

Labor Day Appraisal

By John F. Henning
Executive Secretary-Treasurer
California Labor Federation, AFL-CIO

In the counting house of annual gains and losses, labor unity remains the present reality and the promise of restored glory. There is, however, the unpaid bill of workplace change.

Labor Day assessments of declining membership and political desertions would forbid dancing in the streets, but the labor family has seldom been more united in purpose and practice.

Within the past decade the affiliation of the Teamsters, Mine Workers, UAW and the ILWU have given a new solidarity to the House that Gompers built.

This at a time when the nation appears more and more fragmented in the economic and social orders. The strident dialogue on immigration and ethnic pluralism endangers the fabric of the Republic.

As to sobering workplace change, Secretary of Labor Reich this week warned that American workers who are neither computer literate nor possessed of advanced skills have been denied the

benefits of "the Clinton Economic Recovery."

More pointedly, he said that high school drop-outs can no longer expect easy movement to the middle class through high paying jobs.

Reich warns that "The fundamental fault line running through today's workforce is based on education and skills." He believes this is driving a destructive wedge between the haves and the have-

nots in the economy.

In response, the Clinton Administration has initiated a funding plan for states establishing School-to-Work programs involving both unions and employers.

Time is indeed of the essence. Secretary Reich's fears of untrained, jobless masses could menace constitutional government if realized.

Ruling class indifference toward 19th century exploitation flowing from the emerging factory system altered forever the power structures of the industrial world.

Alterations would hardly satisfy the displaced and abandoned of our boiling times.

Kirkland: We can't continue on this path.

Donahue: No corporate loyalty to America.

Reich: A time to reaffirm the promise.

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Police Bully Pickets

Local police have intervened provocatively and massively on the side of management in a Teamsters Local 748 strike at the Gangi Co. tomato cannery in Riverbank, Stanislaus County, pushing tempers to the boiling point and creating scenes straight out of the 1930s.

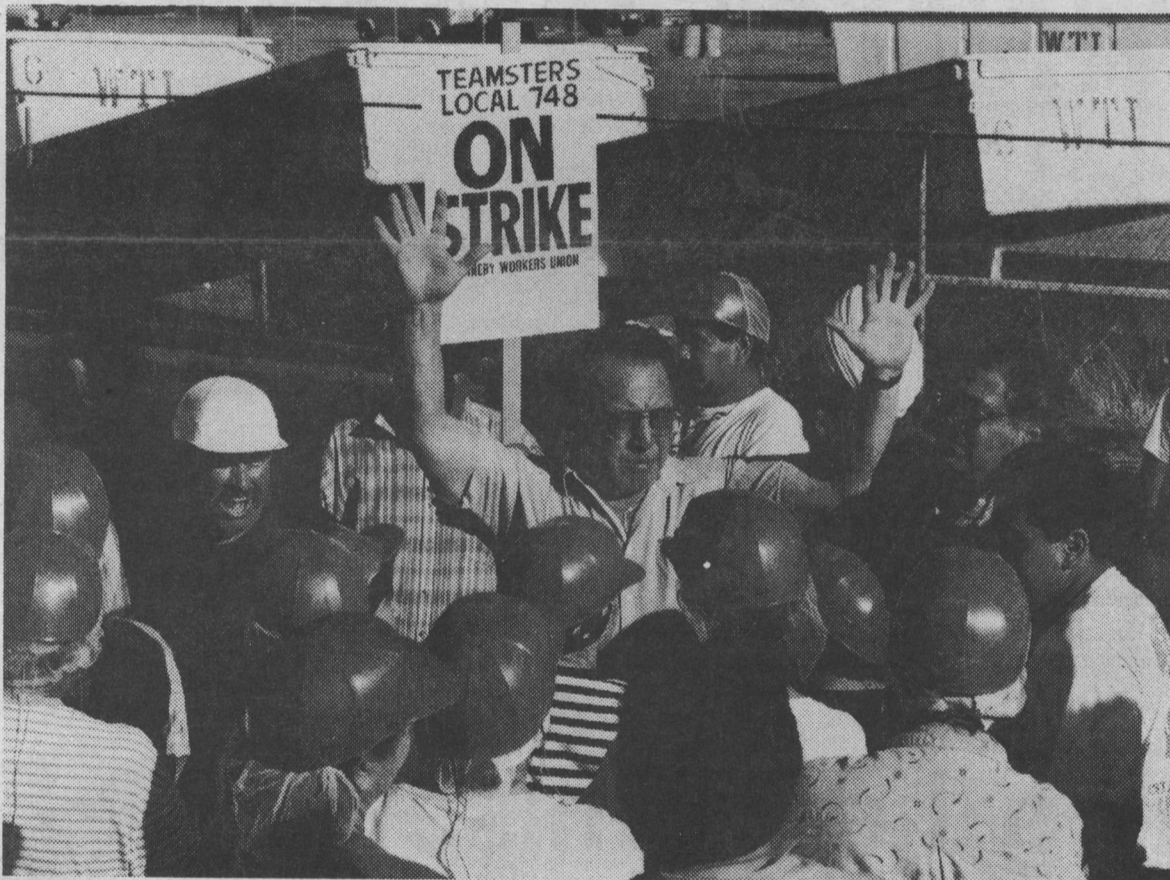
Hundreds of riot-equipped police officers summoned under emergency mutual support agreements with other San Joaquin Valley towns have been glowering at pickets along with all 18-members of the Riverbank Police Department.

The county sheriff's mounted posse has been called in, horses fitted with plastic face guards and the helmeted riders brandishing batons long enough to beat people to the ground.

The California Highway Patrol responded with 10 cars to the local police chief's call for help with an emergency that nobody else was able to discern.

It's all been overkill. Union leaders concede that somebody tossed a few eggs early on and that broken glass in a couple of cannery windows could have been caused by rocks thrown from outside. But they insist the strikers have been amazingly well behaved despite provocations.

"The only problem is this huge, menacing police presence," said Ron Ashlock, secretary-treasurer of Local 748. "It is totally unnecessary. We've been able to keep things



Al Oliver of Teamsters Local 748 calms cannery strikers angered by pro-employer police actions.

under control, but we have some volatile members, and they don't like being intimidated."

Adding to the tension is the perception that the employers are taking their cues from Diamond Wal-

nut at Stockton, some 40 miles north on Highway 99. Permanent replacements started coming in last Monday.

"Gangi is looking at Diamond. No doubt about it," Ashlock

declared.

The Gangi company, which moved to Riverbank four years ago from San Jose and took over a former Contadina canning plant, had

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Labor Bills on Gov.'s Desk

The bill putting new curbs on exploitation of child labor in California is one of 17 measures sponsored or strongly supported by the state AFL-CIO that have gone to Gov. Pete Wilson's desk following the close late Wednesday of the 1994 session of the Legislature.

The child labor measure, Assembly Bill 1900 by Terry Friedman, D-Los Angeles, finally was approved 21-17 in the State Senate last Saturday after a dramatic lobbying effort led by Executive Secretary-Treasurer Jack Henning of the California Labor Federation.

The bill was blocked in August of last year by a Senate vote of 18 yes against 19 no, and few thought it had any chance. The reversal came last week after AB 1900 initially failed again, this time by a vote of 14 to 19.

Advocates persuaded Leroy Greene of Sacramento and Robert Presley of Riverside—Democrats who had opposed it—to reverse themselves. Also won over were five Democrats who originally abstained: Henry Mello of Watsonville, Ruben Ayala of Chino, Steve Peace of El Cajon, Charles Calderon of Whittier and Mike Thompson of Napa Valley.

Two Democrats—Dan McCorquodale of Modesto and Daniel Boatwright of Concord—voted no, McCorquodale arguing against the measure on the Senate floor and telling how he himself had worked in his father's sawmill as a young

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Ergonomics Rules in Jeopardy

The Cal-OSHA Standards Board, operating without either of the two worker representatives it is supposed to have, appears poised to enact workplace ergonomics safety regulations that fall far short of what organized labor has sought for nearly a decade.

The board is under a mandate from the Legislature to have an ergonomics standard in place by next Jan. 1 to protect workers in all industries from the rising epidemic of repetitive trauma injuries.

But ominous omens emerged last week in Sacramento as board members pondered proposals shaped during months of earlier debate by a labor-management advisory committee and aired during a series of

Why labor's voice is silenced on the Cal-OSHA Standards Board.

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public hearings earlier this year.

There were these developments:

- Several of the board members argued that agri-business should be exempted.
- There was support for exempting the entire construction industry.
- A majority indicated they wanted "small businesses" left out.
- There was unanimous consensus that "economic feasibility" should limit any employer's obligation to control workplace hazards.
- All of them agreed that the effective date of any new ergonomics

standard should be delayed for a year.

- They unanimously and vehemently rejected all medical management proposals including crucial provisions for identifying and correcting hazardous work practices before employees incur long-term, disabling repetitive traumas.
- No board member argued for keeping the promise to respond to each of the 6,455 comments on the proposed ergonomic standard that was put to public hearings last January in Los Angeles and February in

San Francisco.

And then, when the discussion ended, Lloyd W. Aubry, Jr., director of the Department of Industrial Relations, assured the board members that the Cal-OSHA staff would heed their comments and present them with an ergonomics standard satisfying all of the objections they had raised.

Public comment was not allowed last week because the entire discussion took place during the "business" portion of the Standards Board's regular monthly meeting Aug. 25 at Sacramento. The board's procedures allow observers to speak only during "public" portions of its meetings.

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Kirkland's Labor Day Message

A Path on Which We Can't Continue

By Lane Kirkland
President, AFL-CIO

Over the course of the 20th century, the American labor movement has constantly confronted admonitions from various quarters to acknowledge and adapt to "change." In that regard, Labor Day 1994 is no different from any other.

Today, whether those admonitions are put forth in the name of "workplace cooperation" or "reinventing government," one thing has not changed — and that is the absolute necessity that working people have a voice they can rightly call their own.

Certainly, trade unionists know all there is to know about change. We see and feel it on the shop floor and in our communities long before it enters the consciousness of the chattering classes, insulated as they are from harsher consequences.

And working people have no quarrel with real workplace cooperation — the kind that protects workers and gives them a voice they can call their own. We're for it and always have been. The trouble is finding employers who really want to cooperate.

Rather, they have shown, time



Lane Kirkland

and again, that they will bear any burden and pay any price to frustrate the will of working people to organize for a genuine voice at the workplace.

The Commission on the Future of Worker-Management Relations — the Dunlop Commission — recently found that in today's organizing campaigns, one in 50 union supporters is fired illegally by management, as opposed to only one in 700 union supporters back in

the 1950s.

I can assure you that even those figures grossly understate the problem. That's because the Commission's findings include only those cases in which aggrieved employees secured reinstatement to their jobs through the NLRB — and we all know how rarely that occurs.

If you included everyone who had been fired for union activity — starting with those who had settled with the employer or those who had secured a back pay award — illegal firings would amount to about one out of every 12 workers involved in organizing campaigns.

Moreover, one out of every four employers who are faced with an organizing drive illegally fires someone involved in the campaign. Can you imagine how the exemplars of society would react if they believed that one out of every four workers was involved in some kind of thievery or other illegality?

I can assure that their solution would involve much more than merely requiring the thieves to return what they had stolen to the rightful owners — minus, of course, any insurance proceeds the victims had received in the mean-

time. Yet that is precisely the kind of justice our system offers to workers whose jobs are illegally taken from them because they have exercised a right guaranteed to them under the law. Clearly, it's time to restore some semblance of balance to labor-management relations in this country.

Our elected representatives in government should take heed of what has happened to average working Americans during the recent era of assault on worker rights in this country.

Over the past two decades, real average weekly earnings for non-supervisory workers have fallen by 20 percent. More than 14 million Americans who work full-time — nearly one-fifth of the workforce — are earning below the poverty-level for a family of four. That figure is up by 50 percent since 1979.

One-quarter of working women are paid poverty-level wages.

Clearly, the country cannot continue on this path.

As noted by the Dunlop Commission, the erosion of the working middle class is leading America toward a two-tiered labor market

"with an upper-tier of high-wage workers and a growing underclass of low-paid labor."

This is not the way it's supposed to be in America.

Just about every major social problem we have today — from our soaring crime rate and the decay of our urban areas, to the rise of poverty and homelessness — can be traced to one factor: the decline of the number of decent-paying, entry-level jobs for people of limited skills. These are the jobs that used to offer immigrants and disadvantaged Americans a ladder up into the middle class — jobs that paid enough for them to raise families and send their kids to college.

Many of those jobs are gone now, having been exported to countries where working people toil long hours for rock-bottom wages, and where working conditions are kept in their deplorable state through government repression of worker activism.

Here at home, economically disadvantaged Americans have little choice but to accept work, when they can find it, from the expanding sector of employers who have concocted every conceivable method of keeping wages down and workers powerless. And it's all in the name of "competitiveness."

We insist that there are no jobs which natural law ordains as inherently poorly paid and devoid of benefits or security. Before trade unionism brought civilization to the mines and mills of America, those jobs were just as cheap and just as bad as those in what is now called the "low-paid service sector." Not management enlightenment but trade unionism made the difference.

So this is labor's great challenge — to organize for the 21st century, to restore the vitality of the working middle class and to save the country from the dangerous prescriptions of the free market ideologues.

In the meantime, you can be sure that this labor movement will continue to fight vigorously before the Congress on a wide range of critical issues, including stronger workplace safety regulations, more equitable trade laws and affordable health care for every American.

I have no doubt that the men and women of the American trade union movement will not be found wanting in any of these struggles. We shall not be moved.

Donahue Corporate Disloyalty

Thomas R. Donahue
Secretary-Treasurer, AFL-CIO

A century after the Pullman strike and the first official Labor Day, working women and men throughout the country have a great task. We need to help America redefine what a job is and what it should mean.

Some time ago, the president of a major manufacturing company was asked if his company was prepared to take the lead in making America more competitive. He answered, "American competitiveness? I don't think about it at all. We think of ourselves as a globally competitive company that happens to be headquartered in the United States."

He isn't alone. That's what lots of American corporations have come

to. And what does this mean for working people here? It means that the bond that used to exist between them and their employers has withered. These corporations — or, rather companies "that happen to be headquartered in the United States" — have no compunction at all about shifting jobs from Chicago, San Diego, or Buffalo to Thailand, Malaysia, or any other place in the world that will increase their profits.

As a result, many of these corporations have changed themselves beyond recognition. They are not the job creators they used to be. They have hollowed themselves out.

They may have a tiny skeleton staff in this country, but the real work goes on in any number of other places.

A recent newspaper article called them "virtual companies."

No longer do they have any attachment, any loyalty, any sense of obligation to America or its workers.

We need a national dialogue on what the minimal standards are for an American corporation, what its obligations are as a member of the community, what it owes its workers and their communities.

As we mark the centennial of Labor Day, let us begin to set a better, more humane standard for American jobs. Let us establish that Americans are entitled to decent full-time jobs with adequate pay and benefits. And let us restore dignity, security, and fairness to America's workplaces.



Thomas R. Donahue

Reich Reaffirming the Promise

By Robert B. Reich
U.S. Secretary of Labor

On Labor Day last year, the president's economic plan had just cleared Congress by the thinnest of margins — and forecasts of doom were ringing out from the comfortable command posts of the Capitol. Newt Gingrich declared that Republican efforts to obstruct the plan were justified by the need to ensure that "every Democrat would bear responsibility for a massive tax increase and a job-killing recession."

What a difference a year makes.

On Labor Day 1994, the American workforce has a great deal to celebrate — in large part thanks to the plan Gingrich and others so proudly disdained. By July, the unemployment rate was down to 6.1 percent. Since last Labor Day, the economy has added more than 2.5 million new jobs — more than in the full four years of the Bush presidency. President Clinton pledged to create 8 million jobs in four years. So far the score is more than 4.1 million new jobs. We're over halfway home, well ahead of schedule.

The American jobs machine is humming. And it's running clean,

with no signs of inflation — and alongside a federal deficit that is dropping for the first time in decades.

It has been many Labor Days since the picture was so bright for the average American worker. And yet our mission is only beginning — in part because the experience of the average worker is becoming less and less representative. A closer look reveals a work force divided: some workers profitably riding the waves of economic change; others struggling to tread water; and still others going under.

What separates these workers is less their race or gender (though the stains of discrimination remain), but the quality of their education and skills.

Consider:

- College-educated men earn \$1.83 for every \$1.00 earned by men with only a high-school diploma. (The gap for women is only slightly smaller.) At every level — from high-school dropouts to graduate degree holders — more education means higher earnings.

- Seventy-six percent of workers with college degrees get employer-

sponsored health care, as opposed to only 36 percent of workers who dropped out of high school. Two-thirds of the most-educated workers have company-sponsored pension plans, compared to less than a quarter of high-school dropouts.

- The same pattern holds for the risk of joblessness. Last year the unemployment rate for workers who didn't finish high school was over 12 percent; for those with undergraduate or advanced degrees the rate was about 3 percent.

What's the cause? One factor is the decline in manufacturing jobs.

Another is the unfortunate weakening of the labor unions that used to shore up wages and benefits.

But the biggest factor is technology. Computers, electronic mail, and other new technologies have made well-educated workers more valuable. Indeed, the notion that we're creating a bounty of bad jobs is a myth. Most new jobs are good jobs. The problem is that the jobs available for workers without skills, or with the wrong skills, generally pay low wages, provide few benefits, and offer little prospect for advancement.



Robert B. Reich

And that leaves the Clinton Administration with the same mission forward-looking governments have embraced throughout our nation's history: opening the road to opportunity. Today, nothing is more vital to fulfilling the American promise than equipping all Americans with the skills they need to lead meaningful, productive working lives.

Datebook

Labor Council for Latin American Advancement State Council membership meeting: Sept. 10, Los Angeles Airport Hyatt Hotel.

Publisher's Notice

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Hispanic CofC Gets Earful of Sprint

Delegates to the U.S. Hispanic Chamber of Commerce Convention got an uncensored and unscheduled view of the Sprint corporation yesterday at Moscone Center in San Francisco.

Workers fired by Sprint for trying to join a union showed up at the convention ribbon-cutting and told Latino business operators from across the country that they ought to rethink the decision to allow Sprint to participate in their gathering.

The message stated on more than

2,000 leaflets handed out at the opening ceremony was simple:

"If you want Hispanics as customers, then respect us as workers."

Sprint, the anti-union long-distance phone firm, is one of the "gold sponsors" of the convention. In return for financially supporting the convention, Sprint gets a display in the exposition hall and the opportunity to try to sell its Spanish language long-distance services.

The 235 workers fired five weeks ago for trying to join the Communications Workers all are Spanish-

speakers.

They staffed La Conexión Familiar, the Sprint subsidiary that marketed the company to Spanish-speaking residents of several western states.

The firings came one week before the date scheduled by the National Labor Relations Board for an election to determine whether CWA Local 9410 should be the bargaining agent for the entire La Conexión Familiar work force.

With more than 70 percent of the

affected workers signing union cards, there seemed to be no doubt about the election outcome.

Sprint, which likes to boast that it is "union free," pulled the plug without warning. Company officials claimed the workers were fired because La Conexión Familiar was a failure. This was only weeks after they had boasted to the San Francisco Chronicle that their Spanish language sales force was exceeding ever-increasing goals and was contributing significantly to Sprint's profits.

Marie Malliett, president of CWA Local 9410, led the fired workers and supportive union members to the Moscone Center demonstration yesterday.

The regional NLRB office is expected to announce its decision next week on the unfair labor practice charge filed against Sprint by CWA. The union is demanding that the workers be returned to their jobs and that Sprint be ordered to negotiate a collective bargaining agreement.

Playhouse Built By Apprentices Aids Kids' Club

Apprentices in nine building trades pooled their skills to construct a playhouse in the shape of a fanciful bus in this year's fundraiser for the Boys and Girls Club of Santa Cruz.

The brightly colored playhouse — bearing the name "Trades for

Kids" — was one of ten auctioned off with all proceeds going to the benefit of the club.

The playhouse sold for \$3,300 in the auction, which came after it and other donated playhouses had been displayed for two weeks at Capitola Mall. It is scheduled to be on display through this month at the Pumpkin Patch in Soquel.

Participating in the construction were apprentices in the carpenter, painter, roofer, mill cabinet, sheet metal, electrician, plumber, floor covering and glazier trades programs, all of whom worked under the guidance and direction of journeymen. Contractor Darrow Palmer of Santa Cruz provided shop space for the project. A number of contractors and supply houses contributed materials.

Architects, interior designers and contractors sponsored other playhouses auctioned off in the annual benefit.

Firefighters Elect Ferguson a V. P.

James T. Ferguson, president of Fire Fighters Local 798 of San Francisco, was elected an international vice president during the convention of the International Association of Firefighters last week in Detroit.

Ferguson, who has headed Local 798 for 22 years, is assigned to an aerial ladder truck company in San Francisco's Tenderloin. He becomes the IAFF's vice president for Region 10 including California, Arizona, New Mexico and Hawaii.



Building trades members deliver playhouse for Santa Cruz benefit.

Tomato Boycott Warning

The United Farm Workers announced yesterday that it will launch a boycott against Triple E Produce, Inc., if the huge tomato grower continues to stonewall when contract negotiations resume next Wednesday, Sept. 7, at Stockton.

Triple E harvests half the tomatoes grown in San Joaquin County. The agri-business giant also has tomato-growing operations in Mexico and Florida.

The boycott warning was given by Dolores Huerta, first vice president of the UFW, during a news conference yesterday at Stockton. Triple E workers voted overwhelmingly for UFW representation in 1989. It took five years to bring the corporation to the bargaining table as Triple E brought in the notorious anti-labor law firm of Littler, Mendelson, Fastiff, Tichy and Michaelson to delay recognition.

The showdown comes as the UFW prepares to hold its national convention tomorrow and Sunday at Fresno.

It comes also with negotiations clouded by the death of Ramon Juarez, the father of nine, whose truck was struck by an Amtrak train as he hauled Triple E tomatoes over an unmarked company crossing on Wednesday, and by the hospitalization of UFW agent Jaime Gonzalez, who was assaulted by a Triple E supervisor as he attempted to speak with workers last week. A UFW representative and a pro-union worker also were assaulted earlier by a Triple E agent in a separate incident, the union said.

Contract negotiations continue at Ace and San Joaquin Tomato Co., two other large-scale growers whose workers also voted for the union five years ago and who also staved off union recognition for years.

Police and Pickets...

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signed onto the Teamsters' statewide canning industry master contract for 30 years.

The employer opted out of the master agreement last June 30 and went into separate collective bargaining with demands that its 520 Teamster employees accept pay cuts and other rollbacks including health plan changes that would make a majority of Local 748 members—anybody working less than 1,500 hours a year—ineligible for coverage.

The town police became involved even before the breakdown in negotiations that led to last week's walkout.

The local chief surveyed the plant and set up strike security that

involved blocking several entrances.

Police officers conducted captive audience meetings at which Local 748 members were told that if a strike occurred, and if they crossed the picket lines, they would be guaranteed police protection.

Add this provocation to the fact that nearly all the strikers are Latinos and that Riverbank never has hired a Latino cop even though a majority of the residents are Hispanic, and you begin to understand why Local 748 members fear, distrust and resent the police presence, Ashlock said.

Jim Biever, secretary-treasurer of the Stanislaus-Tuolumne Counties Central Labor Council, faulted "an inexperienced mayor" for allowing

the police chief to embroil the city in the dispute on management's side.

The city was persuaded to seek an injunction that virtually ruled out any effective picket line, Biever said.

"When the city council and mayor tried to back away from it, the police chief went out and got the injunction on his own," Biever pointed out. "It isn't fair. It is totally uncalled for when the closest thing to violence they can come up with is two broken windows and a few thrown eggs."

Meanwhile there is talk of trying to force the union to pay half of the huge and growing bill for police overtime.

Labor Coalition Targets Prop 187

A coalition to fight Proposition 187, the immigrant-bashing initiative on the Nov. 8 ballot, and to promote political candidacies of people of color has been formed by the San Francisco chapters of the Asian Pacific American Labor Alliance (APALA), Labor Council for Latin American Advancement (LCLAA) and A. Philip Randolph Institute (APRI).

"We have formed a united political coalition for people of color," the three AFL-CIO organizations said in a statement signed by George Lim, APALA; James Bryant, APRI; and Frank Martin DelCampo, LCLAA.

Labor Lobbies On for Health Care Reform

Labor activists, confident that reports of the demise of health care reform are premature, have launched lobbying blitzes at fence-sitting members of Congress who are home for the Labor Day recess.

Yesterday at Los Angeles members of the Health Care Reform Project delivered hundreds of balloons to the offices of Rep. Jane Harman protesting her refusal to take a position.

The helium-filled balloons, bearing the message, "Every 1.17 seconds another American loses his or her health insurance," then were loosed into the air over the Democratic representative's 36th District headquarters at West Century Boulevard and La Cienega.

September 2, 1994

In Fresno, a major demonstration is scheduled at the busy intersection of Blackstone and Shaw where a giant large electric sign will flash this message through the month of September:

"Congressman (Richard) Lehman: 443 Californians lose their health care coverage every hour. We know you will do the right thing."

At San Diego, health care reform advocates will call on Rep. Lynn Shenk.

The Los Angeles action, coordinated by the Service Employees Regional Council, included representatives of labor, consumer and senior groups.

"In California alone a person

loses health insurance every eight seconds," Jarvis Stewart, one of the organizers, said. "In the three weeks since the Senate began debating health care, 259,263 Californians have lost their coverage."

The balloons, Stewart said, were a colorful reminder that constituents expect Harman and other members of Congress to do the jobs for which they were elected.

"We will not listen to their pleas for votes if they keep coming home without results," he added.

The spectacular electric billboard at Fresno will be dedicated with a mass rally to be called probably on Tuesday or Thursday. Activists from SEIU Local 752 are coordinating it. Presiding at the rally will be Randy

Ghan, head of the local and secretary-treasurer of the Fresno and Madera Counties Central Labor Council.

The time for the San Diego event with Rep. Lynn Schenk is to be announced. It is coordinated by members of SEIU Locals 102 and 1926, and Lois Balfour is the contact person.

Meanwhile, the AFL-CIO's toll-free number continues to give California union members direct access to the U.S. Capitol switchboard, which will direct calls to the offices of the representatives or senators the caller requests.

The AFL-CIO Health Care Reform Campaign, which is sponsoring the toll-free calls is urging union

members to emphasize to senators the need to maintain the employer mandate.

Union members are asked to express opposition to the so-called "mainstream" proposal because it would fail to expand coverage, do nothing to contain rising costs, threaten the employer-based health insurance system and saddle middle-class families with an onerous new tax on their health benefits.

Representatives should be asked to support the Gephardt proposal's inclusion of both real cost containment and universal coverage through an employer mandate. Representatives should be asked to reject such half-way measures as the Rowland-Bilirakis proposal.

No Labor Voice on Standards

Both labor seats on the Cal-OSHA Standards Board are vacant as the five remaining members prepare to enact long-awaited ergonomics safety regulations that will directly affect daily lives of tens of thousands of California workers for years to come.

One of the two labor seats has been empty for three and a half years.

This vacancy has continued through all but the first few weeks of the administration of Gov. Pete Wilson, who is responsible for board appointments. The other labor seat has been vacant since last May. Wilson has made no move toward naming a labor representative for either seat.

It takes the votes of four of the remaining five board members to enact Cal-OSHA standards. The five seldom disagree.

Two of them are supposed to be unbiased professionals, one from the field of occupational safety and the other from occupational health. In fact, both are executives of major corporations.

One is named to represent the general public. He comes from The Rand Corporation, advisor to big business.

Two are named to represent employers, which they do unstintingly.

One labor seat has been vacant since George Evankovich resigned in February of 1991 following his retirement as head of Laborers Lo-

cal 261 in San Francisco and his subsequent removal to Montana.

The other labor seat was vacated in May with the resignation of John Baird, a member of the California Correctional Peace Officers Association, the unaffiliated prison guard union that has been closely allied with both Deukmejian and

Wilson.

The seat reserved for an occupational health professional is held by Jere Ingram, the current chair, who is with the Clorox Corporation. Ingram originally was appointed by Deukmejian and was named chair by Wilson.

The occupational safety profes-

sional's seat is occupied by Gwen-dolyn Berman, an official of the Southern California Gas Co. She was named to the board by Wilson in 1993.

The member named to speak for the general public is James Smith, a division director with the Rand Corporation.

Filling the two employer representative seats are James Gorbaty, a Deukmejian appointee who is a retired executive of a major workers' compensation insurance company, and William Jackson, who is employed as director of health and safety for the Granite Construction Co.

Ergonomics...

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Aubry, questioned by labor representatives after the meeting, confirmed his determination not to present the board with an ergonomics standard containing any provisions members would be likely to reject.

"We are staff to the board," Aubry said.

This means the standard will be based largely upon anecdotes and opinions rather than upon solid evidence, observed Larkie Gildersleeve, long-time ergonomics safety advocate in the Bay Area VDT Coalition and Northern California Newspaper Guild administrative officer.

"It is painfully obvious that the Cal-OSHA Standards Board has no labor representation," Gildersleeve said. "The members seem to believe that their sole responsibility is to watch out for the interests of employers."

"One of them actually said that the worker safety training provi-

sions amount to 'lessons in how to file workers' compensation claims.' It was obvious they failed to understand that the way to reduce workers' compensation costs is to reduce workers' injuries."

Maggie Robbins, health and safety coordinator for the Western States Region of the Service Employees International Union, called it "a stampede to gut the proposed standard" that emerged from years of meetings and studies and was put to public hearings earlier this year.

"The conduct of the board and Mr. Aubry were an insult to all California workers and to those of us who have sought a standard to protect workers from cumulative trauma injuries," the SEIU workplace safety expert declared.

"Wilson appoints these people to sit on boards and direct agencies with mandates to protect worker safety and health, but they show themselves to be more interested in protecting employers than

workers," Robbins added.

The proposed standard that was put to hearings earlier this year came out of nearly a year of hearings and debate by an advisory group that included Kathleen Kinnick, president of Local 3 of the Office and Professional Employees and an international vice president of that union, director of women's activities for the California Labor Federation, and administrative assistant to Jack Henning, executive secretary-treasurer of the state AFL-CIO organization.

The struggle against workplace ergonomic hazards was the focus of a six-year series of VDT worker protection bills sponsored in the Legislature by the state AFL-CIO that were defeated in the face of massive lobbying by the electronics and computer industries and employer organizations or were vetoed by Republican governors.

A comprehensive VDT worker protection ordinance enacted by the

City and County of San Francisco kindled hopes until the courts ruled that the field was pre-empted by the state.

Then the Legislature, heeding arguments that ergonomics safeguards ought to aim at repetitive stress trauma in all kinds of work, ordered Cal-OSHA to prepare such a standard and the Standards Board to get it onto the books by Jan. 1, 1995.

Board members made it clear at last week's session that they want to ram the ergonomics standard through on a timetable that virtually precludes any further public input.

If they do not complete the approval process by Nov. 26, everything done so far is canceled and they must start over again. The deadline exists because state law requires all rule-making to be completed within one calendar year, and the current process was launched on Nov. 26 of 1993.

This means that the board must take final action during a meeting scheduled for Nov. 17. The final version of the standard must be made public at least 15 days in advance—no later than Nov. 2.

The 15-day public notice period must be repeated any time the draft of the proposed standard is altered, whether change is based upon any of the 6,455 public comments already on file or upon opinions such as those board members expressed last week.

Obviously, there isn't time for the Cal-OSHA staff to respond individually to each of the 6,455 public comments and give those who made the comments opportunity to submit rebuttals, which many understood they had been promised.

Apparently the board will make do with staff responses to categories of comments. It was indicated that these could be ready by as early as the board's September meeting. How this would affect the public wasn't clear.

There was brief discussion of putting out the word that all public comments and the Cal-OSHA staff responses by categories would be available for perusal at the board's Sacramento offices, something that conjured up visions of throngs crowding in and clamoring for a look.

Nobody seemed to like that idea very much, even though no alternative presented itself after Aubry made it clear that staff time would be spent getting a revised draft before the board rather than writing responses to the public.

Cal-OSHA Legal Counsel Len Welsh was questioned sharply when he attempted to defend the medical management provisions that all board members want to jettison.

He apparently persuaded none of them with examples of workers' comp savings achieved by employers through pro-actively seeking out hazards, eliminating them, and training workers to be alert and careful. In the end, board members challenged Welsh to bring them back statistics linking medical management programs with reductions in workers' comp costs.

Ridicule was heaped upon the proposal for eye examinations aimed at precluding eyestrain as a contributing factor to musculo-skeletal disorders.

Legislation...

(Continued from Page 1)

child.

Independent Lucy Killea of San Diego voted yes along with the Democratic majority. Independent Quentin Kopp of San Francisco voted no, and Republican William A. Craven of Oceanside abstained.

Henning, in a letter urging the governor to sign AB 1900, wrote this week: "There is no good reason that our laws should be less protective of children than the federal statutes."

Other bills the California Labor Federation is urging the governor to sign into law are:

• AB 2867 by Juanita McDonald, D-Carson, the federation's measure to increase the maximum weekly unemployment insurance benefit by \$15 to \$245.

• Senate Bill 1419 by Patrick Johnston, D-Stockton, adopting a more accurate trigger for federal-state extended unemployment benefits. Henning pointed out that if the new trigger had been in effect this year more than 200,000 Californians would not have been left without benefits when the federal extended benefit program expired.

• SB 2031 by David Roberti, D-Van Nuys, increasing the maximum weekly state disability insurance benefit from \$336 to \$406 in order to match the recent increase in workers' compensation benefits. Henning pointed out to the governor that SDI is funded solely by a payroll tax upon workers themselves.

• AB 3046, by Hilda Solis, D-El Monte, the measure making garment manufacturers jointly liable with their sewing contractors for vi-

olations of wage and hours laws.

• AB 990 by Curtis Tucker, D-Inglewood, the measure passed on a party-line vote in the closing hours of the session, which makes overtime wage violations subject to the same civil penalties and recovery of damages by workers that already apply to minimum wage violations.

• AB 1443 by Burt Margolin, D-L.A., requiring employee leasing firms to register with the Department of Industrial Relations to help halt evasion of workers' compensation responsibilities.

• AB 3374 by Johan Klehs, D-San Leandro, which would help stop the draining of tax dollars into the underground economy by creating the right of private action for employees seeking unpaid wages.

• AB 2750, a Teamster-sponsored bill by Barbara Lee, D-Oakland, requiring the Labor Commissioner to enforce claims for unpaid wages filed by workers covered by collective bargaining contracts as well as claims by non-union workers.

Fed Asks for a Veto

The California Labor Federation is asking Gov. Pete Wilson to veto Senate Bill 1430 by Patrick Johnston, D-Stockton, which deals with the licensing of self-funded multiple employer welfare arrangements (MEWAs).

Executive Secretary-Treasurer Jack Henning told the governor in a letter this week:

"MEWAs can be regulated by the Insurance Commissioner under

Two Bills Die In Committee

Two bills sponsored by the California Labor Federation died Wednesday because they remained stuck in the Senate Appropriations Committee's suspense file when the Legislature adjourned its 1994 session.

The suspense file is where bills are held for consideration of their impact on the state budget. Ironically, neither of the two lost labor measures would have required outlays of state general funds.

Assembly Bill 3109 by Burt Mar-

golin, D-Los Angeles, would have enabled unemployment insurance claimants to collect interest on benefits wrongfully denied them by the state Employment Development Department and later approved on appeal.

AB 3230 by Barbara Friedman, D-L.A., would have required employers to include sections on protection of workers against workplace violence in the illness and injury prevention plans that already are required.

• AB 2590 by Delaine Eastin, D-Fremont, allowing workers to take up to 40 hours of earned time off each year to participate in their children's school activities.

• SB 1464 by Milton Marks, D-S.F., the measure providing an expedited Cal-OSHA appeal process for employers who do not want to shut down machinery or production while challenging safety and health citations.

• SB 1489, Johnston, establishing confidentiality of workers' compensation claims files maintained by the Division of Workers' Compensation to prevent the contents from being used illegally for pre-employment screening.

• SB 1490, Sen. Johnston's measure aimed at curbing the underground economy by providing tools for more effective labor law enforcement.

• SB 1689 by Gary Hart, D-Santa Barbara, requiring Cal-OSHA to provide a written enforcement plan for the field sanitation standard which is supposed to assure agricultural workers with toilets, clean drinking water and hand-washing facilities but which has been largely ignored by growers.

• AB 2182 by Lee, which would require the Bureau of Home Furnishings and Thermal Insulation to develop an accelerated aging standard for flammability testing of insulation materials because of evidence that some home insulation materials fail to remain fireproof.

• SB 1691 by Tom Campbell, R-Stanford, permitting use of National Guard armories as temporary homeless shelters on a year-round basis when there is no conflict with military use.

• SB 1941 by Herschel Rosenthal, D-L.A., requiring cable TV operators to promptly return customers' security deposits and protecting the privacy of customers' names and addresses.

HERE Strike Vote at 17 S.F. Hotels

Labor Day weekend means strike preparations for members of Local 2 of the Hotel and Restaurant Employees campaigning for city-wide contract renewals in San Francisco.

A strike fund benefit held last night launched the weekend.

Next Thursday, Sept. 8, Local 2 members will vote on whether to

authorize their officers to call strikes at any of 17 of the city's best-known hotels where contracts have slowed to a crawl. The 17 targeted hotels are among more than 50 at which contracts are open.

Meanwhile, highly visible boycott actions continue against the Sir Francis Drake Hotel and other non-

union properties of the Kimpton Group, which purchased the Drake last year, fired all union workers, and then reopened non-union after remodeling.

"It is better to fight now united and strong than to wait for the next Sir Francis Drake and fight that hotel alone," union leaders declared as the strike vote notification went out.