis because extra weight puts extra pressure on many joints. Some studies show aerobic exercise can reduce inflammation in some joints.

As you condition your body with range-of-motion, strengthening and aerobic exercise, you should be able to add a variety of recreational activities without fear of injuring your joints. Ease off if joints become painful, inflamed or red, and work with your doctor to find and eliminate the cause.

Understanding your prescriptions

Local 3 has been strongly encouraging members to use generic drugs instead of name-brand drugs. It recently came to our attention that some confusion exists in reading the forms that come along with your prescriptions.

When you receive your prescription, it comes with a form stating the name of the drug. Often, this form will name the brand name of the drug, as well as the common name.

It may look something like this:

DRUG NAME: Celebrex

GENERIC NAME: Celecoxib

The name that comes after the word generic does not mean there is a generic version of the drug avail-

able. Instead, this refers to the common, medical name for the drug. In the case of Celebrex, you would be receiving a brand-name drug and would be charged accordingly.

When your doctor prescribes a brand-name drug, ask if there is a generic version available. If there is not a generic available for the drug prescribed, ask your doctor if there is a drug available in the same class that would provide the same treatment. For example, if you are taking Celebrex for arthritis and there is not a generic for Celebrex, there may be another arthritis medication that does have a generic that would work for you.



INSIDE NEGOTIATIONS

By Frank Herrera, Vice President

Yuba gold fields saga continues

In 1997 I was sent to Marysville as district representative. As I was settling in I realized that there were about 10,000 acres of raw aggregates in the Yuba gold fields just waiting to be processed.

Most of the land is owned by the Bureau of Land Management (BLM) and U.S. Army Corps of Engineers. Recognizing the volume of the aggregates and the potential good paying union jobs that could be created if I could encourage union producers to seek lease agreements with the BLM or Corps of Engineers, I pursued the idea. I immediately ran into a major obstacle, Western Aggregates. This company was then and is currently operating a rock, sand and gravel plant in the Yuba gold fields. Western Aggregates is a subsidiary of Centex Homes, the biggest homebuilder in the United States based out of Texas. They operate open-shop nationwide. Their open-shop attitude has created major conflicts between the Operating Engineers and the company.

The Yuba gold fields stretch nine miles from Hammonton Road in Marysville on the south entrance to the Parks Bar Bridge on the north entrance at Hwy. 20. Western Aggregates has claimed ownership of Hammonton Road and all access rights. Their claim to the road could give them a potential monopoly on all 10,000 acres of aggregates in the gold fields.

Western envisions having total control of the aggregate industry and continues to operate as an open-shop company. The company also envisions itself controlling the aggregate market in the Bay Area by shipping material by rail or barging it through the channel.

Local 3 and its allies have been successful in defeating Western's plans every step of the way. In the mid-1990s Western's plans to operate a rail spur through Beale Air Force Base and transport aggregates to the Bay Area were defeated. Western's claim of ownership of Hammonton Road was defeated in court. The court ruled that the road belongs to Yuba County. Western

exhausted all their appeal rights to no avail.

Local 3 has organized its workforce, we've been in contract negotiations for seven years, and the workers continue to fight and stay strong and won't settle for anything less than a fair and equitable contract. I commend their perseverance.

Recently, Western Aggregates lost another legal battle in claiming they have vested rights to produce material in the gold fields and aren't required to operate under a use permit. Now they will be subject to public hearings related to their operations and will have to produce an approved reclamation plan.

Because the court ruled that Hammonton Road is a public road, union employers are currently operating in the gold fields. Teichert Construction opened a plant adjacent to Western Aggregates' plant; DeSilva Gates from the Bay Area is operating in the gold fields; District 60 organized Silica Resources, a sand and gravel operation in the gold fields; Teichert Construction purchased the last bucket-type gold dredge on the West Coast from Cal-Sierra Dredging, and they signed a union agreement with Local 3 for its operation. Eventually they plan on supplying their rock, sand and gravel plant with material from dredge tailing supplied by the dredge.

Currently, the Operating Engineers JAC is in negotiations with the BLM to lease government property and create a satellite training facility that specializes in training in the rock, sand and gravel industry.

None of these things could be possible without the vision and determination of Local 3 and its allies. Many gains have been made in the Yuba gold fields in the last seven years. I'm confident that at some point, the workers at Western Aggregates will have a good union contract, and Local 3's presence and union growth in the Yuba gold fields will continue to expand. So far, we have the wagons surrounded. The saga continues.



OE CAT

By Cindy Tuttle, Political Director

Beyond a successful political season

The membership and the level of member involvement in Local 3 never fails to surprise and inspire me. This past month was particularly interesting. The officers and I had the opportunity to review a report on the number of volunteers, volunteer hours and OE CAT activities in each Local 3 district for the 2003-2004 season, beginning April 1, 2003 and ending March 31, 2004. We were pleased to learn that member involvement in the OE CAT is not only on the rise, it is, in fact, higher than ever before.

The report showed that rank-and-file participation in the OE CAT increased 1.62 percent from 2 percent in 2002 to 3.62 percent in 2004 – more than double the percentage most labor organizations aim to achieve in a given season. Generally, 1 percent participation is considered a successful labor mobilization effort. We achieved 3.62 percent participation, which means 1,286 members, retirees and families donated more than 10,000 volunteer hours to the CAT. Union staff contributed an additional 4,500 hours for a total of 14,500 volunteer hours last season.

Most of our time was spent on politics because it was an extraordinarily political year. With the Oct. 7 recall election, the Nov. 4 general election and the Dec. 9 runoff, we focused heavily on phone banks, precinct walks, voter registration drives, and sign construction and distribution. In all, there were 480 separate CAT activities throughout our jurisdiction during the season.

You'll recall from the election recap in my column a few months ago that labor secured a number of victories in November. Since then, we have had a number of wins across the board on several fronts. Local 3 was able to contribute to these labor successes because 1,286 members decided to stand up and be counted. We supported a number of pro-worker candidates, most of whom were elected to city councils, county board of supervisors and the state legislature, and helped secure votes for quarries, recycle plants and public works jobs.

In doing so, we were able to demonstrate to our political friends and foes that Local 3 is committed to good public policy and good jobs and that we're willing to fight for both. That's what a dedicated group of union activists can do. And that's the reputation we've been working to establish since Business Manager Emeritus Don Doser instituted the OE CAT in 2000.

Imagine what we could do this season with 1,300 more volunteers. Or 1,300 on top of that! We have the people power; that's a non-issue. Local 3 is the largest of the 170 local unions within the International Union of Operating Engineers, and the largest construction trades local in the United States. We represent thousands of skilled workers who all have something to contribute to strengthen and grow our union.

Given last season's 3.62 percent participation, we've set a goal of 5 percent membership participation in the OE CAT in the 2004-2005 season. I think it's an achievable goal. There will be a lot going on this fall with the November 2004 presidential election, and we have some hotly contested state senate and assembly seats in several districts where we will be working to ensure we maintain a labor-friendly majority.

In addition, each district will aim to participate in at least one community service project. Like political action, community service is vital to advancing our agenda as working people. It is our way to give something back to our neighbors and present the union in a positive way.

All things considered, there's lots to do and no time to waste. I challenge you to join together with your fellow CAT activists and make this season even more successful than the last.



Jerry White and Freda Calverta precinct walk in Yuba County.



UNIT 12 STATE CRAFT AND MAINTENANCE

By Flo Davis, Unit 12 Director

Constraints in state negotiations

The Ralph C. Dills Act governs contract negotiations with the state of California. This is the law that gave collective bargaining to the employees of the state of California.

The scope of representation (also known as the scope of bargaining) is "limited to wages, hours and other terms and conditions of employment, except however, that the scope of representation shall not include consideration of the merits, necessity or organization of any service or activity provided by law or executive order."

"Terms and conditions of employment" have been interpreted to include, among other topics, health and welfare benefits, vehicle and transportation expenses, work hours, transfer and reassignment policies, and organizational security issues. However, many terms and conditions of employment are governed by state statute. As a result, those terms and conditions under the control of the State Personnel Board cannot be grieved or arbitrated. Also, certain government codes prohibit unions from offering certain benefits to members.

For these reasons, misconceptions exist concerning "terms and conditions of employment" (Department of Personnel Administration) versus the "Merit System." For example, examinations, promotions, appeal hearings and civil rights programs (State Personnel Board).

One misconception is that a permanent-intermittent (PI) employee should be able to post and bid to full-time status or, after a PI works 1,500 hours, s/he automatically becomes permanent, full time. A PI is appointed from a certification list for PIs only. If there is no hiring or promotional freeze, a candidate reachable on a permanent, full-time (PFT) certification can be appointed as a permanent, full-time employee. However, if a candidate is appointed PI and is not reachable on the PFT certification list, provided no hiring freeze exists, that PI must be a PI for two years and must work a minimum of 1,920 hours during that two-year period. Then the PI is eligible to have a time-base change to PFT without appointment from a certification list. A PI does not automatically become PFT after working 1,500 hours.

Many have asked why Operating Engineers Local 3 does not offer health benefits to Unit 12 members. Government Codes 22751 through 22756, also known as PEMHCA (Public Employees' Medical and Hospital Care Act), provides that only the Public Employees' Retirement System (PERS or CalPERS) can provide health benefits to state employees. Local 3 filed with the Public Employment Relations Board (PERB) in an attempt to change this government code. PERB ruled against Local 3.

These are just two examples of constraints placed upon unions in the negotiating process with the state of California.



ORGANIZING

By Ras Stark, Organizing Director

Challenges in organizing Utah

Utah presents a unique challenge to Local 3's organizing program. The political environment in the state favors big business. Utah is a right-to-work state and there is no state prevailing wage law. Construction industry union density is only 10 percent to 20 percent in most areas. Wages are generally low, and believe it or not, many unorganized workers have bought into the line that wages have to be low so that their employer can be "competitive." It's a frustrating environment for our organizers to work in. But, we've got great organizers and district staff in Utah. Working together, they are making progress in increasing our membership and leveling the playing field for signatory employers.

Recently, we heard that a non-union employer was having trouble staffing his work. This looked like a perfect opportunity to meet with him and lay out the advantages of signing an agreement with Local 3. We could supply him the skilled operators he desperately needed to successfully complete his work. He responded to our offer by saying that he could hire equipment operators "off the street" that were every bit as skilled as Local 3 members, and he then asked our organizer to leave. It sounds like a lost opportunity, right? Well, as it turns out, we got a result that was every bit as good as an organizing win.

Like I said, the contractor was having trouble staffing his work. Working with Utah District staff, our organizer stripped away four of the contractor's best hands, including a superintendent, master mechanic and two operators and put them to work for signatory contractors. As a result of this, the contractor had trouble completing his jobs and was forced to take much of his equipment to auction just to pay his bills. Much of the work he could no longer bid went to our signatories, and Local 3 got a win for our members and contractors.

I've previously reported on our battle to organize Wolper Construction. This Utah employer has used every trick in the book to deny its workers the right to a fair election. We've had one election, which we lost, largely due to improper conduct by both the National Labor Relations Board and the employer. We've got unfair labor practice charges filed, and I think we're going to get a new election. We've also stripped away a number of their top hands and gotten them kicked off of one job. We've heard they may be getting kicked off another. They really are starting to feel the power of Local 3 and the heat we can put on a contractor. We don't have them signed to an agreement yet, but we are taking work away from them. We will keep the heat on until we get them signed to an agreement.

Our organizing success in Utah continues to be greatly dependent on the hard work and dedication of many "stand up" Utah members. They've helped in providing leads to our organizers and by welcoming newly organized members into Local 3 and helping to educate them about our union. We can never have too many members involved in our organizing efforts. Any member can become involved by working as a "salt," participating as an Operating Engineers Community Action Team activist, working phone banks and any other number of ways. Call your district office and let them know that you want to get on board and help Local 3 stay the biggest and best local union there is!



RANCHO MURIETA TRAINING CENTER

for Apprentice to Journey-level Operators

By Curtis Brooks, Director

A look inside

The mind is the master power tool that molds and shapes things, and mankind is a mind evermore taking the tools of thought and shaping what we will, bringing forth a thousand joys or a thousand ills. We think in secret, and it comes to pass that our environment is but a looking glass. The hardest job for any of us is to look at ourselves and see both sides – good and bad, or should I say, the not so true.

It is by virtue of thought that we choose and encourage, and our mind is the master weaver of the inner garment of character and the outer garment of circumstance, but as they may have been woven in ignorance and pain previously, they now may be woven in enlightenment.

What does all of this mean? Life is a choice, and it comes with choices. If you have made Operating Engineers Apprenticeship one of yours, you have made a good choice. Now what you do with it is up to you. You can choose simply to put in your hours and pay your dues until you graduate. In that there is no disgrace, no shame nor dishonor. There is pride but only in things that are self-serving.

An alternative is to commit your time not only to your employer, but also to the body of brethren whom you have entrusted to be guardians of your best interests, your physical and financial future, and to the perpetuation of common workers' rights and entitlements. Thus, your pride transcends those things that are self-centered, and you can take pride not only in yourself but also your fellow workers and all things considered ideal by the union that you serve and that serves you.

To succeed, you must know what you are doing, enjoy what you are doing and believe in what you are doing. That means we should encourage and lift up one another rather than knock someone down just because s/he is different. Take time to know who you are as an Operating Engineer so you may become who you would like to be in other aspects of your life and be the very best and do your very best at whatever you do. Once you have accepted yourself, it's much easier to accept other people and their points of view.

CCO Tests for new candidates

2004 Written Exam

Exam date	Application deadline
Aug. 29	July 2
Oct. 24	Sept. 3
Dec. 19	Oct. 29

CCO Practical Test

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

APPRENTICESHIP GRADUATES

Agustin Gutierrez	Construction Equipment Operator	Fairfield	April 9
Benjamin Sampietro	Heavy Duty Repairer	Rohnert Park	April 12
Danny Potts	Heavy Duty Repairer	Rohnert Park	April 5
Jason Noe	Construction Equipment Operator	Oakland	April 12
John LaBarbera	Heavy Duty Repairer	Redding	April 4



Just 0s and 1s

Pressing on with some basic computer information, let's take a look at how computers and processors think. Most digital devices communicate and calculate in a language of their own. They use electricity to think. At this point, they only do a pre-programmed set of commands. It would be like having a list of scenarios. If this happens, do this, and if that happens, do that. Granted, it's a long list, but as far as I know, they don't have the ability of random thought like we do. But who knows what's under development.

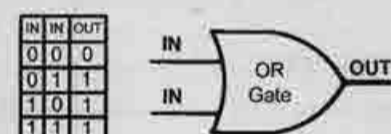
Electronic devices are very mechanical, albeit electro-mechanical. They basically work with voltage. Most of them look for the presence or absence of voltage. Let's use 5 volts as an indication of the presence of voltage and 0 volts as the absence of voltage. The voltage can be used to power some components, but mostly it's used to indicate status: on or off, 5 volts or 0 volts, high or low.

In computer language, status is represented as a series of 1s and 0s. The presence of voltage (on, 5 volts or high) equals 1, and the absence of voltage (off, 0 volts or low) equals 0. That's all there is to it. This is called binary, and all computers use this basic language. In the electronics world, we count to 1, so we go 0, then 1, and that's it. There are no 2s, 3s, 4s, etc. – just 0s and 1s. The 1s represent voltage, and the 0s represent no voltage. Five volts equals 1, and 0 volts equals 0. So, if you were to count, you'd go 0, 1, then carry to the next decimal place. This doesn't make the computer seem very smart, but they don't have to be because they are so fast.

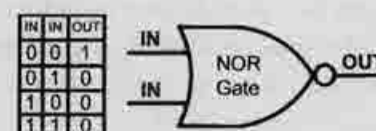
Let's look at a basic logic component called a gate. There are AND gates, OR gates, NAND gates and NOR gates.



Above is an example of an AND gate. The chart on the left shows all combinations for the input and output. Notice that it takes voltage on both inputs (represented by a 1) to produce voltage on the output. This makes a logical decision (if this AND this ... then this). Hence its name, AND gate.



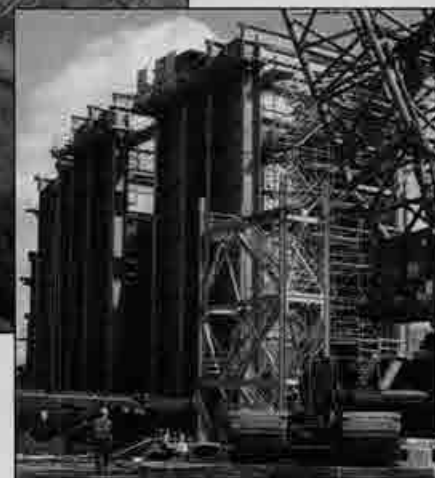
Above is an example of an OR gate. This gate produces a 1 (5 volts) on the output when one OR the other inputs are a 1. Below are examples of gates that have an inverter on the end (indicated by the small circle) that reverses the output.



These gates make predetermined logical decisions based on how they're built. You might think that's simple and that anyone could do it, but could you do 16 to 32 of these at a time and do 3 billion per second? Like I stated earlier, computers aren't that smart, but they are fast, and that's what makes them look smart.



Above: An aerial view of the Metcalf Energy Center project from April 2004. (Courtesy of Calpine) At Right: The power plant will consist of two gas turbine generators, two triple-pressure Heat Recovery Steam Generators (HRSGs), one steam turbine generator, a cooling tower and a switching station. The HRSGs are made of 21 modules each. Four modules have been set into place. Two are shown here.



POWER OF PROGRESS

Energy center brings 400 union jobs, 600 megawatts to Silicon Valley

Story and photos by Kelly Walker, managing editor

A community in need

For years, California's Silicon Valley, the high tech center of the world, has relied primarily on outside sources for its energy. The unfortunate result has been unpredictable rolling blackouts, loss of productivity with workdays cut short, and energy becoming an expensive yet precious commodity.

The Silicon Valley has reached its capacity for receiving electricity through existing high voltage towers and transmission lines. With a growing population and economy, the need for consistent, more reliable power has become dire. Most of the power plants in the Bay Area were built in the 1950s and 1960s and are not efficient. They produce more smog and are more costly to operate. This area was in great need of some modern technology.

By early summer 2005, this need will be answered. The Metcalf Energy Center (MEC) is in the process of being built in South San Jose. Calpine, a leading independent power company based in San Jose that has power plants across the nation, spearheaded the project and will serve as its general contractor, overseeing its production and operation.

Working under a Project Labor Agreement, the MEC project will be an all union job, using signatory contractors and union labor. At its peak, it will employ about 350 to 400 union workers, as well as 20 permanent skilled, family wage positions.

Calpine Project Manager Nick LaPorte, who has worked for Calpine for about five years and on similar projects around the country, said he has never worked anything but union.

"The craft here is just as good as anywhere in the country," he said. "I've been very impressed, and I tell everyone I talk to how good the work is out here."

Local 3 Business Rep Mike Dodgin said that on any given day, there are at least 50 Operating Engineers on the job. With it being an all union job, he said, there is a remarkable sense of camaraderie among the whole MEC crew.

"The most impressive thing is the teamwork involved in all the unions working together," Dodgin said. "There's a definite element of harmony involved."

The project will also purchase construction materials, supplies and services from local companies.

Upon completion, this \$400 million project will bring 600 megawatts to the Bay Area — enough to power more than 600,000 homes. MEC will provide this energy to PG&E's power grid for use in homes and businesses throughout San Jose, Santa Clara County and the entire Bay Area.

By bringing the power source right to the valley, the newer, cleaner facility will force some older facilities to retire, eventually reducing consumer energy costs.

A league of support

Calpine first submitted its Application for Certification to the CEC on April 30, 1999. It wasn't until June 21, 2002, that the project finally broke ground.

During this time, the MEC underwent a lengthy review process by the CEC and the city of San Jose. At first, the city rejected Calpine's application, and the project was denounced by San Jose's mayor. But after MEC became the center of national media attention as a string of blackouts hit the area and the energy crisis became a front-and-center issue, the project finally received the city council's support.

MEC had a strong backing before the city came around. Then governor Gray Davis, Senator Dianne Feinstein, the California State Assembly, Democratic and Republican leadership of the California legislature, the Santa Clara County Board of Supervisors and more, including groups like the American Lung Association and the NAACP, had all proclaimed their support for the project.

Labor groups lobbied for the project from the beginning. Local 3 Business Rep. DJ Robertson said the project faced strong opposition, but the union stood invariably by the project through it all, with San Jose District Rep. Fred Herschbach activating San Jose's Operating Engineers Community Action Team (OE CAT) for every city council meeting. With dozens of CATs at each meeting, along with the unwavering support of the Santa Clara County Building Trades Council, labor made a powerful statement.

About two and a half years after its initial submission, the CEC finally unanimously approved Calpine's application and license for MEC in September 2001.

continued on page 12

POWER OF PROGRESS

continued from page 11

A state-of-the-art facility

MEC will use natural gas, combined-cycle technology to produce environmentally friendly energy. It's currently the most efficient, commercially available technology available for converting natural gas into electricity. This type of energy center produces 90 percent less emissions than older facilities and is 40 percent more fuel-efficient.

MEC will generate electricity in combustion turbines, using the procedure's hot exhaust to create water vapor, which is then used to generate additional electricity in a steam turbine. The facility will be fueled by natural gas, a clean-burning fossil fuel.

The completed plant will consist of two Siemens Westinghouse gas turbine generators capable of generating a maximum of 200 megawatts; two 40-foot wide, 125-foot long and 105-foot tall Nooter Erikson triple-pressure Heat Recovery Steam Generators (HRSGs) with duct burners and one Siemens Westinghouse steam turbine generator capable of generating a maximum of 235 megawatts. There will also be a mechanical draft plume-abated cooling tower and a 230 kilovolt switching station.

The HRSGs are from Chanute, Kan., one of the gas turbines came from Germany and one from Canada, and the generators are from Charlotte, N.C. Each HRSG will have a 145-foot tall exhaust stack that is 18 feet in diameter. The 54-foot wide, 480-foot long cooling tower will be made up of 10 cells. It will be 65 feet to the top of the cooling tower deck, and the cooling tower cones will extend an additional 10 feet above the deck. On the north side of the facility will be switch and bus structures from 18 to 26 feet in height. Two H-frame pole structures measuring 70 feet in height will serve as take-offs for the conductors that will connect the switchyard to the existing transmission lines that lie 200 feet north of the site.

The MEC will require about 3.5 million gallons of water a day. The water used for cooling will be recycled water from the South Bay Water Recycling Program's San Jose/ Santa Clara Water Pollution Control Plant. Ninety-five percent of the water used at the plant will be for this purpose. Using recycled water will significantly reduce the impact of the power plant to the Bay Area's fresh water system, all while minimizing demands on other fresh water sources.



Manitowoc 21000 Operator Bruce Flowers and Second Operator Keith Bostick, both Local 3 members, stand on the catwalk of the Manitowoc 21000.

MEC will be located in Santa Clara County at the southern base of Tulare Hill in northern Coyote Valley of South San Jose. Calpine reviewed 22 other sites but found that MEC could best provide the needed grid reliability benefits and no other site was environmentally superior. This site was chosen because it is located about one-half mile West of PG&E's Metcalf substation, which is the major electric transmission hub for the Silicon Valley. The site is also close to major natural gas transmission lines and the future city water line for recycled water. Because of these factors, the additional infrastructure

needed is minute, and no new transmission towers will have to be installed.

Calpine purchased 131 acres of land for permanent open space, including the 116 acres on Tulare Hill that will serve as a buffer between the MEC and Santa Clara County residents. An additional 15 acres was set aside for habitat protection on nearby Coyote Ridge.

The project itself is only using about 11.5 acres, which LaPorte said can at times make the project difficult. He said a typical site is in excess of 20 acres.

"This is the smallest site Calpine has in its fleet of sites," LaPorte said. "Everything is more compact, so we're doing the same work in a smaller space."

Creating energy, step by step

The MEC is being built in several phases, and at its peak, will employ about 15 cranes. First is the Phase 1 grading plan. This involves clearing and grubbing of the site using scrapers, graders, bulldozers and earthmoving equipment.

Onsite Safety Officer for Top-Grade (a subcontractor on the job) and 33-year Local 3 member Bill Gonzalez said the operators have to dig, lay mechanical pipes, backfill, lay electrical pipes, then backfill again. They then have to finish the backfill and bring the ground back up to elevation.

All of this is done under strict safety watch.

"I make sure everything complies with OSHA; the excavation must be safe, and I have to make sure people wear the proper PPE (personal protection equipment)," Gonzalez said. "But the main concern is making sure we work with all the crafts. There are excavations everywhere, and we have to make sure they are roped off appropriately."

This process could begin only after Calpine received a license from the CEC. The site also had to be inspected to ensure that the environment would not be harmed by the project.

The next phase is the underground phase. In this phase, pile is driven to secure the foundation and the underground electrical and mechanical is installed. A total of 1800 14-, 16- and 18-inch piles were driven 50 to 80 feet deep throughout the jobsite. About 240 feet of new 230 kilovolt transmission line will be needed to connect the switchstation to PG&E's existing Metcalf substation, and about one mile of natural gas pipeline will be constructed to supply fuel to the plant from PG&E's main gas line. A total of 35,000 lineal feet of underground pipe was installed in this phase.

Once the underground is done, the concrete foundations have to be poured. The foundations will be 8 feet deep. As of early May 2004, this process was about 80 percent complete. When the foundation is set, equipment installation can begin.



From left: San Jose District Rep. Fred Herschbach stands with subcontractor Top-Grade's Onsite Safety Officer Bill Gonzalez, a 33-year Local 3 member.



A lull rough-terrain material handler.

Equipment installation requires case, the Manitowoc 21000.

The Manitowoc 21000, with a largest crawler crane in Manitowoc's line, and this project has been used in California.

Operating Engineer Bruce Flowers is responsible for its assembly, making about 86 truckloads to bring the crane to assemble the crane. Other cranes are used to assist.

Each HRSG is made up of 2 modules. There will be 42 modules total. The 21000 to place the modules on the site can make this a difficult process. To move smoothly, two cranes assist the headlifting, and of the other modules, and one helps with the tail.

The modules are built off-site. Smaller pieces are brought in by rail in on a rail spur that was at the jobsite is adjacent to pre-existing tracks. The reason the MEC site was ideal.

As on most jobs, it is crucial to have a three-crane crew to be skilled.

"We have to be very precise in working together, we could bump or we could damage a module."

If a module is damaged, it's a problem. If it is not in perfect condition, it's a problem.

To keep things running smoothly, everyone has to work together. We try to talk to each other and have to be precise.

The skill and ability of this team is what being an Operator is all about. Without it, this type of project is impossible.

Rotating equipment will be in the project, the boiler (where the steam is generated). This can be a lengthy process.



...ler is used to move parts around the jobsite.

the use of larger cranes. In this

1,000-ton lifting capacity, is the
voc's fleet. There are only six of
ject marks the first time one of
a.

wers travels with the crane. He is
ntenance and operation. It took
rane to the jobsite, then five days
es were used in the assembly.

l modules; seven rows of three.
l. Flowers uses the Manitowoc
he foundation. Wind conditions
ss, and to make everything go
Manitowoc. The 21000 handles
two cranes, one tails the mod-
ing.

e and brought to the site. The
truck, and the larger pieces are
made just for this project. The
ng train tracks — an additional

l for Flowers and the rest of the
at what they do.

se," Flowers said. "If we're not
mp, we could damage the boom

must be shipped out and rein-
ondition, a new module must be

thly, Flowers said, "The three rigs
keep a steady pace. The three of
keep an eye out for each other."
ree-man crew is a shining exam-
g Engineer union member is all
of lift simply couldn't be done,
is sentiment.

stalled first, then the heart of the
am is made) will be installed.

is, LaPorte said.



A Local 3 member operates a loader, proudly donned with Local 3 logo stickers, at the Metcalf Energy Center jobsite.

"This will take almost a year," LaPorte said. "About 10 and a half months, including inspection."

Next, the above ground utilities, including pipe and conduit, are installed. Twenty-four thousand lineal feet of above ground pipe will be installed in this phase, known as the "balance of plant operations."

"It connects the equipment and makes it into a system," LaPorte said.

The only thing left to do is to add fluids to the system, then start commissioning plant activities. This process takes about three months and involves starting the equipment up, testing it and ensuring that everything is operating properly to its full capacity.

After all of this, the plant can finally open for business.

Manitowoc 21000

- Manitowoc's largest crawler crane
- 754 mton (831 ton) capacity
- MAX-ER attachment brings heavy-lift boom capacity to 1,000 tons and the luffing jib capacity to 500 tons
- 360 foot heavy-lift boom
- 480 foot luffing jib
- 448 kilowatt (600 horsepower) engine
- 161 m/min (529 ft/min) line speed standard
- 49,000-pound line pull standard



At its peak, 15 cranes will be employed at the jobsite, as will 50 Operating Engineers.

ALL ABOUT NUMBERS

400	Union workers employed on job
1,800	Piles driven to secure the foundation
21,000	Cubic yards of concrete poured
24,000	Lineal feet of above-ground pipe
35,000	Lineal feet of underground pipe
345,000	Man-hours as of April 2004
855,000	Man hours remaining until the project is complete



An important message from Business Manager John Bonilla:

Recently, the workers' compensation benefits Californians have enjoyed for nearly 95 years have been in jeopardy. As workers' comp insurance premiums have continued to rise, employers, who are required by law to have this coverage, have struggled to keep up with these rising costs, which have more than doubled since 2000. Some have had to take their businesses to other states, others have had to layoff employees, and some have had to cut benefits. Gov. Schwarzenegger signed a bill April 19 that changed the system. The bill is a compromise between labor groups, management and the state that includes

benefits and drawbacks for working people. Some of our concerns were addressed, and some of our biggest concerns went untouched. We are currently working through the Basic Craft/ Heavy Highway Alliance to explore the feasibility of setting up our own Alternative Dispute Resolution (ADR) program, which is a way of resolving disputes without taking the issue to a hearing or court. This is usually done through negotiation, mediation or arbitration. We will keep you posted on our progress. Please read the following to learn about the new status of the workers' comp system in California.

Compromising workers' comp

Just about every decade since the workers' compensation system was enacted in California, employers have complained about the system, asking for reform. The doubling and tripling of employer costs over the last four years is what drove the workers' comp debate of this decade.

California's worker's comp system is the most expensive in the nation, and with the most litigation, the most disputes and the worst rate of returning injured workers back to work, something had to be done for the benefit of working people, employers and to ease the state deficit.

In the last two years, the state legislature passed two sets of reforms, which were estimated to save nearly \$7 billion in the \$25 billion system. However, insurance companies reduced their rates by only a small percent or did not pass cost savings on to employers at all. This made it clear that the best way to guarantee that system-wide savings are passed on to employers — a round-about benefit to employees — is to re-regulate the insurance industry.

Organized labor has fought hard to maintain injured workers' constitutional guarantee to income support and medical treatment. Going without this was not an option. Workers' comp is a benefit to employers and employees. Under the workers' compensation system, employees give up the right to sue an employer for injuries sustained at work in return for workers' comp benefits.

In February 2004, organized labor released a plan to reform the workers' comp system. The main focus was to get injured workers more effectively back to work and to re-regulate the insurance industry.

Labor and management representatives met for more than two months in the governor's office to hammer out the details of various proposals. Local 3 also had representatives at the capital lobbying on behalf of our union members' needs. The governor ended these meetings, leaving the negotiating to the state representatives. Eventually, an agreement was reached.

On April 19, Gov. Schwarzenegger, in keeping a promise he made upon his election, signed workers' comp reform bill SB 899, which was overwhelmingly approved in both houses (77-3 in the Assembly, 33-3 in the Senate). The bill is considered a compromise on behalf of working people, management and the state, and in many ways it is, but without regulating the insurance industry, it has strong potential to compromise our workers' comp benefits.

The positive aspects of SB 899 reflect some of labor's reform proposals. Organized labor worked hard to maintain a worker's right to choose his or her own doctor. Under the reform bill, union members will be able to name their current doctor as their treating doctor should they suffer an injury on the job.

Members must predesignate their personal physician immediately by completing a predesignation form and returning it to their employer. If you, as an employee, do not predesignate your personal physician, the employer may select a doctor for you from the date of injury. The Personal Physician Form on page 15, courtesy of the California Labor Federation, is an example of how you can predesignate your doctor in case you should sustain a workplace injury.



Under the new bill, employees may seek opinions of two additional providers within the network if their primary physician denies treatment. If all three deny treatment, the employee may go to an in-person Independent Medical Review (IMR). If the treatment is approved by the IMR, the employee may seek treatment inside or outside of the network.

Possibly one of the most significant outcomes of the passage of SB 899 is that it keeps an exceedingly harsh anti-worker initiative off the November 2004 ballot. This initiative would not have allowed workers to choose their own physician unless the employer agreed to that choice, and the employee would not have been allowed to predesignate a physician for treatment for work-related injuries or illnesses. Under the initiative, employees would not have been allowed second and third doctor opinions; they could only seek paper review by IMR, which would be final and binding. And, under the initiative, the insurer would not have been required to provide immediate medical treatment from the first day of injury as it is under SB 899. These are merely a few of the atrocities we avoided with the passage of the workers' comp reform.

Although we didn't get everything we pushed for, what we got is better than the alternative, the ballot initiative. So in many ways, SB 899 brings a sigh of relief. The November ballot initiative would have butchered workers' compensation benefits for millions of Californians.

However, many of labor's proposals did not make their way into SB 899 — most notably the re-regulation of the insurance industry. Despite this temporary defeat, Local 3 and other labor groups are committed to continuing efforts for insurance reform and re-regulation. It is unacceptable for policymakers to reduce benefits to some injured workers while letting insurance brokers and insurance companies continue to make excessive profits. By avoiding any regulation, it is clear that the insurance industry was the big winner with the newly passed bill.

Both the California Senate and Assembly are now considering regulation proposals. In the meantime, we must sustain our efforts to re-regulate workers' compensation insurance companies or the crisis will never be solved.

Ten things union members need to know about changes in workers' compensation

1. Predesignate your doctor before you get injured. If you have group health insurance, like Kaiser or Blue Cross, you can choose your doctor to treat your injury. You must complete and submit a personal physician form to your employer. Even if you have previously completed such a form, do it again because the laws have changed. Your doctor must agree to be predesignated.
2. Injured workers will receive immediate medical treatment, up to a \$10,000 cap, until their workers' compensation claim is accepted or denied. Previously, injured workers had to wait — sometimes up to 90 days — for their claim to be accepted before getting medical care.
3. The most severely disabled workers will receive seven additional weeks of benefits for each percentage of disability rating over 70 percent. The least severely disabled workers will receive one week less of benefits for each percentage of disability rating below 15 percent.
4. Injured workers who cannot return to work will get a 15 percent increase in their permanent disability award. Injured workers who return to work will get 15 percent less in permanent disability benefits, provided they keep their jobs for at least a year. Once back at work, if you lose your job through no fault of your own, you will once again get your full permanent disability award.
5. Temporary disability benefits will be limited to two years. Although the vast majority of claims receive less than two years of TD benefits, injured workers could previously receive up to five years of TD benefits. Injured workers with specified injuries, like amputations, chronic hepatitis or severe burns, will remain subject to the five-year cap.
6. Unions and their employers can pursue alternative dispute resolution programs (carve-outs) to create an integrated system of medical treatment, also known as 24-hour care. Group health coverage and medical treatment for injured workers would be seamless. They can also negotiate to integrate temporary disability payments and non-industrial disability payments to create a seamless system of temporary wage replacement benefits without regard to how or where the injury occurred.
7. Employers will be eligible for financial incentives to take injured workers back to work. Worksites with bad accident records will be inspected by insurance companies as an additional check for safer workplaces.
8. Permanent disability benefits will be apportioned between work and non-work related causes. Injured workers will not get more than 100 percent disability rating for repeated injuries to the same body part. Temporary disability benefits and medical treatment will not be affected by the new apportionment rules. A worker whose cumulative injury is 30 percent caused by non-work related factors will receive only 70 percent of his/her permanent disability award.
9. A draconian anti-worker initiative, championed by Gov. Schwarzenegger and the Chamber of Commerce, will not be on the November 2004 ballot. This legislative compromise takes away the risk of losing the heart of our workers' comp system.
10. The big winners of this compromise are profiteering insurance companies. Not only did they and their brokers escape any form of regulation, but they also exacted specific benefits in this legislation. We must sustain our efforts to re-regulate workers' compensation insurance companies or this crisis will never be solved.

Courtesy of the California Labor Federation/AFL-CIO

PERSONAL PHYSICIAN FORM

To (Name of Employer): _____

In the event that I sustain a job-related illness or injury, I designate my personal physician to provide medical care immediately after the injury, and for the purpose of all related care, as appropriate, for the duration of my treatment for that illness or injury. My physician has agreed to be predesignated. By making this request, I am not waiving my right to immediate, appropriate and adequate emergency medical treatment in instances where my personal physician is unavailable, nor am I waiving my right to be referred to specialists or other providers as necessary.

Personal Physician: _____
(Physician's name, office, clinic or hospital)

Address: _____

Telephone: _____

Employee's signature: _____ Employee's name (print): _____ Date: _____

Note: In accordance with the new workers' compensation reform law enacted April 19, 2004, as it amends Labor Code Section 4600, if your employer provides group health coverage, you are allowed to predesignate your primary care physician from your employer-provided group health coverage plan as your personal physician for your workers' compensation medical treatment. If you predesignate your personal physician, you will be allowed to be treated by this doctor immediately after you are injured. If you fail to predesignate your personal physician, your employer may select a physician for you from the date of injury.



SAFETY

By Jay Bosley, Director of Safety and Special Representative and Michael Dunlap, Special Representative

Dunlap named director of safety

This will be the last article that I will contribute as staff of Local 3. I feel blessed to have had the opportunity to represent Operating Engineers on numerous levels over the span of the last 11 years. I will always remember these times fondly.

As of the close of business July 2, 2004, I will close the door from the outside. But, enough of this sentimental nonsense.

Business Manager John Bonilla has appointed Special Rep. Michael Dunlap to become the director of safety for Local 3. I have known Mike for several years and consider him to be an excellent choice.

A few words from Mike...

A graduate of Local 3's apprenticeship program, Mike Dunlap spent most of his journey years doing underground around the Bay Area. In his time working for the local, he has been a business representative in Oakland and recently has served as a special representative for business managers Don Doser and John Bonilla.

Even as a 25-year member of Local 3, he continues to marvel at the diversity of the membership and the vastness of this group's influence, experience and expertise. He cannot express how proud he is to be a member and representative of this organization, which is held in such high regard by everyone who knows of us and what we do.

With more than 42,000 represented workers, working in more than 200 job classifications at more than 2,000 job locations on any given day, the vast majority of the members manage to return home safely every day. As amazing as that seems when one considers how dangerous the government says our work is, the most dangerous part of the day for each of us may well be the drive to, from and at work.

June is National Safety Month, and this year's theme is "Crash Free June." Motor vehicle crashes are the leading cause of injury death in America, with more than 44,000 deaths in 2002, and the leading cause of workplace death, with 2,200 deaths in 2002. More than 3 million Americans are injured annually in motor vehicle crashes, and those crashes cost society \$242 billion a year.

Please join the rest of the members and me in striving for a "Crash Free June."

Mike looks forward to working with all of you toward a safer working environment.



TECH NEWS

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

Pre-tensioned concrete plant observation

Because the strength of materials used in pre-stressed construction is significantly higher than normal concrete construction, there has developed a strong quality control program for plant manufacturers. Pre-tensioned concrete plant observation verifies the actual control program and checks its effectiveness.

This objective can best be achieved by qualified special concrete inspectors performing the following duties under the direct supervision of the materials engineering laboratory.

Observational duties

A. Documents

1. Review the approved plans, specifications and approved shop detail drawings.
2. Verify that concrete mix designs, tensioning data and calculations for stressing have been approved by the reviewing authority.
3. Verify that jacking equipment has been calibrated.

B. Mill and plant test reports

1. Check conformance of all materials to project specifications. Verify steel mill test reports for prestressing steel and deformed bar steel. Verify mill markings and tags. Verify cement mill test reports and certifications.
2. Check fabricator's testing facility and reporting of tests performed under fabricator's quality control program.

C. Sampling

1. Sample and deliver to the laboratory for testing:
 - a. Concrete aggregates
 - b. Prestressing strand or wire
 - c. Reinforcing steel
 - d. Steel used for structural steel embedded items

D. Steel fabrication of embedded items

1. Verify that qualified welders are employed to perform welding of structural steel

using welding procedures qualified in accordance with AWS Structural Welding Code.

E. Pre-placement observations

1. Bed layout and form cleanliness.
2. Quality and spacing of reinforcing and stressing steel.
3. Location of inserts and embedded items.
4. Profile of stressing steel.
5. Witness tensioning of prestressing elements, measure elongation of strand and record gauge pressure.

F. Tests and observation during casting

1. Perform batch plant observations.
2. Conduct slump, air and unit weight tests. Request adjustments as necessary.
3. Cast compression test specimens.
4. Observe placement and vibration of concrete in forms.
5. Observe finishing treatment.

G. Post-placement tests and observations

1. Observe curing procedures, temperatures and curing cycles.
2. Monitor compressive strength results for specified release strength.
3. Witness stress transfer.
4. Identify member by component and date cast.

H. Field erection

1. Check members for damage during storage or shipment.
2. Check field installation and structural connections.

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 architect and engineer. Report all uncorrected deviations from plans or specifications.

With deep sympathy

Our sympathy goes out to Surveyor Apprentice Andy Sheehan and family. Andy lost his brother, Army Spec. Casey Sheehan, April 4, 2004 in Iraq during an ambush of his convoy. Several Local 3 members attended Casey's memorial service. The Sheehan family is asking that any memorial contributions be made c/o Casey Sheehan's Memory to Camp Pendola, Diocese of Sacramento, 2110 Broadway, Sacramento, CA, 95818.

FROM UTAH

Work picture looking up for 2004

Most of our signatory contractors have work lined up, and a few big jobs are set to bid, so hopefully we can get all of our members to work. The Currant Creek Power Plant project in Mona, Utah, has helped keep some members working early this year with W. W. Clyde doing the dirt work. Geottle and Case Foundations signed an agreement with Local 3, and they are currently doing the foundation work at the power plant using crews staffed by Local 3 members. Ames Construction keeps several members working at a retail warehouse site west of Grantsville, Utah, moving mass quantities of dirt.

This year is shaping up to be an important political year with presidential and gubernatorial elections, along with several other key seats at home and in Washington. As Local 3 members, we need to stand up and get involved. We encourage members to join Local 3's Community Action Team. If we don't get people elected that support the needs of working families, we will all suffer. Just think, if every member in this state



Above, from left: Local 3 members Jared Ross, Westin Tullis, Dale Watnes and Job Steward Loy Thomas work at Wheeler Machinery's new shop in St. George, Utah.



Job Steward Charlie Calobeers and Kent Bowers stayed busy throughout winter working for H & E Equipment in St. George, Utah.

spent one hour on a weekend or a week night trying to get candidates elected to office who are friendly to our needs, it would add up to a few thousand hours. Imagine if we got our families and friends involved too. We all need to get involved and try to make a difference.

As the year progresses, we will keep you posted on the candidates the union is supporting. Again, we urge everyone to get involved - make a difference.

Intermountain Contractor recently announced its

top general contractors in Utah. Granite Construction came in at No. 2, and Clyde Companies was No. 7. Clyde Companies was also given the top seed for the overall top design-build company in Utah. District 12 congratulates these union contractors on a successful year.



Using this drill, Geottle does foundation work in Mona, Utah, at the Currant Creek Power Plant project.

FROM FRESNO

Annual district golf tournament draws large crowd

The work season kicked off with an abundance of work mainly because of housing developments in the Fresno area. With all the excitement of a promising work picture, members must not forget about safety and hazards on a jobsite. Member James Kirk was severely injured on a jobsite recently but is recovering well. We thank all who donated blood on behalf of brother Kirk, making the April 2 blood drive at the Fresno District office a success. A big thank you also to all who donated to the James Kirk Trust account.

- District Rep. Ras Stark



Lee's Paving crew joined more than 100 other golfers April 18 for the Fresno District Golf Tournament.

The largest project in the Fresno area is the three-mile extension of Hwy. 180 east of Chestnut Avenue. Prime contractor E.L. Yeager Construction began its final phase of the project in April. A large majority of bridges and frontage roads are near completion. When the project began two years ago, E.L. Yeager was given a three-year deadline. A project of this size can employ as many as 30 to 40 Local 3 operators at different times during the project. In addition to E.L. Yeager Construction, Granite Construction, American Paving, Lee's Paving, Harris Plumbing and A.J. Diani Construction continue to keep many members busy.

Thanks to Mark Fagundes, several individuals will soon be busy performing gradesetting tasks. Fagundes has been teaching gradesetting classes in Fresno for the last three years. The district is benefiting from these gradesetters showing their excellent skills produced by the union.

The work situation in the three northern counties of District 50 is going well with all local contractors reporting plenty of work with more to follow. Most, but not all work is in the private market with subdivisions in Merced, Atwater, Los Banos and Madera, to name a few. The plants and shops are reporting good hours with a possibility of job opportunity expansion.

Got Golf? Thanks to Denise Alejo and Ray Ronell, the Fresno District Golf Tournament was again a huge success. More than 123 per-



The tournament's winning foursome celebrates their victory.

sons participated in the golf tournament Sunday, April 18 at the Airways Golf Course. With perfect weather, a hearty barbecue lunch and raffle prizes, participants had an enjoyable day. This annual event has become so popular with our members and their family and friends that the Fresno District will host another golf tournament Sunday, Oct. 3. Be sure to sign up early if you want to attend, as spaces will go fast.

Fresno staff serving you

Ras Stark, district representative
Ray Ronell, asst. district representative
Sam Uhler, business representative
Denise Alejo, dispatcher
Kathy Tarango-Smith, member services

FROM EUREKA

History, old and new

Sixty members and their spouses were present at the April 20 Retiree Association Meeting at the Red Lion Inn in Eureka. Rocky Leroy opened the meeting at 2 p.m. with the Pledge of Allegiance. This meeting was filled with the old and the new. President Bob Miller introduced a panel of speakers to explain the state of the active and retiree health and welfare funds and Local 3 investments. Speakers included Charlie Warren and Loretta Ramirez from the Fringe Benefits Department, Tim Biddle of the Segal Company, Brian Schroeder from McMorgan, Ada Kersey of Rx America, and Marilyn Haines and John Sweeney from ATPA. The panel fielded questions ranging from investments to buying prescription drugs in Canada. The question-answer period lasted more than an hour.

The time capsule uncovered during the demolition of the 2806 Broadway office building was opened by Retirees Tim Bridgeford and Dan Bradbury. The soldered copper box did not take long to open. It was hard to imagine it had remained sealed for 50 years, and the contents were in excellent condition. They did not find any money, but there was a great deal of memorabilia, including a letter dated Dec. 8, 1954, stating that the Operating Engineers Building was "erected by the Membership of Local Union No. 3 and dedicated to the American Democratic way of life." The letter also included names of the union's officers – Victor S. Swanson was the local union manager – as well as trustees, auditors, Executive Board members, the Eureka office representative and secretary.

Contracts and wage scales found in the capsule included a 1952 to 1955 piledriving agreement, in which derrick barge engineers were paid \$2.90 per hour; deck engineers, \$2.67 per hour; and apprentices (fireman and oilers), \$2.28 per hour. Under a rock, sand and gravel agreement at that time, power-shovel operators were paid \$2.735 per hour; heavy-duty repairmen, \$2.355 per hour; and plant engineers, \$2.575.

In the 1954 to 1955 master agreement, power-shovel operators made \$3.15 per hour; tractor operators, \$2.82; loaders, \$2.87; party chiefs, \$3.12 per hour.

Starting February 1953, contributions to the Operating Engineers Trust Fund were 7.5 cents per hour.

Newspapers

Redwood Empire Labor Journal, Dec. 9, 1954

"House Urges Mendocino Council Spend Union \$\$ With Union Business"

"San Diego Named Site of 55 State Fed Convention"

"Big Business Praises Labor"

"Southern California Building Boom Booms Prices"

Engineers News, November 1954

"Labor Vote is Big Factor in 1954 Election Upset"

"Folsom Dam Wind-Up; Push Roseville Freeway"

"Eureka Set For Freeway"

"No 'Rite' to Work in Cal"

The Eureka Independent

"Trucks Take Over In The Rail Strike Here"

"Paper Listed as Subversive Organ"

"Segregation Ends In All Veterans Hospitals in U.S."

The Humboldt Standard

"Redwood Bypass Will Be Studied at Meet Here Tuesday"

"Buck Shaw of 49ers Fired"

"Walter Winchell, On Broadway"

"Officials Call For GG Bridge Toll Cut"

(When we opened the time capsule, Retiree Jerry Nelson pointed out that an article in *The Humboldt Standard*, "With The Deep Sea Fishing Trade," was written by Claudia Pedrotti, the woman who would later become his wife.)



From left: Retiree Dan Bradbury, President Bob Miller, District Rep. Brian Bishop and Retiree Tim Bridgeford display local and union newspapers, a contract agreement and union pins – all contents of a time capsule from 1954.



This 1954 photo from the *Engineers News* archives shows those in attendance at the ground breaking ceremony for the Eureka Operating Engineers' Building.

The Humboldt Times

"CIO Demands Guaranteed Wage Plans"

"United Nations Condemns China For Jailing Airmen"

"Gains Noted in Construction"

"Millikin Sees No Major GOP Split"

In Theaters

John Wayne, "Wake of the Red Witch"

Alan Ladd, "The Black Knight"

Robert Mitchum, "Track of the Cat"

Marlon Brando, "The Men"

In Sports

"Manager Thinks His Chisox Will Be Pennant Contenders"

"Karl Spooner Signs With Brooklyn For \$7500"

"Browns Take Title"

Autos

1953 Chevrolet Bel Air four-door \$1,725

1953 Studebaker 1/2-ton truck \$1,249

1953 Oldsmobile '98' Holiday coupe \$2,697

1953 Ford '8' station wagon \$2,195

The time capsule also contained buttons from Local 3 and Local 39 in mint condition from 1953 and 1954. The capsule and its contents will be sent to the Sacramento Administration office for placement in the future Local 3 history museum.



Bishop steps down as district representative

Concluding a distinguished 33-year career with Operating Engineers Local 3, Brian Bishop officially retired in May from his position as district representative in Eureka. He was succeeded by longtime Local 3 member and former Sacramento District Organizer Steve Harris.

Bishop joined Local 3 in 1971 after serving in Vietnam in the Army, where he left as a first lieutenant. He graduated as a journey-level operator from Local 3's plant apprenticeship program in 1974, and in 1975, he began working out of the Eureka District for Mercer Fraser and Umpqua River Navigation. He became a dispatcher for Local 3 in Eureka in 1977, and returned to work in the field two years later in Santa Rosa on the Warm Spring Dam project. Bishop returned to work for the union in 1981 as a dispatcher in Oakland and was later promoted to business representative. In 1990, he became Local 3's director of safety and training, a position he held until taking over as district representative of Eureka in 2001.

Bishop plans to stay busy during his retirement years – hunting, fishing, oil painting and doing lots of "Honey-dos" for his wife, Kate. He also intends to spend time with his sons Brett Wright and Robbie Sadler; daughters Cindy Walker, Adrienne Davis and Kimberly Lynn Ashby; and seven grandchildren, the newest of whom is Emmett, named after Brian's father, Emmett Bishop, who was an Operating Engineer and 35-year member of Local 3.

FROM ROHNERT PARK

District 10 work picture improving despite obstacles

District 10 remains active on many fronts: organizing, political action, training and job activities. On the organizing front, Nice Mutual Water in Lake County recently signed a first agreement. Negotiations continue with Waste Management Inc. (WMI). Vice President Frank Herrera is doing an excellent job reaching good terms for the workers at WMI. The workers picketed the company a few times in protest of its unfair labor practices. Please encourage the WMI drivers, if you run into them or if they service your area.

Special Rep. Doug Corson is leading a negotiation team for Willits Solid Waste in a first-time contract in Mendocino County. Please encourage the members working there – we all make a difference when it comes to promoting our union.

Many of you recently received a call from a CAT volunteer reminding you to send back the postage-paid postcard from Business Manager John Bonilla. The volunteers deserve a big thank you for their selfless service to the entire membership. It is when we all do a small part to better our lot that we have a big impact on getting the results we want. If you are still on the sidelines and want to become more involved, call your local hall and get hooked up with a CAT team. Be part of the solution.

The Local 3 officers are dedicated to providing the best representation possible to the members and families of our union. To that



From left: North Bay Construction Excavator operators Don Bunch, Tom Wilson and Ron Babbini work on the Pomo Indian Rancheria in Alexander Valley. Project Foreman Harlan Reetz is not pictured.

end, Local 3 staff is constantly undergoing new training and refresher training in many areas of expertise. From computer training and labor law issues to conflict resolution, staff members are continually honing their skills.

The work picture has been improving even with the obstacles hindering our progress like the tiger salamander, governmental misappropriation (theft) of taxpayer-approved funding earmarked for highway improvements and anti-growth lobbying efforts.

Ghilotti Brothers has a backlog of work as it heads into summer. It was the low bidder on the

bike lanes on Old Redwood Highway in Healdsburg and Windsor. The company will be looking for forepersons to help on this and other projects. If you possess the skills and aren't working, give them a call.

Granite Construction was the low bidder on Phase 2 of the Santa Rosa overlay. North Bay Construction landed almost \$4 million in work between Montgomery High athletic fields and the Rohnert Park Water Meter replacement jobs. It looks like Argonaut Constructors will do the Riverfront Park Reclamation Project in Windsor. MCM Construction was the low bidder on the Anderson Creek Bridge in Boonville. Mendocino Construction will do the overlays in Leggett. K.G. Walters Construction was the apparent low bidder on two jobs totaling almost \$4.4 million – the sewer treatment plant in Fort Bragg and the water treatment plant in Healdsburg. Siri Grading and Paving picked up the Barbieri Brother Park project in Healdsburg.

Mark your calendars for District 10's annual barbecue Sunday, June 27.

Please note, there is a correction to Rohnert Park's report in the April issue of *Engineers News*: Joel Duckworth, District 10's Volunteer of the Year, was recently married to Melanie, and the couple is expecting their first child in September.

**OPERATING ENGINEERS LOCAL UNION No. 3**

3920 Lennane Drive, Sacramento, CA 95834 • (916) 419-3260 • FAX (916) 419-3210
Jurisdiction: Northern California, Northern Nevada, Utah, Hawaii, and the Mid-Pacific Islands

Business Manager John Bonilla

Re: California Master Agreement Allocation

Dear Brothers and Sisters,

Due to the continued increase in medical and prescription drug costs, this year's negotiated increase of \$1.16 was allocated as shown below.

Although we would have liked to allocate the increase differently, the allocations to both active and pensioned health and welfare were needed to maintain the high level of benefits that Operating Engineers Local Union No. 3 has proudly provided over the years.

Wages	\$.31
Health and Welfare	\$.55
Pensioned Health and Welfare	\$.20
Supplemental Dues	\$.10
	<u>\$1.16</u>

We will continue our efforts to maintain the highest quality benefits for you and your family.

Fraternally yours,

John A. Bonilla

John Bonilla
Business Manager

Star-Spangled Search

Local 3 member Dwayne Wright sings a heartfelt rendition of the National Anthem at the March 14 Semi-Annual meeting.

Oh, say, can you sing the National Anthem? If so, Local 3 needs you!

This summer, for the first time ever, Local 3 is sponsoring a union-wide singing contest – it's a "Star-Spangled Search" for any member with vocal talent who is interested in singing the National Anthem at the next Semi-Annual meeting in Sacramento. VHS tape-recorded auditions are being accepted by Local 3's Public Relations Department now through Aug. 30. Please submit your audition tape, along with your name and

telephone number, to:

Operating Engineers Local
Union No. 3
Public Relations Department
Attn: Star-Spangled Search
3920 Lennane Drive
Sacramento, CA 95834

Please note: The winning Star-Spangled Search contestant will be notified by phone the first week of September. S/he will be responsible for all travel expenses associated with the trip to Sacramento for the Sept. 26 Semi-Annual meeting.

DISTRICT MEETINGS

JUNE 2004

- 3rd District 10: Ukiah, CA *
Hampton Inn
1160 Airport Park Blvd.
- 7th District 17: Kauai, HI
Kauai High School Cafeteria
Lihui
- 8th District 17: Honolulu, HI
Washington Intermediate
School Cafeteria
1633 S. King St.
- 9th District 17: Hilo, HI
Hilo ILWU Hall
100 West Lanikaula St.
- 10th District 17: Kona, HI
King Kamehameha
Kona Beach Hotel
75-5660 Palani Road
- 10th District 90: Freedom, CA
Veterans of Foreign Wars Hall
1960 Freedom Blvd.
- 11th District 17: Maui, HI
Maui Beach Hotel
170 Kaahumanu Ave.
Kahului, HI
- 17th District 20: Martinez, CA
Plumbers 159
1304 Roman Way

JULY 2004

- 1st District 30: Stockton, CA
Italian Athletic Club
3514 Cherryland Drive
- 8th District 80: Sacramento, CA
ILWU Hall
600 4th St.
West Sacramento
- 22nd District 04: Fairfield, CA
Engineers Building
2540 N. Watney Way
- 27th District 40: Eureka, CA
Red Lion Inn
1929 4th St.
- 28th District 70: Redding, CA
Engineers Building
20308 Engineers Lane
- 29th District 60: Oroville, CA*
Oroville City Council Chambers
1735 Montgomery St.

AUGUST 2004

- 5th District 50: Fresno, CA
Cedar Lanes
3131 N. Cedar
- 12th District 12: Salt Lake City, UT
Engineers Building
1958 W. N. Temple
- 19th District 01: Burlingame, CA
Machinists Hall
1511 Rollins Road
- 26th District 11: Reno, NV
Engineers Building
1290 Corporate Blvd.

* Location change

2004 picnic schedule

Honolulu, HI	Saturday, June 12
Sacramento, CA	Sunday, June 13
Reno, NV	Saturday, June 19
Rohnert Park, CA	Sunday, June 27
Redding, CA	Saturday, July 10
Oakland, CA	Sunday, July 18
Burlingame, CA	Sunday, July 25
Stockton, CA	Sunday, Aug. 1
San Jose, CA	Sunday, Aug. 15
Fairfield, CA	Monday, Sept. 6

July Picnic Information

District 70 - Redding

Date: Saturday, July 10
Time: 11 a.m. to 2 p.m.
Location: Anderson River Park in Anderson, CA
Cost: \$10; Retirees - \$6; Children - \$4;
No charge for children under six years.
Menu: Pit-roasted beef, beans, salad, fruit, rolls, ice cream and refreshments.

District 01 - Burlingame

Date: Sunday, July 25
Time: 11 a.m. to 3 p.m.
Location: Coyote Point County Park, San Mateo, CA
Eucalyptus Picnic Area 3 and 4
Cost: Adults - \$10; No charge for children under 12 years or retirees.
Menu: Sausage, beans, salad and refreshments.
There will be an astro jump for the children and a raffle with great prizes! Lunch will be served at noon.

District 20 - Oakland

Date: Sunday, July 18
Time: 10:30 a.m. to 3:30 p.m. - Lunch served at noon
Location: San Leandro Marina - Seagull Area
Cost: Adults - \$10; Retirees - \$5; No charge for children under 12 years.
Menu: Tri-tip, chicken, hot dogs, chili, salad, rolls, ice cream, beer, soda and water.
There will be raffles, horseshoes and activities for children.

Operating Engineers Local 3 welcomes the following new contractors

Michael Heavey Construction
District 01 - San Francisco

AVS Services LLC
District 04 - Fairfield

L.T. & Sons Directional Boring
District 10 - Rohnert Park

AFA Construction Group
District 20 - Oakland

Aiken Underground
District 20 - Oakland

Bluewater Environmental
District 20 - Oakland

Harder Mechanical Constructors
District 20 - Oakland

Elijah Electric
District 30 - Stockton

Vogel Construction
District 50 - Fresno

Farris Grading & Paving
District 50 - Fresno

Tillack Sweeping
District 11 - Reno

Preferred Constructors
District 17 - Hawaii

OPERATING ENGINEERS LOCAL 3
4TH ANNUAL
RIDE TO RENO
Ladies and gentlemen, start your engines!

That's right, it's time again to join your fellow Local 3 bikers for a scenic ride across the California-Nevada state border from Sacramento to Reno. The plan is to meet at 10 a.m. at the Sacramento District hall (4044 North Freeway Blvd.) on Saturday, June 19 and arrive in time for lunch at the Reno District picnic. Because this year's ride coincides with the Reno rodeo, a limited number of rooms have been reserved for those who want to stay overnight. If you are interested in joining us, please RSVP Theresa Reclusado at (916) 257-6963.

Reminder: membership card

Rec. Corres. Secretary Robert L. Wise reminds you to carry your current Local 3 membership card as proof of your good standing and identification as a member of Local 3. Having a current card with you allows you to participate and vote at meetings.

Departed Members

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

Bentley, Thomas	Napa, CA	03-12-04
Blaylock, Bobby	Fresno, CA	03-14-04
Conti, Bernard	Eureka, CA	03-30-04
Defries, T.J.	Pittsburg, CA	03-14-04
Fava, Lawrence	Lincoln, CA	03-25-04
Garton, Jess	Anderson, CA	01-23-04
Hamman, Eugene	Kingman, AZ	03-25-04
Hatch, Rulon	Vacaville, CA	03-21-04
Hill, Preston	Fallon, NV	03-25-04
Ice, Gil	Manteca, CA	03-27-04
Jardin, John	Hayward, CA	03-03-04
Jennings, Rauland	Forbestown, CA	03-20-04
Johnson, Vertus	Flandreau, SD	02-26-04
Karratti, William	Sacramento, CA	03-16-04
Kea Sr., Kenneth	Wahiawa, HI	03-30-04
Kemper, Walter	San Jose, CA	03-26-04
Kurtz, Lloyd	Fremont, CA	02-28-04
Larson, Henry	Sunnyvale, CA	03-05-04
Lee, John	Victor, MT	03-06-04
Maddocks, George	Ogden, UT	02-22-04
McGuire, Thomas	Patterson, CA	03-08-04
Morgan, Elmer	Gerber, CA	01-16-04
Mueller, John	Los Banos, CA	03-20-04
Patchett, John	Santa Rosa, CA	03-31-04
Potter, Charles	Preston, MO	03-28-04
Roberts, Allen	Stockton, CA	03-31-04
Ronning, Sven	Salt Lake City, UT	01-04-04
Ruby, Howard	Lafayette, CA	03-12-04
Santos, Francis	Milwaukee, WI	03-28-04
Sewell, Leon	Antioch, CA	04-02-04
Shavers, Pamela	Oakland, CA	01-17-04
Stavsky, Arnold	Laughlin, NV	11-25-03
Steel, John	Redding, CA	03-10-04
Stephens, Patrick	Groesbeck, TX	11-26-03
Valenzuela, Joe	San Jose, CA	03-05-04
Voss, Dave	Cupertino, CA	01-02-04

Deceased Dependents

Deming, Brian, Son of	Martin, Helen, Wife of
Deming, Lee	Martin, James
03-25-04	02-23-04
Ricker, Nancy, Wife of	Mastoris, Sophie, Wife of
Ricker, David	Mastoris, Nick
04-25-03	03-17-04
Alves, Gertrude, Wife of	Njirich, Betty, Wife of
Alves, Alaric (Dec)	Njirich, John (Dec)
03-23-04	03-26-04
Ball, June, Wife of	Olds, Darlene, Wife of
Ball, Arthur (Dec)	Olds, Wayne
03-25-04	03-03-04
Bell, Oneater, Wife of	Park, Ann, Wife of
Bell, Marion	Park, Ed (Dec)
03-09-04	03-12-04
Chism, Philip, Son of	Pesetti, Gloria, Wife of
Chism, Russell	Pesetti, Nilo (Dec)
03-02-04	02-07-04
Dekeyser, Annette, Wife of	Prather, Bobbie, Wife of
Dekeyser Sr., Ronald	Prather, Carl
03-02-04	03-31-04
Hardin, Judy, Wife of	Rose, Nona, Wife of
Hardin, Richard	Rose, Blair
03-12-04	01-28-04
Kelihoomal, Dorothy, Wife of	Say, Norma, Wife of
Kelihoomal, John (Dec)	Say, Carl (Dec)
03-29-04	03-29-04
Koon, Donna, Wife of	Stokes, Helen Lucile, Wife of
Koon, Alton	Stokes, James
03-15-04	03-20-04
Kyle, Diane, Wife of	Washburn, Elizabeth, Wife of
Kyle, Wesley	Washburn, Bert (Dec)
07-11-03	03-17-04
Lindsay, Violet, Wife of	
Lindsay, Paul (Dec)	
03-22-04	

HONORARY MEMBERS

The following retirees have 35 or more years of membership in Local 3 as of April 2004 and are eligible for Honorary Membership effective July 1, 2004, unless otherwise noted (*).

Hollis Alexander	0918818
Robert L. Baroni *	1225929
Vernon D. Behrend	0721340
B. B. Duarte	1312822
Larry Gapuz	1265330
Earl Harper	1301455
Alfred Jaramillo	1069069
Floyd Jenkins	1208584
Ronald Jirak *	1265070
Ronald Loando	1372783
Wayne Marvin	0991269
Loseano Rabe	1419158
Ralph Reed	1369506
Fred Strain	1334977
Walter Tavares	1212493
Billy Whatley	1175345

* Effective April 1, 2004

Advertising: Member Survey

In an effort to offset costs associated with the publication of *Engineers News*, Business Manager John Bonilla and the officers are considering the possibility of including advertisements in the newspaper on a regular basis. The officers would like to know your opinion on the subject and have requested

everyone to please take a moment to respond to the survey below and mail to:

Operating Engineers Local Union No. 3
Public Relations Department
Attn: Advertising Survey
3920 Lennane Drive
Sacramento, CA 95834

Have you ever noticed that there are no advertisements in *Engineers News*?

How would you feel if advertisements appeared in *Engineers News*? Would ads make the paper any less or more appealing to you? Please explain.

Would you prefer seeing advertisements scattered throughout the newspaper or restricted to an ad-only section?

Any additional comments or suggestions?

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: 2002 Yamaha Banshee quad, 2 wheel drive 38+ horsepower, very fast, 6 speed, adult owned, low hours, 2 cylinder, 2 stroke, 350cc, blue color, \$4,500/obo. 707-764-3678. Ask for Dave. Reg. #245557

FOR SALE: Black sand pearl tonneau cover for a Toyota Tacoma double cab. \$700/obo. 925-372-6629. Reg. #2072275

FOR SALE: Coleman roof mount RV AC unit. 13,500 btu model 8330. Bought new \$695 in 2003. Sell for \$400. Used 2 nights. 916-423-2343. Reg. #1386962

FOR SALE: Power wheelchair. Action Ranger X Storm series. New batteries. \$2,500. 510-523-1358. Reg. #870909

FOR SALE: '83 Diesel Chevrolet pickup sold in '84. 6.2 litre engine with turbo. Good condition, new tires, brakes, alternator, steps both sides, tilt steering wheel, tool box, eight foot bed with liner, pipe rack. \$2,500. 209-544-9805. Reg. #0863734

FOR SALE: Remington model 700 BDL 30.06 rifle. Beretta A-390 field St. 12 gauge shotgun 3" mag. Marlin model 60 self-loading 22 long rifle. All new, never fired. All three \$1,300 firm. 916-489-3960. Reg. #2159278

FOR SALE: 2001 Dodge 4x4 pickup extended cab. 55k miles \$20,000 In Delta, UT. 435-864-3493. Reg. 1359602

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: '68 Olds 88 \$1,500, '64 Dodge Dart GT \$2,000, '79 Honda 185cm \$1,000, '64 Shock Catamaran 18ft \$1,000. Call between 6 and 7 p.m. 925-934-6094. Reg. #1834526

FOR SALE: 1937 Plymouth business coupe. Stock, needs brakes, body and fender work. Best offer over \$4,200. 1926 Model T coupe wood wheels. Needs two more new tires. Nice stock. Best offer over \$6,300. Both vehicles non-op't, ran when parked. '63 Chevy pickup - ton 4x4 6 cylinder, 4spd and 62 custom cab long beds. Best offers. 209-524-5821. Reg. #107551

FOR SALE: 1973 Dodge 1 ton dually motor home 360 auto w/37k original miles. Needs exhaust manifold, gasket and lots of work. Everything worked when non-op't ten years ago. Project. Best offer over \$800. 209-524-5821. Reg. #1075510

FOR SALE: 1994 Ford F150 Extra Cab 4x4, Eddie Bauer paint, alloy wheels, 2nd owner. Also 2003 Pioneer Travel Trailer. Like new. Never been on the road. Asking \$12,000. 408-683-0617 or e-mail sdgales@netscape.net. Reg. #1852151

FOR SALE: Family farm with 2 houses (1 rented), 27 miles NW of Eugene, Oregon in scenic valley. 44+ acres, year-round creek, pasture, hills, 20 year old trees, barn, shop, bunkhouse, walnut grove. \$349,000. Motivated seller, make an offer! 541-925-4137 or e-mail trudeau@highstream.net. Reg. #1494208

FOR SALE: '98 Honda Shadow Spirit vt1100 58,000k miles. New Metzeler 880's tires, Vance and Hines Pipes, Leatherlyke saddlebags, Memphis Slim Windshield, new clutch, new battery, tank bag and tail bag. Lots more. Kelley Blue Book \$4,950 without the extras! Very good condition. Always changed oil at 3,000 mi. and shaft drive every other oil change. \$4,500/obo. 408-221-7330 or 408-730-9160 or e-mail geigerjack@hotmail.com. Reg. #1235511

FOR SALE: 1995 22' Hilo Classic Travel Trailer sleeps 4, roof air, forced air furnace, full shower/bath, stove top range and microwave. 12 volt gas/electric refrigerator, couch folds to a Queen bed, awning, new batteries and tires. Electric front jack. New \$21,000, asking \$9,000. 925-634-5588 or 925-858-0405. Reg. #1315719

FOR SALE: 1971 Chevrolet 12 foot Diamond Plate flat bed w/steel

head board. 350 eng., 4 spd trans dual wheels Pintel & ball hitch. Runs good needs some TLC. \$1,500. 530-268-4614. Reg. #9939327

FOR SALE: 1987 Suncrest 37 mi 28 long GMC 454 eng. Class A loaded 4K Oman gen. AC, TV, microwave, basement mo. New awning, new tires, all records. \$11,000/obo. 530-675-2418. Reg. #0939989

FOR SALE: Tractors; 1949 Model 60 John Deere, runs good \$2,850. Massey-Ferguson Diesel with box scraper, new clutch and paint, good tires, runs good. \$3,875. 209-826-9465. Reg. #1043556

FOR SALE: 1966 Buick Riviera Grand Sport, good running condition. 425CI engine rebuilt, all stock with chrome air cleaner. Alum-finned valve covers and posi-traction. Needs some body work. \$2,800. 707-442-5265. Reg. #1620480

FOR SALE: 88 Chevy Blazer K-5, straight blue body, rebuilt fuel injection heads, auto overdrive, new tires, rims, etc. New full carpet set, headliner & other new parts to be installed, \$3,500. 4 good year 6.70 X15 4ply "super cushion" tires w/ wide whites & 4 chrome rims w/ caps. 5 lug wheel pattern to fit Chevy & Ford drums. Brand new \$800. 415-586-2207 or 415-269-8743. Reg. #1852493

FOR SALE: Caterpillar shop & parts books for 977k, 814-818 compacters, 988 loader, D-9 dozer, D-8 dozer, 12F grader, 8T grader, etc. over 20 books, \$200 for all books, not to be sold separately. 415-586-2207 or 415-269-8743. Reg. #1852493

FOR SALE: Sheetmetal covered, insulated tank 64" dia. 120" long, 6" heat tube, 3" asphalt pump, on and off valves, 3" pipe and flex would make good boot truck. Perk drycleaning equipment, 50# split pocket Hoffman plant. Reclaimer, water tub boiler, oil burner, 4 press Lamson dryvac, filter, still and muck cooker, presses, Suzie, puffs, bagging machine, 50 order assembly wheel. Continental Red Seal - magneto ignition, 6 volt generator and starter (has Governor). Best offer - 30 days on all items. 530-842-3689. Reg. #603448

FOR SALE: 1967 BSA 441 Victor \$1,600. 1982 Suzuki RM 60 \$400. 209-479-4682. Reg. #2443755

FOR SALE: 1953 Dodge pickup. Drive it away \$1,000. 1985 Ford F150 2wd. 302CI. Needs tranny \$500. 925-980-2997. Reg. #1938523

FOR SALE: Curb & Dike equipment. 2002 Gomaco 1200 Curb & Dike machine. Used once, paid \$41,890. Take over balance \$32,000. 2002 power Curber 150

Curb & Dike machine plus an AL-120 unloader fits dump trucks. Never used. Paid \$23,670 for both. Take over balance of \$16,700 or one for \$8,350. 559-658-2308 - leave message. Reg. #1733311

FOR SALE: Attention: Grade Checkers - all the tools you will need for checking grade. Grade rods, hand level, rag tapes on reels, metal tapes, plumb bobs, etc. Right angle Prism (over \$500 value). 866-517-3815 ask for Doug. Reg. #1287837

FOR SALE: Dayton power tool motor 1/3 horse 6.6 amps, 115 volt Dayton blower, foot pedal control, all so louet spinning wheel, lots of Angora rabbit fur and Mohair. (over \$700 value) 866-517-3815. Reg. #1287837

FOR SALE: 1967 Kenworth conventional W92 featured in overdrive magazine. Solid project truck 335 cummins, 6x4 transmission, 4:11 rears sqhd, Pete air leaf suspension, custom steps, 2-120 gal. fuel tanks polished, aluminum rims, rear chrome light bar, front brakes, chrome visor. Needs work \$5,000/obo. 559-876-3285. Reg. #2494611

FOR SALE: 14ft Klamath boat. Included 15hp Mariner motor, elec. motor (5sp. 12volt), depth finder (Eagle Z6100), Anchors (2), buoyant cushions (3), oars (2), swivel seats (3), pole holders (3), plastic battery case, boat cover, trailer with spare tire. \$2,500 (firm). 510-538-3152. Reg. #1088533

FOR SALE: Woodchipper/mulcher 8hp \$300, Yale forklift needs minor work \$550, 78 Corvette 52k original miles \$15,000, RV sofa couch new \$30. 831-637-1087. Reg. #2389914

FOR SALE: 4.6 acres in Northern California adjacent to Eureka. Southern exposure. Established young tree farm, mature fire wood and lumber trees. Buy the land and partially finished house a gift. Winter 40 degrees, 70 degrees hot summer day. Large shop building with over head crane. 530-725-5323 or 530-443-7783. Reg. #1487929

FOR SALE: \$169,000 39 fenced acres, 31 gated and flood irrigated acres. Machine shed, shop, chicken house and storage buildings. Fruit trees, garden spot, also barns and corrals. 3 bd/1ba home. Sale Thoroughbred mares also standing two Thoroughbred stallions. Welsh pony mare for sale. Vale, Oregon. 541-473-3628/ E-mail thoroughbred@fmtc.com. Reg. #0661395

FOR SALE: OTC Nozzle Rator Y910 w/Y910A adapter set \$800. CP894 1 inch air wrench pistol plus sockets \$400. Parker collet crimp hose machine and dies

\$900. Lincoln Classic IID Mod. K1643-2 Ser. (1990300794 like new w/factory CV) \$8,000. LN 25 w/remote and pro fax gun \$1,600. 530-673-3370. Reg. #1644316

FOR SALE: '95 Dutchmen 36' travel trailer, 13' slide out, dual a/c (front one is ducted), 40 gal. hot water htr., full size washer, queen bed, computer work station, full size jetted tub, asking \$14,950/obo. Can be seen in Hollister. Ideal live-in unit. 775-329-0806. Reg. #1369144

FOR SALE: 2.5 ACRES, Elko, NV. 14x66 mobile home with add-ons (front sun room, rear mud room), fenced and cross fenced with water to each area, ideal for horses, good well, BLM land nearby. Good place for retirement, hunting base, etc. Asking \$63,500. 775-329-0806. Reg. #1369144

FOR SALE: 1986 GMC 7000 series truck with 43 foot man lift. Boom is equipped with two buckets, auxiliary winch and JIB Boom. Front and rear out riggers. \$12,500/obo. 530-865-7306 or 530-624-5965. Reg. #1051405

FOR SALE/TRADE: 1985 Suncrest Class C 26ft motorhome. 48,500 orig. miles. Very clean, stored undercover, fiberglass body - F350 Ford 460 cu. in. new trans, tires, brakes and upholstery. Kohler gen. dash & roof a/c, fully equip. Full bath, sleep 7. Tow pkg. \$6,500 firm or trade for 8-12ft Lance FS cab-over. Located in Placerville, CA. 530-626-1633 after 5:00 p.m. Reg. #1975514

FOR SALE: '84 Honda, 500 Shadow - great. 1st bike to train on before you buy a Harley, very clean, new seat, tires, windshield and accessories. \$1,200/obo. Blue book \$1,350. Honda CR125 Elsenor, Bicentennial edition trick set up for vintage racing, completely restored. Hi performance, Reed Barrel. Must see to appreciate. \$1,200. 530-626-1633. Reg. #1975514

FOR SALE: Two burial lots, vaults and markers in Memorial Estates in Salt Lake City, UT. Please call 435-674-1002 or 435-668-6808. Reg. #0925065

WANTED: Letourneau D4 Airborne Scrappers for restoration. 925-672-4141 or e-mail to AirbornePull@aol.com. Reg. #1175074

FOR SALE: '62 International Scout runs good, power steering, power brakes \$2,000. Will trade for small ski loader. 831-624-5238. Reg. #2512468

FROM YUBA CITY

No shortage of private work in District 60

It looks like the weather will hold for a while, and District 60 has a lot of private work to do. Teichert has several jobs in Yuba and Sutter counties. One job is on Franklin Avenue in Yuba City. Another is on Arboga Road in Yuba County. Teichert also has the Plumas Lake Golf Course project in Yuba County where it is building 3,600 to 3,900 house pads. DeSilva Gates started working again on Hwy. 70 April 21. DeSilva Gates is preparing to start the second phase of the McGowan Parkway job in Yuba County. Baldwin has paving work throughout District 60, including a job on Hwy. 99 in Sutter County and in Quincy in Plumas County. Benco Construction is finishing the stainless steel bridge on Fairview Road south of Maxwell on Glenn-Colusa's main canal. The Stempel Wiebelhaus & Viking Construction joint-venture project east of Oroville on Hwy. 162 in Butte County should last until Sept. 1 and employ about 10 operators. Baldwin will do the paving.



FROM HAWAII

Apprenticeship graduation

It was a night to remember for 17 Operating Engineer Apprentices who attended their graduation ceremonies April 3 at the Hilton Hawaiian Village. The food, company and entertainment were great.

Apprentice graduates Anthony Ortiz, Cherisse Hurley, Chet Hurley, Renee Rapoza, Ronald Colburn, Jamey Lau-Coloma, John Knoll, Gerry Cash, Chris Makaneole, Adrian Hoopai, Lorelei Bors, Jamie Harvest-Silva, Leonardo Baclig, Antone Pereira, Stan Kauwe, Sean Amaral and Marcos Banuelos.

**Goodfellow Bros. begin Castle Junction project**

Goodfellow Bros. started work Feb. 21 on a \$7.8 million project designed to improve safety for motorists traveling through the Windward Oahu intersection known as Castle Junction. In May 2003, five truckloads of mud slid onto the highway from the cliffside, closing one lane for three hours and prompting the state Department of Transportation to seek funding to reslope the cliffside from 26

degrees to 80 degrees. The state DOT rates the intersection as one of the top 10 danger zones for landslides along state highways. About 142,000 vehicles pass through the intersection each day.

The project entails removing about 240,000 cubic yards of dirt. Goodfellow hopes to move 300 to 400 truckloads a day. Pineridge provides more than a dozen trucks a day to the project.



Top: On the Castle Junction project, Kurt Mikleson operates a D9 Dozer, Dewayne Kaai runs an excavator and Ray Maikui works as an assistant to the engineer. Bottom: Pineridge Trucking Driver Eddie Oneka III stands by as his trailer is loaded.



FROM ELKO

An act of humanity

When Local 3 members Jim Kline and Dean Diehl heard brother Gary Timmons' daughter, Melanie, was in need of a wheelchair lift, their exuberant personalities kindled a coalition among members of Local 3 and friends of Elko's community.

The supporters were able to purchase and restore a 1984 Ford Econoline van with a wheelchair lift. The van required more repairs than expected, but determination prevailed and provided the family with a much more dependable and desirable vehicle.

We want to thank the miners from Newmont Mining who contributed to this project and the automotive-related businesses in our community for their generosity.

We appreciate and thank D&D Tire and Les Schwab Tire for tires and wheels; A-1 Radiator for servicing the radiator and heater cores; Sly Universal for U-joints; NAPA Auto Parts for two heavy-duty batteries and a solenoid; Kmart for antifreeze; Auto

Graphics for striping; Fast Glass for a windshield; Elko Glass for rear-door glass; Trick up Trucks for a dash mat; Desert Design for carpeting the interior; Doug Hernandez for installing the interior paneling; Checker Auto Parts for a discount on shocks; and Riverside RV Center for a spare tire cover.

A special thanks to our friends at Gallagher Ford and Top Gun Auto Body Shop. Mike Gallagher, David Florence, Don Massie and their crew at Gallagher Ford provided free labor for the mechanical repairs and an enormous discount on parts. Lucius Tjoa, Loretta Tjoa and the crew at Top Gun Auto Body provided an altruistic restoration of the van that is absolutely gorgeous. Loretta unselfishly taxied the van around for other appointments.

The magnitude of generosity encountered in this act of humanity illustrates, once again, the solidarity of Operating Engineers Local 3 members and our magnificent community of friends in Elko, Nev.



Front row, from left: Local 3 and community friends in Elko who generously donated their time and labor on behalf of the Timmons' family include Lucius Tjoa of Top Gun Auto Body Shop, Scott Parks of Top Gun, Terell Timmons, Jonathon Timmons, and Tim Earles and Greg Simons of Top Gun. Back row, from left: Local 3 Business Rep. Mike Ayers, Local 3 member Dean Diehl, Marcion Timmons, Local 3 member Gary Timmons, Melanie Timmons, Shantel Timmons, Don Massie of Gallagher Ford, Local 3 member Jim Kline, Loretta Tjoa of Top Gun and Local 3 Business Rep. Rob Kufeld.

FROM SACRAMENTO

Underground project nears completion after almost two years

Steve P. Rados Construction was awarded a \$14.5 million job Nov. 19, 2002. The owner is Water Quality of Sacramento County. Ten Operating Engineers are staying busy on this large underground project. The award consists of 13,000 feet of reinforced concrete pipe and three underground structures. At the start of the project is 2,000 feet of 72-inch RCP at a depth of 38 feet, and the balance of the project uses 54-inch RCP. The final placement is at a depth of 31 feet. Once the pipe is in place, it is filled to spring line (halfway up on the pipe) with control density mix, which is a concrete-based product. The starting point of the large underground project is at the intersection of Citrus and Trade Center, then east down the center of Folsom Boulevard to Hazel Avenue. The structures are massive: 38 feet tall, 18 feet by 20 feet inside and 3-foot thick walls of concrete with 1-inch rebar on 6-inch centers.

The trenching material is excavated by a 1200 series Hitachi hoe with an 8-yard bucket, which is 60 inches wide. The large hoe has a digging depth of 36 feet – 2 feet short of the depth needed, so they placed in the bottom of this large trench a Caterpillar 246 skid steer loader that digs it to the finish grade and keeps the floor clean.

The material is then placed into 10-wheel end-dumps, hauled offsite to a screening plant where three more Operating Engineers screen it to minus 3 inches and spread it out to dry. The native material is loaded back into the 10-wheel end-dumps, hauled back to the jobsite, placed in the trench and compacted back to 90 percent with a Hitachi 1100 series hoe. Working six 10-hour days keeps things in line and helps them



Ten Operating Engineers work for Steven P. Rados on the multi-phase underground project off of Folsom Boulevard in Sacramento.

From left: Steve P. Rados Construction crew members include Superintendent Doug Bradshaw, Kevin Douglas, Jim Poe, Matt Poreledagan, Fernando Fernandez, Tod Bradford, Mike Bohannon and Foreman Rodd Jimenez.

place an average of 64 feet of pipe per day. Final completion is scheduled for September 2004.

Other work around the area is steadily picking up after a long rainy season.

Peter Kiewit and Sons on the Light Rail Project are taking operators. However, the Herzog section of the Light Rail Project is almost complete.

Work is booming in the underground utilities with contractors like DeSilva Gates, Mountain Cascade, Lund Construction and Teichert.

Collet Construction and Marques Pipeline are busy in the Sunrise-Douglas Boulevard area.

Granite is finishing a section of road on Folsom Boulevard and Auburn Road.

Yubacon is doing a large Home Depot site in Placerville.

Syblon Reid is doing two water treatment plants in El Dorado County.

Public Employee News

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CEMA-OE3 prepares for realignment talks with Santa Clara County

By Randy Johnese, business representative

As part of the two-year contract extension between CEMA-OE3 and Santa Clara County, CEMA has the right to bargain salary adjustments for certain classes of workers with the total adjustment to equal 1 percent of the gross salaries for all classes within the CEMA bargaining unit. Historically, the justification for such realignment has been compaction of

salary between supervisors and their subordinates, changes in historical salary relationships between a classification and other related classes or external market issues that make it difficult to recruit for a class.

Incumbents in about 75 classifications have submitted realignment proposals to CEMA. The next step is for CEMA staff to hold a workshop

with workers proposing realignments to help them determine what kind of arguments and backup data are needed to have the best chance to achieve their proposal. After the workshop, they will have two weeks to hone their arguments and gather data. Then they will submit it to the CEMA bargaining committee for presentation to the county.

Union settles contract in San Jose

By Bob Highbaugh, business representative

Pick up any newspaper or watch any news program, and you can see the challenges facing organized labor in the public sector. State and local government budgets are being decimated in response to a faltering national and local economy. Health insurance premiums are rising at an astronomical pace. Workers' Compensation costs are also on the rise, and the governor's response is to revamp the system to the possible detriment of working people in the state.

It was in this environment that Local 3 began negotiating a new contract with the city of San Jose for its near 800 members employed by the city. The city of San Jose has a current budget deficit of more than \$70 million. It forecasts at least the same for the next five years. It is looking at each and every way to save money. The city entered negotiations in a definite "take away" frame of mind. It wanted the employees to shoulder the burden of its rising costs associated with the workforce.

We began negotiations in January for a new contract to take effect April 17, 2004. We brought more than 60 proposals to the table. About two-thirds of those proposals were non-economic and related to language changes in the contract. The city was not interested in dealing with any of our proposals. Instead, it wanted us to roll our contract over for one year with no wage increase and increase the employees' percentage contribution to their health care premiums. In other words, the members would be out hundreds of dollars more a month to cover these increased insurance costs. We were not interested in this rollover. We wanted at least a two-year contract to hedge ourselves against the economy and the probability of the city trying to take more away next year, and we wanted no increased employee contributions to health care.

Negotiations were slow and unproductive. We continued to push our proposals, and the city continued to ignore them and push its one-year rollover with increased employee health care contributions. We held firm to our position that a two-year contract was necessary for the membership, with no percentage increases in insurance contributions.

In early April, the city negotiators finally approached us with a two-year offer. However, the city wanted not only increased employee contributions to health care insurance premiums, it also wanted to remove our contractual overtime after a regular shift and revert to overtime only after a 40-hour week. It proposed to delete the ability to earn compensatory time off by saying it was at the "discretion of the supervisor." It also wanted to decimate a sick leave buyback incentive program and the disability leave supplement for injured workers.

We fought long and hard for the last three days of the contract. Negotiations culminated in a 15-hour session on the last day of the contract. We got the city to remove its increased percentage split on the health insurance premiums. The city withdrew its proposal to decimate the overtime and compensatory time-off changes. We accepted only minor changes in the sick leave buyback incentive and disability leave supplement. In lieu of a greater employee percentage for health insurance, we increased a maximum amount the employee pays by \$25 a month, but not effective until 2006. We also got a slight wage increase for 2005.

In the economic times we are faced with, we were able to walk away from the table with an agreement that was fair and equitable for the membership. We fought the city's attempts to take away our negotiated benefits. Now let's hope the economy picks up within the next few years.



NEWS FROM THE public employees



by

KURT BENFIELD

Director of public
employee division



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The frog and the kettle

Hot water

Some of you may have done this experiment in high school or college, before there were animal rights groups or anyone looking over your shoulder while you were working in your school lab. It's an old experiment that I will use as a lesson in labor relations and membership rights in the workplace. By the way, I neither recommend nor condone this experiment. So please do not conduct your own. This story is based on common knowledge and experiments carried out years ago, as well as published in scientific journals.

The first part of the experiment was to bring a big (large enough for the frog to touch bottom) kettle of water to boil, and after the water was boiling, the heat source would be turned off. Almost immediately, a large frog would be placed over the kettle about one foot above the pot. The frog was then dropped into the pot of boiling hot water. What happened? The instant the frog touched the hot water its instincts registered the excessive heat and it leaped out of the kettle to safety.

The second part of the experiment is slightly different. You take the same kettle and refill it with cool water — maybe even the pond water the frog was used to frolicking in. The kettle is again placed on the stove, and the frog is placed in the kettle. The heat source is turned on again, but at a lower level to heat the water gradually. Every 10 minutes the heat level would be increased slightly to raise the water temperature slowly. The frog remained comfortable in the pot as it became acclimated to the warmer water. The frog was unaware that its health was rapidly eroding from the gradual increase in heat until finally it boiled to death.

Complacency

Complacency is contentment, satisfaction or smugness. Acclimated means to make or become accustomed to a new environment, situation or a change. I have seen it happen too many times — our members have been guilty of both of these, just like the frog. Like most members, a severe, sudden change in your working condition — changing from those loved 10-hour shifts to an eight-hour shift, or being told that you will be furloughing

two days a month whether you like it or not — get recognized by the employees right out of the gate, just as the frog recognized the boiling water when dropped into it. The member then calls their OE3 representative, action is taken and the issue resolved, as long as the contract or other rights to which you are entitled cover it.

However, also like the frog, attempts at a slow erosion of your rights by management usually go unrecognized or are put off or dismissed as being something not worth battling as you have become complacent about the reduction in your rights or benefits. Soon, like the frog, you become acclimated to your changed working conditions and life goes on as if nothing was lost. In fact, there may even be a few in the group who laud the change. Remember who these individuals are and take note because they will be your future supervisors or managers.

Stop doing it!

Remember the famous Nike commercial that said "Just do it!"? Bargaining unit members need to do just the opposite. "Stop doing it!" Stop becoming complacent about your working conditions and your rights! If you just accept what management tells you, it is no one's fault but yours when management makes the big move to significantly reduce your rights or benefits.

Contract language is equally important whereas sometimes just a single word can make all the difference in the world. If you do not have a professional business representative or negotiator involved in your contract negotiations, you are most likely severely handicapping yourself. The words "shall," "will" or "may" mean totally different things. If the management wants to furlough days from you, contact your union representative. The union rep should review appropriate law, codes and your collective bargaining agreement or contract.

If the contract says management must meet and confer (they have to meet with your representative first), why are you, the member, filling out a request form from management of what two days you want to furlough before that has occurred? If the contract says management has to meet

and confer over changes in schedules, why are you picking your preferred schedule on the management handout for the new eight-hour shifts rather than the 10-hour shift you are on? If the contract says there must be a lack of work or lack of funds before a furlough or layoff, why are you just accepting it? Contact your union representative and let's make them prove a lack of work or a lack of funds.

The majority is you!

Remember that in all these instances the majority is you. Just because a particular layoff issue does not affect you does not mean you should not support the fight against it. Maybe the layoff is for legitimate reasons; maybe it is not. A former U.S. president once said, "Trust, but verify!"

If you work a 10-hour shift in the Health and Human Services Division, but the employer is trying to do away with the 10-hour shift in the Roads Department, should you support those Roads Department employees to retain their 10-hour shift? Yes, you should. Why? Because if the battle is lost there, your 10-hour shift could be next. Two years later when management is taking the last 10-hour shift from the last bargaining unit that has it, everyone will wonder what happened.

What happened was that the first group gave in or was unable to gain support from fellow workers whom the original reduction in shift schedule did not affect. Eventually everything comes around full circle. There are cases in poor economic times when layoffs and furloughs or other reductions are necessary because of true budget problems. However, it would be better to meet and confer with the employer and get some rock solid concessions for the future in return for furloughs or shift changes. It simply makes more sense than just rolling over on your back like a puppy.

Business Manager John Bonilla and his team of officers, along with our retained law firm and the Public Employees Division are here to defend your rights and benefits. If you have a question about something happening in your bargaining unit, call your business representative. Do not get complacent about your rights or working conditions.

A petition to penalize

By Dan Venters, business representative

Nevada public employees are under attack by an initiative petition being circulated to amend the Nevada state constitution, which would prohibit public employees from holding elective office.

This petition would prevent fire fighters, police officers, teachers or any other city, county or state employee from serving not only in the state legislature, but also on school boards, city councils or as county commissioners.

Why should potential community leaders be discouraged from improving the quality of Nevada because a few special interest groups want to limit the candidates who run for the state legislature?

The initiative ensures that a small group of individuals control our future in the way decisions will be made in Nevada. If casino executives, business owners and other



private enterprise employees can serve, why shouldn't the individuals who serve and protect our community be guaranteed the same opportunity?

We strongly encourage you to say NO to the individuals who are gathering signatures to put this question on the ballot. We urge you to ask the petitioners why they believe public employees should be considered second-class

citizens. Please educate your friends, family and neighbors to not be fooled by these petitioners and to reiterate "NO" for their signature on this petition.

The state of Nevada constitution was written to ensure Nevada a citizen legislature. Be proactive in Nevada's future. Public employees are tax-paying citizens who should be offered the same opportunities and not penalized while earning a living as a public servant.

City of Alameda employees gird for action

By Alan Elnick, business representative

After 15 months of negotiation with no results, city of Alameda employees voted April 21 to authorize their negotiating committee to call a strike. The many months of negotiation included a 90-day hiatus to gauge the effects of the governor's bond issue on local government.

The city and the Alameda City Employees' Association (ACEA), an affiliate of Local 3, were engaged in a process of interest-based negotiation (IBN), a process they applied in their previous round of talks in 2001-2002. The process calls for an open and honest presentation of the interests of the respective parties. Hoping to build on the city's previous commitment to bring employees to an agreed upon median compensation level compared to agreed upon levels in other cities, the ACEA negotiating committee (ACEA President Marion Miller, OE3 Business Rep. Alan Elnick, Paul Bourchardt, Evie Chase, Terry Flippo, Linda Justus, Roger Soo Hoo, Ken Swain and Derriek Taylor) embarked upon a course to accomplish that objective. Blaming difficult times, city representatives expressed a desire to achieve that objective, but had no direction to get there. The mandate they alleged they were given was "no increase in cost, no reduction in service." Other than that, the city expressed no interest in any

changes to the then current memorandum of understanding.

Negotiating past the MOU's June 30, 2003 expiration date, the city indicated to the ACEA negotiating committee that it would continue to honor the terms until a new MOU was negotiated. In August, the parties reached a tentative one-year agreement that would have provided some increase in Health Plan premium pick-up by the city and that would have provided city employees with a two-week separation pay benefit upon termination of employment with the city, or after six months of being promoted to a position out of the bargaining unit. In September, city employees rejected that package by a two-thirds vote, but some supervisors and managers had motivated city employees to reject the package.

The respective negotiating committees returned to the table subsequent to the rejection vote, but no progress was made toward a new agreement. In November, City Manager Jim Flint requested that the parties take up to a 90-day hiatus from negotiations to determine how the state situation would turn out. He indicated that the terms of the MOU under which ACEA

was working would be honored until the city could offer new terms or until an agreement was reached. In January, PERS increased its mandatory employer contribution rate on health plans from \$16 to \$32.20. According to the terms of the existing MOU, that \$16.20 should have been added to the ACEA employees Flexible Benefit Program. Referring to the MOU as the "now expired MOU" the city refused to add the additional \$16.20. After some discussions, it became apparent that

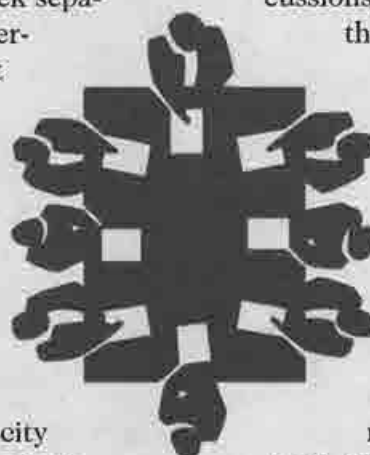
the ACEA bargaining unit would have to file unfair labor practice charges with the Public Employees' Relations Board (PERB) to assure a fair process of negotiation and to obtain their negotiated benefits.

PERB has requested a response from the city by

April 21 on the ACEA's charges.

The negotiating committee felt it was now an appropriate time for members to authorize them to call a strike if the city continues not to provide any offer of an MOU to ACEA, itself an unfair negotiating tactic.

ACEA remains hopeful that the current dispute can be resolved without a strike, but only the force and authority of the members' voices can assure that.



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public
employees

NEWS FROM THE public employees

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Two years later, Plumas County case won't go away

By Chuck Smith, business representative

The 2002 case of three Plumas County employees who were wrongly terminated continues to reverberate in the mountain town of Quincy.

Two of the three Operating Engineers Local 3 members whose jobs were restored as a result of union protections have legal actions pending against the county.

Alcohol and drug therapist Carol Lee has filed a multi-million-dollar suit against the county alleging illegal harassment, discrimination and retaliation. The Equal Employment Opportunity Commission has filed formal charges against Plumas County alleging retaliation and disparate treatment by the county against Friday Night Live Coordinator Tim Ball.

Lee and Ball were targeted for termination along with union member Nancy Yeager after they reported that a co-worker was complaining to them about alleged sexual harassment by another co-worker. After the three were directed by then Department Head Bob Minert to make formal written statements about the alleged sexual harassment, Minert moved to fire them, alleging they were making the whole story up.

Lee was returned to work after the union represented her at a Skelly hearing. Yeager and Ball earned their jobs back with full back-pay when an arbitrator ruled they were telling the truth and made the reports in good faith.

However, all three have reported continued harassment by the department. Lee has filed numerous grievances over disparate treatment in scheduling and job location assign-

ments. Ball, at the urging of the union, has written in excess of 100 memos detailing a pattern of discrimination and harassment resulting from the fact that he is being paid but is not allowed to perform his old duties.

During a meeting with Ball, Yeager and Business Rep. Chuck Smith, EEOC Investigator Tom McGee said that Ball and the union had put together a strong case against Plumas County.

In addition to being restored to his full job duties, Ball and the EEOC are seeking damages against the county for deliberate discrimination and retaliation. Ball cited emotional distress as a result of derogatory comments made toward him by county officials — including members of the Board of Supervisors — that have been repeated in the small town.

In the meantime, the county forced Minert out of his position and has since forced out his replacement, Janice Stafford, who failed to restore Ball to his position and assigned Lee to work alone in a satellite office with a faulty lock and no security.

The union met on several occasions with Minert and Stafford in unsuccessful attempts to assist in the reintegration of the returned workers. But from all appearances, there is little desire on the part of Plumas County to resolve fundamental problems in the department. Instead, the county frequently threatens to privatize the department to get rid of the union members. The union remains vigilant in assisting all of the union members in Plumas County.

Health Savings Accounts: a smart new option

By Tina Marie Love, business representative

With the creation of the newly passed Medicare drug legislation, there is at least one immediate, positive component that has been created: a Health Savings Account (HSA). This tax deductible, transferable account offers participants a new way of building wealth while developing a dedicated tax-free savings account to draw from to pay medical-related expenses.

To participate in an HSA plan, the participant must be under 65 years of age and have health insurance with an annual deductible of \$1,000 for an individual and \$2,000 for a family. Unlike Flexible Spending Accounts (FSA), HSA participants don't have to provide documentation of medical expenses before reimbursement. Additionally, unspent HSA dollars grow tax-free, never requiring the money to be spent, whereas an FSA participant forfeits any unused balance at the end of the year.

HSAs are similar to IRAs, Roth IRAs and FSAs, and in some instances, better. An HSA allows annual individual contribution up to \$2,600 and \$5,150 for a family with an

additional \$500 per year for taxpayers 55 years and older. Contributions are tax deductible, and withdrawals used to pay health-related expenses are not taxed. The proceeds of the HSA can be withdrawn after the participant has reached 65 years of age. If the proceeds are not used for health-related expenses, the participant will pay income taxes on the money. If the money is withdrawn before the participant reaches 65 years of age and is not used for health-related expenses, the participant will pay income taxes on the money in addition to a 10 percent penalty.

Transfers of an HSA can go directly to the surviving spouse or other beneficiary upon the participant's death. If the transfer is made to the surviving spouse, the account remains as an HSA with no additional taxes owing. If the transfer is made to anyone else, the HSA ceases to exist, requiring the beneficiary to include the fair market value of the pro-

ceeds of the HSA in the valuation of the beneficiary's assets as of the date of the participant's death.

HSAs can be established at any financial institution that performs similar financial services. Like 403(B)(7)s and many other negotiated benefits, HSAs can include negotiated employer contributions in conjunction with employee contributions,

making for an attractive, low-cost benefit from the employer. Additionally, since HSAs can invest in stocks, bonds, mutual funds and more, the value to the employee has the potential of increasing beyond the actual contributions.

If you are interested in creating an HSA, it is suggested that you fully investigate any financial institution you are considering before using their services. To check an institution's consumer complaint history, check with the National Association of Insurance Commissioners at www.naic.org under "Consumer Information Sources."

