IMPORTANT ELECTION COMMITTEE NOTICE
See page 22 for important information regarding the Election of Officers and Executive Board Members combined with the election of Delegates and Alternate Delegates to the 35th IUOE Convention.
Good news comes with pension plan, prevailing wage win

In the labor movement, you almost get used to the feeling that you are running uphill all the time. When it comes to winning battles for your membership, few of them come easy.

So it feels pretty good to report some good news.

The first good news concerns an improvement in the pension plan that has been desired by many of our members but not attainable in past years (see page 3). Over the years, we have been able to make incremental improvements that have enabled our members to retire earlier with a full pension. For example, Local 3 members who had 30 years credit in our pension plan have been able to retire as early as age 59.

Now, thanks to the excellent performance of our pension investments, the trustees were able to implement an improvement that will allow participants to retire as early as age 55 with a full pension if they have at least 30 pension credits. The new rule is actually quite simple to calculate. If your age plus years of service add up to 85, you can retire at full pension, with the provision that you must be at least 55 years of age.

This improvement is effective immediately and is retroactive to January 1 of this year.

Current retirees will also receive a $25 increase on their monthly pension check, retroactive to January 1 of this year. The third change in the plan will allow members to vest after 5 years, instead of 10. This change will take effect on January 1, 1998.

This change is in response to a recently enacted federal law which requires 5-year vesting on multi-employer pension plans. This change brings multi-employer pension plans in line with standard single employer plans, which have had 5-year vesting for several years now.

**Prevailing wage win**

As our members know, we have been in a running gun battle with Governor Wilson over his attempts to dismantle the prevailing wage law. Wilson basically wanted to gut the law by changing the way wage rates are calculated on all projects which receive state funding.

He failed to get what he wanted from the legislature last year, so he directed the Department of Industrial Relations (DIR) to make an end run around the law and simply implement the changes he wanted. He also instructed the DIR to conduct wage surveys, even though the Legislature specifically cut out funding for wage surveys.

We participated with other building trades unions in two lawsuits against the Wilson administration. Both lawsuits challenge the Governor's right to conduct wage surveys without authorized funding. This month, we scored wins in both of these lawsuits.

The war may not be over. I'm sure the Governor plans to appeal these cases to the Supreme Court, but we feel the rulings this month stand on very good legal ground.

This experience with Wilson, just like our experience over the daily overtime issue, drives home the message every member must carry as if it were his battle flag. That is: “Fight like hell in '98 for a governor who won't fight against working people.” We've had enough of it. It's time to elect a decent governor.
Doser announces more pension upgrades

$25 monthly increase, 5-year vesting highlight new retirement improvements

Business Manager Don Doser announced this month that thanks to the pension plan's strong financial condition the Pension Trust Fund’s board of directors has made three significant improvements in the union's retirement plan. These improvements apply to both retired and active Local 3 members.

First, there will be a $25-a-month increase in pension payments retroactive to Jan. 1, 1997 for retirees on the pension rolls as of Dec. 31, 1996. Retirees whose pensions were effective in any month in 1997 will also receive the increase starting on the date their pension goes into effect.

Second, a new type of Service Pension has been established effective Jan. 1, 1997. Those who are 55 or older, and whose years of service and age equal 85, will be eligible for a full pension. Before this, a member, to be eligible for a full pension, had to wait until age 59 and have 30 or more years of service in Local 3 or other Operating Engineers locals, or have 35 years in the industry with at least 20 years of service in the plan.

Under the new provision, a participant who is 55 years of age with 30 years of service can retire with a full pension, because the total equals 85. In another example, a participant 58 years of age with 27 years of service can also retire at full pension, because the combined age and years of service total 85.

The Trust Fund Service Center in Alameda is reviewing the history of anyone who retired since January 1997 and will notify any member who qualifies for this new service pension.

The third major pension benefits younger and newer members. Instead of needing at least 10 years to become vested in the pension plan, participants in the pension will now need only five years. The five-year vesting becomes effective Jan. 1, 1998, one year before a recently enacted federal law requiring five-year vesting goes into effect. This improvement will allow some of our younger or newer members to feel secure that they too will have a pension plan when they are older.

These improvements, and the ones made in previous years, were made possible because of the sound financial condition and prudent management of the pension plan. The fund now has enough assets to provide full benefits for life not only to all 9,765 retirees, widows and other beneficiaries who are currently receiving monthly pension checks, but to every vested active member.

The Local 3 officers and pension trustees are committed to making continued improvements to the plan for both retirees and active members whenever possible.

Good news for Calif. construction members

All of '97 wage increase to go on paycheck, none needed for health and welfare

For the fourth consecutive year, Local 3 members working under the Northern California Master Construction Agreement won't have to allocate any of their annual wage increase for the health and welfare plan. The entire increase for this year, which for Group IV is 65 cents per hour, will go on members' paychecks.

In the early 1990s, when the nation's health care crisis reached its peak with skyrocketing medical costs, Local 3 members agreed to put substantial portions, if not all, of their yearly wage-fringe package increases to the health and welfare plan in order to maintain benefits. Medical inflation was so high during this period that the plan in 1991 had less than a one-month cash reserve for paying claims. To maintain benefits, the membership agreed to have a portion or all of their wage-fringe benefit package increase allocated to the health plan.

But as medical inflation subsided beginning in 1993, and after the trust fund implemented strict cost-containment measures, the plan began to slowly rebound. Not since 1992 have the members had to put any of their wage increases to health and welfare. The financial condition of the health and welfare plan has improved so much over the past four years that it now has a one-year cash reserve.

Building Trades wins big round against Wilson over prevailing wage

Score two points for labor.

On Friday, May 9, California courts handed the Wilson administration two stinging defeats in separate lawsuits filed against the Department of Industrial Relations and its director, Lloyd Aubrey.

In one case, a California appellate court reversed a San Francisco Superior Court ruling that would have allowed the DIR to spend state funds to conduct prevailing wage surveys. These surveys are part of Governor Pete Wilson's two-year quest to change the way prevailing wages are calculated from the current model method to a weighted average. During last year's budget process, Wilson asked the Legislature for $4.3 million to fund the surveys. The Legislature eliminated the proposed amount from the budget, but the DIR began conducting the wage surveys anyway.

Several crafts joined in filing a lawsuit, arguing that government agencies are prohibited from carrying out activities whose funding has been explicitly denied by the Legislature. The First District Court of Appeal in San Francisco agreed and overturned the Superior Court decision. The DIR is expected to appeal the First District Court's decision to the state Supreme Court.

In a separate lawsuit filed by the State Building and Construction Trades, Sacramento Superior Court Judge Cecily Bond slapped a temporary restraining order on the DIR, preventing it from implementing new wage regulations for the Glaziers union. Bond then ordered the DIR to delay further action until May 27 when she will hand down her preliminary decision on the suit.

The Glaziers were to be the first craft to fall victim to Aubrey's weighted average prevailing wage calculation, which would lower construction wages up to 20 percent. The new rates were to take effect on May 12, but the judge's action prevented that from occurring. According to Bond, the lower wage rates had the potential of causing "chaos in the bidding process."
Rebirth of the 12-hour workday?

The Industrial Welfare Commission’s decision to abolish the eight-hour day is a reminder of what’s at stake in the next Calif. governor’s race by Jennifer Gallagher

OKay members, break time is over. The 1998 Calif. primary election is just over a year away and, under last November’s campaign finance reform measure Proposition 208, candidates for statewide offices can officially begin campaigning this June.

The most critical race for union families is certain to be the contest for governor. Gubernatorial candidates will try to grab your attention with hot-button issues such as gun control, abortion, immigration and affirmative action. In making your decision, you should be aware that the governor’s power, and thus his or her ability to directly impact your pocketbook, extends far beyond establishing policy and sponsoring or rejecting legislation. A case in point is how current Governor Pete Wilson recently circumvented the legislature in abolishing the eight-hour day.

Death of the eight-hour day

The Industrial Welfare Commission (IWC) voted 3-2 on April 11 to eliminate overtime pay after eight hours of work in a day. Now, to the detriment of working people throughout Calif., certain workers in the private sector will receive overtime pay only after working 40 hours in a week. The new regulations will take effect on Jan. 1, 1998.

In an official statement, Wilson calls the repeal “a victory for all Californians.” However, labor leaders and labor-friendly legislators fear that the elimination of daily overtime pay will result in workers being forced to work 12-hour shifts, taking precious time away from their families and taking money out of workers’ pockets. According to Assemblyman Wally Knox (D-Los Angeles), a strong proponent on preserving the eight-hour day, the IWC’s decision amounts to a $1 billion pay cut for 6 million Californians.

The new regulations won’t have an immediate impact on workers covered by a collective bargaining agreement. But as Business Manager Don Doser said in last month’s Engineers News, how many employers will realistically be willing to pay overtime after eight hours in future contract negotiations? The ripple effect of this decision will be disastrous for union men and women unless daily overtime pay is reinstated.

Industrial Welfare Commission

Pete Wilson won his campaign to kill overtime pay not by passing a bill in the Legislature, but by making three controversial appointments to the IWC. Made up of five commissioners, the IWC is a branch of the Department of Industrial Relations responsible for regulating the minimum wages and the general welfare of employees. With two labor representatives, two employer representatives and one person representing the public, one would think that the IWC would be a well-balanced panel. However, since the members are appointed by the governor, what we often get is a biased majority dedicated only to the person who gave them the job.

The three commissioners who voted to repeal the eight-hour day were each appointed to the IWC amid some controversy. Commission chair Robyn Black, an agribusiness executive, was appointed to the committee after organized labor managed to unseat her predecessor in 1994. Although the Senate unanimously confirmed her appointment in 1995, she has since pushed for the repeal of daily overtime and has consequently been blacklisted by labor-friendly legislators. The Senate refused
Lookin' good

All indications point to a robust work season this year in construction

If Local 3 construction members in California liked last year's work picture, they're going to enjoy this year even more. Although Hawaii remains mired in an economic downturn, Nevada and Utah are also expected to have good years.

California's resurgent economy is having a ripple effect on the state's construction industry. According to Construction Industry Research Board (CIRB) data analyzed by Lamberson Koster & Company, the state's construction volume totaled $7.5 billion in the first quarter of 1997, up 7.5 percent from the same period last year. Total construction volume last month alone was $2.8 billion, up 14 percent from February and up 16 percent from March 1996.

Nonresidential building again led the way in March. Permits issued for private building projects had a total construction volume of $1.02 billion, up 11.3 percent from February's $913.3 million, and up 50 percent from March 1996's $677.4 million. Adjusted for inflation, this is the largest total for any month since May 1991.

Nonresidential building in the first three months of 1997 totaled $2.92 billion, up 27.1 percent from the same period in 1996. "Adjusted for inflation and stated in 1996 dollars, private nonresidential building is at an $1.14 billion average rate over the past three months," said CIRB Research Director Ben Bartolotto. "This exceeds our forecast levels, and you have to go back six years to see this kind of activity."

The rise in construction volume has had a corresponding positive impact on construction employment figures. According to state labor statistics, construction employment has rebounded from an annual average of 464,300 workers in 1994 to 510,000 in March 1996 and 530,000 in March 1997.

The encouraging economic figures are indicative of Local 3's positive work picture as well. The number of hours California Local 3 members worked in March were up 25 percent over March of last year, the best figures since 1991. Rock, sand and gravel hours in March were up 8 percent over last March.

But the best indicator of the promising work outlook typically shows up in the number of hours surveyors are working. Surveyors hours in the first quarter of 1997 were a hefty 42 percent above the same period last year, the best figures since 1991.

Utah and Nevada's construction industries are humming along nicely. Utah's March hours were up 20 percent over last March, and with construction of I-15 just getting underway, the work picture should shine even more this summer. Nevada's hours are holding steady at close to last year's relatively robust rate.

Overall, California's economy is surging to levels not seen since the onset of the 1990-93 recession. During that period, the worst economic downturn since the Great Depression, California lost over a half-million jobs. But since 1993, the state's rebounding economy has added some 1 million new jobs. The state unemployment rate has steadily declined from 8.8 percent in 1994 to 7.2 percent in 1996 and to 6.6 percent last month.

The Bay Area economy in particular is running full throttle, especially in Silicon Valley, where in March unemployment sank to 3.1 percent, the lowest rate since 1989. Half of the 30,000 new jobs created in Santa Clara County in 1996 were in manufacturing and construction. The unemployment rate is running between 4-5 percent in surrounding Bay Area counties, except Solano County, where unemployment is at around 7.5 percent due in part to the shutdown of the Mare Island Naval Shipyard in Vallejo.

The Association of Bay Area Governments predicts both 1997 and 1998 will be good economic years for the Bay Area, with more jobs and modest wage gains, particularly for those in high-tech industries. Even though California's unemployment rate of 6.6 percent is above the national average of 5.4 percent, the UCLA Business Forecasting Project predicted earlier this year that the gap would shrink in the next three years, as the state continues to grow faster than the rest of the country.

Even state government coffers, bone dry during most of the early 1990s, are now awash in cash. In April alone, tax payments in California surged $523 million beyond forecasts. For the 1996-97 fiscal year, which ends in June, the state has collected roughly $825 million more than predicted.

This is good news for Operating Engineers because the state will now have more money available for highways and other public works projects, funds that were in short supply or nonexistent in the early 1990s. In an encouraging sign for public-sector Operating Engineers, Gov. Pete Wilson's 1997-98 budget includes $225 million for cities and counties.
One of the largest construction projects in the Fresno-Clovis metropolitan area is Kiewit Pacific's $32 million expansion of the Fresno-Clovis Regional Wastewater Reclamation Facility. The expansion, which consists of two primary clarifiers, two aeration basins and four secondary sedimentation basins, will increase the plant's capacity from 68 million gallons per day to over 80 mgd.

Fresno's steady population growth over the past two decades has prompted the city to continually expand the plant. The city recently completed an expansion in fall 1996 that brought the plant up from a capacity of 54 mgd to the current 68 mgd level. But demand quickly out-paced the plant's capacity once again and the city had to undertake the current expansion. Kiewit began construction in December, with completion scheduled for September 1998.

Fresno has been pondering how to deal with the area's increased wastewater demands for several years now. In fact, the Regional Water Control Board threatened to impose a building moratorium unless the city's wastewater treatment problems were solved. The city put the current expansion on a fast track so it could meet state water quality standards and wastewater treatment demands for the next several years.

A plant master plan unveiled last fall lays the groundwork for meeting Fresno and Clovis' wastewater needs through 2020, when the area is expected to produce more than 160 mgd of wastewater. Expanding to the 160 mgd level, however, will require the acquisition of 1,801 acres of land because percolation basins, likely to be built southwest of the current plant, will be needed. The master plan also calls for building satellite facilities in certain areas of the city, particularly the northeast and southwest.
Left: Loader operator John Cogdale

Below: Making this lift is crane operator Winston Kalua


Left: Mike Darrough, preacher, with mechanic Terry Farinos, left, and apprentice Thomas Bettamy.

Left: Kewt is using a tower crane at the testament plant expansion.
Regardless of the outcome, the Topside cam-
enced crew of about five operators.

**When you train, you gain**

**How COMET played a key role in organizing one of the Sacramento area’s major non-union construction companies**

Of all the possible organizing targets for Local 3, construction companies are arguably the most difficult campaigns to win. Unlike employees in most other industries, who work under one roof or in one general area, construction workers can be as nomadic as Bedouin shepherders, shifting daily or weekly from one worksite to another.

Despite the transient nature of the industry, Local 3 Business Manager Don Doser has placed the highest priority on construction-sector organizing. Over 70 percent of the union’s current organizing efforts are in construction. One of the most recent victories involved Topside Construction Inc. of Carmichael, one of the major construction firms in the Sacramento area. Its heavy equipment operators voted overwhelmingly to be represented by Local 3 on April 25.

What was important about this particular campaign was that it didn’t begin in the traditional way, with a team of organizers and business agents descending upon a construction site with organizing literature in hand. It actually started three months earlier in a Construction Organizing Membership Education and Training (COMET) course. For the past year and a half, Local 3 has been training an army of members through the COMET program to assist the union in its organizing campaigns. More than 1,300 Local 3 members have received special training in why organizing is important and how to actually carry it out.

One of those who received the training was apprentice Max Weis, who took the introductory COMET course last summer while at the Rancho Murietta Training Center, then took the more advanced COMET II course this past winter. After finishing the class, Weis did exactly what he was trained to do. He began talking to his coworkers at Teichert Construction about the importance of supporting the union’s organizing objectives.

One of the members Max spoke to was Teichert foreman and 23-year Local 3 member Blain Kirby, himself a COMET graduate. While working at the Del Web Sun City retirement community project in Roseville this past winter, the two members got to talking during lunch breaks and after work about the union’s ambitious new organizing program.

Blain then raised the issue with another foreman, Mike Drury, who worked for Topside, one of the non-union firms working at the Del Web project. Mike referenced a highly skilled, experienced crew of about five operators.

“Blain started talking to me about the union and whether I wanted to get in,” Mike told Engineers News. “He talked about COMET and said if my whole crew wanted to get in the union, he suggested an organizing drive. I started feeding out my crew and every single one of them was totally behind the idea. Being that most of them were young, they wanted the better pay, the retirement, and, above all, the respectability.”

That’s when Mike called the Sacramento District office to inquire about joining the union. After obtaining authorization cards from all of Topside’s 11 equipment operators, Local 3 launched an organizing campaign beginning in mid-March. The union requested that Topside recognize Local 3 as the operators’ exclusive collective bargaining representative. When the company refused, the National Labor Relations Board scheduled an election for April 25.

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**Other organizing campaigns**

Local 3 currently has 34 organizing campaigns going throughout the union’s jurisdiction. These campaigns involve top-down, bottom-up (elections) and internal organizing drives in open-shop states. In fact, recent internal organizing efforts have brought in over 100 new members in Nevada and Utah. The union also has 12 COMET “salting” construction campaigns underway.

Wal-Mart Distribution Center, Red Bluff, Calif.
45 mechanics and maintenance employees
Status: Local 3 has petitioned NLRB for rerun election because of employer’s alleged unfair labor practices after workers were illegally fired and threatened with plant closure.

TranSpec Contract Busing Inc., Salt Lake City, Utah
60 school bus drivers
Status: Voted by a 3-1 margin on Feb. 7 for Local 3 representation. Contract negotiations are in progress.

Butte Disposal, Chico, Calif.
17 waste disposal drivers
Status: Employer agreed to give Local 3 voluntary bargaining rights.

Spring Creek Utilities, Elko, Nev.
Four equipment operators
Status: Employer agreed to give Local 3 voluntary bargaining rights.

10 equipment operators and utility workers at Keller Canyon Landfill
Status: Employer agreed to give Local 3 voluntary bargaining rights.

Mount Grant General Hospital, Hawthorne, Nev.
80 public-sector hospital workers
Status: NLRB election scheduled for May 14

Peppermill Casino, Wendover, Nev.
30 maintenance shop employees
Status: NLRB election tentatively scheduled for May 30

Specialty Crushing, Oakdale, Calif.
10 crusher and equipment operators and mechanics
Status: NLRB election tentatively scheduled for June 5.
Measure of uncertainty

Almost invisible during the November election, Prop. 218 is now attracting attention because it could dramatically change the way local governments finance certain types of infrastructure projects

The hot-button issues of the 1996 general election, namely the California Civil Rights Initiative and the HMO and medical marijuana measures, served their purpose well in at least one unexpected way. They overshadowed a proposition that could wind up having far more direct economic impact on union families than any of the other successful November 5 election initiatives.

Prop. 218, despite opposition from the building trades, law enforcement, public educators and local government associations, was approved by 56 percent of voters. Dubbed “Son of Proposition 13” and “ Jarvis II,” Prop. 218 could severely impede local government’s ability to provide vital services and raise money for infrastructure projects such as wastewater treatment plants, road construction, street maintenance, flood control and harbor dredging, projects vital to the Operating Engineers. Public-sector Operating Engineers could also be adversely affected as cities and counties are forced to cut back services even more.

Prop. 218 requires that all future general taxes must be approved by a majority of voters. It also reaffirms the landmark 1978 initiative Prop. 13 and the 1986 tax reform measure Prop. 62 that all special taxes must be approved by a two-thirds vote. Also, all new property-related assessments or increases in existing ones — must be submitted to affected property owners for their approval after a notice and public hearing. Finally, fees and charges must be limited to the actual cost of providing the service and may not be used for general services.

Why Prop. 218?

Taxpayer groups like the Howard Jarvis Taxpayers Association and the Paul Gann Citizens Committee sponsored Prop. 218 to close loopholes in Prop. 13 and Prop. 62, which require many property-related fees, assessments and taxes to be put to a vote. Over the past decade and more, these two propositions have drastically curtailed local government’s ability to raise revenues for public services and infrastructure projects.

Financially strapped cities and counties, nevertheless, have found innovative strategies to deal with Prop. 13 and Prop. 62. They have lumped such traditional local functions as street lights, libraries, park maintenance and even police and fire protection into special assessment districts designed specifically to collect money to pay for those services. Before Prop. 218, the formation of assessment districts was not subject to a public vote unless a majority of property owners filed a protest.

But not anymore. Under Prop. 218, cities and counties now will have to get voter approval to not only form assessment districts but to increase existing fees or assessments. To make matters even worse, local general taxes enacted after December 31, 1994 must be put to a vote of the people within two years. And if previously-enacted taxes are voted down, the revenue already collected may have to be returned to the people.

Prop. 218’s economic impact

The fiscal impact of Prop. 218 on local government could be substantial. According to the state Legislative Analyst’s Office, short-term revenue losses could exceed $100 million annually statewide, while long-term revenue losses could creep into the hundreds of millions of dollars annually, depending on local government actions, voter decisions and court interpretations. Local governments would also incur at least an estimated $10 million in increased costs to hold elections and defend their fees and assessments in court.

Out-of-state and foreign influence

Another area of concern is the provision in Prop. 218 that permits voters to repeal taxes via the initiative process. This part of Prop. 218 raises two important questions. First, could the repeal-by-initiative provisions be applied to existing taxes against which local governments have already issued debt, namely bonds? Second, would Wall Street buy bonds from California if they were subject to a repeal by a vote of the people?

According to the California Planning & Development Report, public finance experts and lawyers say the power to repeal a tax for which a government entity has incurred debt would violate the contracts clause of the U.S. Constitution. The taxpayer groups who placed Prop. 218 on the ballot would probably have to agree to legislation that would grandfather in taxes that support existing debt.

see ‘Prop. 218’ on page 20
Salinas SWAT team wins physical fitness training pay

Members of the Salinas Police Department SWAT team and the city administration recently reached an out-of-court settlement in a lawsuit involving overtime pay. SWAT officers sued the city in June 1996 contending their rights under the Fair Labor Standards Act were being violated because they used many hours of personal time to train for mandatory physical fitness tests.

The department began to impose in 1994 strenuous physical fitness tests on SWAT officers. The administration had conducted the tests three times a year with no advanced notice. Any officer who failed the test had to leave the team.

During contract negotiations in September 1995 the union made several recommendations to the city to compensate officers for the training; give the SWAT officers an hour of duty time to train, pay officers CTO, or give them a 5 percent incentive pay. The city declined all proposals. It did, however, propose to pay SWAT team members an additional $500 per year for passing the mandatory tests. The union agreed to this proposal because it was the only compensation acceptable to the city.

Legal precedent

But about six months later, the Salinas police officers learned of two successful Florida lawsuits, Alvarez v. Dade County and McCormick v. City of Miami Beach, in which SWAT officers sued their agencies for the same reason - compensation for time spent training for mandatory physical fitness tests.

Local 3 sent a letter to the police department in April 1996 explaining the two cases and requested a meeting to discuss compensation for the mandatory training. When the department failed to respond, the union sought legal remedies.

The facts in Alvarez v. Dade County were nearly identical to those in Salinas. The same FBI test was used, but the department asked SWAT officers only two times per year. Officers also worked out on their own time for about an hour a day training for the tests. If they failed a test, the department removed them from the team.

Jury trial victory

The Dade County SWAT officers won their claim to overtime compensation in a unanimous jury trial. The jury found that Dade County required the overtime, benefited more from the training than did the officers, and that the training was an indispensable part of their job. Salinas officers not only have to pass the FBI physical fitness test, but also have agility tests springing on them during the year.

Since the City of Salinas was unwilling to discuss the issue with Local 3, the union filed a complaint against the city in June of last year. The department responding by disbanning the team. Six officers received telephone calls from the administration telling them that they were off the team.

The essence of the claim is that SWAT officers had to work out at least an hour each day to be able to pass a mandatory physical fitness test. The department administered the tests three times per year with only a few days notice. As officers passed the tests, the department made them more difficult, thus requiring more workout time.

The city expressed shock at the FLSA complaint because they had recently negotiated a new contract. City officials believed the signed contract concluded negotiations on the SWAT demand. Local 3 reminded the city that employees do not sign away their FLSA rights in a memorandum of understanding. The Florida cases became public within two months of signing the contract.

During settlement discussions, the city offered to pay current and past SWAT team members two years of overtime pay at four hours per week. In doing so, however, the city proposed to eliminate the team. SWAT officers, growing weary of the fight, considered concealing the team's demise.

Petition circulated

But Local 3 bolstered their fighting spirits. The union urged team members to circulated a petition to all Salinas Police Department officers asking them to support the SWAT lawsuit. The petition informed the city that the SWAT team was not backing down from its demands, and that it had the support of the POA members.

Within two days, every available officer and some sergeants signed the petition. The union then presented the petition to the city manager and chief of police. By November, the city rescinded its proposal to eliminate the SWAT team. The city also kept its offer on the table to compensate officers two years of overtime pay at four hours per week. But the number of team members was reduced from 14 to 10.

$10,000 in back pay

The department will now test SWAT officers once a year. They will receive the $1,000 bonus each June for passing the test. For the eight-week period preceding the test, officers will receive one hour of duty time each work day to train. Twenty-two past and present SWAT team members received a total back-pay settlement of more than $100,000 based on four hours of overtime per week that the officers trained.

"This settlement acknowledges that the department and the city are the primary beneficiaries of a physically fit SWAT team," said Kyle Kimm, SWAT team member and POA president at the time the suit was filed. "Because the department began the physical fitness standard in the first place, they must have perceived fitness as an extremely important attribute in a SWAT officer. These traits are important in officers who respond to violent, critical situations."

SWAT training resumes

Once the parties settled the case, the department immediately started SWAT training again. "The entire POA membership supported the efforts of the SWAT team in this lawsuit," said current POA president Steve Long. "When we circulated petitions for signatures, every officer available signed one. We wanted to make sure that the city understood the position of the POA membership. In the end, the whole membership ultimately benefits from this successful settlement. We definitely made an impression on the city."

Congratulations to the Salinas SWAT officers for sticking together and seeing the settlement through to a successful conclusion. It is not easy for employees to take their employers to court. Will they try to fire me or will I ever get promoted?

Employers do get nasty when they are sued, and the city of Salinas was no exception. What discourages employees during the legal process are the employer's mean-spirited maneuvers. This is where strong union representation and competent legal counsel are indispensable.

Barbara Williams, Business Rep.
Local 3 helps save Santa Cruz K9 team from extinction

By Barbara Williams, Business Rep.

When the chief of the Santa Cruz Police Department tried to unilaterally eliminate the department’s K9 team a year and a half ago, he couldn’t have imagined the upheaval his decision would cause. By the time the political and legal shock waves ceased reverberating through the city, the Santa Cruz Police Officers Association, with support from Local 3, had not only saved the team from extinction, but won a back-pay settlement with thousands of dollars for two of the team’s officers.

The controversy erupted in September 1995 when the police chief, apparently because of personality conflicts and an unwillingness to pay overtime under provisions of the Fair Labor Standards Act, decided on his own to simply disband the police department’s popular K9 team, which had been successfully serving the department and community for over 10 years.

The chief’s decision prompted the POA to mount an intensive save-the-K9-team campaign. The officers circulated cards for citizens to send to city council members and met with the city council to express their concerns over the lost program.

Meanwhile, Local 3 submitted a request to meet and confer over the effects of eliminating the program. The city council had budgeted money for the program for the current fiscal year, which was only in its first quarter. The union demanded to know how the department would spend those budgeted funds. The department’s union contract also provided for a monthly allowance for K9 handlers. With the team eliminated, what would happen to the allowance?

Safety concerns

The union also had concerns about safety. Most of the officers’ training on building searches includes a K9 presence, and for a decade K9 teams have always assisted officers in building searches. Officers also were concerned about losing their ability to send a canine after an armed suspect.

When the department ended the program without meeting and conferring, the union filed a complaint against the city for all the hours that K9 handlers had spent in uncompensated training over the previous three years. The complaint asserted that the department was aware of but ignored all the unpaid training these dedicated K9 handlers regularly undertook. The department, the complaint claimed, did not attempt to compensate them or stop the additional training.

Finally, the complaint sought compensation for one officer, Willi Brandt, who had purchased a dog with his own money and had trained many hours with the two regular handlers. Officer Brandt had hoped to get his dog certified and be the next K9 handler. At the time, the department’s practice was to have officers buy their dogs and train on their own time with no expectation of becoming a handler.

In response to all this activity, the chief asserted he had never intended to permanently end the program; he just wanted a break for a year or so to restructure the program. The members were less than trusting and continued to protest the chief’s action.

Union confers with city manager

The union opted to meet with the city manager because of concern the chief would stifle re-establishing the program. The union and the city eventually agreed on a new general order and canine agreement. The city will now purchase the dogs and the officers will buy the animals back for $1 when the dogs retire.

Another attractive aspect of the new program is that prospective handlers will not spend thousands of dollars on a dog and hundreds of unpaid hours to train it only to be rejected or barred from the program. It’s possible the department did not even know officers were buying dogs in hopes of becoming handlers. Now handlers will receive $18 per month for care and feeding and will train for a predesignated number of hours per month.

In March, the department selected two new handlers and a trainer. The union had pushed relentlessly to have the handlers selected and available for training by the end of March. The POA hoped to have the teams on the street in May, but because of the department’s inevitable stalling, it did not select the two new handlers and trainer until the end of March. The teams will attend a four-week training class in July and be on the street by September, two years after the chief tried to end the program.

Better late than never

While the POA is not happy with the delay, it’s pleased to have the program back and better than before. The two new handlers, Willi Brandt and Brad Hillier, both had purchased dogs under the old program. The trainers will evaluate their dogs to see if they are fit for police work. If not, the department will purchase new dogs. Both officers, however, are confident of their dogs’ abilities and look forward to finally working as K9 teams.

The three parties to the FLSA overtime complaint received a total of $35,000 in back pay. The team will have all new equipment and new cars equipped with cellular telephones in their police cars. The department has also assigned a lieutenant with significant K9 training to be in charge of the program, the kind of supervision that was severely lacking in the old program.

The union’s response to the chief’s action will no doubt leave a lasting impression. The officers’ efforts in getting the program reinstated was compelling and persistent. The lawsuit caused considerable chaos in the city administration. Even the city council and the Police Review Commission have asked about the progress of the new program because of their strong support for it.

The department kept telling the union that only a few members supported the program and that most officers did not care about it. Assertions that ended up being untrue. It was just a typical management attempt at divide and conquer. This fruitless attempt failed to break the efforts of the union and POA to pursue to the end the creation of a new program.

Thanks Local 3!
Union-employer cooperation key to apprenticeship success

It takes dedication and cooperation among employers and the union to operate an apprenticeship program. The success of the Northern California Surveyors Joint Apprenticeship Committee is the result of many individuals working together. Through union members, employers and staff we provide a program that fulfills the needs of an ever-changing survey industry.

Our employers require the finest trained surveyors, and they assist us in many ways to accomplish this goal. They hire apprentices, train them on the job, make sure that the apprentices are fulfilling their obligations to their training, evaluate the program and their apprentices, and most importantly, agree through collective bargaining to establish the funding that runs the entire program. We would not be in business if it were not for our committed group of employers.

Local 3 also plays an important role in support of our program. The union provides the program with classrooms, assists with job placement of apprentices, and helps ensure that non-union employers pay into the program when they work on public works projects. The union also provides the awards for our annual hands-on competition.

Another key ingredient in the apprenticeship mixture is the instructors. The NCSJAC prides itself on having devoted instructors. Our instructors teach one class per week either in the evening or on some Saturdays, a commitment that many of us would find hard to make. And that's not all. Other requirements of being an instructor include the paperwork essential to helping the JAC administrators know where individual apprentice are in their school work. Our instructors spend an additional two to three hours per week in evaluating their class students, and they are constantly writing and upgrading our curricula.

Additionally, each NCSJAC instructor is required to hold a California Teaching Credential for part-time adult vocational education specializing in the area of surveying. This is a time-consuming requirement that can take well over three years. We require them to attend three to four Saturday seminars each school year, giving up their Saturdays so we can prep them on class events. All of them hold a valid CPR and first aid card.

This may seem like a lot, but many of our instructors have been with us for at least eight years. Their dedication stems from their love of surveying, and we cannot tell them how much we appreciate this.

The NCSJAC holds a class at its main office in Alameda, has five satellite class locations and correspondence classes for students who live more than 50 miles from a class.

Floyd Harley is our instructor in Alameda, Ken Anderson is in San Jose, Terry Warren in Martinez, Juan Lovato in Fresno, Ron Nesgis and Mike Faulk in Sacramento, Pat O'Connor and Fred Feickert in Santa Rosa and staffing our correspondence course is Chuck Hendrich. By the way, all of these individuals have graduated from the NCSJAC program and most hold several or all specialty certifications. Hats off to a great bunch of teachers.

Continuing education the pathway to employability

The U.S. home-building market is a $150-billion-a-year industry, making it construction's largest and fastest growing segment. This huge market has caused many commercial builders to move into the lucrative residential construction market. As a result, home building has become very competitive, with contractors forced to be extremely creative and innovative to survive.

In pre-industrial civilization, job competition was generally confined to a relatively small geographic area. As transportation and telecommunications improved during the Industrial Revolution, competition eventually extended to adjacent states, and we eventually found ourselves competing nationally. In today's Information Age many industries are competing worldwide. Competition has taken a quantum leap forward; it has become more intense than ever before.

Today an employer can hire an American physicist with a Ph.D for about $75,000 a year. But with the advent of the internet, that same employer can hire a Russian physicist with a Noble Prize for less than $6,000 a year. The employer can simply exchange computer programs and files via the internet with the Russian physicist.

To compete in today's job market you must take personal responsibility for continuing your education; otherwise, you'll end up without the knowledge to protect your job. Surveyors in the past few years have experienced major changes in equipment and techniques. If we do not update our skills and knowledge, we run the risk of becoming obsolete. We must become perpetual students. The more we learn, the more employable we become.

Golf tournament

The Third Annual Technical Engineers Golf Tournament will be held on Sunday, July 20 at the Lake Chabot Golf Course. Last year's tournament was an early sell out. Don't wait around to sign up. For information call Paul Schissler at (510) 748-7431.
OSHA's consulting service ideal for small employers

Most employers will tell you the federal Occupational Safety and Health Administration doesn't help them. In fact, most employers think OSHA doesn't do a bit of good for anyone. That's because most employers have not called OSHA to have the agency help them with their safety and health programs. One of OSHA's most successful programs is its consultation service, a valuable tool to assist our union employers in the area of safety and health, which in turn leads to safer, healthier lives for our members.

The chief of OSHA's compliance program is trying to reassure employers that OSHA compliance inspectors won't come knocking on their doors when they request consultation advice from the agency. She insists that calling the agency for help with workplace hazards does not prompt an inspection. The OSHA consultation services and agency enforcement are totally separate.

OSHA's free consultation services are designed for small-to-medium-sized employers, with no more than 250 employees in high hazard industries that do not have the resources to hire a full-time safety and health professional. This confidential service is available in all 50 states.

Last year, over 24,000 employers called OSHA for help. Usually there is an increase in calls after a change in a standard. Consultants are prepared to help employers tackle a wide range of hazards found in all industries, including construction and health care.

Even casual cocaine use can cause serious problems

Cocaine use is downright dangerous. Too much at once can kill you, and regular use of even small amounts can be addictive. Some people think that as long as cocaine is not injected, it's safe. However, cocaine comes in different strengths. And regardless of the method of administration — snorting, smoking, ingesting or injecting — cocaine has the same reaction on the body.

Cocaine causes the blood vessels to constrict, resulting in an increase in blood pressure and heart rate. If the amount taken is sufficient, blood vessels can rupture, thus traumatizing the heart, brain and lungs, explains Robert Hoffman, M.D., assistant professor of clinical surgery and emergency medicine at the New York University School of Medicine. The ultimate result can be death.

Warning signals

When cocaine intoxication is life-threatening, warning signals usually take place immediately — at least within an hour of use. The physiological warning signs of overdose include the following:

- Irregular or fast heart beat
- Dilated pupils
- Perpiration or chills
- Nausea or vomiting
- Blood pressure problems
- Convulsions

There are also tip-offs in a person's behavior to cocaine use:

- Euphoria
- Hypervigilance (being "on the alert" unnecessarily)
- Anxiety
- Anger
- Swings in sociability

The psychological and physiological effects of cocaine intoxication must be treated as an emergency. Sedatives are administered to counteract some of the effects, which often appear as general agitation. Medical staff work to cool the body, which can be feverish. Fluids are given to counteract dehydration that can cause tissue damage.

While acute cocaine intoxication is a scary event to watch, its treatment is actually much more straightforward than the treatment of cocaine addiction. There are many other factors involved, including social life and the use of other drugs such as alcohol.

Counseling, which doesn't do much to help cocaine intoxication, is vital to the treatment of addiction. Most cocaine addicts have to rebuild their lives and need peer support groups as well as professional help. These people frequently have many problems. By the time the cocaine abuse surfaces at work, they have already destroyed their personal relationships, spent their savings, and developed various physical and mental problems.

continued next page
Replace your costly bank account with checking from credit union

Whoever said, "Watch the pennies and the dollars will take care of themselves," could have been talking about today's bank checking accounts. If you have a checking account with a bank and have not been penny watching, your dollars may not be taking care of themselves at all. The chart "Why Pay More?" below tells the story. Are you paying for bank services that are free to credit union members?

Consumer advocates estimate that the average family could save $238 each year by switching from bank to credit union checking.

Your credit union checking account costs less because banks and credit unions have very different goals. Because banks must answer to their stockholders, they need to make a profit, which forces banks to charge higher fees and offer lower dividends than are available at credit unions. Your credit union answers to you and does not have to impose the high fees that banks do.

Banks still surcharging

Beginning last July, using an ATM owned by a bank where you didn't have an account became very costly. The banks hoped a $2 ATM surcharge to non-customers would cause these non-customers to open bank checking accounts. As a credit union member you can avoid both ATM surcharges and expensive bank checking accounts.

The solution to open a checking account with your credit union. It gives you access to thousands of ATMs and point-of-sale terminals like those at supermarket checkouts. It also includes access to CO-OP and other ATMs that have no surcharge policies. What's more, you can avoid ATM surcharges and separate trips to ATMs by using your credit union check card to get cash back on top of your purchases at supermarkets and other locations.

The check card is an ATM card that is also accepted anywhere you see the VISA logo. Rather than making a trip to get cash before you shop, or having to remember to take your check book with you, you can just pay with the check card. The funds come directly from your checking account.

One credit union member likes using her check card at the post office. Almost every post office now accepts VISA, which means they also accept the check card. The post office, with its notoriously long lines of waiting customers, is a great place not to have to take time to write out a check and fish for identification and wait while your drivers license number is recorded. And that's just one of the thousands of places you can pay with your check card.

Besides check card convenience, your credit union checking account also features:

- No monthly service fee
- No required minimum balance
- Overdraft protection
- Dividends paid on balances over $2,500
- Free 24-hour Touch Tone Teller

If you have been putting off switching from bank to credit union checking, remember: the sooner you make the switch, the sooner you'll begin saving. To become a credit union member, call the credit union at 1-800-877-4444. Establishing your membership requires a deposit of $5 or more into a regular savings account.

Why Pay More?

<table>
<thead>
<tr>
<th>Service</th>
<th>USE Credit Union</th>
<th>B of A</th>
<th>Wells Fargo</th>
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<tr>
<td>Monthly Service</td>
<td>No fee</td>
<td>$5.50</td>
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<td>Teller Trans.</td>
<td>Free</td>
<td>$2</td>
<td>Free</td>
</tr>
<tr>
<td>Personal Phone Service</td>
<td>Free (first 6 free)</td>
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<td>$1.50</td>
</tr>
<tr>
<td>Auto Phone Service</td>
<td>Free (each call over limit)</td>
<td>50 cents (each call over limit)</td>
<td>50 cents</td>
</tr>
</tbody>
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SPRING INTO ACTION
WITH A HOME IMPROVEMENT LOAN FROM YOUR CREDIT UNION

HOME IMPROVEMENT CHECKLIST

- POOL & SAUNA
- PAINT & WALLPAPER
- ROOF
- NEW APPLIANCES
- CARPET
- CABINETS

ARP continued from previous page

However, medical intervention can also help treat cocaine addiction. For example, anti-depressants have been used to help recovering addicts get through the depression that goes along with withdrawal from the drug. This depression can threaten recovery, since the addict knows from experience that cocaine will take it away, however temporarily.

Sometimes an episode of cocaine intoxication is what brings cocaine abuse to the forefront. It's important to remember that these people do need help, but with treatment, can recover their work skills and their lives. Without it, they are likely to continue using the drug until it destroys them.
You must use your ID card when filling prescriptions

Members are still not correctly using the new prescription drug plan. If you don’t use this program properly, you will have higher out-of-pocket costs. The following explains everything you need to know. If you still don’t understand the rules after reading this article, please give us a call (510) 748-7450. We’ll explain the plan to you over the phone.

Prescription Drug Home Pharmacy Plan

All active members covered by the California Health and Welfare Trust Fund and retirees covered by the Pensioned Health and Welfare Trust Fund, except those on a Medicare Advantage Plan (Kaiser Senior Advantage, Pacific Care Secure Horizon or Health Net Seniority Plus) are issued a white plastic Prudent Buyer/Diversified Pharmaceuticals Services card. Kaiser members receive their Kaiser card and the white plastic Diversified Pharmaceuticals Services card.

Diversified Pharmaceuticals Services (DPS) requires you to use your ID card when purchasing prescription drugs. Under the DPS plan, the member goes to a participating pharmacy (most major and many independent pharmacies), presents his ID card and pays either $5 (generic) or $10 (brand name) per prescription. There is no need to file a claim and wait for reimbursement. Refer to your health & welfare booklet or contact the trust fund or fringe benefits for the details on the prescription drug benefit.

A list of participating pharmacies is available at your district office, fringe benefits or the trust fund office. If you purchase prescriptions from a non-participating pharmacy or without your ID card, you must file a claim with DPS (forms are available through the trust fund or fringe benefits) for reimbursement. Reimbursement will be based on what DPS would have paid a participating pharmacy. This means your cost will probably be higher than the normal $5 or $10. In many cases, the difference can be substantial. Save money by using participating pharmacies and your ID card.

Kaiser members

Kaiser pharmacies are not participating pharmacies under the DPS plan. Members with Kaiser coverage (except retirees and spouses on Kaiser Senior Advantage) should not fill their prescriptions at Kaiser. They should take their prescription to a participating pharmacy for maximum reimbursement. Retirees and spouses who are on Kaiser Senior Advantage must fill their prescriptions at Kaiser.

Mail order option

Your prescription drug benefit also provides mail order service for your prescription needs. Mail order service is available through American Diversified Services (ADP) in Sacramento or through DPS in Pennsylvania. The mail order option is ideal for those on maintenance drugs. When using the mail order option, there is no out-of-pocket cost to the member. If ID cards have not been received, or if you need additional cards, information or forms, call your district office, the trust fund office or fringe benefits.

Retiree picnic horseshoe tourney

The Retiree Association picnic is almost here. We hope to see you all there. As a reminder, mark your calendars and be at Rancho Murieta on Saturday, May 31. If you want, come on up on Friday, May 30 at noon and stay until noon on Sunday, June 1. This year the credit union is sponsoring a horseshoe tournament on Saturday starting at 10 a.m. There will be plenty of parking for your self contained campers, motor homes and trailers. Once again Local 3 will be picking up the tab for this event. Be sure to come on out and have a great time.

The vittles were mighty tasty at the April 24 Retiree Association potluck at Woodward Park in Fresno.
Governor visits Honolulu picnic

He reassured members of his commitment to pump money into public works to get construction industry moving

HONOLULU -- The Honolulu picnic was held on March 8 at Sand Island Park. The weather brought us a sunny day with a light breeze, making it a very comfortable day for a picnic. All who attended had lots of food and fellowship with old friends. The chance to renew acquaintances and friendships is probably the most rewarding part of all the district picnics.

We were fortunate the round of Hawaii District meetings had just concluded, allowing the members to meet informally with our officers.

Hawaii Governor Benjamin Cayetano paid a visit to our picnic to meet the officers and Local 3 members. He spoke briefly to the gathering and explained Hawaii's economic situation. He also informed us of his efforts to pump money into State Capitol Improvement Projects to help get the construction industry moving again and our brothers and sisters back to work.

Willy Crozier, administrator, Hawaii Operating Engineers Industry Stabilization Fund

Rep. Abercrombie thanks Hawaii District for election support

HONOLULU -- Rep. Neil Abercrombie paid a special visit January 28 to the Honolulu District office to thank Hawaii's Local 3 members for their strong during the November general election. He praised Local 3 for its willingness to spend the time and energy to help him win re-election against a very well funded Republican candidate.

The other reason for the visit was to give the district a personal briefing on what's happening in the current congressional session. He warned us of the continuing thrust of the Republicans in Congress against organized labor and the average American citizen in favor of big business and the wealthy. Abercrombie pledged to continue the fight to support labor and to also continue the fight to support the Davis Bacon Act, the law governing federal prevailing wages.

We were honored to have our congressman pay us a personal visit. We wish him success and will be there to help him during his next election.

Willy Crozier, Administrator, Hawaii Operating Engineers Industry Stabilization Fund

Team support

RHS Lee ready to resume Waipahu postal annex project

HONOLULU - Work on the U.S. Postal Service annex in Waipahu is about to resume after the project was shut down in January because of a major design change involving the placement of the parking lot. RHS Lee Inc. of Honolulu is doing the earthworks for prime contractor Albert C. Obayashi.

When the Local 3 officers and Engineers News visited the project in December, RHS Lee was about half-finished with the 8,300 yards of mass excavation for the 22,000-square-foot post office building. When RHS Lee resumes work on the project in about three to four weeks, crews have about two more months of dirt work left to finish the job.

Retiree keeps art of net making alive

HONOLULU - This photo of William Kaawaloa, by Michael Darden of West Hawaii Today, shows the retired Operating Engineer teaching the art of net making at a recent cultural festival at the Pu'uhonua National Historical Site in Kawaihao on the Big Island.

Kaawaloa started his career as an Operating Engineer in 1960 working for S.K. Oda Contractor in Hilo. He was one of the employees who helped the company become a union contractor in 1964 through an National Labor Relations Board representation election.

Kaawaloa worked in the industry until his retirement in 1979. He is presently enjoying his retirement and keeping himself busy with his net making and other hobbies. Kaawaloa learned to make throw nets from his grandfather and is now teaching an apprentice. It takes about a month of consistent work to complete a single net.

We wish brother Kaawaloa and his wife Minnie continued good health and many more years of a well-earned retirement. Aloha.
Surge in hwy. repair work kick-starts work season

ROHNERT PARK – Despite some light rain in the past couple of weeks, the overall work outlook in Sonoma, Lake and Mendocino counties looks really strong. Because of the January floods in the tri-county area, we are seeing a surge in highway repair work that promises to get the season off to a strong start.

At press time, pre-negotiation meetings are schedule for Syva Industries, Kaiser Rock, Sand & Gravel, Parrum Paving and Parrum Ready Mix.

The Rohnert Park Wet & Wild barbecue and picnic at the Windsor Water Works is rapidly approaching. Because of the park’s limited space, tickets are available first-come first-serve. Call Dispatcher George Steffensen at (707) 585-2487 for information about getting your tickets. Members, their families and guests, as well as retirees and guests are all invited.

We’re going to serve barbecued chicken or beef for lunch with rolls, bean salad, hot dogs and beverages. There will also be several raffles throughout the day. Raffle items will include an autographed Jerry Rice football, an assembled pedal riding tractor, lifetime vehicle alignment, tickets to the Sonoma Crush, lots of gift certificates for dinner and overnight stays at bed and breakfasts in Sonoma, Lake and Mendocino counties, and bottles of special label Senator Mike Thompson wine.

Discounted water slide ticket will be available. Tickets are selling fast, so call George and order your tickets soon to ensure your place at the picnic.

Operators lend helping hand for needy family

RENO – Apprentices David Etchinson, operating the John Deere backhoe, and Martha Ball, standing at right, donated their time to help do site preparation for a Habitat for Humanity home in northwest Reno at Kings Row and St. Alber’s Drive. Local 3 member Charles Martinez, standing next to Ball, was among the journey-level operators and equipment donated by T.W. Construction and Granite Construction. The 1,000-square-foot three bedroom home for a needy family will be constructed by apprentices from each craft.
Retiree honored for community activism

STOCKTON - 35-year Local 3 member Anthony (Tony) Cardoza recently received the Outstanding Citizen award for 1996 from the Clements-Lockeford Chamber of Commerce. He was also presented with a certificate from the 11th California District Congress, California State Legislature and California State Senate. Cardoza, a retired member who has been active in Local 3’s COMET program, is also involved in several other community groups and activities, including the Veterans of Foreign Wars, Lodi Dakota Club and Independent Order of Foresters. He is currently working on the Lockeford Park project.

Note of gratitude

ALAMEDA - This photo shows the damage the January floods inflicted on my aunt’s home in the Marysville-Olivehurst area. My aunt and cousin both ended up losing their homes. I want to extend a big thank you to all the Operating Engineers who came to the rescue with all of their heavy equipment. Your care and concern are deeply appreciated.

Patty Newlan,
Local 3 Addiction Recovery Program

Concrete performance

SAN FRANCISCO - Local 3 member Paul Cruz of Lodiavazo Bros. shoots stud for the footings for San Francisco International Airport’s new international terminal, which is part of a $3.5 billion airport expansion. Conco-Kulchin-Condon JV is the general contractor on this project.

District and Retiree Picnics

Oakland District
Saturday, May 18
Rankin Municipal Park, Martinez
10 a.m. to 4 p.m.
$13 adults, $10 retirees, $4 children
Steaks, hot dogs, green salad, potato salad, unlimited soda and beer
Playground, horseshoe tournament, lawn games
Info: (510) 746-7546

Retiree Picnic
Saturday, May 31
Rancho Murieta Training Center
Ribs, steak, beans, rolls, unlimited beer and soft drinks
Horseshoe tournament, music, souvenir photo
As usual, plenty of RV parking
Info: (510) 746-7546

Salt Lake City District
Saturday, June 14
Murray Park (Five Pavilions)
Chuckwagon chicken and all the trimmings, beans, rolls, salad and more.
Tickets: $5 single active, $10 family, retirees free
Info: (801) 596-2677

Redding District
Saturday, June 21
Anderson River Park
Food served: 12 noon to 2 p.m.
Pit roast beef, BBQ beans, salad, rolls, unlimited beer and soft drinks
Ice cream, games for the kids, music, raffle
Adults $10, retirees $6, children 6-14 years old $4, kids under 6 free
Info: (510) 222-8035

San Francisco District
Saturday, June 29
Huddart Park in Woodside (Werker Shelter Area)
1 p.m. to whenever
Tri-tip or chicken, salad, beans, dinner rolls, hot dogs for the children.
Tickets: $10 adults, $3 retirees, under 12 free
Info: (415) 468-6107

Rohnert Park District
Sunday, June 30
Windsor Water Works
10 a.m. to 5 p.m. (hours park is open)
Food served 11 a.m. to 2 p.m.
Tickets: Adults $13, children $8, children 2
Menu: Tri-tip or chicken, salad, beans, dinner rolls, hot dogs for the children.
Water slide tickets are extra
Unlimited beer and soft drinks
Door prize, raffle
Event sells out, so get tickets early
Info: (707) 985-2847

Reno District
Saturday, July 12
Deer Park in Sparks
1 p.m. (Retirees meeting 11 a.m.)
Tickets: $8.50, $15 per family, retirees free
Menu: Tri-tip, Roger’s special beans, salad, garlic bread, ice cream, unlimited beer and soft drinks, raffle, music
Info: (775) 355-4740

Stockton District
Sunday, July 27
Clemens-Lockeford Park
Adults $11, $8 retirees, kids under 15 free
Info: (209) 493-2332

Sacramento District
Saturday, August 2
Retiree Picnic
Door prize, raffle
Info: (510) 748-7446

Fairfield District
Saturday, August 3
Fairfield Retiree Picnic
Doors open at 11 a.m., raffle
Info: (916) 222-6053

Salt Lake City District
Saturday, August 10
Murray Park (Five Pavilions)
Chuckwagon chicken and all the trimmings, beans, rolls, salad and more.
Tickets: $5 single active, $10 family, retirees free
Info: (801) 596-2677

Rohnert Park District
Sunday, September 1
Deer Park in Sparks
1 p.m. (Retirees meeting 11 a.m.)
Tickets: $8.50, $15 per family, retirees free
Menu: Steak, hot dogs, salad, beans, garlic bread, ice cream, unlimited beer and soft drinks, raffle, music
Info: (775) 355-4740

San Jose District
Sunday, August 10

Office of the Engineer's News

May 1997
Prop. 218 continued from page 9

property owner or renter would pay. For example, if a business owner would pay twice as much assessment as a homeowner, the business owner’s vote would count twice as much as the homeowner’s vote. Prop. 218 essentially changes the one person, one vote principle of democracy to something akin to one dollar, one vote. It also theoretically allows foreigners and people from out-of-state, provided they own the effected property, to vote on matters of local government concern.

Local 3’s Eureka District recently found out how this part of Prop. 218 works. Since the early 1990s, Eureka’s Humboldt Bay Harbor Navigational Improvement District has needed to raise about $23 million to dredge that city’s port. The district’s commissioners decided the best way to raise the funds was to form an assessment district. Before Prop. 218, the elected commission would have held public hearings and then taken its own vote. But under Prop. 218, the commission was required to take a vote of effected property owners.

Downside of Prop. 218

Here’s where Prop. 218 raised its ugly head in Eureka. Because business owned most of the assessed property to be taxed, it had most of the voting power. The local timber industry in particular, which opposed formation of the assessment district, held 30 percent of the votes. Numerous out-of-state property owners and at least one foreigner would have been allowed to vote on the assessment district issue. But the commission, facing likely defeat, ended up scrapping the project.

Prop. 218 could adversely affect Operating Engineers in other ways. It could threaten just about any project whose funding comes from taxes, assessments or fees. For example, Prop. 218 could jeopardize San Francisco’s $157 million expansion of the Moscone Center because a public vote will be needed on the board of supervisor’s decision to raise the $157 million by increasing the city’s 12 percent hotel room tax up to 14 percent. And if the tax is ruled a “special tax,” a referendum would require a two-thirds vote under Prop. 13 and Prop. 62.

The full impact of Prop. 218 won’t be known until the courts interpret certain provisions of the new law and the state Legislature iron out some of the initiative’s legal kinks. But one thing seems certain, Prop. 218 will make it even more difficult for local governments to raise needed revenue for infrastructure projects. To what degree remains to be seen.

Safety continued from page 13

Listed below are contact phone numbers and addresses for the consultation services for the states in Local 3 jurisdiction:

**UTAH**
Industrial Commission of Utah, Labor Commission, Utah OSHA (new title effective July 1)
160 E., 300 S.
P.O. Box 146650
Salt Lake City, UT 84114-6650
(801) 530-6901

**NEVADA**
Division of Industrial Relations Consultation Services
Industrial Commission of Nevada, Division of Occupational Safety and Health Consultation Services
4600 Kietzke Lane, Suite E-144
Reno, NV 89502
(702) 688-1474

**HAWAII**
Department of Labor and Industrial Relations Division of Occupational Safety and Health Consultation Services
850 Punchbowl Street
Honolulu, HI 96813
(808) 586-9138

**CALIFORNIA**
Division of Occupational Safety and Health Cal-OHSA Consultation Services
45 Fremont Street, Room 1260
San Francisco, CA 94105
(415) 972-8515

Division of Industrial Relations
Consultation Services
North/Central Nevada
Cal-OHSA Consultation Services
45 Fremont Street, Room 1260
San Francisco, CA 94105
(415) 972-8515

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Get Wired!

Check out the Operating Engineers Local Union #3’s new Web site at http://www.oe3.org

And get the latest information regarding:

- Meeting Schedules
- Departmental Updates
- SwapShop ads
- Political Info
- Engineers News
Women's Support Group sponsoring May 25 potluck

The Operating Engineers Women's Support Group is sponsoring its next potluck on Sunday, May 25 in Oakland.

Where: Novice's house 7554 Sunkist Dr.
When: 12 noon

Directions: From I-80, take I-580 south, exiting at Edwards. At the stop sign (Edwards), turn right. Go two blocks, turn left at Sunkist. Go 1/2 blocks to 7554.
From the south, traveling north on I-580, take the Kellar exit. Go left at the stop sign (Mountain Blvd). At Edwards, turn left at Sunkist.
If you have questions or comments, call Kristi at (415) 364-4183, Beth at (510) 835-2511, Pam (510) 540-6937, Virginia (415) 641-1947.

Sacramento area meeting

There's going to be another Women's Support Group meeting in the Sacramento area. It will be May 18 at Janelle's house, 8508 Robbie Way. From Sacramento, take Hwy. 50 toward Reno, exiting at Riverside-Roseville. Turn right on Auburn, then left on Twin Oak, then left on Robbie. Janelle's phone number is (916) 725-9934.

For those of you who haven't attended our activities, the Women's Support Group meets at various times and locations throughout the year. Since we don't often get the opportunity to work together, we try to offer support, do problem solving and just enjoy the company of women who have common interests and experiences.

Our last potluck at Beth's house in Oakland was great fun. We enjoyed meeting some of the new Local 3 members and visited with friends we don't see often enough. Thanks for coming everyone.

There are many things happening in Local 3 right now as the work season moves into full swing. The next few months will be very busy for all of us.

The Local 3 election is this year, and the Women's Support Group is working to get as much information out to all of our members about the issues and candidates. But in order for us to contact you with information and upcoming events, we need to know how to reach you. We only contact those who are on our mailing list.

From the Santa Rosa Office:
The Rohrert Park/Santa Rosa Office wishes to extend its condolences to the following families and friends of the recently departed: Jack R. Sloan (3/8/97); Sylvester Huffington (3/26/97); Russell W. Clark (4/2/97); and Walter Leabig (4/8/97).

We also wish to extend our congratulations to the following: Pat & Kim Gulch on the birth of their baby girl Christine Ellie Gluch. She weighed 10 lbs. 3 oz. and has an older brother Joshua Gluch. The family resides in Casadero and Pat works for Argonaut Constructors. Grandpa Jerre Paulin works for Bauman Landscaping. And yes, we did say 10 lbs. 3 oz. Wow!
OFFICIAL ELECTION NOTICE: NOMINATION RULES FOR THE ELECTION OF OFFICERS AND EXECUTIVE BOARD MEMBERS COMBINED WITH THE ELECTION OF DELEGATES AND ALTERNATE DELEGATES TO THE 35th IUOE CONVENTION

Recording-Corresponding Secretary Robert L. Wise, in compliance with the Local Union By-Laws, Article XII, Section 2(b), publishes the following notice:

**NOTICE OF RIGHT TO NOMINATE:**

Article XII, Elections, Section 2(j)

Eligibility of Members to Nominate: Every Member of the Parent Local Union and its Sub-divisions (except the Registered Apprentice Sub-division), who is not suspended for non payment of dues preceding the first nominating meeting shall have the right to nominate.

**NOTIFICATION OF RIGHT TO NOMINATE:**

Article XII, Elections, Section 2(e)

Nominations shall be in writing and signed by one or more nominators giving each nominator's Social Security Number and Register Number in the form following:

**NOMINATION FORM**

(Single Nominator)

I hereby nominate __________________________.

Register No. __________________________ Social Security No. ________

for __________________________

Signature __________________________

Social Security No. __________________ Register No. __________________

PRINT Name __________________________

**NOMINATION FORM**

(Multiple Nominators)

We hereby nominate __________________________.

Register No. __________________________ Social Security No. ________

for __________________________

Signature __________________________

Social Security No. __________________ Register No. __________________

**RULES GOVERNING THE ELECTION OF DELEGATES AND ALTERNATE DELEGATES TO THE 35th IUOE CONVENTION AS APPROVED BY THE LOCAL UNION EXECUTIVE BOARD ON MARCH 23, 1997.**

In addition to the Business Manager, President, Vice President, Recording-Corresponding Secretary, Financial Secretary and Treasurer who are Delegates by virtue of their election to office, there shall be 35 Delegates and 3 Alternate Delegates elected.

The names of the Candidates shall be arranged in descending order based on the total number of votes received by each of them. The Candidate receiving the highest number of votes shall be at the top of the list, the Candidate receiving the least number of votes at the bottom of the list, and they shall be numbered in descending order, one (1) through the total number nominated and eligible for Delegate and Alternate Delegate.

In the event that two (2) or more Candidates receive the same number of votes, their names shall be arranged in descending order based on the length of membership in Operating Engineers Local Union No. 3. The tied Candidate who has been a member of Operating Engineers Local Union No. 3 for the longest period of time shall be listed above the tied Candidate who has been a member for a shorter period of time, and they shall then be numbered as in this Section provided, and the Candidate with the next highest number of votes shall receive the number next following the number assigned the tied Candidate who has been a member of Operating Engineers Local Union No. 3 for the shortest period of time.

The Candidates, numbered one (1) through 35 shall be declared elected as Delegates. The Candidates for Alternate Delegates, numbered one (1) through three (3) shall be declared elected as Alternate Delegates.

Each Alternate shall serve as necessary. The Alternate with the highest number first, and the Alternate with the lowest number last.

In the event the average number of members on which the Local Union has paid per capita tax for the year ending September 1997 has increased sufficiently to entitle the Local Union to an additional Delegate, the Alternate with the highest number of votes shall be designated as Delegate, and likewise if the average membership has decreased to the point the Union is entitled to a lesser number of Delegates, the Delegate with the lowest number of votes would become first (1st) Alternate, and the Delegate who had been third (3rd) Alternate would no longer be a Delegate.
The following are pertinent excerpts from the Local Union By-Laws, Article XII, Elections

ARTICLE XII, Elections
Section 1, Eligibility
(a) Officers other than the Business Manager: No member shall be eligible for election, be elected, nor hold office unless he shall have been a member continuously in good standing in the Local Union for one (1) year preceding the month of nominations, and provided that no member shall be eligible for election, be elected, nor hold office unless he shall have been a member of the Local Union for two years immediately prior to election (subject to (j) below), and nominated by at least 1/10th of 1% of the Members of the Local Union and its Sub-divisions (except the Registered Apprentice Sub-division), who are not suspended for non-payment of dues as of the first nominating meeting, in the manner and form set out in Section 2, Nominations of this Article. The 1/10th of 1% shall be 1/10th of 1% of the Members shown on the records of the Union as of the last day of February preceding the election.

(b) Business Manager: No member shall be eligible for election to, be elected to, nor hold the office of Business Manager unless he shall have been continuously in good standing in the Local Union for a period of two (2) years immediately preceding the month of nominations (subject to (e) below), and nominated by at least 1/10th of 1% of the Members of the Local Union and its Sub-divisions (except the Registered Apprentice Sub-division), who are not suspended for non-payment of dues as of the first nominating meeting, in the manner and form set out in Section 2, Nominations, of this Article. The 1/10th of 1% shall be 1/10th of 1% of the Members shown on the records of the Union as of the last day of February preceding the election.

(c) District Member of the Executive Board: No member shall be eligible for election, be elected, nor hold the office of District Member unless he shall have been continuously in good standing in the Local Union for one (1) year preceding the month of nominations; and provided that no member shall be eligible for election, be elected, nor hold the position of District Member unless he shall have been a member of the Local Union for two years immediately prior to election and has maintained a residence in the District he represents or seeks to represent for a period of two (2) years immediately prior to the month of nominations, has ceased to accept retirement benefits and returned, or actively and continuously sought to return, to full-time work at the trade.

(d) No member shall be eligible for election, be elected, nor hold office if he has not been a member of the Local Union for at least one (1) year, and, commencing in 1985, in the case of one seeking the office of Business Manager, two (2) years immediately prior to the month of nominations, has ceased to accept retirement benefits and returned, or actively and continuously sought to return, to full-time work at the trade.

(e) No member shall be eligible for election, be elected, nor hold office if he has not been a member of the Local Union for at least one (1) year, and, commencing in 1985, in the case of one seeking the office of Business Manager, two (2) years immediately prior to the month of nominations, has ceased to accept retirement benefits and returned, or actively and continuously sought to return, to full-time work at the trade.

(f) No member shall be eligible for election, be elected, nor hold office if he has not been a member of the Local Union for at least one (1) year, and, commencing in 1985, in the case of one seeking the office of Business Manager, two (2) years immediately prior to the month of nominations, has ceased to accept retirement benefits and returned, or actively and continuously sought to return, to full-time work at the trade.
OFFICIAL ELECTION NOTICE: NOMINATION RULES FOR THE ELECTION OF OFFICERS AND EXECUTIVE BOARD MEMBERS COMBINED WITH THE ELECTION OF DELEGATES AND ALTERNATE DELEGATES TO THE 35th IUOE CONVENTION

continued from previous page

called meetings in that month in Districts in which there is no regularly scheduled meeting.

(b) Notice: Notice of the right to nominate, of the form in which the nomination shall be made, the number of nominators required and of the time and place of the regular and specially called District Meetings at which nominations will be made, shall be given by publication in the April edition of the Engineers News, and promptly posted in the District and Sub-district Employment Office or Job Placement Centers.

(c) Nomination Committee: There shall be a Nomination Committee in each District, composed of the District Election Committeeman and not less than two (2) Members from the District appointed by the Presiding Officer just prior to nominations. In the event the District Election Committeeman is absent, the Presiding Officer shall appoint one (1) additional Member from the District to the Committee.

(d) It shall be the duty of the Nomination Committee to receive the written nomination when delivered by a nominator, count the nominations of each Member nominated for each Office or Position and deliver the nominations prior to the close of each meeting to the Presiding Officer who shall announce the number of nominations received and deliver his written nomination to the Nomination Committee. The Presiding Officer shall have the responsibility of delivering the nominations to the Recording-Corresponding Secretary who shall cause them to be delivered to the Secretary of the Election Committee.

(e) Nominations shall be in writing and signed by one or more nominators giving each nominator’s Social Security number and Register Number in the form following:

If by a single nominator:

**NOMINATION**

I hereby nominate

(Office)

Register No.________________________

(Social Security No.)

For:

(Signature)

Social Security No.

(Register No.)

Print Name __________________________

If by more than one nominator:

**NOMINATION**

We hereby nominate

(Office)

Register No.________________________

(Social Security No.)

For:

(Signature)

Social Security No.

(Register No.)

(Date)

If nominations are called for by the Presiding Officer for a particular Office or Position, if a single nominator, he shall address the Presiding Officer reciting his name and Register Number and the name of the Member and the Office or Position for which he is nominating the Member and deliver his written nomination to the Nomination Committee. If there is more than one nominator, the nominations shall be addressed to the Recording-Corresponding Secretary of his nomination to Local Union Office, Section 504 of the Labor-Management Reporting and Disclosure Act of 1959 Affidavit, and a written acceptance of his nomination to Office, and in addition, shall have been in regular attendance at all regularly scheduled Local Union Membership Meetings and home District Membership Meetings held after nominations and before election, subject, however, to a reasonable excuse based upon good cause such as physical incapacity, or death in family. Within five (5) days after the nominations have been concluded, the Recording-Corresponding Secretary shall mail to each Member nominated, at his last known home address, notice of his nomination and the Office to which he has been nominated.

(h) No Member may accept nomination for more than one (1) Office or Position except a Member may accept the nomination for Sub-district Advisor and any one other Office or Position.

**DECLINATION OF NOMINEE**

The undersigned states that he declines all nominations:

(Name)

(Signature)

(Register No.)

(Social Security No.)

(Date)

(i) All Members nominated who are more than one hundred (100) miles from San Francisco on the day prior to and the day of the Semi-Annual Meeting in San Francisco are excused from attending for good cause, as are all who are more than one hundred (100) miles from their regular District Meetings the day before and the day of the Meeting. However, a Member nominated who claims to be excused for this reason shall notify the Recording-Corresponding Secretary in writing, by letter or telegram, not later than 3:00 p.m., Local San Francisco Time, within five (5) days after such Meeting.

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

(k) In the event of the death between nomination and the time of the last meeting preceding the election, of any Constitutional Officer who has been nominated to Office in the forthcoming election, any Member of the Local Union, who is otherwise eligible, shall be eligible to be nominated and shall, upon his filing with the Recording-Corresponding Secretary of an Affidavit that he meets the requirements of Section 504 of the Labor-Management Reporting and Disclosure Act of 1959 and his acceptance of such nomination shall be eligible to be elected to, and if elected, to hold the Office to which the deceased Officer had been nominated. If the death occurs after the last Meeting preceding the election, nomination shall be effected by filing the Affidavit that he meets the requirements of Section 504 of the Labor-Management Reporting and Disclosure Act of 1959 and a statement of candidacy with the Recording-Corresponding Secretary prior to the election but in no event more than five (5) days after the deceased Officer’s death.

ARTICLE XII, Elections
Section 3, Elections

(a) The election of Officers and District Members of the Local Union Executive Board shall be held during the month of August by mail referendum vote of the Membership of this Local Union under the supervision of the Election Committee and a nationally known firm of certified public accountants.

continued next page
OFFICIAL ELECTION NOTICE: NOMINATION RULES FOR THE ELECTION OF OFFICERS AND EXECUTIVE BOARD MEMBERS COMBINED WITH THE ELECTION OF DELEGATES AND ALTERNATE DELEGATES TO THE 35th IUOE CONVENTION

continued from previous page

selected by the Executive Board, with such other technical and legal assistance as may be provided.

(b) The election shall be conducted by a committee known as the Election Committee, composed of one (1) Member from each District in which nominations will be made. The Member shall be nominated and elected by secret ballot at the regular quarterly or specially called District Meetings by vote of those Members present whose last known address, as shown on the records of the Local Union ten (10) days prior to the first such District Meeting in March preceding the election, was within the area covered by the District. Each nominee shall be a member in good standing in the Local Union in which he is nominated, shall have been a Member of Operating Engineers Local Union No. 3 for one (1) year next preceding his nomination and election, and shall not be a candidate, or nominator of a candidate, for any Office or Position.

(c) The Election Committee shall determine whether or not each candidate nominated is eligible. Any candidate found not to be eligible shall be declared ineligible by the Election Committee. The Committee's decision shall be promptly communicated to each such ineligible candidate in writing. Unless the Election Committee's decision is reversed on appeal, it shall govern, and the ballots shall be prepared accordingly.

(d) The Election Committee shall be responsible for the conduct of the election, and specifically: for the preparation of the list of eligible voters, showing the Member's name and last known address as it appears on the records of this Local Union; the preparation and printing of the ballots, listing the nominees for Business Manager first and the Constitutional Officers next, and other positions thereafter in the order in which they appear in Article VII, Section 1 of these By-Laws with a separate ballot of a different color for each District in which nominations are made; listing the incumbent for each Office or Position first and the other candidates for Office or Position in alphabetical order by their last name (the candidate's name and one occupational classification, i.e., classification set forth in collective bargaining agreements that the Local Union has entered into, if any, given by him being printed as it appears on Acceptance of Nominee Form) and envelopes and the giving of a Notice of Election, by mailing a printed Notice thereof to each Member of the Local Union at his last known address as it appears on the records of this Local Union not less than fifteen (15) days prior to the mailing of the ballots to eligible voters.

The Election Committee shall cause a sample ballot to be published in the July edition of the Engineers News preceding the election, and to be promptly posted in the District Job Placement Centers.

The Election Committee shall deliver the list of names and last known addresses of eligible voters, and cause the printer to deliver the ballots and envelopes to the nationally known firm of certified public accountants chosen by the Local Union Executive Board, which firm shall rent a post office box to which the ballots shall be returned.

(e) The certified public accountants shall mail the ballots and return envelopes to the eligible voters between August 10th and 26th preceding the election, and shall open the post office box for the first and last time on the August 26th next following, at 10 o'clock a.m. of that day. In the event August 26th should be a Sunday or a holiday, the post office box shall be opened by the certified public accountants on the following day, at the same time.

The certified public accountants shall remove the returned ballots, count the same and certify the results in writing to the Election Committee.

The Election Committee, or a sub-committee thereof, shall be present at the mailing of the ballots, the opening of the post office box, and the counting of the ballots.

The Election Committee shall make certain that adequate safeguards are maintained so as to protect the secrecy of the ballots.

(f) The Election Committee shall declare the candidate for each Office and Position receiving a plurality of the votes elected, except that the three (3) candidates receiving the highest number of votes for the Office of Trustee and the Position of Auditor shall be declared elected. The certificate of the certified public accountant shall be published in the September edition of the Engineers News following the election.

(g) The newly elected Officers shall be installed, at a specially called District Meeting in District No. 1, not later than September 15th.

(h) Every Member who is not suspended for nonpayment of dues as of August 11th, the date for the first mailing of ballots, shall have the right to vote. No Member whose dues shall have been withheld by his Employer for payment to the Local Union pursuant to his voluntary authorization provided for in a collective bargaining agreement shall be declared ineligible to vote by reason of any alleged delay or default in the payment of dues by his Employer to the Local Union.

Eligibility to vote for District Member shall, in addition, be based on each Member's last known address as shown on the records of the Local Union on August 1st prior to the mailing of the ballots, and each Member shall be eligible to vote only for the nominees for District Member for the District in which such address is located.

ARTICLE XII, Elections

Section 4

Each candidate shall have the right to have an observer at the polls and at the counting of the ballots; that is, each candidate shall have the right to have an observer to check the eligibility list of voters, check the ballots, see that the ballots are mailed, be present at the opening of the post office box and the counting of the ballots. The observer may challenge the eligibility of any voter, and the ballots of all voters who may have been challenged shall be set aside, pending determination as to their validity. If the challenged ballots are sufficient in number to affect the results of the election, all challenges shall be investigated by the Election Committee to determine their validity as promptly as possible.

ARTICLE XII, Elections

Section 5

(a) Every Member shall have the right to express his views and opinions with respect to the candidates; provided, however, that no Member shall libel or slander the Local Union, its Members, its Officers, District Members, or any candidate, and all Members shall avoid all personalities and indecorous language in any expression of view and opinions with respect to candidates.

(b) Any Member found guilty of violating Paragraph (a) of this Section 5 shall be subject to discipline in accordance with the applicable procedures of the Constitution and By-Laws, and if such Member should be a candidate he shall, if found guilty, in addition to any fine, suspension or expulsion, suffer the loss of the Office for which he is a candidate, if elected thereto.

ARTICLE XII, Elections

Section 6

The Recording-Corresponding Secretary, upon request of any bona fide candidate for Office, shall distribute such candidate's campaign literature, by mail or otherwise, provided the candidate making such request does so in writing, advising the Recording-Corresponding Secretary of the type of mailing, or other form of distribution desired, pays all costs involved, and delivers the literature, if it is to be mailed, to the Recording-Corresponding Secretary in a sealed and stamped envelope, with two (2) copies of the literature, the contents of the sealed and stamped envelope, and two (2) copies of the literature enclosed, all challenges of the literature are to be delivered to the Recording-Corresponding Secretary if it is to be distributed other than by mail.

No such request shall be honored if made on or after 5:00 p.m., Local Time, the 5th day of August next preceding the mailing of the ballots.

ARTICLE XII, Elections

Section 7

Where any candidate duly nominated is unopposed for election, the secret ballot vote shall be dispensed with and the Recording-Corresponding Secretary shall cast one (1) ballot for such nominee who shall then be declared duly elected to their respective Offices. Nomination, Acceptance of Nomination and election records — including but not limited to the list of eligible voters, the ballots cast and all challenges and challenged ballots, the certificate of the certified public accountant, copies of all requests for distribution of campaign literature with copies thereof, and envelopes in which mailed, if mailed, the record of the cost thereof and the amount received for such work — shall be preserved by the Recording-Corresponding Secretary for a period of at least one (1) year.
KONA DISTRICT MEETING LOCATION CHANGE

Recording- Corresponding Secretary Robert L. Wise announces that the Kona District Membership meeting location has been changed from the Waimea Community Center to the following:

June 6, 1997 @ 7:00 p.m.
Waimea Community Center
65-1260 Kawaihia Road
Waimea, HI

SEMI-ANNUAL MEETING

Recording- Corresponding Secretary Robert L. Wise announces that the next Semi-Annual meeting of the membership will be held on Saturday, July 19, 1997 at 1:00 p.m., at the following address:

Seafarers International Union Auditorium
350 Fremont St., San Francisco, CA

HONORARY MEMBERS

The following retirees have thirty-five (35) or more years of membership in the Local Union as of April 1997, and have been determined to be eligible for Honorary Membership effective July 1, 1997.

They were presented at the April 20, 1997 Executive Board Meeting.

Forrest Bigler # 0674804
Robert Bleazard #0854365
Cleo Brixey #0680244
Alfred Crumb* #0627166
Bruno Delponte* #1082333
Boyd Dresser* #0645688

They were presented at the April 20, 1997 Executive Board Meeting.

Robert L. Wise

DEPARTED MEMBERS

Our condolences to the family and friends of the following departed members (compiled from the April '97 database)

Joseph A. Moore
Ray Allen
Douglas Bishop
Victor Cameron
Volney Childers
Lee Christensen
Russell Clark
Oscar Coley
Woodrow Coppsey
Darro Cordova
Jack Drum
Rene Day
W. Gibbons
V. Grubbs
Ivan Gulle
Willard Halsey
George Haskins
Sylvester Houghton
Bill Hoffman
Vern Holm
John Jackman
Walter Jackson

Harold Jones
Mitsu Kihagawa
Dorrel Lafferty
Walter Leabig
Melvin Morgan
Harold McKinley
Pat D'Souza
Mike Glin
Louis Payson
Robert Pierce
Harry Rosenknog
Lester Sadler
Edward Sauer
Fremont Smith
Herbert Sperling
Ed Sorensen

DECEASED DEPENDENTS

Margaret Babcock (wife of Russell Babcock) 03/20/97
Carollie Carlson (wife of Oscar Carlson) 04/02/97
Helen Carter (wife of Helen Carter) 04/24/97
Josephine Chilcat (wife of Frank Chilcat) 03/19/97
Madeline Farnham (wife of Ralph Farnham) 01/20/97
Edna Inusa (wife of Herman Inusa) 04/15/97

Cleo Edna Lofoten (wife of A.E. Lofoten [decl]) 04/06/97
Lucy Mayhew (wife of Chester Mayhew [decl]) 11/17/97
Bruno Poole (wife of Albert Poole) 05/03/97
Pamela Plonco (wife of James Poole) 04/06/97
Raymond Stevens (wife of Catherine Stevens) 04/03/97
Tiffany Stever (wife of Robert Stever) 04/26/97

JUNE 1997

2nd.....District 17: Kauai, HI
Kauai High School Cafeteria
Lihue

3rd.....District 17: Honolulu, HI
William Intermediate School Cafeteria
1035 S. King St.

4th.....District 17: Waikiki, HI
Waikiki Community Center
22 Walliki Pl., Waikiki

5th.....District 17: Kona, HI
Hilo ILWU Hall
100 W. Kailua St.

9th.....District 22: Concord, CA
Elks Lodge No. 91
3954 Willow Pass Rd.

6th.....District 17: Kauai, HI
Kauai Intermediate School Cafeteria
5301 Kawai St., Kauai, HI

12th.....District 10: Ukiah, CA
Discovery Inn
1980 S. State St.

12th.....District 90: Freedom, CA**
Veterans of Foreign Wars Hall
1600 Freedom Blvd.

JULY 1997

8th.....District 04: Fairfield, CA
Engineers Building
2690 N. Maryway, Fairfield, CA 94533

10th.....District 30: Stockton, CA
Engineers Building
1016 N. Broadway, Stockton, CA 95205

15th.....District 06: Rancho Cordova, CA
Miller's Hall
2749 Santa Rita Rd.

22nd.....District 40: Eureka, CA
Engineers Building
2905 Broadway, Eureka, CA 95501

23rd.....District 70: Redding, CA
Engineers Building
2400 Engineers Ln., Redding, CA 96002

24th.....District 56: Doville, CA
Cannery Workers
3567 Otsego Blvd.

31st.....District 56: Fresno, CA
Labor's Hall
5431 East Hedges

AUGUST 1997

20th.....District 01: San Francisco, CA
Seafarers International Auditorium
350 Fremont St.

*Please note location change
**Correction from April issue
More scholarship awards

Local 3 to award 20 $500 ‘Special Scholarships’ at July 19 semi-annual meeting

In fall 1996, Operating Engineers Local Union No. 3 and the Local 3 Federal Credit Union held their first scholarship fund raiser, the T.J. Stapleton Invitational Golf Tournament, which netted over $25,000 for the Scholarship Fund.

Due to the overwhelming success of this event, Local 3’s Executive Board has decided to award 20 $500 “Special Scholarships.” These awards will be given in addition to the two $3,000 and two $2,000 Local 3 College Scholarship Awards given annually to the sons and daughters of Local 3 members. The winners of the $3,000 and $2,000 awards will receive an additional $500 per year from the Scholarship Fund for the second, third and fourth years of college, provided they remain full-time students.

For the Special Scholarships, the names of all applicants will be entered into a drawing to be held at the July 19 semi-annual membership meeting. Applicants need not be present to win. The Special Scholarships are available only to the sons and daughters of Local 3 members.

The Executive Board knows that the workplace is rapidly changing and future jobs will require new skills that can be attained only with a good education. Local 3 is dedicated to giving our young people the opportunity to succeed in tomorrow’s jobs by providing them with the chance to further their education and training.

General guidelines for awarding the 20 $500 Special Scholarships

1. Sons and daughters of Local 3 members may apply for the scholarships. The parent of the applicant must be a member of Local 3 for at least one year immediately preceding the date of the application. Sons and daughters of deceased members of Local 3 are eligible to apply for the scholarships if the parent was a member of Local 3 for at least one year immediately preceding the date of death.

2. Sons and daughters of Local 3 members who plan to attend college or trade school are eligible to apply. They will not be judged on academic qualifications. All applicants who have applied for the regular Local 3 College Scholarship Awards and do not win will automatically qualify for this drawing.

3. Applications will be accepted until June 1, 1997. You may get an application at your district office or any credit union branch.

4. Winners will be determined by a random drawing to be held at the July 19, 1997 semi-annual membership meeting. Applicants do not need to be present to win.

5. The money will be funded when the college or trade school confirms the winner is a full-time student.