Building Trades throw wrench into Davis-Bacon changes

Following a determined legal effort by the AFL-CIO Building Trades Department, the Labor Department has been forced to comply with a federal court order and has postponed "until further notice" its controversial changes in Davis-Bacon Act regulations for setting prevailing wage rates on federally-funded construction.

The Labor Department had attempted to weaken prevailing wage protections that have been in effect since the 1930s. Changes that would have pushed down wage rates, allowed employers to substitute low-paid "helpers" for journeymen and abolish record-keeping requirements needed to enforce the law were to have gone into effect on July 27. But Judge Greene granted the request by the AFL-CIO and unions whose members are directly affected for a temporary injunction barring the change.

Such an order is appropriate, the judge said, because there is a strong likelihood that the union objections to the regulations will be upheld after a full hearing on the merits.

The Labor Dept. had attempted to justify its changes as a means of saving the government money on construction costs. But Judge Greene pointed out that Congress passed the law to protect wages, not cut costs.

The policies the regulations would change would have been in effect for some 47 years, he noted, and the Secretary of Labor hasn't met the burden of proof justifying rewriting them. "Under our constitutional system, policy decisions are not made by government administrators; they are made by the Congress," the court stressed.

In another area, on the free use of helpers, the court's decision quoted an affidavit submitted in support of the unions' position by former Sec. of Labor John T. Dunlop. Dunlop, a distinguished authority on labor law, explained that Congress passed the Davis-Bacon Act "without a vote" of Congress.

It related the concern of Congress that federal construction contracts not be a vehicle for undercutting local wage and benefit standards to "the special characteristics of the construction industry."

Caltrans to buy right-of-way for Hoffman Freeway

State transportation officials have begun appraising and buying property along the future site of the Hoffman Freeway in Richmond. Business Manager Dale Marr announced this month.

Actual construction of the first leg of this long-sought freeway—officially known as Interstate 180—will not begin until 1984, but Caltrans intends to purchase property for the entire six-mile link as quickly as possible.

The whole project, which will connect Interstate 80 with the Richmond Bridge, is expected to cost $280 million, Marr stated, and is scheduled for completion in 1987. Federal highway funds will cover 92% of the cost.

The project has been a high priority for Richmond for many years. It has been a vital element to local development plans, as well as a key element in the regional highway network.

"This is one of the largest freeway projects ever to be built in the Bay area," Marr commented. "Not only is it needed to relieve severe traffic congestion in that area, but it will provide a great deal of work for our members."

Several other key highway and road projects in Contra Costa County have been given an approval by the state Transportation Commission. Among them are the expansion of the Pleasant Hill BART parking lot and the renovation of four San Ramon Valley freeway interchanges.

The commission also approved a badly needed central county project, to rearrange the tangled connector between I-680 and Highway 24 in Walnut Creek, on the "candidates for future development" list, which indicates the commission's interest in moving the project forward.

Once the commission has placed a project on its five-year State Transportation Improvement Plan, its continued funding is assured. The Hoffman Freeway was included in the STIP last year.
A parting message from Dale Marr

By DALE MARR, Business Manager

ENGINEERS NEWS

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

Dale Marr
Business Manager and
Editor

HAROLD HUSTON
President

BOB MAYFIELD
Asst. Business Manager and Vice President

JAMES “RED” IVY
Rec.-Corres. Secretary

DON KINCHLOE
Treasurer

HAROLD LEWIS
Financial Secretary

BOB MARR
Director of Public Relations

JAMES EARP
Managing Editor


HONORARY MEMBERSHIPS

At its meeting on July 10th the Executive Board approved Honorary Memberships for the following Retirees who have 35 or more years of membership in Local 3:

NAME REG. NO.

Chester A. Abell 557289
John L. Adams 503152
Pat Campbell 484671
Otto Davis 557467
Joseph J. Descania 526324
Robert G. Ely 557472
Orval H. Graham 545575
John H. Hipp 557355
Ed Ragan 557356
T. L. Huff 553166
William C. Ivers 527338
Melvin H. Keho 361262
Clyde E. Kemp 402451
Hale A. Mason 557491
Salvador Mauro 557381
Orval P. Miller 553181
George E. Morrison 51.956
C. N. Prince 557405
James P. Redd 524716
Thomas E. Vincent 546416
Don L. West 535006
George W. Baker 291350

This will be the last column I will write for Engineers News as Business Manager of Local 3. As most of you undoubtedly know by now, I announced that my term of three years as your Business Manager, I have decided to retire from this position. I must say that it will not be a full retirement—not just yet anyway—as our General President, Jay Turner has asked me to work on special assignment for the International. But as far as the day to day administration of our local union, I will be turning these responsibilities over to our newly elected leadership on September 1.

I would like to say that it has been a challenge, but also a real pleasure to serve as Business Manager of this great organization for the past nine years. I have said more times than I can remember that this is the finest local union the building trades have ever known—bar none.

What has made our union the greatest is the membership. I've been around this industry long enough to know that our members by and large are the best in the construction trades. They take pride in their work and the ability to not only do it well, but do it fast. That's called productivity, and productivity is the name of the game in the construction business.

As a rank-and-file member many years ago, I was proud to be a member of the Operating Engineers Union. Working initially as a drudge hand and eventually as a job superintendent in commercial buildings, I always knew the value of having a Local 3 card in my wallet. I knew that without it, I might as well kiss away my wages and my working conditions. I also never took lightly the responsibility I carried to make sure I paid my dues as faithfully as I could.

Fortunately, the majority of those I worked with felt the same way about Local 3. We knew that by sticking together, attending our district meetings and looking out for one another on the job, we would always be successful in protecting our wages, our conditions and our work. This kind of loyalty to one another was what helped us to make it through the tough times.

As I prepare to take my leave as Business Manager, I can't help but feel that we have not seen the end of tough times. With the prolonged recession we are suffering under President Reagan's economic plan and the incredible growth of anti-unionism in the business sector, our members young and old have their work cut out for them.

The signs of troubled times are everywhere:

- As an International Vice President, I have had to witness the harm doing membership in one of our neighboring local unions that was having difficulty negotiating a new AGC Master Agreement. The AGC had apparently given the ultimatum right in front that the members would have to take a $3 an hour cut, major reductions in their fringe benefits and elimination of the union hiring halls before they would even agree to begin negotiations.

- A Local 3 member was recently brought up at a grievance hearing on a number of violations of the Local Union Bylaws. His only comment was, "I'm guilty but I'm working."

- With high interest rates forcing the construction industry into the worst depression since the "Great Depression," the pressure is on for building trades unions to streamline work rules and negotiate project agreements covering all the trades. Recently one such agreement was nearly scuttled because one union refused to sign the agreement—rather than let the trades all have an agreement, the AGC had all approved the agreement and the job was likely to go nonunion if the agreement was not signed.

- Do you see the trends that are developing? What has always been known as a dog-eat-dog industry is being forced to cooperate and into an adversary role against our employer. But for one union to turn against another member to turn against another is unthinkable.

- There is one message that I would like to leave with you, it is the absolute necessity to pull together. Support one another on the job. Attend your district meetings. Participate in your union activities, and productivity is the name of the game.

- I do not want to leave you with the impression that the future contains only dark clouds. There is a bright side to the problems we are now experiencing.

In closing, I want to thank you for the opportunity to serve as your Business Manager for the past nine years. This job could never have been accomplished without the support of the membership and the able assistance of a qualified staff.

By the time you receive this newspaper you should have already received your union election ballot in the mail. I hope you have taken the opportunity to become informed about the various candidates for union office and have voted for the candidates of your choice. If you have not already done this, please do so before the August 26 deadline.

And, having accomplished this, I hope you will then give our new leadership the same, fine support you have given me.

With best wishes,

Dale Marr
Business Manager &
International Vice President

Local 3 softball team wins second place trophy

Local 3 members who formed a softball team to play in the San Francisco softball league presented Business Manager Dale Marr with a second place trophy this month, which was won in finals competition. Pictured left to right are: Tony Vitale, Tim Magee, Rob Reese (captain), Rob Terheyden, Bob Mcl iley, Dale Marr, Scott Akins, Mark Shichchart, George Di Ccluoste (manager), John McCallum and Larry Miller. Also on the team, but not pictured were George Bist, Mike Smith and Angie Calia.
Highway 97-70 plan endorsed

MARYSVILLE—The State Transportation Commission has endorsed widening Highway 97-70 from Interstate 5 north of Sacramento to Sutter County. The decision is subject to appeal by the State Transportation Department, which opposes spending money for the project now. The final commission decision delegates the project to California Transportation Commission, Chairman Ivan Hinderaker said. Assemblywoman Jean Moorhead, D-Sacramento, told the commission meeting in Sacramento that 12,000 vehicles travel daily over the present 13-mile, two-lane road, where 27 people have been killed and 150 injured in the past few years.

Under the plan, the bulk of the project cost would be paid with federal funding, with the state to pay for the remainder of the project. At the request of Rep. Vic Fazio, D-Yolo, the project was included on a list of projects that would be eligible for $5 per cent federal transportation funding. The list is a part of the bill that still must be approved by a House committee before being considered by the full House of Representatives. If the bill is passed, the federal government would pay all but 5 per cent of the project cost.

Completion of the final phase of the project on 101 would provide a link from Gilroy to San Jose. It would consist of installing electrical fixtures, paving the 12-mile route and signing the length of the project from Coyote Hill to Tennyant Avenue in San Jose. The job got underway in 1979. The first two phases have seen grading, the construction of drainage facilities; building of the frontage road at 7.3 miles; and placing the major structures such as crossings and bridges.

To date a total of $45.2 million — $32.7 million in construction and $12.5 million for future work on the question — has been spent. It is anticipated that the job will be completed by mid-1984. The three-mile section of Rte. 101 from just north of the Golden Gate Bridge to the Waldo undercrossing near Sausalito was severely damaged by mudslides in January. The “Hurricane Gulch” section of the grade was covered out of a wall of mud, the roadway and the grades above the highway collapsed. Subsequently, a large section of fill below the roadway slipped, damaging homes along the highway.

The heavily traveled commuter route was impassable for two days while Caltrans maintenance crews made temporary repairs so the highway could be reopened. Emergency repairs — completed at a cost of $900,000 — involved drilling through the existing road on the outside shoulders and anchoring 41 steel I-beams to underlying bedrock.

The permanent repairs were slated to begin during the summer and will re-establish stability of slopes both above and below the road by constructing retaining walls and the drainage. The landscaping is also to be restored to its condition before the disastrous slips. This work should be completed before Winter sets in.

San Jose downtown renovation underway

San Jose’s old J. C. Penney Building is currently undergoing an $8 million rehabilitation and will be used for premium office space. The 100,000-square-foot project is the first major renovation in the downtown area of San Jose. The five-story building, named One North First, is at the corner of North First and Santa Clara streets. It has already undergone its exterior face-lifting with the removal of concrete panels from upper floor walls, replaced by new windows. The facade of the building will be a combination of the old brick and new bronze reflective glass. Inset in the brick is mirrored glass block.

The interior alterations will be substantial. A five-story, 25-foot-by-45-foot atrium will be included with 30-foot trees. Also planned is a two-story waterscaping, and a color scheme of light grays, burgundy and sand hues. Topping it all off is a rooftop skyway spanning the entire atrium.

$10 million renovation to begin on Icehouse

A $10 million renovation of one of San Francisco’s landmark buildings, the Icehouse, will begin this month. The brick Icehouse located at 151 Union St., built in 1914 as an ice warehouse. Most recently it was used for showrooms for San Francisco’s design industry. With the modernization, the Icehouse will provide 185,000 square feet of office space developed by Barkhordarian Enterprises, San Francisco. The construction is financed by a combination of the old brick and new bronze reflective glass. Inset in the brick is mirrored glass block.

The building offers 123,000 sq. ft. of office space and 8,000 sq. ft. suitable for retailing, without being specific. Grubb & Ellis describes the rental rates as “competitive.” The “rebirth” the realtor speaks of includes such recent additions as McAllister Tower, a 24-story student apartment house for Hastings College of Law, the UN Plaza Building and the State Compensation Building.
Peter Kiewit is low bidder on railroad projects

The apparent low bidder on the project to construct two railroad overpasses on Sth North in Clearfield was Peter Kiewit Sons' company of Murray, reports Business Representative Rex Daugherty. Because their bid of $510,471 exceeded the official engineers estimate of $520,635 by more than ten percent, officials will review the project to decide whether to award it to the bids of others.

The overpasses are located on 800 North near 950 West over the DAV RRGW tracks and near 450 West over the UPRR tracks. Both of the existing overpasses are inadequate and the new ones are deteriorating and are too narrow. The approaches to the overpasses also need to be modified to improve sight distance and to eliminate the sharp rise at the overpasses which causes a catapult-like effect unless a motorist rides carefully.

This project involves replacing the existing overpasses at both locations. The earth-filled approaches will be

(Continued on Page 11)
Rigging Lines

By Bob Mayfield
Asst. Business Manager & Vice President

Organized labor in general continues to struggle at every turn of the road, but it was certainly nice to get a favorable court decision in the Davis-Bacon Act case. Several major provisions whereby the Davis-Bacon Act was held intact, at least for the time being.

However, we in Local #3 continue to fight for what is right and what is presently still the law. For example, on August 3rd, 1982, three federally funded highway projects in the State of Utah will have bid openings. One of these, a major section of the Salt Lake City belt route, where the Engineers' estimate for the project is a least $20 million dollars.

The other two segments are not this big, but still constitute major jobs, and are very important to the work and welfare of our members, and fair contractors who are attempting to competitively bid these jobs. The problem comes from the Utah Labor Department and the Federal Register, which determines the so-called, "correct prevailing wage".

This is what determines job classification pay rates on each of the above jobs, which are still listed as the 1981 Wage & Benefit rates, even though the Union has mailed back all official documents in a very timely manner that would allow the government ample time to update bid documents correctly, which would then properly make the Davis-Bacon Act (correct & timely prevailing rate) correct as the law so intended.

The bottom line is that on July 5th, 1983, the Utah Master Construction Agreement called for $1.50 per hour across the board wage increase, and $.50 per hour benefits to be effective 11/1/82. Immediately, it is easy to see how failure of the U.S. Labor Department, and therefore, a failure of the Davis-Bacon Act for not acting to update bid documents to prospective bidding contractors, that is non-Union contractors have an immediate edge on the jobs.

This is a blatant and a continual practice by the Labor Department since the passage of the Davis-Bacon Act in 1931, and therefore, power of direction of these departments, which to this writer is a form of Union busting, to say it in plain words.

A little over a year ago, at my urging and direction the Union sued the State of Utah and the Federal Government on a job now well under construction by the Match Co., in similar circumstances that ultimately brought hundreds of thousands of dollars to our membership. We were working on a job otherwise would not have because the Union was successful in its lawsuit at that time.

If the Utah State Highway people and the Feds don't make updates to a correct amount on these jobs (and it is my humble opinion that they won't), it is going to be my recommendation that we sue those two entities immediately, as they are obviously breaking the law again.

There is a $10 million dollar dam job south of Moab, Utah, where bids are to be opened August 17, this also had the 1981 Wage & Benefit rates in the job specifications, but because of our demands, the Labor Department reluctantly is going to timely update those rates without Local #3 having to institute a lawsuit to force the correct compliance.

It is bad enough these days with too few jobs to go around for our members and the fair contractors to have to fight the Reagan Administration, and at most times, a non-cooperative State Government.

Every three years in Local No. 3 our Union By-Laws require an election of Union Officers and Rank & File Executive Board Members, who will in fact run the day to day, month to month Business of our great organization. Our own Organization (Local No. 3) is still the biggest and the best Local Union within the structure of the entire International Union, and in spite of the overall problems facing us in our world and this the U.S.A., our system and opportunities for all is still the best.

If we lived in Poland, Cuba, Guatemala, or 10,000 other places in the world today, and you were a labor leader the chances are you would be jailed or even killed, and as individuals you would have no choice whatsoever to vote and choose who your future leaders might be. Don't take these sacred opportunities lightly, by failing to do what most people have no choice nor opportunity to do.

Vote for the Local No. 3 Officer Candidate and Executive Board Members of your own free choice and return your marked ballot in the stamped and addressed envelopes provided in order that they can be counted on August 26, 1982.

Work beginning to pick up in Nevada district

Although our work season isn't as busy as usual, things have been picking up, reports Business Representative Ed Jones.

J.C. Compton has begun working on the Northfork job in Elko County and H.M. Byars is making good progress on the Sun Valley water district job installing 26 miles of 8" sewer interceptor lines. R.E. Feretti is also progressing on 11 miles of 8" sewer lines in Sun Valley for their water district.

R.L. Helms was awarded the bid for highway construction on 1-80 from the Reno city limits to Boomtown and is getting started on the concrete bridge repair now.

Helms was also the successful bidder on two other new jobs: widening Prater Way from Mormon Boulevard to the city of Sparks with a bid of $2,495,810 (Gerhardt & Berry was also a sub contractor on this job for underground work) and overlay of several short streets in the Red Rock, Lemmon Valley and Golden Valley areas of Washoe County, with a bid of $683,994.

Golden West Paving was low bidder on 8th & Virginia Avenue job on 4th Street with a bid of $349,980.

Granite Construction was successful in bidding on the annual street improvements projects on streets in the city of Sparks, $498,494.96, and have nearly completed the base rock and paving job for a freight facility terminal for the city of Reno.

The bid for Phase 1 of the city of Reno's Peavine Creek storm drain project went to Contru Construction for $554,092.

The Nevada State Department of Transportation revealed its highway construction plans for the upcoming fiscal year with $68.2 million going to northern Nevada, although the plans are subject to the availability of federal money. Some of the major projects are: $5.94 million to pave 9.3 miles of I-80 in the Deeth area, east of Elko and $1.6 million for 3.6 miles for improvement of Pequop Summit, near Wells. $3 million is earmarked for paving 5 miles of maintenance work, 3.5 miles for interchange between the east and west interchanges in Elko, along with $3.9 million for relocating the Elko railroad.

$14.5 million will be spent in highway work in Pershing County, near LoveLock, along with many smaller projects in the outlying counties.

Washoe County will also have several projects totaling $7.9 million, including $2.5 million for an I-80 interchange at Sparks Boulevard and $2.5 million for 1.2 miles of work on Glendale Road from Rock Boulevard to Stanford Way.

"We're all still busy working on various campaigns to get the people we support elected this fall," Jones commented. "With the primaries coming up in September, there's plenty to do. Everyone must be ready to vote by August 14th to be eligible to vote in the primary. For those Washoe County residents who are not yet registered, you can stop by the Local 3 office in the mornings and register with Debbie Smith who is a Washoe County Deputy Registrar."

August 21 date set for barbecue in Redding district

District Representative Ken Green reports that the 11th annual Voice of the Engineers Bar-B-Q will be held on August 21, 1982 at Anderson River Park. As usual, Ben Caravalho "Pineapple," will head up the beef Bar-B-Q. This year again, beef, beans, french bread, salad, beer and soft drinks will be served. Tickets can be bought from Jerry, Bob Havenshill, Lee Ellison, or Ken Green at the Redding office. The price for Retirees will be $7.00 for himself and his wife or friend. All other tickets will be $15.00 per family.

Should you need room reservations, call the Redding office and Jerry will confirm a room for you. "We have a block of rooms set aside at the Knights Inn Best Western in Anderson," Green said. Last year we had 986 in attendance and we fed the crowd in 42 minutes. This year Lee said we will beat that time by five minutes. GOOD LUCK! John Hinote, Larry Sackett and Harvey Brown who head up the cutting crew will have their work cut out for them.

"This type of get together does not just happen. All in all, there are 54 Brother Engineers and their wives or lady friends who help pull this together to make this the fine affair it has grown to be," Green added.

On July 15, 1982 there was another major event in the Redding area, the completion of the 3.3 mile length of the Cotwood Creek Dam sites. These two earth filled dams are located approximately eight miles west of Cotwoodton. One is on Grass Point Road and the other is on Bowman Road.

These two dams will be eight miles long and 220 feet high. With the clearning, relocation of roads, and dam construction, it will take about eight years to complete both projects. There was recently held a deadline meeting and the Sierra Club. Again, thanks to our showing, we made our presence known."
Dear Brothers and Sisters of Operating Engineers:

It is with a deep sense of friendship that I write to you on the occasion of Dale Marr's retirement. Over our years of close personal and professional association, Dale and I have worked together, and we wish to acknowledge him for his service. We've won many, lost some, but always with a sense of purpose to better the lives of working men and women in this state.

Dear Dale:

Congratulations on your retirement. I am sure you have much satisfaction in knowing that your years with the Operating Engineers have been a time of dedicated service.

Back in the early '70s, Dale Marr and I worked many long hours on legislation outlawing the use of professional strike breakers. You will be missed by all of us who have had the benefit of your help and knowledge. I have enjoyed working with you over the years and have always counted on your loyal support.

I also know that you are going to enjoy your well-deserved retirement. Please accept my warmest congratulations on a job well done, and my best wishes for many years of personal happiness.

Cordially,

John Francis Foran

Marr receives Harry Reed Award of Honor for most outstanding safety program in United States and Canada.

In Appreciation

It’s a well worn, but well put phrase: “Every picture on this page tells a story.” It still not begin to add up to the man only be a token of our deep appreciation who retires from this office on September 19th.

If a million words cannot tell the story, He is a “winner.” Whether it was a base disease of osteomyelitis or running for un-played to win. Blessed with an abundance and an undying faith in God and his fellow a word that is not found in his vocabulary.

There is one other trait that we cannot decide to do something, you might as well get done. When he made the decision, he looked back, never wondered wether decision. In his typical fashion, he simply new assignment as special representative.

We will miss Dale Marr. We could not. Fortunately, as an International Vice Presi- need him, to lend us the benefit of his m service on behalf of the members of the OR Engineers.

Marr attends ground breaking of S.F. Sewer project with Mayor George Moscone (far right).

Assembly
California Legislature

Leo McCarthy
Speaker pro Tempore

August 9, 1982

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Marr receives Harry Reed Award of Honor for most outstanding safety program in United States and Canada.
to Dale Marr

"A picture tells a thousand words. I hope in this case the thousand words will do justice to the man who would be my partner in office if it were not for the fact that I will beturning 50 years old on my birthday."

--Bill Clinton

(Dale Marr)
Marr, two management trustees honored at trust fund meeting

Last month at a combined Pension and Health and Welfare Trust meeting, three of Local 3’s most valued and progressive Trustees were honored. Mr. Felix Siri, president of Piombo Construction; Mr. Budd Stevenson, president of Stevenson Pacific; and Mr. Dale Marr, retiring Business Manager of Local 3, received plaques commemorating their service to the Trusts.

Together they represent over 50 years service as trustees to the Local 3 Pension and Health and Welfare Plans. Over the past decade they have been the leaders on the Boards, reshaping the plans to fit the changing needs of the membership and their families.

Senior among the honored trustees is Mr. Felix Siri who has served on Local 3 Boards since the 1950’s. Piombo Construction is certainly no stranger to the industry; they were subcontractors during the 1930’s on both the Golden Gate and Oakland-San Francisco Bay Bridges. Mr. Siri has been in construction for over 50 years and has served as president of Piombo since 1946. Piombo is one of the original contractors signatory to Local 3 labor agreements.

More recently, Piombo provided excavation for Moscone Center in downtown San Francisco; they specialize in major highway jobs throughout Northern California. Currently they are working on Interstate 80 between Castro Valley and Dublin; that job will provide $32 million in work.

Construction and Piombo are the Siri family business. Felix’s son Gill is Piombo’s equipment manager and also dedicates time to Local 3’s Apprentice Training Program in San Mateo.

Mr. Budd Stevenson has been active as a management trustee for the past 10 years. With a graduate degree in Business Administration, Mr. Stevenson ended up in construction with Dodge Brothers in 1931. The business-structure combination worked out well and after his service in World War II he formed his own business.

For the past 35 years Stevenson Pacific has specialized in commercial, industrial and public works construction projects throughout Northern California and Nevada. Their achievements include the famous San Francisco Produce Market, Century 21 theaters, Howard Johnson Motor Hotels, work at hospitals and earthquake rehabilitation for schools, and the first to build tilt-up warehouses.

Although retired from business, Stevenson remains quite active sitting on a State Committee that resolves arbitrations on public works projects.

Business Manager Dale Marr has served the Local 3 fringe benefit programs since the early 1960’s. Coming from the rank and file, Marr has spent an intense career as a top labor representative. He established Local 3’s award winning safety program and served as Director of Safety and Vice President before being elected to Business Manager and International Vice President.

The three trustees have functioned as a triumvirate, reshaping the Pension and Health and Welfare Plans to become more responsive to members and their families’ needs. Local 3’s fringe benefit programs have always been a front runner among Union negotiated — jointly managed Trust Funds largely because of trustees of this high caliber. Their leadership and ability to administer Pension and Health & Welfare programs for the benefit of members and beneficiaries has been exemplary.

The Local #3 Health and Welfare Trust funds for Northern California, Nevada, Hawaii and Utah led the way nationally by establishing the bank of hours eligibility system to provide year long continued coverage in the construction industry. It was recognized that sometimes work is dependent on when construction contracts are awarded and seasonal work because of weather conditions.

There have been many variations of the bank of hours system but, as usual, the Local #3 Trust Funds were the leaders. Local 3 Health and Welfare plans were the first to drop costly deductibles and offer first dollar coverage establishing fully comprehensive health plans with broad base coverages that take care of day to day to day expenses.

They have led the way with hospital stop loss protection, special employee and spouse coverage for physical examinations and alcohol rehabilitation. With Retiree Welfare benefits, they ensure continued quality health care coverage to compliment retirement pension benefits.

The Pension Plan has been steadily improved year after year without jeopardy to the financial integrity of the program. In fact, by employing good sound business practices, Local 3’s Pension Plan has become the benchmark for other trusts to follow.

The Plan continues to provide substantial monthly pension payments to over 7,500 Local 3 retirees and beneficiaries and at the same time amassing enough assets to guarantee future benefits to all retirees and vested participants.

In fact, over the past decade enough surprises were developed year by year to provide additional increases to retirees and special payments while liberalizing existing rules and payment options.

Like most of those who are dedicated in their service to others, Siri, Stevenson and Marr only received a moment as a reward. These trustees are not financially compensated for their service. These captains of industry and labor have literally run the Trust Funds like they would their own business and receive only satisfaction for what they have accomplished.
Local 3 seeks court order in Fresno wage case

Local 3 is seeking a court order to force the City of Fresno to ensure that contractors for its public works projects pay the prevailing wages mandated by law, reports District Representative Claude Odum. Local 3 filed a petition for a writ of mandate in Fresno County Superior Court alleging that D.H. Winn Construction Company is not paying prevailing wages on two City sewer construction projects.

Proof of this has been found by checking Winn's certified payrolls. Local 3 is convinced that the City of Fresno has an obligation to live up to that specification of the contract just like all other specifications. Non-union contractors who are not forced to pay prevailing wages can routinely underbid union contractors. The issue is being argued July 27th in Fresno County Superior Court.

Freeway 41 in Winner

$4 million to acquire additional right-of-way for the Highway 41 Freeway from Bullard Avenue to the San Joaquin River has been included in a five year $10 billion state transportation master plan.

Other projects in District 5 included in the master plan are: 19 mile for landings along the Freeway from Divisadero to Floradora Avenue; 1 mile for landscaping between Dakota and Bullard Avenues; $1 million to widen the bridge over the San Joaquin River at Herndon Avenue; $2117,000 to improve portions of Interstate 5 near its intersection with Highway 140 in Merced County; $1,948,000 to improve Highway 152 in Merced County; $2,501,000 to widen and improve Highway 49; $3,054,000 to widen and replace the bridge over Kings River on Highway 99 in Kingsburg; $5,346,000 to improve rest stops on Highway 99 and $5,700,000 for an interchange at 12th Avenue on Highway 99 near Hanford.

Overall, the 1982 state transportation improvement program contains $4.35 billion to construct new highways, rebuild deteriorating roadways and improve efficiency of existing freeways. An additional $7.19 billion is slated for highway maintenance.

The Kings County Board of Supervisors has agreed to share the cost of building an interchange at Highway 198 and 12th Avenue with the State and the City of Hanford. Under the terms of an agreement between the three governments, the County will contribute $256,000 and the City $187,000 toward the total cost of the interchange.

According to the proposed contract, the State will pay the difference between what the县 and county contribute and the cost of construction.

Peter Kiewit & Sons works outfall project

Peter Kiewit & Sons is making good time on their 2,300-ft. pipeline and outfall job for a still unbuilt sewage plant to service the Salinas, Monterey and Marina areas.

Local 3 operator Lou Palmer is pictured here on the Linkbelt, lifting a Manitowoc 3900 onto a barge. Carroll Armer, the oiler on the job, took the photographs.
Teaching Techs

After 25 plus years of serving Technical Engineers in one capacity or another, during the terms of office of four Local No. 3 Business Managers and 18 or so Presidents of the Bay Counties Employer Association, Art Pennebaker will retire at the end of the year on September 3, 1982.

As a Business Representative, Art represented the Union on October 6, 1961 when the Apprenticeship Program was first established by the State of California. Art had served on virtually all committees and sub-committees, was appointed Assistant Administrator of the Operating Engineers Apprenticeship System, and the Administration/Executive Secretary of the Northern California Surveyors Joint Apprenticeship Program/Training Fund. Upon announcing his retirement, Art stated that "if there are to be any credits for the advancement of the Technical Engineers well being over these years, then the real credit has to be given to the the employee/union members who have voluntarily and in great numbers participated in every effort that was presented."

Art takes his retirement knowing that the Administration of the important Training Program is in good hands.

Gene Machado has accepted the positions of Administrator/Executive Secretary of the Joint Apprenticeship Committee/Fund. He has been Art's Assistant for 2 years with a thorough knowledge of the intricacies of the operation. Gene was specifically requested for the position because of his broad experience in working with Labor and Management as a member of the Technical Engineers Department team. Business Manager Dale Marr who established the Technical Engineers Department lauded the transition as a strengthening of the Department/Employer relationship.

Gene first joined the Operating Engineers in 1941 as a Stationary Engineer. He has been affiliated with several other Unions in other crafts until 1959 when he started surveying in the San Jose area, joined Local No. 3. In 1973 he became a Business Representative for Local No. 3, working as a Technical Engineers Representative for seven and then was employed by the Northern California Surveyors Joint Apprenticeship Committee as an Assistant Administrator until the present time.

He has full knowledge of the requirement needed to administer your program and the capabilities to make it work.

As electronics have taken over the field, so it has in the office. Computers, Distantant meters, walkie-talkies and tape recorders are common place in the field today and the N.C.S.J.A.C. has joined the trend with the addition of a computer-word processor to its office.

We are in the process of compiling all records into this operation so that your records can be updated and processed with greater efficiency and accuracy for the convenience of all concerned. It will take some time to put all the data into the computer, but time has already been saved using the new processor.

We are utilizing this relatively slack time for programming in order to prepare for the future busy times.

The third safety film of the series, Roadway Safety, Tool Safety and Job Site Safety has just been completed and is ready for viewing upon request at the Employers Office. All apprentices will be shown the film in the classroom and at the Job Corps, as an integral part of their curricula. Safety is as an important part of the work process as any other function you may perform during the work day.

The safety slide shows are not intended to teach step by step safety habits, as common sense is the key to safe work habits. The slide show does emphasize the safety hazards encountered by Surveyors on the various job sites, to make all of you aware of these hazards so that common sense and judgment will make your job site a safer place to work.

Talking to Techs

The work picture has brightened up in some areas since the last issue of "Talking to Techs": Standard Oil in Richmond has put quite a few Techs back to work. The City of Pleasanton approved the construction of the Hacienda Shopping Center and Business Park Complex. It will be the largest complex of its kind in California. Five hundred and eighty seven acres are involved and it is estimated that it will take approximately five years to complete. This project will keep our brothers working for quite some time.

In Southern Alameda and Santa Clara County, the main projects that are keeping the Techs working are the commercial and industrial park complexes. Also, scattered throughout various Counties are Public Work Projects and Assessment District work.

We are currently in the process of negotiations with Automation Industries in Richmond, California. Hopefully, by the time this news article goes to press, negotiations will have been concluded.

Activities on Labor Code Section 777.5

On July 31, 1981 a complaint of noncompliance with Labor Code Section 777.5 was filed against Cal/Trans District 01 in Eureka. The results of that complaint led to several high level meetings in Governor Brown's office at the insistence of Operating Engineers Union, and the forming of a committee composed of State Officials, Cal/Trans Officers and Members of the Employers.

After negative results and at first, a stalemate situation, further pressure by Operating Engineers Local Union 40 was instrumental in getting a ruling from the Budget Committee that Cal/Trans cannot use State Funds from their Budget to train personnel to compete for engineering or survey work in Light Rail Systems, such as the proposal for the center of Sacramento and San Jose.

A small victory for the cause for the original complaint, but much concern was created in that area. Local 3 was also able to achieve cooperation from Senator John Foran, Chairman of the Transportation Committee to place a bill when the Senate convenes in January, the vote being necessary to get a stop to Cal/Trans bidding and performing work on County, City and District roads and other Public Work projects that are not a part of their normal work processes as defined by law.

Retirement

Regrettably, we would like to pass along the news that Art Pennebaker, Administrator of the Northern California Surveyors Joint Apprenticeship Committee will be retiring September 3, 1982. Art has done an outstanding job over the years and will be missed considerably.

Art has been a member of Local 3 since 1944. He began his career as a Chief of Party working for Transoff Engineers and later Art was hired as a Business Agent, and during this time was extremely successful in contract negotiations, organizing, etc. He then became Assistant Administrator of the Operating Engineers Apprenticeship Program and a few years later he assumed the position of Administrator for the Northern California Joint Apprenticeship Committee. Throughout Art's career, his dedication and enthusiasm benefited labor and management time and time again. He was never the type of individual to sit back on his laurels, reflecting on what he had already accomplished, but was constantly striving to improve all areas of his endeavors. In closing, we would like to comment that Art has decided to retire. He has definitely earned it. The Tech Department wishes Art and Marilyn a long and happy retirement.

Contract Negotiations

Contract negotiations have been concluded with Transworld Testing Lab and Industrial Testing International. These individual contracts have been unanimously ratified and have a guaranteed minimum increase of $4.25 over the term of the contract.

WAGE AND FRINGE BENEFITS

INDUSTRIAL TESTING INTERNATIONAL

Contract effective August 1, 1982

Technician Trainee Minimum $7.21

Technician Trainee Maximum $7.86

Magnetic Particle Technician Level 1 $8.82

Penetrant Technician Level 1 $9.28

Radiographic Technician Level 1 $10.21

Eddy Current Technician Level 1 $10.21

Ultrasonic Technician Level 1 $10.40

Magnetic Particle Technician Level II $11.35

Penetrant Technician Level II $11.79

Radiographic Technician Level II $11.79

Eddy Current Technician Level II $11.79

Ultrasonic Technician Level II $12.28

Fringe Benefits Effective August 1, 1982

Health and Welfare $1.50

Pension $1.25

Pensioned Health and Welfare $1.25

Automatic Industries (Can-Am)

We are in the process of negotiations with Automation Industries in Richmond, California. Hopefully, by the time this news article goes to press, negotiations will have been concluded.

Local 3 Business Manager Dale Marr shakes hands with retiring N.C.S.J.A.C. Administrator Art Pennebaker. Pictured with them are (left to right) Gene Machado, newly appointed administrator; Rob Mayfield, Asst. Business Manager and vice president; and Paul Schissler, Director of the Technical Engineers Department.
Business Representative Bob Delaney reports that after lengthy and time consuming meetings, the 3 year (87-89) contract with Kaiser Corp. Cement Plant has been completed. Union members are the 11 Internationals Unions and the 13 Local Unions involved.

Delaney was elected Chairman of this year's negotiations. "I'm very pleased to report that we ended up with a very good deal for the members. The way the economy is going at the present time, and construction down as bad as it is, "Delaney stated.

These arc some of the highlights on the wage package: 77 cents the first year, and 65 cents the 2nd and 3rd year with a 5% bonus for both the second and third year of the agreement. There will be a sick leave provision in this contract, which is totally new for these employees. This provision will go into effect the second year of the contract.

"I'm very happy with this new provision in the new contract is an achievement because we've been trying to get it for the last 10 years," Delaney added.

Additionally there are quite a few improvements in this new contract which are beneficial to the members in the safety and other benefits for all employees covered by this Agreement. Just to name a few: a new vacation policy, retirement and sickness benefits were improved for each year of the contract. Also, 2 pairs of safety shoes per year of the contract starting the 2nd year. These shoes will be paid for by the Company. Pension benefits were raised to $3.00 over the period of the contract. This whole package was no easy task to accomplish.

"We had numerous meetings to attend, and a lot of hard work put into it so it was worth the effort," Delaney stated.

Lengthy negotiations finally culminate with Kaiser agreement

Peter Kiewit low bidder in railroad job

(Collapsed from Page 4)

made longer and more gradual and will result in the construction of retaining walls. The new overpasses will accommodate two fourteen-foot traffic lanes and a five-foot sidewalk walk on one side.

Work on this project will require the closing of 800 North from 950 West to 1000 West. Work on this project is coming from the Federal and currently are relining the tunnel. Work on this project will require the closing of 800 North from 950 West to 1000 West. Work on this project is coming from the Federal and currently are relining the tunnel.

First Place Winner

John T. Brown
Suisun, CA

Time: 4 minutes, 19 seconds

Second Place Winner

Ron McCabe
San Jose, CA

Time: 6 minutes, 30 seconds

Third Place Winner

Bob Ward
San Jose, CA

Time: 7 minutes, 195 seconds

For Sale: Free Want Ads for Engineers


FOR SALE OR TRADE: HOME in the Oakdale, CA. 38 acres, 3 bed, 2 bath, Excellent, $115,000. Ph. 209/512-2555. Rep. #0579017. 8/82


FOR SALE: 1970 CHEVROLET. Sportvan (XI). Exc. cond. (Low miles) 1,000.00 $1,000.00. Exc. cond. 2nd owner. $800.00. Ph. 707/621-5422. Rep. #0527522. 7/82


FOR SALE: FOR SALE: 50x 100 FLAT LOT in Nice (Lake Co) w/sewer & water. $1,000. Ph. 707/621-5422. Rep. #0527522. 7/82


FOR SALE: FOR SALE: THOUSAND TRAILS Charter Membership for 24 to 30 h. travel trailer or land grass Valley or Peaceville, CA. $1,400. Ph. 707/416-5530. 8/82

RULES FOR SUBMITTING ADS

1 - Ads for engineers may advertise in these columns without charge. any PERSONAL PROPERTY if he wishes to sell, swap, or purchase. Ads will not be accepted for personal property.

1 - Print IT TYPE the wording you want in your ad, space out 8 words, if you must exceed 8 words, 5 words to a line. If you do not wish to pay $25. All terms are the same as before.

2 - Allow for a time lapse of several weeks between the posting of letters and receipts of your ad by our readers. Because the purpose should be served within the period, the ads without will be dropped from the newspaper after seven days.

3 - Address all ads to Engineers News Swap Shop, 308877 W. 170th St., Gardena, CA 90247. Be sure to include your register number. No ad will be published without this information.
ATTEND YOUR UNION MEETINGS

August
3rd Stockton, Engineers Bldg., 1916 N. Broadway
9th Salinas, Salinas Valley City Club, Hwy 68 & Anderson Rd.
10th Fresno, Laborer's Hall, 4531 East Hedges
17th Sacramento, Woodside Quality Inn, Hay 160 & Canterbury Rd.

September
9th Santa Rosa, Veterans Bldg., 1351 Maple St.
10th Salt Lake City, Engineers Bldg., 1555 W. Temple
18th Reno, Musicians Hall, 124 West Taylor
23rd San Jose, Labor Temple, 2102 Almaden Rd.

October
5th Fresno, Engineers Bldg., 2060 Broadway
6th Redding, Engineers Bldg., 100 Lake Blvd
7th Yuba City, Yuba-Sutter Fargons, Arco/Crafts Bldg., 449 Franklin Rd.
21st Salinas, Painters Hall, 701 Mission Ave
27th Honolulu, United Public Worker Union Mgr. Hall, 1426 No. School
28th Hills, Kapiolani School, 966 Kilauea Ave.
29th Maui, Cameron Center Aud., Conf. Rms. 1 & 2, 55 Mahahiki St., Wailuku

November
2nd Stockton, Engineers Bldg., 2800 Broadway
4th Concord, Elks Lodge No. 1904, 3394 Willow Pass Rd.
9th Fresno, Laborer's Hall, 5431 East Hedges
16th Auburn, Auburn Recreation Center, 123 Recreation Drive
18th Ukiah, Grange Hall, 740 State St.

LOCAL 3 MEMBERS—Save dollars on your Disneyland trip. Ask for your free membership card. Mail this coupon before 10/1/81.

Attn: M. Kelly, Operating Engineers Local Union No. 3, 474 Valencia St., San Francisco, California 94103

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Operating Engineers Local Union No. 3 CREDIT UNION PO. Box 2082, Dublin, CA. 94566

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Clip and mail to Engineers News, 474 Valencia St., San Francisco, CA 94103. Incomplete forms will not be processed.

Negotiations begin with Holt Bros.

Contract negotiations have begun with Holt Bros Caterpillar dealer in Stockton, reports Business Representative George Morgan. Gerhard & Berry Construction is in full swing with their truck sewer line crews working for the City of Chico. This project went for $2,766,473.50. Brother J. R. Bagley is running a loader on this project and also, is the Job Steward on the job. The City of Chico has let several million dollars worth of sewer work. West Valley Construction was low bidder on one of the bids for a trunk line which went for $62,420. Also, Baldwin Contracting was awarded a reach of the sewer project along with Ray N. Bertelsen and Burdick Construction. Soils-RediCo is working on their $2.1 million project west of Arbuckle. This project is construction of two pump stations. W. M. Lyles is starting the clearing on their pipeline job in the same area. Harold Meadows helped this project get underway.

Fernandez Construction is working on the water project on Hahn Road, with W. H. Linderman doing the plumbing. Baldwin has also begun work on the bridge job in Oroville, with W. H. Linderman doing the structural work. Lund Construction is in full swing on the Kelly Ridge Subdivision in the Oroville area.

R. C. Collet was low bidder on, and has begun working on, the storm drainage and improvement project in Wheatland.

Beale Air Force Base has a few projects coming out for bid this month, most of which will be electrical work. Plumas National Forest has a $3.9 million Pacific West Trail Project coming out for bid this month.

Marysville Blood Bank

Anyone who can, should try to make a donation to our District Blood Bank. At this time, we only have five units in reserve. Anyone, at any time, might have to make use of the blood, and, who knows, perhaps there would not be a supply on hand. In the past month alone, we have released a total of 15 units, and this was for two recipients only.

Donations can be made at the following donor centers:

MARYSVILLE — 2nd Tuesday of each month at the Marysville Art Center, 420 Tenth Street, Marysville, between 1:00 and 6:00 p.m., on the 4th Tuesday of each month at Ridgecrest Memorial Hospital Emergency Center, 726 Fourth Street, Marysville, between 10:30 a.m. and 4:00 p.m.

OROVILLE — 1st Thursday of each month between 1:00 and 6:00 p.m., at the Thermalito Grange Hall, 479 Plum Avenue.

The work picture is ‘slow but steady’ in Santa Rosa area

District Representative Paul Wise reports that the work picture in the Santa Rosa area is slow, but fairly steady. Most of the local contractors are now busy enough to keep their regular men working. Most survey firms are slow which is not a good sign for the dirt workers. The heavy duty repair shops are also pretty quiet. The sand and gravel companies are beginning to sell some material now.

"The Geyers remains a bright spot for our Brothers and Sisters in District 10," Wise said. "Three new units are opening up and lots of our operators are currently working on the hill. R. P. Montgomery recently put on another drilling rig which will be employing enough Brothers for three shifts."

Business Representative Pat O'Connell has requested a pre-job on the Cloverdale Bypass project. Pat says that after all these years of waiting, it couldn't have happened at a better time. Over the next several years, this project will mean lots of jobs for the brothers.

Another unexpected "plus" is the Sonoma County discovery of a $2.5 million tax revenue surplus which they decided to turn over to the road department. Let's hope the jobs soon follow.