



WHITE COLLAR

Office and Professional Employees International Union, AFL-CIO and CLC

No. 443

Spring 1992



Success! Success!

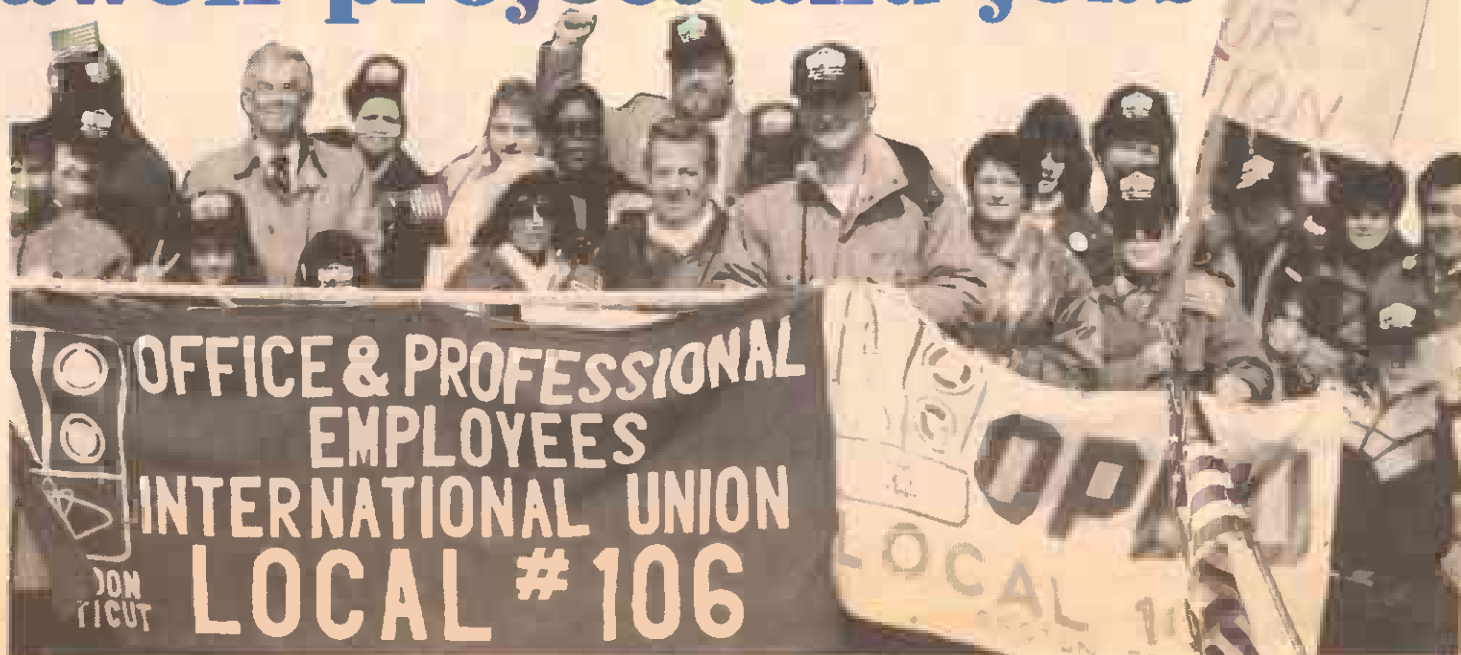
Connecticut members rally in Capitol to save Seawolf project and jobs

With some 20,000 Connecticut defense industry jobs on the line, 20 busloads of shipyard workers from the New London Metal Trades Council rallied at the White House in an effort to save the Seawolf submarine project. Along with the other 10 unions who will be affected, OPEIU and Local 106 members were there to defend the jobs of some 2,000 OPEIU members.

The plight of the New England shipyard workers stems from the proposal by President Bush to cut off funding for the Seawolf fleet once the first of three planned vessels is completed.

However following the rally the Senate voted to restore the funds for the Seawolf.

Appealing to the administration and Congress, leaders of the unions that make up the New London MTC warned that the scuttling of the Seawolf



threatened the livelihood of 17,500 highly skilled workers at the General Dynamics Corp.'s Electric Boat division, as well as some 4,000 others in

neighboring Rhode Island. Hundreds of additional workers could be affected at the General Dynamics facility in Charleston, S.C. Obviously Congress heeded the warnings.

The Saturday morning demonstration featured speakers from the congressional delegations representing the surrounding region, including Senators Christopher Dodd (D-CT) and John Chafee (R-RI), Reps. Sam Gejdenson (D-CT) and John Reed (D-RI). The congressional delegation, with the support of Connecticut Governor Lowell Weicker, had urged the White House to reinstate the project in the interest of maintaining a vitally

(Continued on page 4)



Local 106 President Steve Hancock leads unionists in the National Anthem in front of the White House.

OPEIU's 2,500 members win recognition and protections at TVA after 50 years



U.S. Senator Jim Sasser (D-TN) was helping OPEIU pursue legislation that would place labor relations at the Tennessee Valley Authority under the National Labor Relations Act. The protections that legislation would have provided to our members is instead provided by the new contract. He appears here (center) with members of one of our lobbying expeditions to Capitol Hill (left-to-right): Donna Wilson-Renner, labor relations specialist with TVA EA; Tom Babb, president of OPEIU Local 119; OPEIU International Representative Faye Orr; and Paul Graves, chairman of the TVA MPC.

"We're walking on air," said OPEIU Local 119 President Tom Babb, when asked for a reaction to a new agreement with the Tennessee Valley

Authority. "We have been engaged in 'collective begging' for all of these years because we had no legislative protection like other workers. We fell

(Continued on page 6)

Persistence pays off; Local 2 wins bank case

OPEIU Local 2 in Washington, D.C., has won the right to sue the National Bank of Washington (NBW) on behalf of its nearly 400 members who were fired when the bank was taken over by the Federal Deposit Insurance Corporation (FDIC).

Specifically, International Vice

President Jim Sheridan explained, the facts are these: Because of financial difficulties, the NBW was taken over (i.e., put in receivership) by the FDIC in August 1990. At that time all bank operations ceased, and the bargaining unit members of Local 2 were discharged.

(Continued on page 2)



See page 12 for editorial.



The convention: where it all began

by John Kelly, International President

From June 21 to 26, representatives of OPEIU members throughout Canada, Puerto Rico and the United States will meet in Florida to decide the direction of the Office and Professional Employees International Union for the next three years. The system of representation, of union democracy, was established long ago at the union's founding convention.

The founding convention

Nearly 90 trade unionists met during the bitterly cold days of January 1945 to form a new national union, the first to represent office workers. They came from a number of federally chartered local unions to Cincinnati, bringing with them many hopes and expectations.

At this first convention, the American Federation of Labor recognized them as an official union within the AFL family.

They received a charter from William Green, president of the Federation, who announced that OEIU (as we were known at the time) would become the 108th International Union in the AFL.

Besides receiving the charter, delegates engaged in the serious work of directing the new union, charting a course for its future. They met for long hours of deliberation to draft the document establishing rules to govern the new organization—the International Constitution. They engaged in long, detailed debate on article after article.

After more discussion and debate they first chose election procedures and then elected the new officers of the infant union—officers who would administer the union and oversee its growing strength.

A year later delegates met again in Milwaukee to iron out the policies and philosophies of our union. A number of committees were established to achieve the union's goals, including Constitutional, Rules and Credentials. The committee system, still used today, allowed more of the members' representatives to be involved in the governing process and at the same time streamlined decisionmaking, making it more effective.

Local unions would introduce resolutions on issues and policies they wished to see become part of the union's program. Such resolutions would be assigned to the appropriate committees, e.g., constitutional changes to the Constitutions Committee and social issues to the Resolutions Committee.

Within committee meetings, which anyone could attend, lively debates would take place for and against various resolutions. The committee would make a recommendation—for or against adoption—to the full convention. After more debate and hammering out differences, final approval or disapproval would be determined by all delegates on the convention floor.

In this manner all resolutions were given full exposure and a majority decision would determine the final outcome—true democracy in action.

It is interesting to note that old adage, "the more things change, the more they remain the same." In 1946 resolutions were introduced on how to make the union grow, how to finance organizational campaigns, educational programs for increasing membership, raising the minimum wage, opposition to anti-worker laws.

Panel discussions were scheduled on "How to Effectively Organize Office Employees," "Problems in Collective Bargaining," and "How to Activate Unions." Interestingly enough, all of these subjects

are still an integral part of the labor movement and the policies of OPEIU. Many are at the heart of our reasons for existence. Tactics and tools may have changed, but our purpose is the same—effective representation of the interests of working people, especially our members.

The 1992 convention

Methods for decisionmaking have changed little over the years in OPEIU. Delegates to the convention are elected by members of their local unions. Those delegates represent the interests of their members as they elect officers and work to establish union policy.

Resolutions are submitted in a similar fashion as they were in 1945 and 1946. They are debated, amended, approved or disapproved in committees and ultimately by the full convention.

Today, however, they become incorporated into policy statements of the International Union. They become the official position of the union, committing it and the local unions to action.

This year new policy statements or amendments to existing policy statements will be presented on

- sexual harassment
- organizing
- pay equity
- striker replacements
- free trade
- working women
- health care
- the needs of working families

and much more.

The debate on each and every one of them will begin on Saturday, June 19, 1992, when the committees first meet. The vast majority of delegates from our more than 200 local unions in Puerto Rico, Canada and the U.S. will participate in these deliberations. They will work long and hard in preparation of the convention's opening on Monday, June 21.

Conclusion

At that first convention long ago, AFL President Green emphasized to the OEIU delegates the potential members that might one day be organized. He pointed out that many crafts had limits to where they could go, but "I am of the opinion that you have a total potential membership of several million white collar workers eligible to membership in this great organization. For that reason, I believe you can, if you succeed in organizing those who are eligible to membership in your union, become the largest union affiliated with the American Federation of Labor and the largest single union in the world. So, there is a future for you."

It is the members through their elected representatives to this convention who will chart that future. And, the future is limitless.

OPEIU members win at TVA

(Continued from page 6)

W.F. Willis, TVA senior executive officer, said, "I am extremely proud of the work we have done over the past weeks. The agreement achieves each party's goal of balancing the unlevel playing field upon which we have recently operated. By doing so, it cements our partnership with Panel in continuing to look for ways to be world class in quality and competitiveness."

Faye Orr, OPEIU international representative and chairperson of the Panel, said, "This agreement parallels most of the rights and entitlements that employees in private industry enjoy. This, I believe, provides what we (the Panel) were seeking in legislation—at least, for the next 20 years."

The Consumer Price Index for Canada and the U.S.

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
1991 CANADA CPI	125.0	125.0	125.5	125.5	126.1	127.7	126.8	126.9	126.7	126.5	127.0	126.4
% Change from Prior Month	0.3	0.0	0.4	0.0	0.5	0.5	0.1	0.1	-0.2	-0.2	0.4	-0.5
% Change from Year Earlier	6.4	5.8	6.0	6.0	6.2	6.3	5.8	5.8	5.4	4.4	4.2	3.8
1992 CANADA CPI (1986 = 100)	127.0	127.1	127.5	127.6								
% Change from Prior Month	0.5	0.1	0.3	0.1								
% Change from Year Earlier	1.6	1.7	1.6	1.7								
1991 U.S. CPI-W	*395.4 **132.8	395.7 132.8	396.1 133.0	397.1 133.3	398.5 133.8	399.6 134.1	400.0 134.3	401.0 134.6	402.8 135.2	403.2 135.4	404.5 135.8	404.5 135.8
% Change from Prior Month	0.5	0.0	0.2	0.2	0.4	0.2	0.1	0.2	0.4	0.1	0.3	0.0
% Change from Year Earlier	5.5	5.1	4.6	4.7	4.9	4.5	4.4	3.6	3.1	2.7	2.7	2.7
1992 U.S. CPI-W	*405.2 **136.0	406.2 136.4	408.1 137.0	408.9 137.3								
% Change from Prior Month	0.1	0.3	0.4	0.2								
% Change from Year Earlier	2.4	2.7	3.0	3.0								

* CPI-W figured on a 1967 base
** CPI-W figured on a 1982-84 base

Local Unions in the News

Local 153 joins "Save Our Cities" march in Capitol



Local 153 marchers sport banners and hats. Secretary-Treasurer Michael Goodwin appears in the last row (center).



Photo: J. J. Johnson



Three busloads of Local 153 members and their children joined nearly 150,000 marchers in Washington, D.C. on Saturday, May 16, 1992. They participated in the "Save the Cities; Save the Children" demonstration, demanding a massive injection of federal aid into our financially strapped cities.

The placards and slogans of those marching past the grand government buildings offered a long list of pleas: more jobs, better health care, better schools,

more social welfare.

For New York City Mayor David Dinkins, it was a moment of unusual triumph, with the crowd sending up a roar of applause as he arrived to lead the march. He was flanked by the Rev. Jesse Jackson and Boston Mayor Raymond Flynn.

The major demands by Dinkins and the 35 other mayors who led the march are to implement massive federal programs including job training, low-income housing and more money for social welfare

programs.

Dinkins told the crowd at the Washington Monument, "We're fired up and we're not going to take it anymore! Domestic programs are going to have to be cut by \$6.8 billion, and ain't that a kick in the head?"

"Considering the level of poverty, homelessness, child abuse, crime, drug abuse, unemployment, illiteracy in our cities—ain't it?" replied International Vice President Michael Goodwin (Local 153 Secretary-Treasurer).

Local 2 wins bank case (Continued from page 1)

Although Local 2 held a collective bargaining agreement with NBW scheduled to run from April 1, 1990 through March 31, 1991—an agreement which included, among other benefits, provisions for vacation and severance pay due upon employment termination—FDIC refused to pay employees any of their earned vacation or severance benefits and refused to process claims made by Local 2. They acted like "Gestapo agents" one employee asserted.

The U.S. Court of Appeals for the District of Columbia, however, found in favor of Local 2 and said, "We reverse [the district judge] and hold that the Union, as collective bargaining representative and contract signatory on behalf of all unit members, has standing to assert employee compensation rights arising out of the contract the Union obtained. [The district judge had dismissed the case.]"

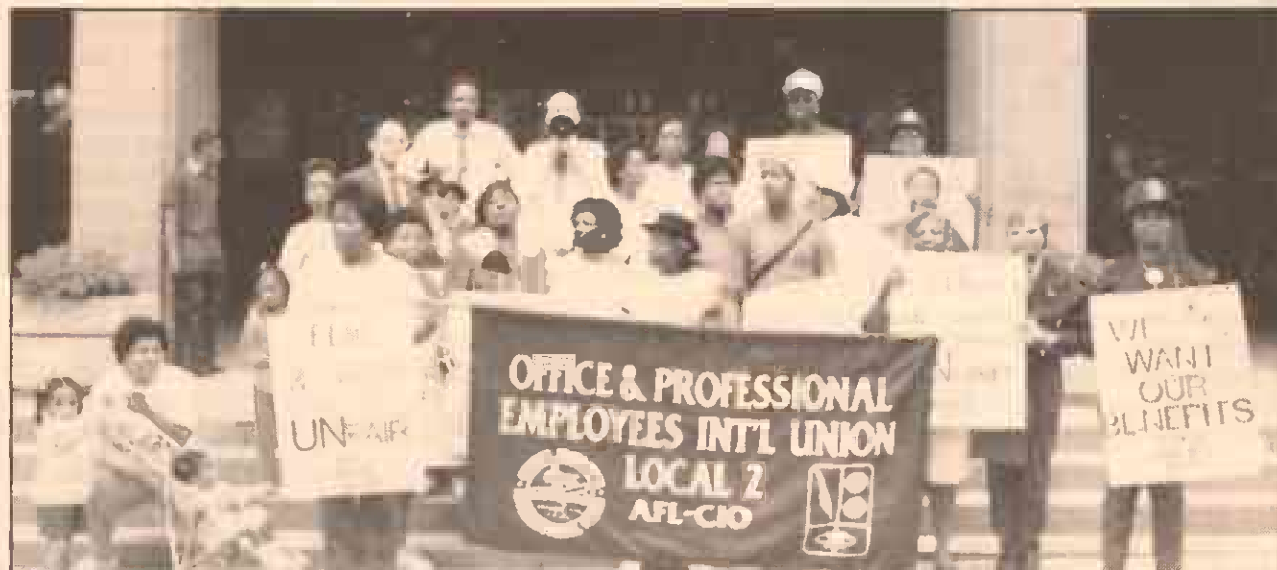
The Court was not persuaded by FDIC's argument that only the in-

dividuals had standing and that the union had no direct interest to sue and cannot be considered a "creditor."

In fact, the court said, "... The union is no mere volunteer whose representation of others must be checked for adequacy... The labor union has already been certified by a neutral government agency as the 'exclusive representative'... of the bargaining unit employees... [a union] suing to vindicate the rights of its members

can draw upon a pre-existing reservoir of expertise and capital... The Union here, we think it safe to assume, is better equipped to address the terms of the collective bargaining agreement it has negotiated than are the individual workers, the 'creditors' FDIC insists must be the 'claimants.'"

Finally, the Court held "that Local 2 has standing to sue FDIC as Receiver". And, said Sheridan, "that's exactly what we plan to do. We are going to do everything in our power to see that these members receive the vacation and severance monies that they earned and deserve."



After the National Bank of Washington was taken over by the FDIC and the members were fired, these discharged workers rallied at the Bank's main branch to demand their benefits.

WHITE COLLAR Official Organ of OFFICE AND PROFESSIONAL EMPLOYEES INTERNATIONAL UNION affiliated with the AFL-CIO, CLC. JOHN KELLY President GILLES BEAUREGARD Secretary-Treasurer POSTMASTERS, ATTENTION — Change of address Form 3579 should be addressed to: Office and Professional Employees International Union, 815 16th Street, N.W., Washington, D.C. 20006. (202) 393-4464. GWEN WELLS Managing Editor CALM ACPS Published quarterly by Office and Professional Employees International Union, 815 16th Street, N.W., Washington, D.C. 20006. Second class postage paid at Washington, D.C. (ISSN 0043-4263) Reproduction by the Labor Press of any or all material herein contained is not only permitted, but wholly desirable in the interest of workers' education. Subscription Price \$1 a Year

Washington Window

The peace dividend and jobs

With the end of the Cold War, many Americans believed that reduced military spending would produce a "peace dividend" to ease the shift to civilian production.

So it was a big surprise when the Defense Dept. came up with a long-range plan listing seven "scenarios" for foreign conflicts or regional crises to justify sizable budgets for the next ten years.

The internal planning documents used as illustrations a quick strike by Iraq to seize oil facilities in Kuwait and Saudi Arabia; an attack by North Korea on South Korea; the North Korean and Iraqi invasions occurring at the same time; Russia attacking Lithuania; a coup in the Philippines endangering 5,000 Americans there; a threat to the Panama Canal; and emergence of a new aggressive superpower.

The Pentagon made it clear that these are not predictions, but "rather they depict plausible future events" in which the U.S. military might be involved. However, some critics see instead a fertile imagination on the part of military planners who want to stop cutbacks in forces or cancellations in new weapons systems.

Fortunately, members of Congress are responding with their own proposals for sharp cuts in military spending.

Rep. Les Aspin (D-Wis.), powerful chairman of the House Armed Services Committee, told the *New York Times* that he is proposing to cut \$50 billion to \$120 billion more than the \$50 billion cut sought by President Bush over the next five years.

The *Times* reported that Aspin is taking a middle position among the "peace dividend" plans offered by Democrats in Congress and on the presidential campaign trail. Aspin also has discussed his options with Senate Majority leader George Mitchell (D-Maine) and Senator Sam Nunn (D-Ca.), chairman of the Armed Services Committee.

Organized labor has a major stake in the "peace dividend."

The AFL-CIO Executive Council, at its recent meeting, called on Congress to enact legislation that provides adequate planning at the national and local levels for economic conversion, effective support for business and labor to develop alternative uses of the defense-oriented facilities, and appropriate assistance for workers adversely affected by cuts in military spending.

The council also urged Congress to allocate a significant share of federal budget savings from defense cutbacks for use in economic planning and assistance. AFL-CIO President Lane Kirkland told reporters that "there are going to be heavy layoffs" with defense cutbacks. "There are layoffs taking place, there are layoffs projected, there are cutbacks envisioned, even under the Defense Dept.'s plans," he said, adding:

"I believe that we could well be on the threshold of the kind of major demobilization that we experienced at the end of World War II."

At that time, Kirkland said, attention was paid to the problem of conversion and providing for the needs of demobilized troops. There are now 1.5 million troops in the field, many skilled in the trades, and they should have jobs to come back to, he said.

"The military has had one great positive value in our society as an avenue of opportunity for the less-privileged sectors of our society to learn a skill and advance in life," Kirkland said. He said it is "vitally important" that equivalent opportunities be created in the civilian sector.

The massive military build-up occurred over a number of years and was a major source of the nation's "extraordinary deficit," Kirkland said. Labor proposed a defense surtax so the build-up would be paid for currently by those whose freedom was being protected. Instead, the build-up was financed by borrowing and has been passed on to our grandchildren, he said.

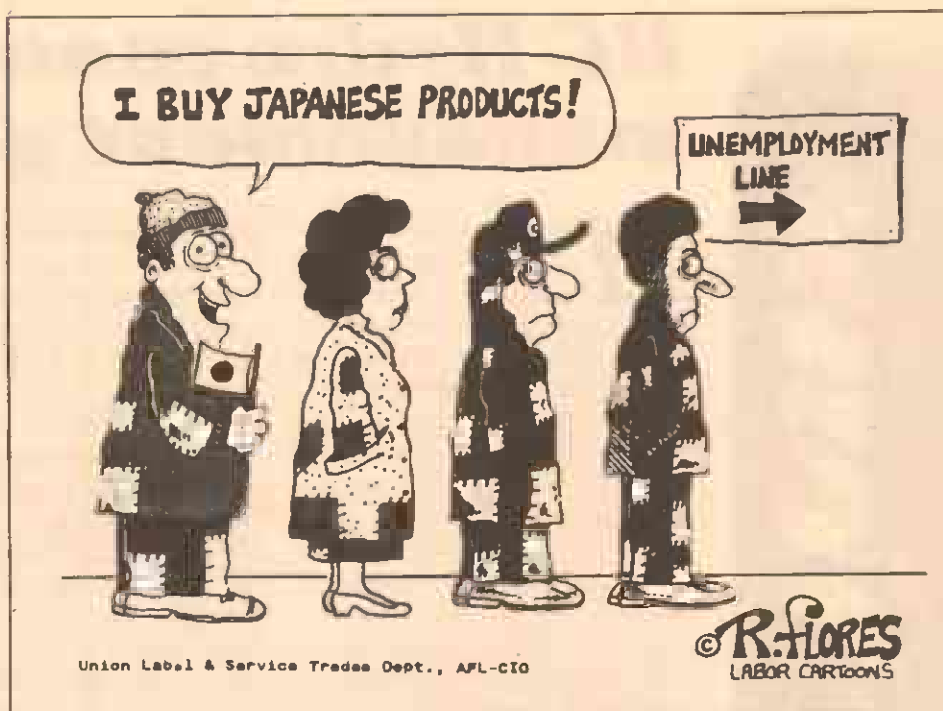
Kirkland said the defense facilities should remain in use in constructive ways to employ the workers and benefit the economy. There are public works projects "that put values in place, enhance our society, enhance our economy" and represent investments in the nation, he said.

In its statement on economic conversion, the AFL-CIO called for a program to facilitate the transfer of economic resources and workers from military to civilian production. Those who build the nation's defenses "need not suffer in times of peace," it said.

Are American workers 'lazy'?

Recent remarks by the Japanese House Speaker that American workers were "lazy" and by Japan's Prime Minister that Americans "may lack a work ethic" stirred anger and resentment in the U.S.

But astute observers believe that these comments by top government officials and leaders of Japan's employer-backed ruling party were meant for domestic rather than foreign consumption. Workers in Japan, who spend much more time at work than those of any other industrialized nation, have started to push for



less time on the job and more leisure.

The implied message from Japan's leaders was: "The U.S. economy is in trouble because American workers are lazy—better keep your nose to the grindstone or you'll end up in the same boat."

American workers, accused of being lazy for decades by conservative politicians, pundits and employers, surely can empathize with their Japanese counterparts.

However, if longer hours at work were a solution to U.S. economic problems, the economy should be booming. Americans have been working increasingly longer for the past two decades—to the point where U.S. workers put in more hours per year than those in any other industrial nation except Japan.

Americans are working more and enjoying it less, according to a new study released by the Economic Policy Institute (EPI) and authored by economists Juliet B. Schor and Laura Leete-Guy.

Titled "The Great American Time Squeeze: Trends in Work and Leisure," the EPI report showed that between 1969 and 1989, the annual time worked by the average American rose by 158 hours, adding nearly one month of work a year.

The report also showed that during the 1980s, paid time off for vacations, holidays, sick leave, and personal days shrank by 15 percent. It said major factors forcing increased working hours include the ongoing decline of real wages since 1973, and the increased costs of health care and housing.

The study also found that:

- The sharp increase in working time has been particularly hard on families with children. Parents now work an average of 139 more hours a year, meaning they have less time to spend with their children.

- Young parents, aged 18-39, are putting in even more hours of work since 1969—241 more hours per year for mothers and 189 more hours for fathers.

- As marriage rates have fallen and the number of single-parent families has become more common during the past 20 years, the work burden has increased most severely on single parents. Work hours for single, fully-employed parents rose by 222 hours per year, or 5.5 weeks, between 1969 and 1989.

- Although the U.S. emerged from World War II with a considerably shorter work year than Western Europe, Americans' working hours are now substantially above those of Europeans. This is mainly because workers in most of Europe get paid vacations of at least five weeks.

- In the U.S., a 3.4 day gain in paid time off between 1969 and 1981 was followed by a 3.7 decline between 1981 and 1989.

- While just a decade ago a very small percentage of Americans said they would give up income for more free time, a recent survey found that 70 percent of those earning \$30,000 a year or more would give up a day's pay each week for an extra day off. Even among those earning \$20,000 a year, 48 percent said they would do the same.

"America is starved for time; increasing numbers of people are finding themselves overworked, stressed out, and heavily taxed by joint demands of work and family life," the report said.

Schor and Leete-Guy point out that there is a striking irony in current workforce trends: at the same time that most Americans have seen their work schedules rise, the number of workers who cannot find enough work has doubled. In 1969, 7.2 percent of the labor force was either unemployed or involuntarily underemployed; by 1989, the figure had doubled, to 14.5 percent.

In 1930, the Kellogg Co. switched to a six-hour day as a strategy to cope with the unemployment of the Depression. To their surprise, the company found that workers became more productive, by 3 to 4 percent, Schor told *Newsweek Magazine*.

People were talking a lot about the four-day workweek in the 1950s and '60s. "But we're not hearing much about the concept anymore," Schor continued. "What's happened is the economic performance has worsened the position of workers. We've reacted to our economic troubles with a theory that you have to lower wages and work harder. That's been a foolhardy path."

Local Unions in the News

BC Hydro contract 11% over two years, management gains hard to accept

Members of the OTEU at BC Hydro and its subsidiaries Western and PowerServ Pacific voted to accept a two-year contract that includes a wage increase of 6% in the first year and 5% in the second year.

The increase is retroactive to April 1, 1991, when the previous two-year contract expired. Highlights of the proposed settlement include improved benefits and job security for both full-time and temporary workers, improved lay-off and recall provisions and pro-

tection against contracting out. In addition, the recall period has been increased to two years for laid off employees who will continue to accrue seniority.

Discrimination

In the area of personal rights, the prohibited grounds for discrimination have been expanded to include sexual orientation, family status, political affiliation or beliefs, or activity in the union. Furthermore, BC Hydro has agreed that members are not re-

quired to perform duties of a personal nature for any other employee.

"We achieved the right to grieve and arbitrate health and safety issues which is a major victory for any Canadian union," said OTEU Chief Negotiator for BC Hydro, Don Percifield.

"Some of the gains by BC Hydro management were very hard to accept. However it was the best that could be achieved without job action."

This is the first time in almost

20 years that an agreement has been reached at BC Hydro without first taking a strike vote or some form of job action by the 2600 OTEU members at BC Hydro.

In addition to Don, members of the OTEU Negotiating Committee included Executive Board Members Terry Herrett, Clive Walton, Jerri New, Brian White and Rosalind Warburton, as well as Councillor Danny White.

(OTEU News)

Seawolf project

(Continued from page 1)

needed national defense industrial base and to ward off further damage to the frail economy of the region.

President Paul Burnsky of the Metal Trades Department opened the Lafayette Park rally March 14 with a call to Congress to do what the White House and the Pentagon had failed to do.

"Job destruction happens every day," he said. "Millions of American workers have seen corporate and government decisions threatened and often succeed in destroying their lives."

"It seems as if American industry and our government have surrendered. They no longer struggle to be competitive, they compete to be destructive... which one can make the deepest cuts, which one can wreak the most havoc on their workers and their families."

Burnsky charged that the White House decision on the Seawolf is a betrayal of both taxpayers and workers.

"Either Mr. Bush is kidding himself, or his accountants are lying to him, or both," he said. "The government will lose an estimated \$1.2 billion by canceling the Seawolf and have nothing to show for it except maybe the unemployment lines snaking around Connecticut."

OPEIU President John Kelly blasted the White House for deserting America's workers and for reneging on the promise of additional Seawolf construction. "To avoid devastating the lives of these workers and the communities, we must ultimately convert these defense installations to non-defense industry and other uses," Kelly said. "But in the short term, the administration must complete the two submarines to which it has committed and thereby, save jobs and the economy of the region." (See editorial on peace dividend on page 3.)

Kelly has pledged the International Union's support to the OPEIU Local 106 members working at Electric Boat. "We will fight to do whatever is in our power to save the Seawolf and, barring that, to save the jobs of workers at General Dynamics," he said. Following the Senate vote, he said he was pleased the lobbying had paid off and that the Senators had done the right thing:

OPEIU International President John Kelly addresses rally goes on the need for economic conversion and the conservation of jobs.



An OPEIU family demonstrates for their livelihood.



Conversion and aid for defense cut victims

Action is needed to help defense-related workers adversely affected by cuts in military spending.

The nation needs adequate planning at the national and local level for economic conversion, effective support for business to develop alternative uses of the defense-oriented facilities, and aid for workers hit by cuts in military spending. A systematic approach to economic conversion will contribute to economic recovery in the short run, while enhancing economic growth in the long run.

The Defense Department has transferred \$50 million to the Department of Commerce for industrial reconversion and \$150 million to the Labor Department for workers' conversion assistance. The Labor Department should quickly put the funds to use in meeting workers' conversion needs. The AFL-CIO also urges the creation of a high-level body—with government, business, labor, and other representation—to coordinate a national economic conversion effort.

To help workers losing their jobs to defense cutbacks, a special federal unemployment program should be set up with benefits similar to those available under the early Trade Adjustment Assistance program.

Furthermore, additional targeted funds are needed for training, retraining, job placement, and adequate health insurance protection for workers displaced from public and private sector defense related establishments.

The dramatic changes in the former Soviet Union have greatly altered the nation's defense needs. Related cuts in military spending, base closures and reductions in the number of military personnel are contributing to the depth and length of the recession, however, and threaten to undermine the future recovery. Defense-dependent communities around the nation are reeling, and deeper cuts no doubt are yet to come.

—AFL-CIO policy

Local 32 holds training conference for stewards



OPEIU International President John Kelly (second from the right) presents New Jersey Assemblywoman Stephanie Bush an award for her support of New Jersey's Family Leave Act and the Temporary Medical Leave Act. With them (left-to-right) are Local 32 Business Representative Louis Cuccinello, International Vice President Pat Tully and Local 32 President Ed Andryszczyk.

Stewards from OPEIU Local 32 gathered at The Meadowlands Hilton for an intensive two-day training session in November to upgrade their skills and share their experiences.

The Local 32 conference was designed primarily to provide training in grievance handling which was addressed at Saturday afternoon workshops. Business Manager Patrick Tully instructed the public sector stewards, while Union Representative Lois Cuccinello handled the private sector. Training centered on identifying, investigating, writing and presenting grievances. The differences between a grievance and an unfair labor practice charge were discussed in each workshop by Local 32 Counsel Howard Goldberger and Fred Knapp.

Highlighting the conference was the Saturday luncheon, featuring both OPEIU International President John Kelly and New Jersey Assemblywoman Stephanie Bush. Both speakers stressed the importance of electoral activity by union members. President Kelly emphasized that gains made at the bargaining table often must be pro-

tected by legislative action. The need for continuing social legislation was also the keynote struck by Assemblywoman Bush (Democrat-27th District), who had recently been re-elected to her second term. Local 32 presented Assemblywoman Bush with a plaque in recognition of her success in passing the State's Family Leave Act and her sponsorship of the Temporary Medical Leave Act.

Sunday's joint session featured a discussion of the social services provided by the Community Services Department of the AFL-CIO for members in need of assistance. Ed Purtill, Director of the Bergen County United Labor Agency and a Local 32 member, reviewed the various services available, including help with mental health problems, aging, consumer problems, unemployment, Social Security, substance abuse, food banks, and literacy programs.

Seminars in Social Security benefits and in Civil Service regulations were also offered. President Ed Andryszczyk opened the conference and welcomed the stewards.

Local 32 reaps public sector organizing victories

Local 32 continues its success in organizing the New Jersey public sector. Two additional groups have chosen Local 32 as their representative thus far this year.

The members of the Essex County Unit Managers and Supervisors Association (ECUMSA) at Overbrook Hospital voted to affiliate after being stymied in their negotiations with the County. ECUMSA President Betsy Guarducci reported that Business Manager Patrick Tully has already attended several negotiating sessions and has addressed some outstanding issues. Their contract expired December 31, 1990, but

Guarducci is hopeful a resolution is near. ECUMSA brings 75 supervisory employees in high profile nursing and administrative positions into the union.

In Garfield, the entire non-supervisory staff has also come on-board. Local 32 member Fougères Ferrier was instrumental in introducing these staff and maintenance employees to our union. Recognition was sought and granted by the employer through the efforts of International Organizer James Noone. The newly formed negotiating committee is preparing proposals for negotiations on their first contract.



OOPS! Our Mistake

In the Winter 1992 issue of *White Collar* we made two errors for which we apologize:

1) In the photo caption on page 8 we inadvertently omitted the name of Lucinda Finley, attorney—standing far left.

2) On page 6 in the box accompanying the announcement of scholarship winners, we said it was not too late to apply for the 1992 Scholarship. It was!

Local Unions in the News

OPEIU members win at TVA *(Continued from page 1)*

tween the cracks of private and public sectors. Basically we had no recourse in negotiations if TVA disagreed."

OPEIU International Representative Faye Orr said that the OPEIU locals at TVA, as well as the other unions that comprise the Salary Policy Panel—the white collar bargaining agent—thought they were looking forward to many years of lobbying to gain this type of protection. "But," Orr said, "we were finally able to win at the bargaining table."

The history leading to this historic accord

In 1933 the U.S. Congress created the utility known as the Tennessee Valley Authority to provide economic development and a better standard of living for the Tennessee Valley residents. Congress established TVA as a quasi-government corporation and gave its Board of Directors complete authority to direct the agency *without the restrictions of the many federal statutes affecting other federal and private workers.*

In those days the TVA Board sought the participation of AFL unions and adopted an employee relationship policy governing union-management relations. For many years it was touted as a model relationship for other government agencies and private sector employers.

Beginning in the 1970s due to changes in the composition of the Board of Directors, TVA adopted a new *adversarial* labor relations philosophy. After two decades of nearly impossible dealings with

TVA, OPEIU and the Salary Policy Employee Panel adopted resolutions calling on members of Congress to pass legislation forcing TVA to recognize and deal with its employees' representatives. OPEIU and the Panel invested much time and money in this lobbying effort over the past four years.

In 1991 at the behest of numerous elected officials, the U.S. General Accounting Office concluded an investigation of TVA labor relations. The GAO confirmed that the relationship had deteriorated significantly since 1974. It recommended that if the parties (TVA and the unions) could not resolve their issues jointly that Congress enact legislation similar to that governing the U.S. Postal Service.

Finally, with the threat of impending legislation, TVA agreed to negotiate. In April the first meeting took place to establish a new framework for bargaining. An agreement was achieved on May 1, 1992. "Perhaps," said Orr, "it is significant that we won this victory on May Day, a day of celebration for the labor movement and American workers."

The agreement

The agreement for the first time commits TVA to a long-term recognition of the Panel and its constituent organizations and to collective bargaining. This historic document was signed and became official on May 8, 1992, in a ceremony hosted by the Policy Panel.

It includes the following:

1) Twenty years of recognition of each union as the exclusive bargaining representative for its members, with the Panel acting only as the negotiating body. This agreement may be canceled with 18-months notice at the end of the 20 years. If notice is not served, it will self-renew in 10-year increments.

2) An election process conducted by a Federal Mediation and Conciliation Service arbitrator should a question arise as to who is authorized to represent a particular bargaining unit. In the past TVA conducted the election. Criteria used by the National Labor Relations Act (NLRA) for private sector unions will be used in the process.

3) A commitment for 20 years to bargain over hours, wages and terms and conditions of employment with minimum limitations as listed below.

4) Procedures for either party filing unfair labor practice charges comparable to the NLRA's, but an arbitrator would be the final decisionmaker.

5) The specific scope of bargaining and disputes resolution procedures will be in a separate document called "Articles of Agreement." This document's term will be seven years with a 12-month reopener. It will be self-renewing every seven years if a notice is not served.

6) The scope of bargaining includes everything except TVA's right to determine its mission, budget, organization, internal security practices, final decisions on contracting work (but the Panel

will be allowed to offer alternatives prior to the decision), close down or relocate any facility or operation, federal laws, Nuclear Power's Fitness for Duty program, health and safety rules, and nonmonetary recognition programs.

7) The parties agreed to negotiate three, rather than the usual one, year labor contracts.

8) An innovative procedure for resolving impasses during negotiations during negotiations:

a) For monetary contract issues: final and binding arbitration by a three-person team.

b) For nonmonetary terms: final and binding arbitration by a three-person tribunal, composed of one with a business background, one with labor background, and a third mutually approved by the parties.

c) For nonmonetary items not covered in (b): an advisory opinion by the same tribunal.

9) TVA agreed to rescind all restrictions placed on the unions regarding recognition. For example, the unions were prohibited from seeking membership ratification of the union contracts. Now the members will have a direct say in their terms and conditions of employment. Should they reject the contract, the dispute will be handled as outlined in the impasse procedures above.

(Continued from page 12)

Local 106 elects new officers



At far right Education and Research Director Gwen Wells swears in new officers of Local 106 in Groton, Connecticut. Present were (left-to-right) Joe Quattromani (Vice President), Joan Orowson (Trustee), Sara Chaney (Secretary-Treasurer) and Steve Hancock (President).

International Education and Research Director Gwen Wells swore in the newly elected officers of Local 106 at the Local's membership meeting in Groton, Connecticut, with the following introduction:

"On behalf of President John Kelly and the International Executive Board I want to extend greetings to the members of Local 106 and congratulations to the newly elected and reelected officers and executive board members.

"I know that this board, like those earlier of Local 106 administrations, is firmly committed to its members and to the goals of the labor movement.

"I've had the pleasure over the years to work with Paul, Steve, Joe, Sara, John and others. I, like President Kelly, have found all to be dedicated trade unionists, interested in and deeply committed to saving the jobs and raising the living standards of the Local 106 members, working via the contract and through the political process to do so.

"This administration will no

doubt face difficult challenges. Certainly the economy, not only in this region and not only in defense but throughout the country, is in serious trouble.

"But your new administration is one of vast energy and enthusiasm, one with traditional ideals and values, but also a progressive, forward-looking vision. They have creative and innovative ideas. They do not have tunnel vision. Instead they see infinite options and opportunities.

"In these changing times—in spite of how bleak it might occasionally seem—I think you've selected an administration that is up to facing the challenges today.

"Again I extend on behalf of the International Union our hearty, heartfelt congratulations. We look forward to working closely with you in the future," she concluded before swearing in the new officers: President Steve Hancock, Secretary-Treasurer Sara Chaney, Vice President Joe Quattromani, Recording Secretary Phylis Strutt, and Trustees John Marcotte, William Grenon and Joan Orowson.

Members ratify 5-year contract at Northwest Natural Gas



Pictured here (left-to-right) are the OPEIU Local 11 negotiating committee members for Northwest Natural Gas: Chief Stewards Jim Sullivan, Scott Noll, Susan Amacher and Mark Lilly; Business Representative Kirk Stanford, Executive Officer and Secretary-Treasurer Gary Kirkland (as he presents the contract proposals to members); and Chief Stewards Rich Oare, Jean Ann Thomson, Preston Christensen and Bob Bodell.

OPEIU Local 11 and its Labor Relations Team (LRT) put together the final contract offer from Northwest Natural Gas Company (NNG).

The LRT is a joint effort between labor and management that began in 1986 to work together in a collective effort to provide the best working conditions, wages and benefits that are attainable for the employees.

During the session held on March 3, chief stewards, management representatives and union representatives worked together to put the final touches on the accord proposal. They did not meet as adversaries, but shared and listened to each others' views, ideas and proposals. At the end of the session they had reached a new "Joint Accord."

Portland area bargaining unit members met March 10 to review the offer. It was presented and explained to more than 300 members

on March 11 in Eugene, Albany, Lincoln City, Newport, Miller Station, Astoria and The Dalles.

The key points of the final offer of settlement:

1. A five-year accord.
2. Employment security for the term of the contract.
3. Employee participation in work design and decisions that affect their work.
4. Wages at 3.75 percent per year for five years with 85 percent of the Consumer Price Index above 3.75 percent to a maximum of 8 percent in the fourth and fifth years.
5. Productivity Compensation Plan defined by the Key Goals Program of 3.5 percent, 4 percent, 5 percent and 5.5 percent.
6. Improved retirement plan.
7. Maintenance of benefits for the health and welfare plan over the five years of the joint accord, plus an increase in the dental plan in the first year. Improved vision plan in the second year and the ad-

dition of a prescription drug plan to Kaiser participants in the fourth year.

8. A company contribution to the Employee 401(k) Plan starting at 50 percent up to 1 percent of salary in 1993, increasing each year to 50 percent up to 4 percent in 1996.

9. There are a number of additional improvements spread over five years, such as: changes in call-in to a minimum of four hours at time and one-half, high pay improvements, shift differential improvements, and Saturday/Sunday and shift pay improvements; in 1994, improvement in meal allowance and per diem; in 1996 improved PTO for employees with 22 to 24 years of service.

Members were given mail ballots after the meetings.

Ballots were tabulated on Monday, March 16. The result of that ballot count was an over-90-percent acceptance of the contract offer.

This new five-year joint accord was negotiated by the Labor Relations Teams of NNG and Local 11 of the Office and Professional Employees International Union. The agreement provides for guaranteed employment security for the 918 bargaining employees while enabling them to participate in work redesign projects that will allow a restructured company to serve the growing number of customers.

Gary D. Kirkland, executive officer/secretary-treasurer of OPEIU Local 11, and International Vice President said:

"Without the intelligence, sophistication and foresight of Northwest Natural Gas management to jointly create the LRT with us, the benefits for our membership and the company would have not been possible.

"The five-year Joint Accord continues the employment security agreement that stipulates, 'during the term of this joint accord there will be no layoff of any regular employee who was employed before April 1, 1992.' Anticipating the changing needs of the company and changing customer expectations, the agreement allows existing jobs to be modified or redesigned to increase efficiency and improve service. The contract also guarantees employee participation in those work redesign decisions.

"Northwest Natural Gas and Local 11 believe that the joint accord, with emphasis on labor-management cooperation, will set the pace for how labor relations should be conducted in the 1990s. The LRT operates on the philosophy that union and management, approaching an issue with trust, can resolve issues cooperatively rather than from adversarial positions."

(Adopted from an article which appeared in the Northwest Labor Press, April 3, 1992.)

Local 153 gains health care victory

After a lengthy struggle — nearly two years — and numerous rallies and demonstrations, Local 153 members working at Institute Home Health Care in New York City won a fabulous contract victory.

These underpaid workers have won a well-deserved 5 percent wage increase, first-time pension and training benefits because they were willing to fight for what they deserve, said Local 153 Business Representative Victoria Tirado.

The previous home care contract expired June 30, 1990. The current contract includes:

- A 5% increase in minimum

pay retroactive to July 1, 1990. That means that the average home care worker will soon receive a check for more than \$1,000 in the mail.

- An employer-funded Pension Fund, jointly administered by the union and the employers.

- An employer-funded training fund, also jointly administered by the union and employers.

- Every other weekend off for those working more than five days a week and four hours a day.

- Workers will be paid their entire base pay rate for jury duty once they pass probation.

- Accrued vacation monies will

be paid if an agency closes or a worker's case is assigned to another agency, and workers on sick or vacation leave have stronger job protection.

Home care workers in New York are 96% women, 90% African-American or Latino and over 50% foreign born. Three-quarters are the sole support of their families and half have dependent children. Their entry level pay before the current contract was \$5.90 per hour.

Members, Tirado said, deserve praise for their patience and determination in this long contract fight. They hung in there and now

have gained substantial benefits. But, she warned, with the Medicaid cuts imposed by the government, in spite of better wages and benefits, some of our members could see their hours cut. Medicaid would reduce payments to home care agencies. But, as always, we will work to do everything in our power to protect the rights and jobs of our members, promised Local 153 Secretary-Treasurer and International Vice President Michael Goodwin.

OPEIU represents nearly 500 workers at Institute Home Care.

Canadian courts say unions have a duty to accommodate human rights

from Paula Stromberg, Local 378



Canadian legal precedents show that unions have to embrace a wider view of the world than that defined by white, Christian, able-bodied, heterosexual males. Canadian OPEIU lawyer Pierre Gingras and OPEIU local 267 President Joyce McCabe spoke at the Canadian Labour Congress Human Rights Conference held in Toronto about the decision involving local 267 which deemed that an employer and a union were responsible for employee discrimination.

An Ontario gay man who was not allowed to take the day off to attend a funeral for his partner's parent filed a complaint against both his employer and union with the Human Rights Commission. The courts ruled that the man's union was equally to blame for the discrimination even though they had tried to bargain a definition of spouse that included same-sex partners. These are the new kinds of challenges facing Canadian unions in the 1990s.

Ensuring equality of opportunity does not mean that every individual should be treated identically, however. According to recent Canadian human rights decisions, a union has a duty to reasonably accommodate an employee in a bargaining unit it represents. In fact, recent court rulings have made unions jointly responsible for remedying discrimination in the workplace.

OPEIU Local 267 President Joyce McCabe and OPEIU lawyer Pierre Gingras spoke at the Canadian Labour Congress Human Rights Conference in Toronto about the decision involving Local 267 which deemed that an employer and a union were responsible for employee discrimination.

The court ruling said the OPEIU did not fulfill its responsibility to reasonably accommodate the complainant because it didn't negotiate with the company and make enough effort to modify the collective agreement.

At the CLC conference, Gingras outlined the awkward relationship between the quite different legal cultures of labour relations and human rights in Canada. "Labour law supports the value of collective rights while the Canadian Charter of Rights and Freedoms supports individual rights against the power of organizations."

The case involved Irene Gohm, a Domtar Packaging employee and Seventh Day Adventist who had worked for the company for six weeks and was then fired for refusing to work between sundown Friday and sundown Saturday.

Her job as a lab technician required she work every sixth Saturday, but doing so was against her religious beliefs. Gohm offered to work Sundays but the collective agreement stipulated that anyone working Sunday must be paid time-and-a-half. The union refused to make an exception in this case and requested that Ms. Gohm be exempted from the Saturday shift

on a temporary basis.

The courts ruled that the union's involvement in the creation of the Saturday work schedule rule contributed directly to the imposition of discriminatory conditions of employment. The court said the union should have modified the collective agreement to permit the employee to work Sundays at straight time.

At an earlier Human Rights hearing in 1989, the chairman ruled that the company and the OPEIU Local 267 pay Gohm more than \$74,000 in damages, saying that the company and the union both have the responsibility to accommodate religious beliefs.

"Unions must make an effort to remedy discriminatory practices," said Gingras told delegates. "The ramifications of this decision mean that, as joint signatories to a collective agreement, unions are jointly responsible for discrimination in the workplace."

The union appealed the decision before the Ontario Divisional Court. The Court rejected the appeal and agreed with the decision of the board. There is however a dissenting judgement. According to the dissenting judge, there is no evidence that the union discriminated directly or indirectly

against Ms. Gohm or contributed to the company's discrimination against her. The dissenting decision clearly states that unions have limited powers over management of the workplace and the company could have reasonably accommodated Ms. Gohm without undue hardship within the provisions of the collective agreement. The power to manage the workplace belongs to the company, not to the union.

Because it is a split decision, the union has decided to bring this ruling before the Court of Appeal.

According to Gingras, "Legal precedents show that unions have to take members' rights seriously when they discuss problems, ensure there are no discriminatory clauses in collective agreements and embrace a wider view of the world than that defined by white, Christian, able-bodied, heterosexual males."

"We have to keep promoting human rights in a discrimination-free manner."

Court rulings indicate that the time is overdue to end discrimination against women, gays and lesbians, people with disabilities or different religions and racial minorities.

It is our obligation as American and Canadian trade unionists to support our brothers and sisters in the labor movement in their struggles with employers by boycotting those particular products of companies involved in such disputes. It is also our obligation to support U.S. and Canadian-made (particularly union-made) products. Here we list boycotts sanctioned by the CLC and AFL-CIO. Thank you in advance for your support.

Canadian Boycotts

CANADIAN LABOUR CONGRESS

- Red Coach lettuce
- California grapes
- Electrolux
- Shell Canada (Royal Dutch/Shell)
All goods and services
(Cause: due to involvement in South Africa)
- Zeidler forest products. The majority of the products sold in Canada are 2" x 4s" and plywood.
- Nationair Airlines—CUPE Airline Division

CONGRES DU TRAVAIL DU CANADA

- Laitue Red Coach
- Les raisins de la Californie
- Electrolux
- Shell Canada (Royal Dutch/Shell)
Tous les produits et services
(Cause: participation en Afrique du Sud)
- Les produits forestiers Zeidler. La majorité des produits de la construction vendus au Canada sont les 2" x 4" et le contre-plaqué.
- La compagnie aérienne Nationair—division du transport aérien du SCFP

U.S. Boycotts



ACE DRILL CORP.

Wire, jobber & letter drills, routers and steel bars; *United Automobile, Aerospace & Agricultural Implement Workers of America International Union*

AUSTIN CABLEVISION, INC.

Cable television providers; *Communications Workers of America*

BROWN CORP.

Motor mounts, brackets and dash assemblies; *International Union of Electronic, Electrical, Salaried, Machine & Furniture Workers*

BROWN & SHARPE MFG. CO.

Measuring, cutting and machine tools and pumps; *International Association of Machinists & Aerospace Workers*

BRUCE CHURCH, INC.

Iceberg Lettuce: Red Coach, Friendly, Green Valley Farms, Lucky; *United Farm Workers of America*

CALIFORNIA TABLE GRAPES

Table grapes that do not bear the UFW label on the carton or crate; *United Farm Workers of America*

GREYHOUND LINES, INC.

Intercity bus and charter services; *Amalgamated Transit Union*

HOLLY FARMS

Chickens and processed poultry products; *International Brotherhood of Teamsters*

INTERNATIONAL PAPER CO.

Producer International and Hammermill bond, offset and writing paper and related products; *United Paperworkers International Union*

KAWASAKI ROLLING STOCK, U.S.A.

Motorcycles; *Transport Workers Union of America*

KRUEGER INTERNATIONAL, INC.

Brand name chairs: Martrix, Poly, Dorsal, Vertebra, Stax, Afka, Modular, Auditorium and University Seating (for airports and auditoriums); *International Association of Machinists & Aerospace Workers*

LOUISIANA-PACIFIC CORP.

Brand name wood products: L-P Wolmanized, Cedartone, Waferwood, Fibrepine, Oro-Bond, Redex, Sidex Ketchikan Pabco, Xonolite; *United Brotherhood of Carpenters & Joiners of America, and International Woodworkers of America*

MOHAWK LIQUEUR CORP.

Mohawk labeled gin, rum, peppermint schnapps, and cordials; *Distillery, Wine & Allied Workers International Union*

R.J. REYNOLDS TOBACCO CO.

Cigarettes: Camel, Winston, Salem, Doral, Vantage, More, Now, Real, Bright, Century, Sterling, YSL/Ritz; Smoking Tobaccos: Prince Albert, George Washington, Carter Hall, Apple, Madeira Mixture, Royal Comfort, Top, Our Advertiser, Little Cigars: Winchester; *Bakery, Confectionery & Tobacco Workers International Union*

ROME CABLE CORP.

Cables used in mining and construction industry; *International Association of Machinists & Aerospace Workers*

SHELL OIL CO.

Subsidiary of Royal Dutch Shell (parent company of Shell South Africa); gasoline, petroleum and natural gas products; *AFL-CIO*

SILO, INC.

National retailers of electronic equipment and appliances; *International Brotherhood of Teamsters*

UNITED STATES PLAYING CARD CO.

Brand names: Bee, Bicycle, Tally Ho, Aviator and Congress; *Retail, Wholesale & Department Store Union*

Boycotts • Boycotts • Boycotts • Boycotts