



# C A L I F O R N I A LABOR NEWS

OFFICIAL PUBLICATION OF THE CALIFORNIA LABOR FEDERATION, AFL-CIO

Vol. 42; No. 3



APRIL 1999

### Mark your calendar

**April 23-25:** AFL-CIO Organizing Institute training, Los Angeles. APALA recruitment. Call (800) 848-8021. Other sessions in May (San Jose) and July (Oakland.)

**April 28:** Workers Memorial Day. See page 4.

**May 4:** Building Prosperity update on state and federal legislation, Los Angeles. Sponsored by California Labor Federation and AFL-CIO. (415) 986-3585 x229. See page 3.

**May 3-5:** "Building Partnerships VII," Workers' Assistance Program. (415) 395-9091.

**May 11:** Building Prosperity update on state and federal legislation, Oakland. See page 3.

**May 14-15:** Booting Up for the New Millennium, Western Labor Communicators. San Francisco. (408) 998-0428 x238.

**May 14-16:** Union, City by City. AFL-CIO conference for Central Labor Councils. Las Vegas. (213) 387-1974.

**May 18:** Building Prosperity update on state and federal legislation, Fresno. See page 3.

**June 7-8:** Workplace Institute Conference, "Making the Workplace Work," labor-management cooperative ventures. Info: (916) 567-9915.

**June 12-15:** Working for America (formerly HRDI), "Strong Unions in Strong Communities: High Road Partnerships for Working Families." Las Vegas. Info: (800) 842-4734.

**June 24-27:** A. Philip Randolph Institute State Conference. San Jose. (415) 986-3585, ext. 219.

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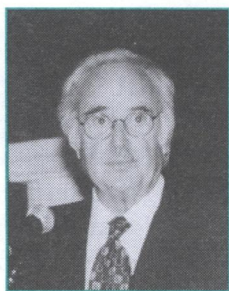
Assemblymember Darrell Steinberg, author of the Federation's underground economy bill, rallied with members to demand enforcement of wage and hour laws and an end to sweatshops.



## Union members raise state capitol roof

More than six hundred union members and leaders gathered in Sacramento March 22-23 to learn about the Building Prosperity legislative program for working families, educate legislators, and rally in support of pro-worker legislation.

The Joint Legislative Conference, co-sponsored by the Federation and the State Building and Construction Trades Council, drew a record number of participants from local unions, central labor and building trades councils. The crowded room of activists heard enthusiastic speeches pledging support for labor's legislative campaign from elected officials, including Governor Gray Davis, Speaker Antonio Villaraigosa, Senators John Burton and Hilda Solis.



Senate President Pro Tem John Burton authored SB 16 to protect prevailing wage.

Secretary-Treasurer Art Pulaski reminded union members that Dan Lungren credited organized labor with his defeat last November, and thanked activists for their successful campaign efforts. Pulaski urged leaders to examine the current political situation carefully to better understand the perils ahead.

"Tremendous pressures from the corporate side and tough races in 2000 are obstacles to passing the Building Prosperity program," he said. "Some of the candidates we elected fear the shadows. We must relieve their fears with a pro-active, grassroots legislative campaign."

State Building and Construction Trades President Bob Balgenorth said, "We enter a new millennium with a program to build prosperity for working

people. We must get back to labor's real job—making life better for working people."

Speaker Antonio Villaraigosa responded to two standing ovations with a moving speech. "I come here as an organizer," he said, "Not as someone whose distant relatives were union members in the past." Villaraigosa reaffirmed his commitment to support the Building Prosperity program and announced his support for AB 633, Darrell Steinberg's bill to enforce wage and hour laws and clean up the under-ground economy.

Members testified in favor of the bill before the Labor and Employment Committee on March 23, and rallied on the west steps of the Capitol. Rojana Cheunchujit, a Thai garment worker from El Monte, described an underground economy where workers are denied minimum wage, overtime pay, and basic workplace safety protections.



Sen. Hilda Solis wrote three Federation bills to protect family income.

Steve Nutter, Federation vice president and UNITE organizer, said, "AB 633 is for garment workers, construction workers, janitors and everyone who works for a living. The underground economy threatens everyone who depends on a paycheck, and hurts responsible employers." Nutter described the union's work with community organizations to bring pressure on garment manufacturers and contractors, including the GAP. One group, Global Exchange, brought giant puppets that reached the second story of the Capitol building and parodied Don Fisher, GAP president and Prop 226 contributor.

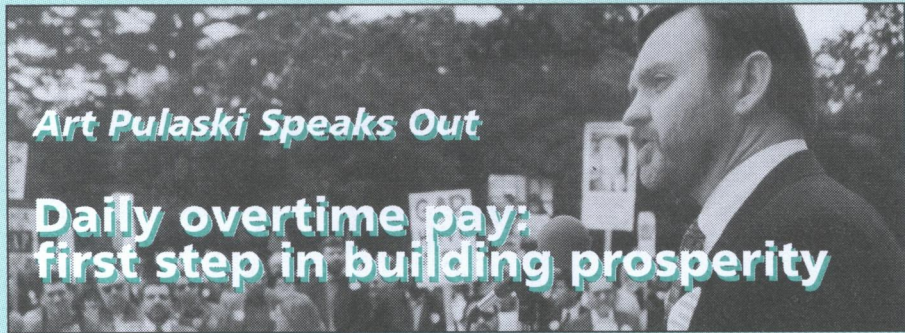
Chuck Center, Laborers legislative director, addressed wage and hour violations in construction. The importance of the rally was demonstrated as legislators exited the Capitol to join union members.

The Building Prosperity legislative program moves into action in districts and communities around the state. Updates in Los Angeles, Oakland and Fresno in May will carry the legislative program into the field. See page 3 for details.



Speaker Villaraigosa draws applause from Art Pulaski, Tom Rankin, Sonia Moseley, Bob Balgenorth and Richard Zampa with his pledge to support Federation legislation on the underground economy.





## Art Pulaski Speaks Out

### Daily overtime pay: first step in building prosperity

Last year, former Governor Pete Wilson changed California regulations on daily overtime pay, and took \$1 billion out of the paychecks of working families—and out of California's economy.

Union members fought the change because it took money away from hard-working families. Although many union contracts provide for overtime pay after eight hours of work, unions fought to preserve daily overtime pay to raise working Californians' incomes and reward the people who make our state work.

Assembly Bill 60, written by Wally Knox and sponsored by the California Labor Federation, restores daily overtime pay and puts money back in workers' paychecks. Additionally, it provides for the kind of scheduling flexibility that today's families need. This bill allows workers to take up to four hours per week for medical appointments, teacher conferences, or community volunteer work, and make that time up during the same week, without overtime pay.

This bill moves away from the current "flexibility"—the employers' flexibility to tell workers, at 5 pm, that they must skip family dinner and work late, paying additional childcare and transportation costs. It moves away from employers' "flexibility" to hire temporary workers for three twelve-hour shifts, then replace them after three days with new employees to avoid paying overtime altogether.

That kind of employer abuse is what surprised members of the Assembly Labor and Employment Committee at the bill's hearing March 17. A temporary employment agency manager from Corona testified that she increasingly sees California employers bringing in temporary workers, working them twelve hours for three days, and then ordering replacement temporaries to avoid paying time-and-a-half.

Legislators also looked at research from UC Santa Barbara and the University of Texas showing that California employers responded to daily overtime pay requirements by restricting overtime hours and hiring more workers. The Bureau of National Affairs has reported that manufacturers are increasing production by mandating overtime—instead of increasing hiring.

Daily overtime pay requirements worked for California for nearly eighty years—the time when California was truly the "Golden" State, our economy vibrant and expanding.

Working in California is harder than it was a generation ago. Families today are working longer hours—not to get ahead, just to keep up. According to the California Budget Project, the average family in our state works one and a half days more each week than we did two decades ago.

But our paychecks aren't keeping up with California's high cost of living. Real wages are lower than in 1979, except for CEOs. The AFL-CIO has found that executives who earned 42 times their average worker's wage in 1980 are now earning 326 times the average. The gap between wealthy corporations, their executives and working families is greater and growing faster in California than in other parts of the nation.

Those are the numbers. They don't tell the whole story. Today's working family is pressed for time, worried about the future, and fearful that tomorrow holds less opportunity and a lower standard of living.

Today's workplace is a temporary, outsourced, down-sized world, full of insecurity and worry. Part-time, short-term and contingent workers are now almost one-quarter of the workforce in California.

Longer work days, paychecks that don't keep up with the cost of living, and worries about temporary, part-time employment are preventing working families from enjoying California's current prosperity.

The underground economy—where corporate scofflaws ignore minimum wage, health and safety and overtime laws—threatens the standard of living for all workers.

Union members are taking action to build a new era of prosperity in California—one that includes opportunity for people who work for a living. We have initiated the Building Prosperity Legislative Campaign for Working Families' Future.

As we did during the Prop 226 fight last year, we are reaching out to union members across the state and asking them to talk with their neighbors, friends and family about the Building Prosperity program. It addresses the issues that working families face everyday: income protection during sickness and disability; banning age discrimination; ensuring retirement and medical benefits; quality healthcare and childcare services; and ensuring that labor laws, including the right to organize, are enforced.

Legislators and our elected leaders can take the first step toward building a new era of prosperity for California workers by supporting AB 60 to restore daily overtime pay, and the Building Prosperity campaign.

## Guest Perspective

### FEPC's 40th Birthday

by Kenneth C. Burt and Fred Glass

**April 16, 1959.** Forty years ago this month the California Legislature outlawed the overt practice of racial discrimination in the workplace. While now accepted as "normal," the change was a huge victory.

The fight to secure a state Fair Employment Practices Commission was organized out of the offices of the California Labor Federation in San Francisco and the Jewish Labor Committee (JLC) in Los Angeles.

African American Assemblymembers Augustus Hawkins and Byron Rumford carried the bill. C.L. Dellums of the Sleeping Car Porters chaired the labor, minority and religious coalition. William Becker and Max Mont from the JLC staffed the group.

The FEPC bill was reintroduced each session. Every time it would die, but get a few more votes in the Republican-controlled Legislature.

The FEPC was the first major bill passed by the new Legislature.

The Fair Employment Practices Act outlawed discrimination based on race, creed or national origin. The act created a permanent Fair Employment Practices Commission to enforce the law, including the power to subpoena witnesses and to levy fines. Governor Brown appointed Dellums to the original commission and he became chair in 1965. Shortly after its creation, the commission hired Spanish-speaking staff to spread the message within the Latino community.

Governor Davis recently appointed attorney Dennis W. Hayashi, a former director of the Japanese American Citizens League, to head the now named Department of Fair Employment and Housing.

The 40th anniversary of the FEPC will be celebrated in Southern California at the Jewish Labor Committee's 64th Annual Recognition Awards Brunch on June 6 at the Beverly Hilton Hotel. Honorees are Congressman Augustus Hawkins, Congressman Edward Roybal and past FEPC chair Carmen Warschaw. For details, call (323) 965-7600.

*Kenneth C. Burt is political director for the California Federation of Teachers. Fred Glass is communications director for CFT and producer of Golden Lands, Working Hands, a history of working people in California. The segment on the fifties will premier April 16 at 7:00 p.m. on KCSM Channel 60 in San Mateo and at 10:30 p.m. on KQED Channel 9 in San Francisco.*

## Davis appoints labor leaders to Infrastructure Commission



To insure that California's infrastructure needs are met, Governor Gray Davis created the Commission on Building for the 21st Century in March. Federation Executive Secretary-Treasurer **Art Pulaski** will serve with **Bob Balgenorth** (State Building Trades), **John Casey** (Carpenters), **Jim Kellogg** (Pipefitters), **Eliseo Medina** (SEIU), and **Max Warren** (Laborers).

The Commission will develop a comprehensive building plan, and multi-year bond package, by identifying critical infrastructure needs and outlining long-term capital investment plans. A preliminary report is due later this spring, with final recommendations expected in December 2000.

## CALIFORNIA LABOR NEWS

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**Art Pulaski**, Executive Secretary-Treasurer **Tom Rankin**, President

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Art Lujan, business manager of the San Diego Building Trades Council, reviews the importance of prevailing wages and the Building Prosperity legislative campaign with Michael Robson, aide to Senator Dede Alpert. photo: David Bacon.



## Unionists educate legislators on Building Prosperity campaign

With the successful completion of the Legislative Conference, the Federation turns its attention to engaging union members in communities around the state in the Building Prosperity for Working Families Campaign.

**Updates on State and Federal Legislation** in Los Angeles, Oakland and Fresno will prepare leaders and activists to spread the Building Prosperity message and mobilize membership support for the campaign.

"Our campaign to pass the Building Prosperity Legislative Program will help working families help themselves," said Art Pulaski, the Federation's executive secretary-treasurer.

The campaign is built around grassroots lobbying by Legislative Action Committees at central labor and building trades councils. Building on training begun at the joint legislative conference workshops, the May sessions will help councils, local union staff, and members

articulate the message and organize to support the program.

"This is the first time in sixteen years that we have had an administration open to labor's agenda," said President Tom Rankin. "The Federation is moving ahead on the issues that affect working people every day, like daily overtime pay, using sick days to care for family members, and banning age discrimination. Pete Wilson was the only governor in this century who failed to sign an increase in unemployment benefits, so today California ranks 50th in the nation in replacing income for unemployed workers. We can fix this."

Councils responded to the Federation's call to meet with legislators by holding meetings in the State Capitol on March 23. Report backs from these meetings are being gathered and analyzed in conjunction with Federation lobbyist reports to determine which legislators will need the most communication from constituents.

"We started this process in December by researching the legislation and building support among union leaders for a nine-point legislative program," said Political Director Rebecca Miller. "Our Sacramento-based legislative advocates solicited authors and shepherded 16 bills through initial committee hearings. We refined our message and researched public opinion. Now we are ready to take the campaign to the members, and engage them in a legislative process that delivers the goods for California."

### PROGRESS REPORT

Thanks to grassroots lobbying efforts, many Building Prosperity bills have been scheduled for hearing or passed through their first committee. Watch the Campaign Connection fax for regular updates and action alerts.

|  |  |
|--|--|
| <b>Age discrimination</b>                              |  |
| SB 26, Martha Escutia.....                             | Senate floor   |
| <b>Child care compensation and retention</b>           |  |
| AB 212, Dion Aroner.....                               | Hearing 4/13   |
| <b>Daily overtime pay</b>                              |  |
| AB 60, Wally Knox.....                                 | Hearing 4/21   |
| <b>Disclosure of corporate tax credits</b>             |  |
| AB 1220, Gloria Romero.....                            | Hearing 4/26   |
| <b>Immigrant workers rights</b>                        |  |
| SB 996, Patrick Johnston.....                          | Hearing 4/14   |
| <b>Minimum wage increase and indexing</b>              |  |
| Industrial Welfare Commission Action                   |  |
| <b>Omnibus Civil Rights</b>                            |  |
| AB 1670, Judiciary Committee.....                      | Hearing 4/27   |
| <b>Picketline freedom of speech</b>                    |  |
| AB 1268, Sheila Kuehl.....                             | Hearing 4/21   |
| <b>Prevailing wage</b>                                 |  |
| SB 16, John Burton.....                                | Hearing 3/16   |
| <b>Protecting workers' health and safety</b>           |  |
| AB 1127, Darrell Steinberg .....                       | Passed 6-2 by first committee on April 7; goes to Assembly Appropriations next |
| <b>Right to organize</b>                               |  |
| AB 442, Gil Cedillo.....                               | Passed 6-2 by first committee on April 7; goes to Assembly Appropriations next |
| <b>Sick days to care for family</b>                    |  |
| AB 109, Wally Knox.....                                | Passed 6-2 by first committee on April 7; goes to Assembly Appropriations next |
| <b>State disability insurance</b>                      |  |
| SB 656, Hilda Solis .....                              | Senate Approp.   |
| <b>Underground economy - wage and hour enforcement</b> |  |
| AB 633, Darrell Steinberg.....                         | Hearing 4/21   |
| <b>Unemployment insurance</b>                          |  |
| SB 546, Hilda Solis .....                              | Hearing 4/14   |
| <b>Workers compensation</b>                            |  |
| SB 320, Hilda Solis .....                              | To be scheduled  |



### Four Democrats co-author bad independent contractor bill

A bill to reclassify employees as independent contractors, and take away unemployment and disability benefit eligibility for these workers, was defeated in the Assembly Insurance Committee on April 7. Sponsor Jim Cunneen (R - Campbell) tried to win Democratic support by announcing four Democratic co-sponsors for Assembly Bill 70 during the hearing. The four are:

**Assemblymember Elaine White Alquist**

275 Saratoga Ave., #205, Santa Clara 95050 (408) 296-1616

**Assemblymember Ted Lempert**

4149-B El Camino Way, Palo Alto 94306 (650) 856-2181

**Assemblymember John Longville**

201 North E St., #205, San Bernardino 92401 (909) 388-1413

**Senator Debra Bowen**

2512 Artesia Blvd., #200, Redondo Beach 90278 (310) 318-6994

Union members in these four districts are urged to contact their legislators. Similar measures may be considered by the Senate later this year.

### Updates on State and Federal Legislation May 4, 11 & 18

What's up in Washington & Sacramento? What can union members do to support working families' legislative campaigns?

*How do we hold elected officials accountable?*

**Update on State & Federal Legislation**

- Immediate need to mobilize on Social Security and Medicare
- Building Prosperity for California's Working Families
- How we engage members in grassroots lobbying

**TUESDAY, MAY 4**

Los Angeles, 434B  
2515 Beverly Blvd.  
10 am - 3 pm

**TUESDAY, MAY 11**

Oakland, ILWU 6  
99 Hegenberger Rd.  
10 am - 3 pm

**TUESDAY, MAY 18**

Fresno, LIUNA 294  
5431 E. Hedges  
10 am - 3 pm

Registration fee \$10, includes lunch and materials. For info: (415) 986-3585 x 229.





## FROM THE LABOR NEWS WIRE

# Mourn for the dead Fight for the living

AFL-CIO

### Mourn for the Dead, Fight for Living

That's the theme of tenth-annual Workers Memorial Day observances around the nation. "The day is more than a remembrance; it is a time to renew our fight for strong health and safety protections," wrote AFL-CIO President John Sweeney in a letter to union activists.

In California, Contra Costa, Los Angeles and Tri-Counties Central Labor Councils are among the labor organizations planning to honor workers killed or injured on the job.

**April 25 - Contra Costa.** Unionists will honor five workers killed in incidents at the Tosco refinery in 1997 and 1999. Assemblymember Darrell Steinberg has been invited to speak about his bill, AB 1127, sponsored by the California Labor Federation, to reform Cal/OSHA and protect workers' rights on the job. Information: (925) 228-0161.

**April 28 - Los Angeles.** The UCLA Labor and Occupational Safety and Health program and the County Federation of Labor will hold a breakfast memorial service at the Wyndham Hotel at LAX, followed by a rally at the airport to support workers' health and safety rights and organizing campaign. Information: (310) 794-5970.

**April 28 - TriCounties.** Unionists will hold memorial services in Ventura and Lompoc at noon. At the Ventura County Government Center, workers will be joined by County Supervisor Kathy Long and Harbor Commissioner Jess Herrera. The Lompoc City Council will observe Workers Memorial Day in council chambers. Information: (805) 641-3712.

### Up, up and away...it's CEO pay



In 1980, CEOs made 42 times their average workers' wage. Today, they earn 326 times their average employee's earnings.

More information is available on the AFL-CIO website at [www.aflcio.org](http://www.aflcio.org).

### UAL to set executive bonuses by survey

Beginning next year, 600 United Airlines executives will be evaluated by employee and customer satisfaction, on-time achievement, and financial performance. A survey of employees and customers will measure satisfaction, and determine approximately half of executives' bonuses.

"The fact that United officials did not block the idea or force the unions to take their case to shareholders is a sign that things are changing in this industry," said IAM President Tom Buffenbarger. It may also reflect the union's ownership stake in the company. (*District 141 Messenger*.)

### Court rules in favor of immigrants' right to organize

Carpenters Local 2236 won an important victory for workers' right to organize in March, when it successfully argued that workers have the right to vote in union representation elections, regardless of immigration status.

After losing a representation election, the employer claimed that workers were undocumented and had been ineligible at the time of the vote. On appeal, the Ninth District Court ruled that undocumented workers are eligible to vote if they are members of the bargaining unit. Approximately fifty workers are welcomed to the union movement.

### The Census counts

The national AFL-CIO will partner with the Census Bureau to ensure a more accurate head count in the 2000 census. Low-income workers, immigrants, and communities of color were undercounted in the 1990 Census, and next year's count will make limited use of scientific sampling to improve accuracy. California may gain, lose or simply redraw Congressional and legislative districts following the nation-

al head count in 2000. An accurate count of working families will assist Californians in getting federal services and representation at the state and national level.

### Unz at it again

Ron Unz, famous for attacking bilingual education with Prop 227, has drafted another nightmare initiative. This proposal couples campaign finance reform with reapportionment by judicial committee. Unz would take the redistricting process away from California's worker-friendly legislature, to assure stronger Republican districts and deny working families representation.

Proponents drafted nine versions of the initiatives and may begin circulating one in time to qualify for the March 7, 2000 primary election.

### Justice for Janitors' long journey yields victory

During their four-year fight with management, Sacramento janitors marched 150 miles to Palo Alto, staying with labor and community supporters along the route. They enlisted the support of religious and neighborhood groups, reaching out to political leaders. They held com-

munity forums to bring low-wage workers together, and civil disobedience actions to capture the public's attention.

Their long journey held rich rewards. On March 30, Somers Building Maintenance and SEIU 1877 announced an agreement covering 500 janitors in downtown Sacramento and certain surrounding areas. By April 8, other contractors were falling in line to sign a master agreement.

"It is time for Sacramento as a community to step up to the plate and help lift janitors out of poverty," said Mike Garcia, union president.

The Somers agreement quickly led to a contract with American Building Maintenance and OneSource janitorial contractors. The master agreement provides between 24 and 26% in wage and benefit increases, family health benefits, and an expiration date in 2003.

Workers noted that wages and benefits improved during the high-visibility campaign. "Before the union started to pressure the company, we had no holidays, no vacation, no medical, no benefits—nothing for the people." Now there are paid holidays, sick leave and medical coverage. (*Sacramento Bee*.)



## Higher education round up

### UC teaching assistants say union yes

UCLA graduate students voted overwhelmingly for union representation, 1,718-269, in a March 9 election. Election dates at other campuses have been set through June 10, according to Maryanne Massenberg, UAW campaign coordinator. Nine thousand teaching assistants will be eligible to vote.

"We had a three-prong strategy," said Massenberg. "Membership organization and mobilization, legislative action, and legal strategy. The commitment and dedication of the members over 16 years made the difference."

The Association of Graduate Student Employees held its first University-wide strike in December, organizing political and community support to win status as employees and the right to form a union. First contract issues will include workload, health care and dependent benefits.

### CSU faculty declare state of strike

Management imposed merit pay and contract terms on 20,000 members of the California Faculty Association at California State Universities on March 17. At a statewide

Assembly on March 27-28, CFA voted to declare "a state of strike." President-elect Susan Meisenhelder and local chapters are seeking strike sanction and presenting a system-wide, faculty-student vote of no confidence to the governor and trustees. "No contract, no business as usual," is the slogan for a Sacramento Lobby Day on April 27. Faculty may choose to apply for merit pay as a unit. Info: [www.calfac.org](http://www.calfac.org).

### UC Berkeley names Henning Center

The Center for Labor Research and Education formally announced the creation of the **John F. Henning Center for International Labor Relations** in March. Named for the long-time California labor leader, the Center will focus on strategies for global unionism. It will promote international connections between labor researchers and activists, and support policy research on the global economy and its impact on working Californians.

Henning was named Distinguished Labor Leader in Residence at the Institute of Industrial Relations, a first-time honor from the University of California.