

EDITORIAL

Nine Dead Pickets

by JOHN F. HENNING
Executive Secretary-Treasurer
California Labor Federation, AFL-CIO

The longshoremen struck 50 years ago on the ninth day of May. That morning they walked out in every port from San Diego north to Bellingham. As ships docked, seamen came down the gangplanks to join the pickets. Teamsters refused to truck cargo from warehouse piers.

AFL longshore, marine and teamster unions had brought the shipping industry to account. The Old Order was hearing its death rattle.

But it wasn't over. In July the shipowners moved to open the ports. In San Francisco on July 5 the police shot two pickets to death. Later that day the Governor of California put the National Guard on the Embarcadero.

In response the AFL San Francisco Labor Council called the only successful General Strike in American labor history. It began July 16 and lasted four days. Employer surrender followed as the shipowners agreed to submit all issues to a National Longshoremen's Board created by President Roosevelt.

Out of the deliberations came union recognition, industry-wide bargaining, hiring halls, a basic six hour day, a 30 hour week and a wage increase. The longshoremen stayed out until the seamen had recognition, their own hiring halls and related benefits.

The strike lasted 83 days. Up and down the Coast nine union men were killed on the picket lines. Nine union men and one strikebreaker.

Worker solidarity won both the maritime and General Strike. Worker solidarity as formed under the Joint Strike Committee and its chairman, Harry Bridges, the longshoreman.

See Page 2 for Another Item
on the 1934 Maritime Strike

Ernesto Galarza, Farm Worker Champion, Dies

On June 22, Ernesto Galarza, 78, author and leader in the early struggles of the AFL-CIO to organize the agricultural workers of the state, died. In recent years, his home was in San Jose.

Born in Mexico, Galarza came to the U.S. as a child. He grew up in Sacramento and worked as a farm laborer, cannery worker and court interpreter while pursuing his education.

After receiving academic degrees from Occidental College, Stanford University and Columbia University, in 1947 he left the academic world to help create a farm workers' union in California.

Galarza was educational director of the National Farm Labor

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Pact Signed, Boycott Ends

A labor boycott on products of Wheel Systems, Inc., has been removed with the signing earlier this month of an agreement covering union members in Machinists' District Lodges 190 and 93.

Wheel Systems also is known in some localities as Tire Systems and Big Wheel.

The announcement was made by Manuel E. Francis, IAM area director, on behalf of Districts 190 and 93 and Local Lodges 1101, 1173, 1305, 1414 and 1546.



WAYNE HARBOLT
Named Secretary

Wayne Harbolt New Sacramento Council Leader

At a special meeting June 19, Wayne Harbolt was elected executive secretary of the Sacramento Labor Council to fill the unexpired term of the late Tom Kenny, who passed away May 23.

Harbolt, 50, was elected president of the council in 1981. He has been president of Fire Fighters Local 522 since 1971. He was vice president of the Federated Fire Fighters of California from 1974 to 1980 and before becoming president of the Sacramento Labor Council, had served as vice president since 1976.

An Oklahoma native, he is married and they have three grown children, two sons and a daughter. Harbolt served in the U.S. Marines 1952-1955.

Song OSHA Case

Federation Sues to Block Governor's Appointment

This Tuesday before the State Supreme Court, John F. Henning, acting individually and as Executive Secretary-Treasurer of the California Labor Federation, AFL-CIO, on behalf of himself and the Federation's affiliates, filed a petition for a peremptory writ against Governor George

Deukmejian to block the appointment of Alfred H. Song to the California Occupational Safety & Health Appeals Board to "represent organized labor," according to the Governor.

The petition declares that the State Labor Code stipulates that the OSHA Appeals Board shall

consist of three members. One shall "be from the field of management, one shall be from the field of labor and one member shall be from the general public. The public member shall be chosen from other than the fields of management and labor." All are full time positions.

In an attached memorandum, the brief says it is clear from a line of cited judicial precedents that the Governor must follow the law. If labor is not authentically represented on the Board, then the input of its particular perspective is completely missing.

Thus, deliberations of the Board and pressures on the public member will not reflect a balanced view but will necessarily skew the process in ways favorable to management or others than the workers. The resulting bias would deprive labor of participation in the

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Council's Choices



JOHN VALENZUELA
District 5



B. J. DOUGLAS
District 7

Vice Presidents Are Elected

At their meeting in San Francisco June 26, members of the California Labor Federation's Executive Council elected two vice presidents to fill vacancies on that panel.

Chosen to succeed Edward Flores, retired, for District 5 is John Valenzuela, business manager of Laborers' Local 585, Ventura. The resignation of Flores was accepted with regret.

In place of the late C. Al Green

in District 7, Bill Joe Douglas, business agent and financial secretary of Plasterers' & Cement Masons' Local 814, Stockton, was elected.

Valenzuela, an Oxnard native, is the son of a pioneer labor organizer in Ventura County. His father for 13 years was president of the Laborers' local and five years its field representative.

The new vice president's son, David, is a working member of the same union. Another son is with the U.S. Air Force in England and a daughter lives in Anaheim.

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Bloody Thursday Memorial on July 5

On Thursday, July 5, the traditional rites to commemorate those who died during the maritime and general strike of 1934 on "Bloody Thursday" will take place beginning at 9 a.m. at Justin Herman Plaza at the foot of Market Street in San Francisco.

Speakers at the memorial will include Jack Henning, head of the State AFL-CIO; Jim Herman, ILWU president, and Harry Bridges, founding president of the ILWU.

Fifty years ago on that date two strikers, Howard Sperry and Nick Bordoise, were fatally shot by San Francisco police during the historic strike.

This is in addition to the previously announced United Labor seminar June 30 in the Sailors' Union hall, 450 Harrison, and the ILWU's "50th Anniversary Festival" at Pier 2, Fort Mason on July 8. All are in San Francisco.

Marriott Signs Labor Pacts in San Francisco

Marriott's new Fisherman's Wharf hotel in San Francisco has signed a union recognition agreement with four locals covering 200 employees.

Jack Crowley, secretary-treasurer, San Francisco Labor Council, and Charles Lamb, president of HERE Local 2, believe this is the first time the 132-hotel chain has signed such a contract. They said the hotel wanted to avoid a dispute that could have interrupted business during the Democratic National Convention in July.

Both Crowley and Lamb are California Labor Federation vice presidents.

Unions covered by the pact include Hotel Employees & Restaurant Employees Local 2, Service Employees Local 14, Operating Engineers Local 39 and Teamsters Local 856.

Callahan is Named to State's IWC

Governor George Deukmejian on June 27 announced the appointment of M. R. (Mushy) Callahan, a vice president of the California Labor Federation, to the State Industrial Welfare Commission to fill a labor vacancy.

Callahan is a member of the Hotel Employees & Restaurant Employees Local 681, Long Beach. He joined Bartenders Local 686, Long Beach, in 1937 and served as executive secretary of Local 686 and of the Joint Executive Board of both locals.

He has been a union member since his youth in his native Montana. During World War II he was in the army in Europe, attaining the rank of first sergeant before return to civilian life.

Callahan was elected a vice president of the California Federation of Labor in 1958 and has,

since the merger of the State AFL and CIO that year, continued as a

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M. R. CALLAHAN
IWC Appointee

Federation Sues to Block Governor's Appointment

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decision processes of the Cal-OSHA, depriving AFL-CIO members and other employees of representation on the work of the Board.

The absence of labor representation gives management interests a role in the Board's work and a certain protection in its workings, which are denied to labor and those who depend on labor for representation on the Board.

In addition, the documents declared that if the Governor is successful in circumventing the law in this case, all future appointments reserved to labor are in danger. The chief executive would then be in a position to go around the letter and intent of the law, ignoring authentic labor representatives and appointing whomever he might choose.

At their meeting June 26 in San Francisco, members of the Federation's Executive Council voted unanimously to compliment the Executive Secretary-Treasurer on his filing of legal action in the Song case.

Legal papers for the filing were prepared in the offices of the Federation's General Counsel, Charles P. Scully.

The Governor, in filling the board vacancy, specifically designated Song as "from the field of labor." The State AFL-CIO's petition points out that Song is not in fact "from the field of labor."

It states Song was admitted to practice law in California in 1950, engaging in general law practice until 1962 when he was elected to the California State Assembly. He served there until 1965 when he was elected to the State Senate.

Song was a Senator until 1978 and in 1981 was appointed to the State Agricultural Labor Relations Board, resigning when the Governor announced his appointment to the OSHA Appeals Board.

The petition points out that Song's adult life has been spent in the fields of private law practice, politics and government. He has not held himself out as a representative of labor "nor does labor consider him to be from the field of labor."

Song is not "a member of any labor organization nor has he ever been an employee, a representative or an elected or appointed officer of any labor organization."

Since Song's appointment has not been confirmed by the State

Senate, it remains in the Governor's power to withdraw it. It is to achieve this that the action was taken before the Supreme Court. The petition declares:

"Unless an appropriate writ shall issue, the working people of the State of California will be without a representative from the field of labor while the Appeals Board continues to act according to the powers given it by law."

The appointment of a person not from the field of labor, the action contends, denies due process to AFL-CIO members, depriving them of a participatory role in the balanced enforcement of the law by the Cal-OSHA Appeals Board "and by subjecting them to rulings and decisions by a Board not only lacking in experience, knowledge and point of view of a balanced Board, but now imbalanced and potentially biased in favor of management."

The petition asks for a writ "commanding" the Governor to withdraw the nomination, to refrain from continuing to nominate or renominate Song or anyone else not from the field of labor to the Board, and to make a nomination as called for in the Labor Code.

Callahan is Named to State's IWC

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vice president and executive board member of the California Labor Federation, AFL-CIO.

In 1974 he joined the staff of the State AFL-CIO as assistant COPE director, serving in that post until 1982 when he became assistant legislative advocate in Sacramento.

He has held appointments from four Governors. Governor Good-

win Knight named him Commissioner of Apprenticeship and later to the Board of Directors, Workers' Compensation Insurance Fund. He was reappointed to the latter by both Governor Edmund G. (Pat) Brown and by Governor Ronald Reagan, the IWC appointment by Deukemejian making the fourth.

The appointment is subject to State Senate confirmation.

Women's Meeting in L.A. Offers Varied Program

The California Labor Federation's 1984 Women in the Work Force Conference held in Los Angeles June 21-23 attracted over 130 participants statewide and was a great success.

In opening the conference, John F. Henning, State AFL-CIO executive secretary-treasurer, reviewed AFL-CIO successes in Sacramento in sponsoring protective laws on comparable worth and sexual harassment.

He also cited the rising importance of women workers in the labor movement, noting that in six of California's 26 AFL-CIO central labor councils women now serve either as executive secretary-treasurers or as presidents.

Kathleen Kinnick, women's activities director for the State Federation, presided at the conference. She emphasized the many hostile acts of the Reagan Administration against U.S. women. She particularly noted that women trade unionists should support labor-endorsed political candidates and work through their local central labor bodies and COPEs.

Panelists each presented data with respect to their organizations and what each is doing to further the objectives of the national coalition of women's organizations, to exert the greatest possible political strength and effectiveness of women during the '84 campaigns.

All participants were active in six workshops which included organizing, collective bargaining, communication skills, time management, leadership skills and video display terminal operations.

Mary Bergan of CLUW made a presentation on "Women in Poverty." Prof. Christine Littleton of UCLA presented an informative discussion on sexual harassment and Dr. Mary Lebrato spoke as director of the SHE (Sexual Harassment in Employment) project.

At luncheon on the 22nd, Rhett Greene, a polished professional, presented a one-woman

Pardon the Reprint

The Spirit of '34

I was born of blood and thunder.
Product of riot and strife.
In the red roar of blazing shot
I came to the dawn of life.

I arrived a longed Messiah
To redeem from serfdom's fate
The aching men of honest toil
Defying commercial hate.

Into the doom of destruction
I marshalled a workers' war.
By Labor's blood I was christened.
A courage conceived in gore.

With the iron of truth I vanquished
The despoilers of the sea.
From the sordid soil of Mammon
I delivered dockmen free.

I aspire no crown of glory
Only the faith of the true.
I yearn but the deep devotion
Of a noble longshore crew.

If stevedores would me honor
Let me in their hearts a roam.
For I love the earthy solace
Of a fighting worker's home.

And oft of a dark and drear night
As I haunt the Front once more
I pray the hope they'll ne'er forget
The spirit of '34.

In the grim momentous future
I will dearly serve again
If ever Reaction perils
My beloved union men.

For I was born in crimson vow
To espouse the sacred fight
To save the way of common folk
From Greed's encroaching might.

Fraternally,
JOHN F. HENNING
United Federal Workers,
CIO, No. 6

Jan. 18, 1941

The above poem was printed in the January 18, 1941 issue of the Voice of the Federation, official publication of the Maritime Federation of the Pacific. The M.F.P. was founded in April 1935 as a unity result of the 1934 waterfront strike. Its first president was Harry Lundeborg, Sailors Union of the Pacific. The Voice of the Federation was the organization's official newspaper.

The Federation went under in the AFL-CIO split and became part of the CIO Maritime Committee in late 1941.

Of the verses, Jack Henning, now executive secretary-treasurer of the California Labor Federation said this week, "It wasn't classical poetry, but at least you got the idea."

show, "A Sable Song"—an historical perspective on the struggle for women's and human rights.

The closing session heard Elinor Glenn on changes in the work force. Glenn is chair of the national SEIU women's committee. Albin J. Gruhn, Federation president, summed up and closed the meeting.

The closing informal session offered an opportunity for workshop participants to respond on their reactions to their respective workshops and other aspects of the conference.



RHETTA Greene shown during her dramatic presentation of "A Sable Song" at the luncheon session June 22 at the Women in the Work Force conference in Los Angeles.



WOMEN in the Work Force conference panelists in Los Angeles June 21-23 included, right to left, Alice Travis, National Women's Political Caucus, Democratic Task Force; Sandra Farha, president, California NOW, Inc.; Kathleen Kinnick, women's activities director, California AFL-CIO; Jack Henning, executive officer, California Labor Federation; Mary Stevens, president, State Business & Professional Women; Cynthia McCaughan, women's activities director, AFL-CIO Dept. of Civil Rights.



A PORTION of the 130 Women in the Work Force conference delegates at a plenary session June 22, which drew trade unionists from all sections of the state.

Vice Presidents Are Elected

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Valenzuela joined Local 585 in 1955 and until 1965 worked at the trade. Then he was elected field representative and on the executive board, serving until 1983 when he was elected business manager. In 1984 he was elected president of the Ventura County Building & Construction Trades Council.

He is a member of the Labor Council for Latin American Advancement and for two years served as labor representative for Ventura County on the CETA manpower and development board. Valenzuela is also active in a number of community activities, working especially with young people.

Ernesto Galarza, Farm Worker Champion, Dies

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Union, AFL-CIO, and was involved in the DiGiorgio Corporation strikes and subsequent court fights in the 1950s and 1960s.

He authored three books on the farm workers' struggles and worked as a consultant for the Office of Economic Opportunity, the Whitney Foundation and the Ford Foundation.

In addition, he worked with San Jose city schools to establish effective bilingual education programs.

He is survived by his wife, Mae, two daughters, two sisters and three granddaughters.

June 29, 1984

Douglas is a native of Texas, coming to California in 1958 when he joined the labor movement. He has been a member of Local 814 since 1963.

He became business agent and financial secretary in 1969, positions which he has continuously occupied since.

Douglas has served on the executive council of the San Joaquin & Calaveras Counties Central Labor Council and presently is on the board of the San Joaquin County Building & Construction Trades Council.

He has been active in civic affairs in his home community and has worked for many AFL-CIO endorsed candidates for political office. He is now working with the A. Phillip Randolph Institute (APRI) in the central valley.

District 5 includes Ventura, Santa Barbara and San Luis Obispo Counties. District 7 takes in San Joaquin, Stanislaus, Merced, Mariposa, Tuolumne, Calaveras and Alpine Counties.

REAGANOMICS

President Reagan promised his tax cuts for corporations would provide money to modernize plants for higher productivity in the U.S. It hasn't worked out that way. Corporate spending on new plant and equipment has declined since the Reagan tax cuts took effect, reports the AFL-CIO. They're using the money to buy out other companies and to boost profits.

Cranston Probes into INS for Employer Bias

U.S. Senator Alan Cranston (D-Calif.), widening his investigation of alleged abuses by the Immigration and Naturalization service, has informed its director that he will look into charges that the INS has become "a willing or unwitting tool" of employers violating federal labor laws.

Cranston, at a Los Angeles press conference, in mid-June made public a letter advising Commissioner Alan C. Nelson of constituent complaints that the INS in California is being used by unscrupulous employers "to violate collective bargaining agreements, break organizing efforts and existing unions, deny workers pensions or other rights, and maintain docile work forces" on farms and in factories or businesses which violate federal labor laws or standards.

Cranston feels his investigation of INS operations is especially timely "in light of sweeping law changes pending in Congress to broaden the authority and power of the INS—changes that are likely to affect the people of California more than any other state."

The senator has assigned Hal Gross and Robin Sherr of his staff to carry out preliminary fact finding and investigations. They will be looking into the operation of INS field offices in San Diego, Los Angeles, San Jose and San Francisco. They will also be meeting with individual patrol members and observing field operations in their work.

OSHA

On Dec. 29, 1970, Congress passed the federal Occupational Safety & Health Act (OSHA).

Kirkland Responds to Seniority Decision

AFL-CIO President Lane Kirkland has issued the following statement on the U.S. assistant attorney general's reaction to the Supreme Court's June 12 seniority decision:

The United States Supreme Court, in its Memphis Firefighters decision, reiterated the AFL-CIO's long standing position that bona fide nondiscriminatory seniority systems are legal under Title VII of the 1964 Civil Rights Act. Such systems are a valuable source of protection for all workers regardless of race or sex.

Our support for nondiscriminatory seniority systems in no way conflicts with our strong and constant support for affirmative action programs developed to overcome historic discrimination and employment barriers which have held back minorities and women in America from their rightful place in our society.

There is nothing in this Supreme Court decision that will prevent us from waging our battles to open up employment opportunities, to create training programs, to foster upgrading and promotions for women and minorities and to take every necessary affirmative action to insure equity in the work place.

There also is nothing in this decision that justifies the Reagan Administration's all-out attack upon civil rights through its Assistant Attorney General for Civil Rights, William Bradford Reynolds. Mr. Reynolds' claim that his long-announced intention to roll-back civil rights gains of the past 20 years has now been endorsed by the Supreme Court is an insult to the Court as well as to the victims of discrimination.

We are confident that the courts will reject the Administration's unconscionable program to reopen old cases and old wounds. We deplore the fact that resources so desperately needed elsewhere will have to be devoted in defense against Mr. Reynolds' reckless assault.

The AFL-CIO looks forward to close and vigorous cooperation with our traditional civil rights allies in the continuing struggle to preserve and advance affirmative action.

Steel Labor, Management Seek Quotas

On June 21, management and labor in "big steel" combined to ask the federal government to recommend a "temporary lid" be placed on most steel imports into the U.S. to give domestic steel makers time to reorganize.

United Steelworkers President Lynn Williams told the U.S. International Trade Commission, "We in the union are realists. We recognize that employment levels in 1984 will never return to those of 1954. But we want a chance to compete again. Quotas will give us that chance."

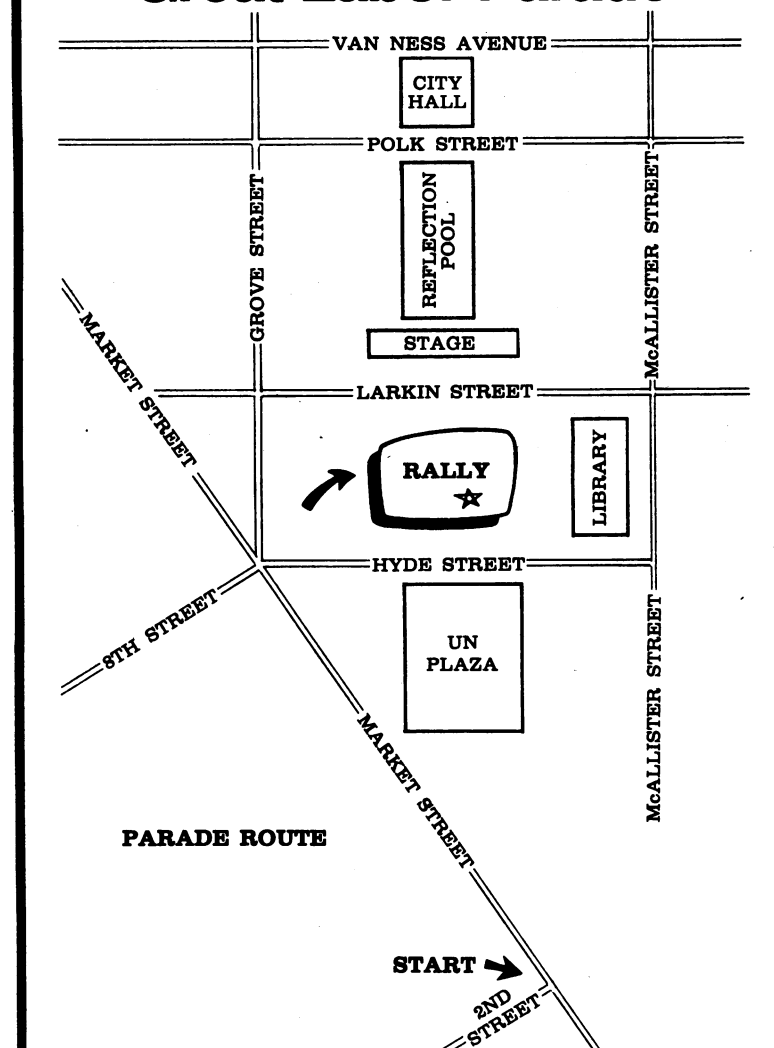
Bethlehem Steel Corporation joined the union in calling for quotas which would limit imports to an average of 14.3% of American consumption over a five-year period.

The commission earlier had determined that 70% of last year's imports caused serious injury to the domestic industry. It will recommend protective measures to President Reagan, who must accept, reject or modify them by September 24.

Publisher's Notice

The California AFL-CIO News (ISSN: 0008-0802) is published weekly except during the weeks of the Thanksgiving, Christmas and New Year's holidays by the California Labor Federation, AFL-CIO, 995 Market Street, San Francisco, Calif. 94103. Second class postage paid at San Francisco, Calif.—Subscription: \$3.50 a year. USPS Publication Number 083-400. John F. Henning, executive secretary-treasurer; D. Barrett, editor. POSTMASTER: Send address changes to: California AFL-CIO News, 995 Market St., Suite 310, San Francisco, CA 94103.

Great Labor Parade



The chart above gives the route of the United Labor Parade in San Francisco July 15. It is expected around 100,000 union members and supporters will take part. The march starts at Second and Market Street, proceeds up Market and ends at Civic Center with a short rally in which AFL-CIO President Lane Kirkland is the principal speaker.



Named Perkins

In 1918, Governor Al Smith appointed Frances Perkins, later Secretary of Labor in the New Deal Administration, to the New York State Industrial Commission.

State Apprenticeship Chief is Named by Deukmejian

Governor George Deukemejian on June 21 announced appointment of Gail W. Jesswein, 59, of La Canada, as chief of the Division of Apprenticeship Standards, Department of Industrial Relations.

He has been director of the Electrical Training Trust for the Los Angeles County Electrical Joint Apprenticeship & Educa-

tional Training Committee since 1978. Previously he operated his own electrical firm.

Jesswein is a member of the California Conference on Apprenticeship, chairman of the Apprenticeship Coordinators Assn. of Southern California, and secretary of the Los Angeles Labor & Management Apprenticeship Council.

Reagan-Dominated NLRB Rule Cripples Union Discipline

The National Labor Relations Board, now dominated by Reagan appointees, on June 22 issued a ruling making it harder for unions to discipline members during strikes. It said a union cannot restrict a member's right to resign and return to work in a strike.

It reversed an earlier NLRB rule which required 30 days' notice before a member could take such action.

Speaking for the AFL-CIO, Murray Seegar said, "This decision will make it much more difficult for unions to maintain disci-

pline and manage their rightful positions in collective bargaining."

The case involved Machinists' Local 1414 of Burlingame which in 1981 fined a member who quit the union during a strike. It cited a section of the IAM constitution restricting a member's right to resign.

This is the latest in a series of rulings by the NLRB in which the Reagan-named majority has sided with management's views in labor relations disputes, often reversing previous rulings.

OSHA Hearings on July 19 Scheduled in San Diego

The State Occupational Safety & Health Standards Board (Cal-OSHA) will hold public hearings on July 19 in San Diego on several important orders.

They will cover unfired pressure vessel safety orders, construction safety orders, general industry safety orders and revocation of permissive standards under the State Building Code.

The meeting will open at 10:00

a.m. in the auditorium of the State Building, 1350 Front Street, Room B-109, San Diego. If necessary, the meeting will be extended to July 26 at the same locale.

Specific information about the hearings and their subject matter may be secured by writing the Occupational Safety & Health Standards Board, 1006 Fourth Street, Sacramento, CA 95814, or by calling (916) 322-3640.

THE CALIFORNIA AFL-CIO's DIGEST OF BILLS

The measures below introduced in the 1983-84 regular session of the California Legislature are classified by the California Labor Federation as "Good," "Bad," or "Watch†". An asterisk (*) indicates a bill sponsored by the California Labor Federation. A "Watch†" designation indicates that the Federation will defer to the wishes of affected affiliates on the ultimate classification of the bill. Such bills are printed in the digest to inform affiliates involved. No bill may be taken up until 30 days after the date of introduction indicated in the digest, except by a three-quarters vote. When the abbreviation (H.A.D.) appears in the digest following the author's name, it means that the measure has been held at the Speaker's desk in the House of origin and has not yet been assigned to a committee.

ASSEMBLY BILLS

AB 3847—Floyd (W.&M.)—Existing law provides that no sum shall be withheld, retained, or forfeited by a contractor on a public works, except from the final payment, without a full investigation by either the Division of Labor Standards Enforcement or the public agency awarding the public works contract.

This bill would instead provide that no sum shall be withheld, retained, or forfeited without a sufficient investigation, rather than a full investigation.

Existing law provides that penalties, fines, and forfeitures collected from a contractor for violation of the labor laws on public works shall be deposited in the state General Fund.

This bill would instead provide that these amounts shall be deposited in the Industrial Relations Construction Industry Enforcement fund, if the awarding body is a state entity, or in the general fund of the awarding body, if the awarding body is an entity other than the state. February 17, 1984.

Labor Code—Watch†

AB 3864—Tanner (Senate Floor)—Existing law authorizes any member of the State Board of Barber Examiners, except the public members, to enter into and inspect any barbershop or college at any time during business hours or at any time when the practice of barbering or instruction in such practice is being carried on.

This bill would allow the public members to enter and inspect any barbershop or college at any time during business hours or at any time when the practice of barbering or instruction in such practice is being carried on. February 17, 1984.

Labor Unions—Watch†

AB 3865—Tanner (Senate Trans.)—Existing law generally extends the authority of a peace officer to any public offense committed within the political subdivision which employs the peace officer or which is committed within the presence of the peace officer, as specified. Existing law also authorizes representatives of the State Department of Health Services and local health officers to stop and inspect any vehicle reasonably suspected of transporting hazardous waste when accompanied by a police officer, as specified.

This bill would expressly authorize a peace officer or traffic officer, as defined, who is employed by a city in which there is an existing hazardous waste facility to require any person hauling hazardous waste in specified vehicles to stop for an inspection to determine whether the vehicle complies with specified regulations.

The bill would require that this inspection be conducted in a posted area and would make the failure of a person to stop when requested a misdemeanor, thereby imposing a state-mandated local program by creating a new crime. The bill would also specify the training and assignment requirements for the peace officer or traffic officer who conducts these inspections. . . . February 17, 1984.

Health—Good

AB 3867—Tucker (Senate Fin.)—Existing law requires the Board of Administration of the Public Employees' Retirement System to administer the provisions of the Public Employees' Medical and Hospital Care Act. This bill would make various revisions to the act to accomplish the following:

(1) Revise the definition of employee, carrier, and health benefits plan.

(2) Authorize the board to establish a health benefits plan designed as a self-insurance program, and to contract for stop-loss insurance.

(3) Authorize, instead of require, the board, to approve basic health benefits plans. . . .

(4) Limit enrollment in a health benefits plan offered by an employee organization to certain employees and annuitants. . . .

(5) Revise the method for computing the annual adjustment made to employers' contributions. . . . February 17, 1984.

Public Employees—Watch†

AB 3883—Bates (Senate I.R.)—Existing law disqualifies an individual for unemployment compensation benefits if the individual is found to have left his or her most recent employment without good cause.

This bill would require that an individual be deemed to have left his or her employment with good cause if he or she left for reasons of "sexual harassment." February 17, 1984. **Unemployment Insurance—Good**

AB 3894—Felando (P.E.&Ret.)—Under existing law, each state agency is responsible for establishing an effective affirmative action program to overcome any identified underutilization of minorities and women.

This bill would require the affirmative action program to overcome any identified underutilization of persons age 60 and over. February 17, 1984.

Public Employees—Watch†

AB 3899—Naylor (Senate I.R.)—Existing law prohibits an individual from receiving unemployment compensation benefits, extended duration benefits, and federal-state extended benefits for services performed in the employ of certain specified entities for any week which begins during the period between 2 successive academic years or terms, or during a paid sabbatical, or during a customary vacation or holiday if the individual performs the services immediately prior to these periods of time and there is a "reasonable assurance" that the individual will perform the services immediately following these periods of time.

This bill would additionally prohibit an individual from receiving these benefits during these periods of time, and subject to the same conditions of these provisions, if the services are provided to, or on behalf of, an educational institution. February 17, 1984.

Unemployment Insurance—Watch†

AB 3904—Wright (Senate Floor)—Existing law prohibits the possession of specified weapons on school grounds or within a public school providing instruction in kindergarten or any of grades 1 through 12, inclusive, and permits seizure of such weapons.

This bill would permit school peace officers to seize any manufactured or improvised weapon capable of inflicting great bodily harm, upon the grounds of, or within, any such public school. February 17, 1984.

Education—Watch†

AB 3909—Davis (Senate H&U.A.)—Under existing law, the Unruh Civil Rights Act does not specifically prohibit discrimination on the basis of age or physical disability. . . .

This bill would specify that the Unruh Civil Rights Act shall be construed to prohibit a business establishment from discriminating based solely upon age or physical disability. This bill would also provide that where accommodations are specially designed accessible housing, as defined, a business establishment may establish and preserve such housing for persons who are 62 years of age or older or physically disabled persons. . . .

Under the existing Mobilehome Residency Law, the ownership or management of a park, subdivision, cooperative, or condominium for mobilehomes may require that a purchaser of a mobilehome which will remain in the park, subdivision, cooperative, or condominium, comply with any rule or regulation limiting residence to adults only.

This bill would provide that these provisions would apply where the park, subdivision, cooperative, or condominium for mobilehomes constitutes specially designed accessible housing for senior citizens and physically disabled persons. . . . February 17, 1984.

Housing—Good

ASSEMBLY BILLS (Cont'd)

AB 3929—Hughes (Senate Ed.)—(1) Under existing law, free or reduced price meals are provided to needy children by school districts and county superintendents of schools.

This bill would impose a state-mandated local program by requiring the governing board of each school district and each county superintendent of schools to make the applications for these meals available at all times during each regular school day, would require the application to contain specified statements, and would also require these entities to formulate a plan, as specified, to ensure that children eligible for these meals shall not be treated differently from other children. . . . February 17, 1984.

Education—Watch†

AB 3936—Vasconcellos (Senate Jud.)—Under existing law, the Department of Corrections and the Department of the Youth Authority are authorized to correlate their individual programs for the adults and youths under the jurisdiction of each.

This bill would require the Department of Corrections, in conjunction with the California Youth Authority, to conduct a 2-year pilot project in all juvenile halls, the Youth Authority, and the state prison system, if and when the business, industry, and labor communities elect to sponsor and provide computer hardware and software in order to implement innovative individualized education programs in these institutions, as prescribed. February 17, 1984.

Prisoners—Watch†

AB 3953—Mountjoy (Senate L. Gov.)—Existing public contract law provides that in its discretion, a local public agency may reject any bid presented for a public project, and if after the first invitation for bid all bids are rejected, the public agency shall have certain specified options regarding the project.

This bill would impose a state-mandated local program by providing, in addition to the existing law, that if after the first invitations for bids, all bids are rejected, the local public agency shall state the reasons for the rejection. . . . February 17, 1984. **State and Local Government—Watch†**

AB 3956—Filante (Assembly Health)—Existing law prescribes various acts as unfair trade practices, including specified acts of locality discrimination, customer selection, and sales under cost, and provides criminal penalties and civil sanctions therefor.

This bill, in addition, would prohibit a hospital from discriminating on the basis of price, except as otherwise specified. A violation would be subject to civil sanctions and criminal penalties, thereby imposing a state-mandated local program. . . . February 17, 1984. **Health—Bad**

AB 3965—Floyd (Senate I.R.)—Existing law does not expressly prohibit employers from monitoring employee conversations.

This bill would prohibit any officer, employee, or agent of a telephone corporation from listening to, monitoring, or recording any employee communication unless there is notice by means of a visual indicator to all employees in a single work unit that monitoring may be taking place. It would limit that listening, monitoring, or recording to specified time periods and purposes, including evaluation, training, detection of fraud, and to protect against service interruptions while performing necessary maintenance. This bill would not apply to monitoring or recording of communications of new employees during and after specified periods of training.

This bill would prohibit any officer, employee, or agent of a telephone corporation from disclosing any communication ordinarily considered private which is obtained by monitoring conversations, except to employees subject to disciplinary action as a result of that monitoring and necessary individuals participating in the disciplinary process. It would prohibit the discharge or termination of an employee for any conduct disclosed by the monitoring, except for specified disciplinary actions. . . . February 17, 1984. **Labor Code—Good**

AB 3985—Farr (Senate Ed.)—(1) Existing law establishes various programs administered by the State Department of Education.

This bill would require the department to develop a comprehensive engineering and science career counseling program model for elementary and secondary school pupils, as specified.

This bill would appropriate an unspecified amount to the Department of Education for purposes of developing the program model.

(2) Existing law establishes provisions pertaining to public higher education.

This bill would require the Board of Governors of the California Community Colleges, the Trustees of the California State University, and if they so elect, the Regents of the University of California, to establish guidance programs and counseling offices for minority engineering students, as specified. . . . February 17, 1984. **Education—Watch†**

AB 4000—McAllister (Assembly Floor) — Existing law excludes from the definition of "wages" remuneration in excess of certain specified amounts paid to an individual by an employer based on the balance in the Unemployment Fund on June 30th of the prior calendar year.

This bill would revise these provisions to exclude remuneration in excess of \$7,000 paid to an individual by an employer during any calendar year.

Existing law establishes the rates at which employers are required to contribute to the Unemployment Fund and sets forth various tables for computing these contributions.

This bill would impose state-mandated costs by increasing the employer's maximum contribution rate from 4.7% to 5.4% and would revise the tables used for computing these contributions.

This bill would also impose state-mandated costs by establishing an "emergency solvency surcharge" to be paid by employers into the Unemployment Fund if the balance in the fund is less than a certain amount, as specified.

Existing law requires the Director of Employment Development to prepare a statement on or before November 30 of each calendar year declaring which employer tax schedules shall be in effect for the following calendar year.

This bill would require, instead, that the director prepare the statement based on records of the Employment Development Department on or before January 10 of each year declaring which employer tax schedules shall be in effect for that calendar year and whether the "emergency solvency surcharge" is to be added and would make this statement a public record which would be final and binding for that calendar year.

Existing law requires that if on the close of business on June 30 an employer's net balance of reserve of money paid into the Unemployment Fund is more negative than 12% of the employer's base payroll, it be canceled from the employer's reserve account.

This bill would increase the percentage canceled from 12% to 21% and would make this section operative as of June 30, 1984. . . . This bill would take effect immediately as an urgency statute and as a tax levy. February 17, 1984. **Unemployment Insurance—Watch**

AB 4006—Hauser (To Enrollment)—Existing law authorizes a housing authority to assist prescribed housing projects and provides, so long as the proceeds of any sale, lease, or other disposition of real property is to be used directly to assist a housing project for persons of low income, the authority may, after a public hearing, sell, lease, or otherwise dispose of the real property without complying with any provision of law concerning the disposition of surplus property.

This bill would similarly add to the exemption from the disposition of surplus property laws the assistance by a housing authority of persons and families of moderate income, as defined, in becoming owners of their first homes. February 21, 1984. **Housing—Watch†**

AB 4032—Felando (Senate Fin.)—Existing law provides for civil and criminal penalties for any person engaged in unfair trade practices and for certain false or misleading advertisements.

This bill would make it a crime, thereby imposing a state-mandated local program, to advertise a product or service that requires, as a condition of sale, the purchase or lease of a different product or service without disclosing in the advertisement the price of all such products or services. A violation or proposed violation of that provision also would be subject to certain civil sanctions. . . . March 20, 1984. **Consumers—Good**

AB 4034—W. Brown (Senate Ed.)—Existing law establishes various programs to provide teacher training and educational services.

This bill would declare the legislative intent to create and expand regional science resource centers to increase educational and training opportunities for the teachers and students of California.

The bill would require the Superintendent of Public Instruction to designate eligible nonprofit agencies to serve as regional science resources centers. . . .

The bill would require the Superintendent to designate one regional science resource center to receive funding pursuant to the provisions of this bill for the 1984-85 fiscal year. The bill would also require the superintendent to provide information to the Legislature and the Governor during hearings on the Budget Act of 1985 regarding the progress of the designated center, and to submit a plan for the statewide expansion of regional science resource centers at that time. . . .

This bill would take effect immediately as an urgency statute. March 26, 1984. **Education—Watch†**