Unit conference confronts political realities

Chairpersons and Recording Secretaries from Local 1245’s 92 units gathered in Concord, Ca. on Feb 24-25 for the union’s unit leadership training conference. Although spirits were generally high as old friends got a chance to get reacquainted, the mood was sobered by a large dose of political reality. Business Manager Jack McNally explained how the current push for deregulation has caused energy companies to jockey for market position. This has already led to “downsizing, reorganization and mismanagement,” McNally said.

During the union’s 55 year history, McNally said, Local 1245 has struggled to improve wages, benefits and working conditions in a regulated environment. “Now we need to make the necessary adjustments in the deregulated environment to maintain our standard of living.” Unfortunately, the current majority in Congress and the state assembly have “little regard for the plight of utility employees,” McNally said.

IBEW Legislative Representative Art Carter told unit leaders that the state assembly had recently passed a bill that would repeal the California law requiring that employers pay overtime after 8 hours of work. All 41 Republican members of the Assembly voted to repeal overtime requirements. All 34 Democrats present voted against the repeal. (See story, below). “When it’s two in the morning and you’re out there in the rain dealing with a line that’s down, do you

Republicans attack overtime

Republicans in the California Assembly showed their true colors last month by passing legislation that would abolish overtime for work in excess of 8 hours a day.

The bill passed on a straight party-line vote, with all 41 Republicans in favor. (See Page 5). All 34 Democrats present voted against the bill.

Gov. Wilson has indicated he will sign the bill if it reaches his desk. The only thing now stopping the bill is the Democrats’ one-vote edge in the State Senate, which means this year’s elections will determine whether the overtime law is repealed.
Rolling the union on ...

**Frank Brownell**

Davy Tree Line Clear- ance Tree Trimmer Frank Brownell was fa- tally injured in a 35-foot fall during a tree removal operation in Brush Creek, 20 miles east of grovile on Feb. 14. Brother Brownell was attempting to remove the top of a pine tree when the accident occurred. Brother Brownell, who was 50, is survived by a 20-year old daughter.

Local 1245 extends its condolences to Brownell’s family and friends.

Service Employees President Richard Cordtz (at rear, with umbrella) was among 42 demonstrators arrested Jan. 31 in San Francisco’s financial district while protesting the quality of patient care at California’s Vencor-Hillhaven nursing homes. About 2,000 SEIU members are working without a contract because the company has refused in bargaining to address issues of quality care and working conditions.

**Workers here and abroad**

**Over There:** Last month this column noted that teachers and miners had staged nationwide strikes to protest overdue wages. For- got to mention that those strikes were in Russia, not the USA.

**Charges & Beatings:** The NLRB has filed several unfair labor practice charges against Detroit Newspapers, Labor Notes reported. The new com- plaints say that management illegally threatened to per- manently replace striking workers, unilaterally imple- mented several contract changes “without having reached a valid impasse,” and failed to provide the Newspaper Guild with in- formation it was entitled to.

The same day the new charges were filed, a com- pany security guard severely beat John Castine, president of the Guild’s Free Press unit, in an alley behind the Free Press building in downtown Detroit.

**Time to Upsize:** Understaffing is a problem at 54% of the North Ameri- can firms surveyed for the 1996 Olsten Forum, up from 46% in last year’s survey, the Wall Street Journal re- ported. The latest survey says understaffing is most acute in the utility, high-tech, and transportation sectors. The result, the survey found, is higher stress, more missed deadlines and higher turnover.

**Fighting Runaway Shops:** The AFL-CIO in 11 northeastern states are push- ing for sanctions against companies that close facto- ries and move jobs out of the country, San Mateo La- bor reported. The proposed sanctions would bar public- pension funds from invest- ing in such companies and prohibit state and local agen- cies from contracting with them.

**Oops, You Weren’t Supposed to Notice:** The Ontario government’s re- cent Economic Statement contains the following gems of hypocrisy: a $400 million cut from the schools entitled “Excellence in classroom education”; a $1.3 billion cut labelled “Protecting healthcare funding”; and a $400 million cut termed “Setting goals for universities and colleges.”

**Over-Reaction?** Shortly before Christmas, UPS delivered a big white package to a labor relations employee at Boeing’s Wichita, Kan. plant. The words “Happy Holidays” were scribbled across the package, and ticking and beeping sounds were heard coming from it. Jittery be- cause of the recently-con- cluded strike by Machinists, management called the bomb squad, which blew up the package. Inside were a bunch of clocks—meant as gifts for outstanding employ- ees—from company head- quarters in Washington state.

**Time to Shave?** The latest invasion of worker privacy is the radioimmu- noassay test, San Mateo Labor reported. The test uses a small sample of a person’s hair to determine a 90-day profile of the person’s drug use. The test is easier to administer and reportedly more reliable than the traditional urine test.

**Cast-Offs:** Labor Sec- retary Robert Reich says it is no longer accurate to say that workers who lose their jobs because of corporate restructuring are “laid off.” That implies the worker will eventually be rehired, Reich said. Since few are actually brought back, the more ac- curate term would be “cast- offs,” Reich said.

**Unit changes**

Unit 2317, Antioch, now meets at Aladino’s Pizza, 1324 Sunrise Drive, Antioch, across from the Hillcrest Yard. Meetings continue to be on the sec- ond Wednesday, starting at 7 p.m. Pizza and drinks are served.

Unit 1221, Buelton, meets at Antonio’s Pizza in Buelton on Mondays at 4 p.m. Dates for the next few meetings are: March 11, April 5, May 13, and June 10. If you have questions, contact Business Rep. Mike Haemijens at (805) 773-8530.
Attention Golfers!

Mark your calendar for the 11th “Almost-Annual” Local 1245 Golf Tournament. Four-man best ball scramble.

Saturday, June 1, 1996
Indian Valley Golf Club
Novato, California

$75 includes green fees, golf cart, and sit-down dinner. Prizes and awards!

Hurry! Limited Tee-space available! First 20 foursomes are guaranteed. Singles will be placed.

Deadline to register is May 1, 1996.

For more information contact Frank Saxsenmeier at (415) 898-1141 or (510) 933-6060 or write to the address given below.

To register, make checks payable to “Local 1245 Golf Tournament” and send with registration form to:

Local 1245 Golf Tournament
P.O. Box 4790
Walnut Creek, CA 94596

1. Name __________________________
Address __________________________

2. Name __________________________
Address __________________________

3. Name __________________________
Address __________________________

4. Name __________________________
Address __________________________

POINT OF VIEW

What is to become of PG&E’s fossil plants?

Jack McNally, IBEW 1245 Business Manager

The California Public Utilities Commission in December announced its decision on re-structuring the state’s electric utility industry, and how that industry will or will not be regulated in the future. All the various interested parties—or “stakeholders”—have been going over that decision with a fine-tooth comb to determine how it will affect them.

One provision of the decision suggests that PG&E and Southern California Edison should divest themselves of a substantial portion of their generating assets, particularly their fossil generation. The CPUC is trying to create a competitive market and concerned that PG&E and Southern California Edison would have too much market power if they were permitted to keep all their current generating plants. The CPUC is requiring PG&E and SCE to file a plan to voluntarily divest themselves of at least 50% of their fossil generating assets.

The utilities could accomplish this through spin-off to separate company under the same corporate umbrella, or through outright sale to non-affiliated entity. Clearly the divesting of generation by PG&E will impact our members who operate and maintain these generating plants. Local 1245 has contended during the hearings on restructuring that utility employees should be treated as “stranded assets” and that provisions should be made to deal with these displaced employees if in fact the restructuring causes a break-up to occur.

We have proposed a variety of mechanisms that could be used to protect the jobs of our union members, including successor clauses in union contracts, recognition clauses in sales agreements, and a requirement that employees be given the “first right of refusal” for purchasing utility assets that may be spun off.

March 1996 Utility Reporter 3
Rally for prevailing wage

Over 15,000 trade unionists and their supporters staged a huge march and rally on Valentine’s Day to protest Gov. Pete Wilson’s attempts to destroy the state’s prevailing wage law.

The law, which in effect prevents the state from undercutting union-scale wages on state-funded construction projects, has helped construction workers achieve a decent standard of living. Its repeal could throw many working families into poverty.

The rally’s speakers reflected workers’ intense feelings about the issue.

“It’s war on working people, it’s war on our wages!” thundered Building and Construction Trades President Bob Balgenorth.

“Vote for your bottom line, vote for your bread and butter, vote for your family!” U.S. Rep. Vic Fazio

To loud cheers, California Labor Federation leader Jack Henning declared: “We are here in defiance of all that is economically and socially rotten! We are fighting for our lives!”

A chorus of boos went up when Senate Pro Tem Bill Lockyer told the crowd that Gov. Wilson had told the press that the rally was just “a bunch of organized labor thugs.” Wilson’s slur seemed ludicrous considering that hundreds of children joined their parents for the peaceful, lawful protest.

Lt. Gov. Gray Davis declared: “You built this state and your reward ought to be a pay raise, not a pay cut!...The prevailing wage got the Santa Monica freeway rebuilt ahead of schedule and under budget!”

U.S. Congressman Vic Fazio urged union members to remember the Republican attack on prevailing wages next November when they go to the polls.

“Vote for your bottom line, vote for your bread and butter, vote for your family!” Fazio said.

Legislators were reportedly astonished at the turnout for the rally, one of the largest state house rallies in recent years.

Sacramento Mayor Joe Serna, Jr. welcomes the unionists to Sacramento, declaring, “This is a city that loves organized labor.” To his right are Building and Construction Trades President Bob Balgenorth, Labor Federation leader Jack Henning, and State Senator Hilda Solis. (Photos: Eric Wolfe)
Dear Local 1245 Member,

The stakes in this year’s political elections are very clear. Last month all 41 Republican members of the California Assembly voted to repeal California’s law that requires employers to pay overtime wages for any work over eight hours in a day. In the U.S. Congress, the Republican leadership is pushing legislation that would repeal the requirement that employers pay overtime for any work over 40 hours in a week.

This blatant attack on our overtime pay makes it very clear why it is important to vote pro-labor candidates into office.

The Local 1245 by-laws require the union’s executive board to evaluate candidates for political office and make recommendations to the membership based on how the candidates will impact the well-being of our members. Those recommendations are listed on Pages 6-7. Recommendations on ballot propositions are listed on Page 8.

Now is the time to be involved. Now is the time to stand up for our wages, for our families, for our standard of living. Please use your vote wisely.

In Unity,

Jack McNally
Business Manager

Republicans in Congress mount assault on overtime

The Republican majority in the U.S. Congress has begun an assault on the Fair Labor Standards Act, especially in relation to the 40-hour week and overtime.

Senate Bill 1129, introduced by Republicans in the U.S. Senate, would create a 160-hour, four-week period where employers could force employees to work 20 straight eight-hour days before seeing a penny of overtime. Or employees could be forced to work 70 hours one week, 50 the next, 40 the next, and then be told to take a week off. No Senate hearings have been held yet, but this bill is a high priority for the Republican leadership.

In the U.S. House of Representatives, the Workforce Protection Subcommittee has reported a bill (H.R. 2391) which would permit employers to give hourly comp time to workers instead of wages for overtime worked.

If the Republican majorities in the U.S. Congress succeed in passing these bills, only a presidential veto can stop them.

Does your vote matter in March and November? It does if you care about overtime pay.
# Endorsements by IBEW

## United States House of Representatives

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# Vote

**MARCH 26!**
### California Senate

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### California Assembly

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### Hall of Shame: Ki

The 41 members of the California Assembly listed to the right—all of them Republicans—voted to repeal California’s overtime law. These politicians are attacking your paycheck. It’s time to kick them out of office!
Hall of Shame: Kick Them Out of Office!

The 41 members of the California Assembly listed to the right--all of them Republicans--voted to repeal California's overtime law. These politicians are attacking your paycheck. It's time to kick them out of office!

Ackerman  Conroy
Aguilar  Cortese
Alby  Cunningham
Balder  Firestone
Bart  Frusetta
Baud  Goldsmith
Boland  Granlund
Bordonaro  Harvey
Bower  Hawkins
Brewer  Hogan
Brule

Hall of Shame: Kick Them Out of Office!

The 41 members of the California Assembly listed to the right--all of them Republicans--voted to repeal California's overtime law. These politicians are attacking your paycheck. It's time to kick them out of office!
ENDORSEMENTS BY IBEW LOCAL 1245

BALLOT PROPOSITIONS

Proposition 192: Seismic Retrofit Bond Act of 1996
This measure authorizes the state to sell $2 billion in general obligation bonds in order to reconstruct, replace, or retrofit state-owned toll bridges and highway bridges in phase two of the Seismic Retrofit Program.
YES

This constitutional amendment would extend the existing parent-child exemption from reappraisal to sales or transfers of property between grandparents and grandchildren.
YES

This measure prohibits an inmate who participates in the Joint Venture Program, and is then released from state prison, from collecting unemployment insurance benefits based upon his or her participation in a Joint Venture business.
NO

This measure adds first-degree murder during either a carjacking or a carjacking-kidnap to the list of special circumstances punishable by the death penalty or life imprisonment without the possibility of parole. This measure also specifies that the first degree murder of a juror is a special circumstance.
No Recommendation.

Proposition 196: Punishment for Murder. Special Circumstances. Drive-By Shootings.
This measure adds first-degree murder resulting from a drive-by shooting to the list of special circumstances punishable by the death penalty or life imprisonment without the possibility of parole.
No Recommendation.

Eliminates the designation of the mountain lion as a specially protected mammal in California and makes it easier for the Legislature to amend or repeal provisions of the California Wildlife Protection Act of 1990.
No Recommendation.

Proposition 198: Elections. Open Primary.
This measure allows all persons who are entitled to vote in primary elections, including those not affiliated with a political party, to vote for any candidate regardless of the candidate's political party affiliation.
NO

Proposition 199: Limits on Mobilehome Rent Control Low-Income Rental Assistance.
This measure phases out mobilehome rent control laws and prohibits local government from enacting new mobilehome rent control laws.
NO

Proposition 200: No-Fault Motor Vehicle Insurance.
This measure establishes “no-fault” motor vehicle insurance system for personal injuries resulting from vehicle accidents. (See next page.)
NO

This measure requires the losing party in shareholder lawsuits to pay the winning party’s reasonable legal expenses, including attorney fees. (See next page.)
NO

This measure limits the amount of contingent fees attorneys representing plaintiffs could charge their clients when the defendant makes a prompt offer to settle the tort claim. (See next page.)
NO

This measure authorizes the state to sell $3 billion in general obligation bonds for K-12 schools ($2.025 billion) and higher education facilities ($0.975 billion).
YES

For more information on Props. 200, 201, and 202, see Page 9.
Let's keep retirees plugged into our union!

By Orv Owen

On Feb. 7, representatives from the East Bay and San Jose Retirees Club chapters met at Local 1245 headquarters with Office Manager Julie Rodriguez, who serves as the liaison between our Retirees Club chapters and the Local Union.

As reported last month, the purpose of the meeting was to discuss ways and means to improve communications between Retirees Club chapters and all members of the Local 1245 Retirees Club.

Suggestions presented and discussed included the following:

- Print a list each month of members retiring.
- Check the feasibility for retirees to receive the monthly IBEW Journal, the Senior Citizens News (printed monthly by the National Council of Senior Citizens), and the monthly minutes of the Local 1245 Executive Board.
- Send monthly retiree news and activity to the International Office for printing in the IBEW Journal.
- Utilization of retirees in assisting the local union in picketing, attending hearings and political participation in support of the Local Union and our working brothers and sisters.
- Send chapter presidents of the Retirees Club a list of monthly retirements in order that they may be personally invited to attend Retirees Club meetings.

We have only retired from our jobs—we cannot afford to retire from the realities of life.

Propositions 200, 201, 202 and 203.

Vote ‘No’ on phony propositions 200, 201 & 202

Under the guise of "tort reform," a group of ultra-conservatives and Silicon Valley businessmen have placed three dangerous initiatives on the March 26 ballot. These initiatives are right out of the insurance companies' bag of sleazy tricks.

Propositions 200, 201, and 202 are direct attacks on the civil rights of all Californians because they will limit our protection from companies guilty of employment discrimination, stock manipulation or occupational safety violations.

Proposition 200 is a costly No Fault auto insurance scheme that will raise our rates, lower our benefits and double the paperwork involved in an automobile accident. Under Prop. 200, if you're in an auto accident, you can't recover your losses from the negligent driver. You will have to file one claim with the negligent driver's insurance company for damage to your car and a second claim with your own insurance company for medical treatment and lost wages.

Despite claims by its proponents, nowhere in Prop. 200 is there a provision that covers your medical expenses only to the limit of your policy—only $50,000 in most cases.

In fact, in states with No Fault, auto insurance rates rose by more than 45% between 1983 and 1994. In California, during the same period, rates actually dropped by 4.5%, due mainly to the passage of Prop. 103 some years ago.

Proposition 201 has serious implications for workers because unions are often shareholders in corporations and have been forced to bring legal action against them.

For example, when International Paper Co. lied to its shareholders by claiming the company had a sound environmental, health and safety record, the United Paperworkers union—a small shareholder in the company—sued to force IP to come clean. The union knew that IP had just pled guilty to five felonies, one of which led to a $2.2 million fine—the second largest fine ever assessed for violating hazardous waste laws. Even though the union owned only 25 shares of the company, it was able to force IP to change practices that were clearly harmful to its members.

If Prop. 201 passes, small shareholders will be forced to raise millions of dollars in bond money to pay for all court costs and the corporation's lawyers fees before challenging large corporations like IP in court.

Proposition 202, like Prop. 201, limits the ability of ordinary citizens to be protected from corporations that engage in discriminatory employment practices. Prop. 202 limits only fees of attorneys who take cases on a contingency fee basis, not attorneys who are paid by the hour such as those representing insurance companies and corporations.

Many people and public interest groups cannot afford to hire an attorney by the hour when legal action becomes necessary. Attorneys frequently take such cases on a contingency basis, meaning that they pay all the research and administrative costs of the suit, (which can run into the millions of dollars) and are only compensated if they win.

Under Prop. 202 your lawyer's fees would be set at 25% of the first settlement amount offered by the corporation if your lawyer doesn't lay out your entire case right up front. This encourages quiet, cheap settlements and discourages your attorney from finding the corporation's "smoking gun" memos or other incriminating information which may help your case, and allows the corporation to continue "business as usual" without the public exposure that a trial brings.

For instance, it took one attorney four years to find the "smoking gun" in a discrimination case against Shoney's Restaurant Chain, whose now fired CEO stated, "I don't like niggers and I do not want to see them in my restaurant." As a result, Shoney's paid $132 million to the many people who had been affected by this racist practice and was forced to stop its widespread discriminatory hiring practices.

Labor strongly opposes these initiatives. In January, the California Labor Federation urged union members to "Vote No" on Propositions 200, 201 and 202.
From PAGE ONE
really want to be working for straight time?" Carter asked.
None of the unit leaders seemed too excited about that prospect.
Carter said union members couldn't depend on the union contract to preserve their overtime if Republicans succeed in changing the law.
If non-union employers don't have to pay overtime, Carter said, "You don't have to be a genius to see that PG&E will demand to get overtime provisions out of the contract to remain 'competitive.'
Carter urged the unit leaders to remember which legislators deserted working people in the overtime battle next time they go into the voting booth.
The conference began with a mock unit meeting put on by union business representatives. Business Rep. Lula Washington drew laughter when she took a big swig from a can of Budweiser while signing in for the meeting. Business Rep. Frank Saxsenmeier, playing the part of the unit chair, explained to Washington that alcohol consumption had to wait until after the meeting had adjourned.
Following the mock unit meeting, labor arbitrator Pete Guidry conducted a workshop to help unit leaders brush up on their parliamentary skills. The unit leaders tackled procedural questions like: Does a motion to take action come before or after the subject has been discussed? How many times can a motion be amended? And how closely does a unit chair have to adhere to strict parliamentary procedure?
Senior Assistant Business Manager Darrel Mitchell and other staff members updated unit leaders on current developments at PG&E and other private and public sector employers.
The final session of the conference was devoted to organizing, featuring a workshop by IBEW International Rep. Art Jones.
McNally urged unit leaders to begin identifying non-union companies that could be organized by Local 1245.
"Anywhere we see non-union operations having to do with electricity and we have the opportunity to organize them, we need to do so. It's essential to preserving our own wages and benefits," he said.
McNally told unit leaders to contact their business representatives about organizing opportunities.

The current majority in U.S. Congress and the California Assembly have "little regard for the plight of utility employees."

Jack McNally
When it’s two in the morning and you’re out there in the rain dealing with a line that’s down, do you really want to be working for straight time?”

Art Carter
### Hear Ye! Hear Ye!

**NINETEENTH ANNUAL SLOW PITCH SOFTBALL TOURNAMENT**

IBEW LOCAL UNION 1245  
Saturday, June 8, 1996  
Willow Pass Park, Concord, California

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#### Four Divisions

- Women’s
- Coed (Minimum 3 women on field)
- Men’s “D”
- 35 & Older (Minimum 5, 35 or older on field)

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**Family Members Eligible!**

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**Local Union 1245’s 19th Annual Slow Pitch Softball Tournament**  
June 8, 1996

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<tr>
<th>Team Name:</th>
<th>Manager’s Name:</th>
<th>Address:</th>
<th>City, State &amp; Zip:</th>
<th>Home Phone:</th>
<th>Work Phone:</th>
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**Men’s D**
- Coed
- Women’s
- 35 & Older

(Circle One)

**Entry Fee:** $160

**Deadline:** May 16, 1996, 5 p.m. at Local 1245 Headquarters in Walnut Creek

Make Checks Payable to: Ed Caruso  
P.O. Box 4798  
Walnut Creek, CA 94596

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Individual Bat Bags for the 1st Place Teams

Team Trophies for 1st, 2nd, & 3rd in all Divisions

Winner of “D” Division to Advance to State Industrial Championship

**$160 Entry Fee Due No Later Than May 16, 1996**

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**For More Information,**  
Contact:  
Ed Caruso  
(510) 933-6060

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**USSA Umpires Provided**