

Ergonomics Fight Goes National

The California Labor Federation, allied with injured workers and health and safety activists, went national yesterday with the campaign for an ergonomics standard.

About 20 unionists and activists, led by Jack Henning, executive secretary-treasurer of the federation, brought their case directly to the U.S. Department of Labor in San Francisco to tell federal OSHA officials:

- Concerns about current attacks on OSHA in Congress.
- The urgent need to establish an ergonomics standard at the federal

Fed sets ergonomics conferences March 7 in San Francisco and March 9 in Los Angeles.

level to protect workers from the ravages of cumulative trauma disorders, especially in view of the scuttling of a California standard by the Cal-OSHA Standards Board.

Also announced yesterday were plans to hold one-day conferences on ergonomics issues in San Francisco on March 7, and in Los Angeles on March 9. The sessions will address a broad range of er-

gonomics issues affecting worker health and safety.

Henning told U.S. Department of Labor officials in their S.F. offices yesterday: "We expect the representatives of the Labor Department to stand with us against our enemies and against the enemies of the working people who are so vulnerable to the excesses of industrial control in this nation.

"We are now seeing the reactionary projection of the November elections. It's fatal to the interests of working people for two reasons — budget cutting stifles enforcement of the moment, and it's now almost impossible politically for any improvement in the laws that need it, given the influence of Republican power."

The March 7 ergonomics conference will be sponsored by the federation and the UC Berkeley Labor Occupational Health Program at the Holiday Inn-Financial District, at 750 Kearny St. in San Francisco.

The March 9 conference will be at the Hyatt Regency Los Angeles, 711 South Hope St. Sponsors of the event are the federation and UCLA's Labor Occupational Safety and Health Program.

Federation affiliates are urged to send as many representatives to one of the sessions as possible. There will be an update on ergonomics issues at the state and federal levels as well as help for workers and staff in the preparation of complaints to Cal-OSHA.

Participants will be shown how

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Victory in Diamond Decert



Jubilant Diamond Walnut strikers parade at Stockton in celebration of their NLRB victory. Leading the march is Lucio Reyes, second from right, head of Teamsters Local 601.

Photo by David Bacon

NLRB Upholds Teamsters

The second decertification election in three years at Diamond Walnut, Inc. has been thrown out by the National Labor Relations Board.

The NLRB upheld union charges in its January 20 ruling that the grower-owned cooperative, believed to be the world's largest, was guilty of using illegal, discriminatory actions including intimidation, that tainted a union representation election held in October, 1993.

The three-member Board ordered a third election to be conducted sometime this fall.

Diamond Walnut has asked the

U.S. Court of Appeals to overturn the NLRB ruling.

Hundreds of overjoyed strikers and supporters marched the following Monday from Teamsters Local 601 offices for a press conference to Diamond's nut processing plant in Stockton.

"If management continues to reject a negotiated settlement, this dispute will continue for many years to come," said Teamsters President Ron Carey from a special telephone hookup. "We have just begun to fight."

The Board held that the 1993 de-

certification try was tainted by the company's failure to reassign three strikers to their previous jobs who had returned to work briefly to campaign for the union.

The union charged that the three members, Willa Miller, Alfonsina Munoz and Mohammed Kussair, were discriminated against when management gave them jobs incomparable to those they previously held. As a result of the Board's ruling, a back pay award is in store for all three.

Since the early 1950s workers at Diamond Walnut have been repre-

sented by Teamsters Local 601. In 1985 union members accepted wage and benefit cuts of 30 to 40 percent to bail out the company in its time of need. Diamond Walnut was nearing bankruptcy.

The company returned to economic health after operations were automated. Workers broke production records, helping Diamond Walnut make the Fortune 500 list of most profitable companies.

But in 1991, with Diamond realizing close to 40 percent earnings on investment, management de-

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Gov. Wilson accuses Congress of 'whoring' for public employee unions. Page 4

tive priority this year. The measure, not yet assigned a bill number, will have strong support from the Federation and its allies when the Industrial Relations Committee conducts its first hearing on the matter sometime in March.

The current \$4.25 per hour translates to \$8,840 a year, far below the federal poverty level of \$13,190 for a family of four. An increase to \$5 would bring in \$10,400 a year, and \$5.75 would be a gross of \$11,960, still under the federal poverty guideline.

"Working men and women should not earn less on the job than on welfare," said Solis. "The increase is needed for the young and the impoverished."

Her committee's staff estimates nearly 2 million California workers would benefit from the pay hike. Of that number, 62 percent are women and 39 percent are youths.

Help for minimum wage workers is long overdue.

The Industrial Welfare Commis-

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Confronting the Orange Crush

Council Head Cites Contracts

County managers must carefully observe existing contracts in regard to layoffs, said Orange County Central Labor Council Executive Secretary-Treasurer Bill Fogarty last week.

Fogarty's remark was in response to U.S. bankruptcy court Judge John Ryan's decision to extend a restraining order on further job cutbacks in the aftermath of Orange County's declared bankruptcy.

On Friday, January 20, Judge Ryan granted a request from the newly-formed Orange County La-

bor Coalition to halt layoffs of county workers until county managers bargain with the unions over implementation of a layoff policy.

The coalition includes the State, County and Municipal Employees (AFSCME), the Firefighters Union, Operating Engineers, Service Employees, and a few independent associations.

As a result of Judge Ryan's decision, nearly 200 affected workers are now on temporary, rather than permanent layoff. Ryan ordered the county to begin negotiations with the unions and reach an agreement with them on how the layoffs are to be implemented. A follow-up court

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Workers, Poor Under Attack

Orange County Supervisor Marian Bergeson took extraordinary steps last week to resolve the County's fiscal crisis at the expense of its workers and the poor.

Bergeson is requesting Governor Wilson to call a special session of the Legislature this month to take up legislation authorizing contracting out for County services, and abandoning prevailing wage requirements for contractors on County public works projects.

Bergeson, a former Republican State Senator representing the 35th

Senate District in Orange County, had authored legislation during her tenure at the state capitol that would have allowed counties to contract out jobs.

She also voted wrong on bills that would have improved prevailing wage regulations, and consistently backed attempts to wipe out prevailing wages on public works projects.

As a state legislator, she voted against waiving the unemployment insurance benefit waiting period for strikers permanently replaced by scabs, and against raises in jobless pay and workers' compensation benefits.

The former Senator from New-

(Continued on Page 4)



Wally Knox

Brown Names Labor Chair

Assembly Member Wally Knox will chair the crucial Committee on Labor and Employment.

Knox, a freshman legislator from Los Angeles, is one of 13 Democrats who will chair standing committees during the 1995-96 session under the power-sharing arrangement that Brown put into place after he frustrated GOP legislators who thought they had seized control.

Thirteen committees — several of them enormously important to workers — will be chaired by Republicans. But that is a far cry from the entire list of 26 committees the GOP assumed it would control when the Legislature reconvened in

the wake of last November's elections.

"We welcome Wally Knox as chair of the Committee on Labor and Employment," said Jack Henning, executive secretary-treasurer of the California Labor Federation. "We can be confident that under his chairmanship legislation vital to the working men and women of California will receive fair and unbiased hearings."

The committee has jurisdiction over all bills dealing with wages, employment conditions, job training, occupational safety and health, agricultural labor, employment rights and discrimination.

Knox was a long-time labor law-

yer who successfully represented unions for nearly 20 years before his election to the Assembly last year with support from the state AFL-CIO's Committee on Political Education (COPE).

State Senator Hilda Solis, D-El Monte, also a COPE-endorsed friend of labor, was named earlier to succeed Sen. Patrick Johnston, D-Stockton, as chair of the Senate Industrial Relations Committee, the upper house counterpart of the Committee on Labor and Employment.

Knox lists his top priorities as protecting worker health, safety and wage laws that are coming under attack from anti-labor forces and

promoting economic development and job creation with focus on preparing workers for emerging industries.

"I am honored to have this opportunity to continue my work with the labor community," Knox declared. "I look forward to the progress we will make together on behalf of California workers."

Speaker Brown's sharing plan divides standing committee chairs equally between Democrats and Republicans. Party caucuses will designate their choices, and the speaker's appointments will be subject to confirmation by the Assembly Rules Committee.

The arrangement has been praised as a statesman-like solution to the legislative dead-lock after the Assembly found itself tied in voting between Brown and the GOP's choice for speaker, James Brulte of Cucamonga.

The tie was broken and Brown was re-elected after the speaker forced a ballot on which Richard Mountjoy, R-Arcadia, was evicted from the Assembly and went over to the Senate. Mountjoy was re-elected to the Assembly in November and was elected also to the Senate in a special election held concurrently. He refused to take his Senate seat in order to vote against Brown. But he was ineligible to vote on his own eligibility and lost by a single ballot.

The agreement gives Republicans the chairs of the committees on Agriculture, Appropriations, Banking & Finance, Elections, Reapportionment & Constitutional Amendments, Environmental Safety & Toxic Materials, Human Services, Insurance, Local Government, Public Employees, Retirement & Social Security, Public Safety, Televising the Assembly, and Utilities & Commerce. Chairs are yet to be designated.

The 13 committees to be chaired by Democrat nominees and those appointed are Budget, John Vasconcellos; Consumer Protection, Governmental Efficiency & Economic Development, Jackie Speier; Education, Dede Alpert; Governmental Organization, Paul Horcher; Higher Education, Marguerite Archie-Hudson; Housing & Community Development, Dan Hauser; Judiciary, Phil Isenberg; Labor & Employment, Knox; Natural Resources, Byron Sher; Revenue & Taxation, Juanita McDonald; Rules, John Burton; Transportation, Richard Katz; and Water, Parks & Wildlife, Dom Cortese.

Datebook

A. Philip Randolph Institute California State Conference: March 9-12, Clarion Hotel, Burlingame

Publisher's Notice

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SEIU Targets Nursing Homes

The Service Employees, the largest health care union in the state and nation, is launching a Dignity Campaign to organize nursing home workers in California, at the same time providing a check on worker and patient abuses existing in the state's 1,200 facilities.

Union organizers have developed a check list that focuses on problem areas suffered by both workers and patients at the hands of profit-making nursing homes, among the fastest-growing, lucrative businesses in the health care industry.

Hillhaven, the second largest nursing home chain in the U.S., is getting special attention from the Service Employees. The company operates 40 facilities in the state. More than 2,000 workers in three SEIU locals at 26 Hillhaven homes already are unionized.

An organizing campaign is underway to include 1,000 workers at 13 remaining unsigned homes. One other in southern California is under contract with United Food and Commercial Workers.

The 13 Hillhaven homes are in the Sacramento, Los Angeles and San Francisco areas. Three SEIU unions are involved: Locals 22, 250 and 399. The unions' negotiating team has been talking with management representatives since July last year, attempting to fashion a unique statewide contract between Hillhaven and the three locals.

Such an agreement would be a first for the industry.

Among the goals of the Dignity Campaign are winning fair workloads and quality patient care through better staffing levels; safe and healthy workplaces for employees; a shared responsibility for patient care planning; affordable family health insurance; decent pensions, and a living wage.

Current staffing levels are inadequate to care for patients needing close care, say union leaders. The remedy—to achieve reforms legis-



Health care workers demonstrate at Hillhaven nursing home in San Francisco as part of the SEIU's national campaign for quality patient care and worker dignity. SEIU photo by Lisa Hubbard

lately and at the bargaining table.

"Nursing home workers at understaffed facilities are subjected to an epidemic number of strain and sprain injuries as a result of having to lift patients," said Jim Zellers, president of Local 399.

Nursing home operators profit from the misery of both patients and workers when they staff at levels too low to provide quality patient care.

Inadequate staffing means workers have impossible workloads and patients are robbed of their dignity when rushed through their personal routines or left alone for long periods of time because of a lack of staff.

Worker input is necessary for any innovative contract proposal. That means setting up patient care and staffing committees. Common solutions to common problems are easily developed by bringing together

workers from dozens of facilities.

Back injuries suffered by nursing home workers can be avoided by instituting comprehensive training programs. Employer-sponsored training sessions can also protect workers from the spread of blood-borne diseases.

Profiteering by nursing homes is often an abuse of taxpayer dollars because the industry is largely supported by Medicare and Medicaid funds. California homes receive 70 percent of their financing from tax dollars—\$1.855 billion in 1993 Medi-Cal payments alone.

State reimbursement rates often determine profitability and employee wage levels. When homes engage in short-staffing, cut back on patient care, pay low wages and benefits to employees, the industry's profitability level goes up.

Stricter enforcement of existing regulatory standards is the answer

to such abuses, say SEIU leaders.

The goals of the Dignity Campaign won't be realized easily because the industry spends millions of dollars on anti-union consultants to thwart organizing.

About 12,000 nursing home workers are represented by SEIU in California. They are comprised of licensed vocational nurses, certified nurse assistants (CNAs), dietary and laundry workers, housekeepers, and janitors. The majority of them are women of color.

Wages for CNAs who provide 90 percent of direct care in the state's for-profit nursing homes average \$6.32 an hour, or \$13,146 a year. That's barely above the poverty level for a family of three. Health insurance for themselves and employer-paid pensions are little more than a distant dream for most of these workers.

Labor Archives Readies Gala

The Labor Archives and Research Center at San Francisco State University will celebrate its ninth birthday during the Center's annual program Friday evening, February 24, at 480 Winston Dr., located next to the university campus.

The evening program will include announcement of winners of the annual SFSU Student Essay Contest, co-sponsored by the Archives and the local chapter of the California Faculty Association.

A \$400 award awaits the first place winner, and \$200 will go to the runner up.

Archie Green, nationally known labor folklorist, will be honored as this year's Distinguished Labor History Lecturer. Green, author of the widely-acclaimed "Wobblies, Pile Butts, and Other Heroes," will

speak on "Laborlore: Its Use and Meaning."

Green has taught his specialty at the University of Illinois, University of Texas, University of Louisville, and served as consultant to the AFL-CIO Labor Studies Center in Washington, D.C., and the Smithsonian Institution's Festival of American Folklife.

He accomplished all of that in the years following his work as a shipwright out of the Shipwrights, Joiners and Boatbuilders Local 1149 in San Francisco.

One of the original founders of the Labor Archives, Green has served on its Advisory Board since 1985.

The program is free and open to the public. Parking is available and there is easy access by public

transportation.

Light refreshments will be served in the lobby at 6 p.m. and the programs begins at 7 p.m.

Music for the event will be provided by song writer Faith Petric who will draw from her prolific repertoire of labor songs. Utah Philips once said of Petric: "If Eleanor Roosevelt were alive today and sang folk songs, she would be Faith Petric."

The Archives was founded by the labor movement nine years ago to assume the task of collecting and preserving the historical material of workers and their unions, most of which are located in the nine-county Bay Area.

Direction comes from an advisory board of trade union leaders, historians, labor activists and uni-

versity faculty. Materials are available to students, union members and the general public seeking an understanding of labor's vital role in the development of Northern California.

The Archives is in the midst of its annual fund raising drive. Contributions from both individuals and unions are welcome. The campaign goal is to bring in \$20,000.

Financial contributions illustrate how committed the labor movement is to the Archives' success. Funds raised by unions over the years have allowed the institution to remain open afternoons, Monday through Friday, as well as Tuesday evenings.

Information about the February 24 program or about the Archives can be obtained by phoning (415) 564-4010.

Longshoremen Elect a Sister

Rosa Tyner has been elected the first woman dispatcher on the west coast by members of the International Longshoremen's and Warehousemen's Union Local 10 in San Francisco.

Tyner joined the ILWU and went to work on the waterfront in 1989 as a "B" person, performing any lifting or physical work required. "A" members are dispatched before "B" members.

"In April of 1992, I got my 'A' book," said Tyner. "Then in 1994, I decided to run for the dispatcher job." She had support from her co-workers, so Tyner, never one to shy away from challenges, ran for the office.

She showed well in the November primary, coming in sixth in a field of

eighteen men. She was third highest vote-getter in the December runoff for seven available positions as dispatcher.

It's an important and challenging job. Besides all the paperwork, the dispatcher routinely calls the companies for the day's work allocation, then matches up workers with jobs using a time-honored, equitable procedure.

Born in the struggle of the 1934 general strike, the joint dispatch hall changed the way workers got their jobs on the waterfront. Gone are the days men would hunt for jobs from pier to pier, suffering the built-in evils of the antiquated "shape-up."

"I intend to do my best, and be good at my work," said Tyner. "As long as the good times outweigh the bad times,



Rosa Tyner, the first woman elected longshore dispatcher on the West Coast, acknowledges applause as she is welcomed by Larry Wing, president of Local 10 of the International Longshoremen's and Warehousemen's Union. Photo by David Bacon

I won't complain."

Her husband of 22 years, two sons and a daughter are all quite proud of

Tyner's accomplishments. Originally from Alabama, the family's been in the Bay Area for almost 18 years.

Secret Deal Scuttles Phosdrin Ban

The United Farm Workers Union is outraged that the Environmental Protection Agency has secretly removed its ban on the highly toxic pesticide Phosdrin, allowing its manufacturer, Amvac Chemical Corp., to unload 200,000 pounds of unused stock.

Phosdrin, basically a nerve gas related to those used as chemical warfare agents in Hitler's Germany, is so toxic a spoonful spilled on the skin could prove deadly, according to EPA officials.

Yet, after the poison was removed from use last year, concluding 40 years of application to a variety of crops harvested by farm workers, Amvac was stuck with 200,000 pounds and no market—until the EPA and Governor Pete Wilson's Department of Pesticide Regulation quietly agreed to give the company another year of harvest.

In quick response, a crowd con-

sisting of farm workers, members of the Hotel Employees and Restaurant Employees, the Teamsters Union and Justice for Janitors, massed with community activists and environmentalists at the doors of Amvac corporate headquarters in the City of Commerce to protest the lifting of the ban.

Looming ominously near the building's front entrance was a sign stating: "The chemical in this facility may cause cancer, birth defects, and reproductive harm."

The notice is a provision of Proposition 65 passed by voters in 1986 which requires businesses to warn persons who are exposed to chemicals known to cause cancer or reproductive toxicity.

It's expected that most of the dangerous pesticide will be sprayed in California where 60 percent of the product has been sold for decades.

It's so dangerous, that of 10,000 chemicals, Phosdrin is one of only 50 officially banned over the last 25

years. Just one other hazardous substance has been reinstated. Despite this dubious distinction, there was no notice or opportunity for public debate on Phosdrin's return.

One recent study revealed more than 40 percent of the farm workers poisoned by pesticides were afflicted by Phosdrin.

A rise in miscarriages experienced by women working in the fields, their children often born with defects, are attributed to the damage the pesticide can inflict.

In expressing his outrage in a letter to President Clinton, Arturo Rodriguez, president of the United Farm Workers, noted that "... farm workers have suffered for years from Phosdrin and other dangerous pesticides.

"We ask that you reverse EPA's decision. Do not postpone for one minute the ban on this toxic that has caused so much tragedy.

"Phosdrin, one of the five very

dangerous agricultural poisons, was first targeted for abolition by Cesar Chavez in 1984. The last of the five, Captan, was targeted to be phased out in October 1994."

Ten years prior, Chavez had called for an end to the use of Phosdrin along with Dynoseb, methyl bromide, Parathion and Captan, on California food crops. The demand coincided with his launching of the third grape boycott.

The United Farm Workers in Washington State, now affiliated with the California-based UFWA, also played an important role in events leading to the elimination of Phosdrin.

Federal and state regulators did not move for a ban until 26 farm workers mixing and spraying the pesticide in Washington state apple orchards in 1993 were rushed to hospitals with symptoms of poisoning.

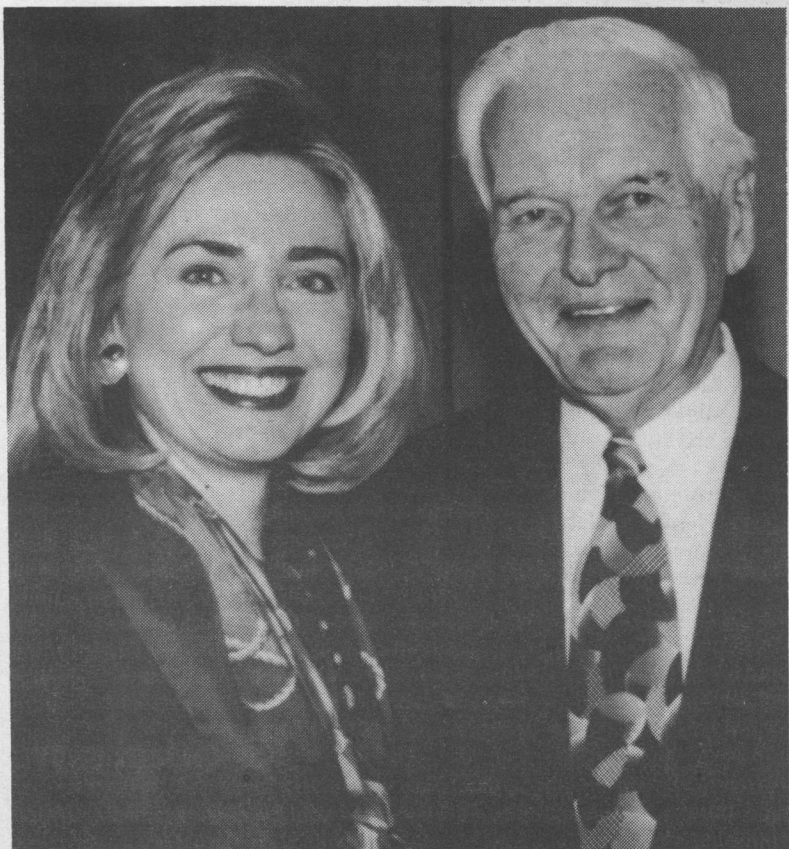
The chemical was subsequently

banned from use in that state's orchards.

The next year, EPA was asked to ban Phosdrin nationwide. When it became clear the ban would be instituted in California, Amvac, the sole manufacturer of the product, agreed to halt distribution. Farm workers and environmentalists hailed the company's decision to enact a ban voluntarily.

In the continuing battle against the proliferation of pesticides, the California Labor Federation last year defeated a bill that would have lowered pesticide standards now in effect in California in favor of the weaker federal EPA regulations.

AB 2888, carried by Julie Bornstein, D-Palm Desert, would have lowered licensing requirements for toxic agricultural pesticides, and allowed the state to introduce a new pesticide on an "emergency" basis before a review or safety tests were performed.



Labor's Guest

First Lady Hillary Clinton is greeted by Jack Henning, executive secretary-treasurer of the California Labor Federation, during last week's annual conference of central labor councils sponsored at San Diego by AFL-CIO Region VI and the state federation. Henning said of Mrs. Clinton, who was guest speaker at the event: "In the congressional health care struggle she stood with those who have so little against the structured avarice of those who have so much." The conference included sessions on the 1994 elections, this year's legislative goals, the Job Training and Partnership Act, and the AFL-CIO Human Resources Development Institute.

PG&E Layoffs Under Fire

The Public Utilities Commission will investigate hundreds of customer complaints concerning PG&E's sluggish performance in restoring power during northern California's flood crisis last month.

In a letter to PUC President Daniel Fessler, State Board of Equalization Chairman Johan Klehs requested the Commission to launch an investigation soon to look into "... the response of PG&E to the recent flood emergency to determine whether the company maintains adequate facilities and staff to meet any crisis and to make sure that our citizens can depend on a prompt, reliable response at all times."

The company has come under sharp criticism recently for huge work force reductions as a means to increase its profitability in response to the PUC's proposal to deregulate the utility.

This at a time when skilled and experienced workers are desperately needed in the field.

About 1.3 million households were victims of power outages as a result of January's series of storms, and PG&E was ill-equipped to adequately meet the crises, say the workers themselves.

"The workers were overwhelmed. They said they just didn't have enough people," charged Eric Wolfe, communications director for Electrical Workers Local 1245,

which represents 13,000 PG&E employees.

Consumer activists as well as workers are leveling charges at the company for making severe cutbacks that not only curtail service but create dangerous conditions for the public that go unattended for too long.

Power was lost for four or more days in the hard hit communities of Ukiah, Fort Bragg, the Russian River area, Marin County and the Santa Cruz mountains.

In an apparent move to cut back on the payroll, PG&E supervisors were sending crews home when their services were direly needed.

About 4,500 PG&E jobs have been cut since 1993, and another

1,500 are destined for the scrap heap this year.

Union leaders have been vocal in warning the public that PG&E's stated plans to cut its work force jeopardizes the system's safety and reliability.

Last month over 1,000 workers, ratepayers and environmentalists rallied in San Francisco to loudly protest the Public Utility Commission's proposal to deregulate the utility industry. Deregulation is a direct move to dismantle the work force, say union leaders.

There will always be storms, fires and earthquakes, and "all this with 6,000 fewer people to respond," warned Jack McNally, Local 1245 business manager.

Discrimination Workshop

A workshop that examines the issues of discrimination and diversity in the workplace is being offered Saturday, February 11, for union leaders, representatives, stewards or anyone who might be interested.

Sponsoring organizations are the San Mateo Labor Council, the San Francisco Community College Labor Studies Department, and the San Mateo County Superintendent of Schools.

The session is designed to help people deal with their differences, their similarities, and build soli-

darity as workplaces everywhere become more diversified.

The workshop will be held at 101 Twin Dolphin Dr. in Redwood City which houses the San Mateo County Office of Education. The session will run from 8:30 a.m. to 4:30 p.m. Lunch is included. The deadline for registration is Feb. 8.

A check for \$25 payable to SMCLC should be sent to 1153 Chess Dr. #200, Foster City, CA 94404. For more information call (415) 572-8848.

Wilson Savages Public Employees

Gov. Pete Wilson called members of Congress "whores" of public employee unions this week and demanded repeal of basic worker protections that have been in federal law for more than half a century.

He did not exclude Republican members of the House.

The outburst was touched off by a federal judge's ruling that Wilson broke the law when he paid state employees in script in lieu of \$500

million in wages during his 1992 budget confrontation with the Legislature and then refused to furnish evidence that the action could not be avoided.

Depression-era members of Congress, few if any of whom are still alive to respond to the "whores" accusation, enacted the law to prevent employers from forcing workers into virtual bondage by paying them in script to be spent at company

stores.

Wilson sounded off Wednesday at Washington, D.C., during a speech to a meeting of wholesalers. He was at Washington to press his demands for the \$610 million in additional federal aid he needs to balance his new state budget.

By refusing to answer questions about the necessity of issuing IOUs to workers, Wilson laid the State of California open to payment of \$500

million in penalties, according to the ruling issued Monday by U.S. District Judge Garland Burrell.

Wilson's office is claiming that "executive privilege" exempted the governor from provisions in the federal law requiring proof of the necessity of issuing script instead of cash for wages.

State workers eventually got the \$500 million owed them, but the judge said they are entitled to col-

lect penalties equal to the amount of the wages.

Ironically, Judge Burrell was endorsed by Wilson for appointment to the federal bench. Assembly Speaker Willie L. Brown, Jr., noted that "even a friendly judge" couldn't approve Wilson's refusal to turn over documents or answer questions about the IOUs.

"He just stonewalled," Brown observed.

Wage...

(Continued from Page 1)

sion, charged with statutory responsibility to protect workers without collectively bargained contracts, from impoverishment and oppressive working conditions, has failed to raise the minimum wage since 1988.

The IWC, in fact, has repeatedly refused to review the need for an increase every two years, doing so only once since 1988, during which time inflation has lowered the minimum's value by more than 24 percent.

At the May, 1993 meeting, the employer-dominated IWC voted 3-2 to reject a proposal to increase the minimum \$1.25 to \$5.50 in two steps. Later in the afternoon of the same meeting, a 25-cent boost was proposed.

Jack Henning, executive secretary-treasurer of the Federation denounced the proposal as "an insult to the working people of California." Three hearings later that summer resulted in rejection of Commissioner Robert Hanna's motion to hike the minimum to \$4.85 or \$4.50 on August 26.

At the same hearing, the IWC also rejected its own proposed 25 cent raise after acrimonious debate, keeping the \$4.25 minimum at a level too low to supply the needs of low-wage workers.

Meanwhile, President Clinton announced this week he will ask Congress to raise the federal minimum wage to \$5.15 an hour in a two-step increase of 45 cents this year, and 45 cents next year.

"You can't make a living on

\$4.25 an hour," Clinton said. He went on to challenge Congress to "... find a way to make the minimum wage a living wage."

Although U.S. Labor Secretary Robert Reich has long been advocating a federal increase, Clinton formally proposed it after his economic advisors assured him a minimum wage increase would not curtail the growth of new jobs.

The climate for a federal increase seems favorable in some quarters despite traditional Republican opposition in Congress.

A Los Angeles Times poll revealed that an impressive 72 percent of Americans favor a minimum wage increase, with only 24 percent opposed.

Even Republicans who were surveyed favored an increase by 62 percent to 35 percent.

Leading economists Alan Krueger and David Card of Princeton University and Lawrence Katz of Harvard have scrutinized the effects of federal minimum wage increases in 1989 and 1990, the California raise in 1988, and a 1992 boost in New Jersey. Their findings showed none of the increases had a discernable effect on employment levels of teens and other low-wage earners.

Card and Krueger looked at more than 400 fast-food restaurants in New Jersey, which raised its minimum to \$5 an hour and compared the data to workers in nearby eastern Pennsylvania which did not raise its pay floor.

To the chagrin of those who oppose minimum wage increases, the economists' findings showed that

employment actually grew in New Jersey relative to Pennsylvania.

Still, Washington Republican congressional leaders wasted little time in restating their decades-old excuse not to raise the federal minimum wage. Senator Nancy Kassebaum, R-Kansas, new chairperson of the Senate Labor and Human Resources Committee, said she would oppose an increase on the grounds it would eliminate jobs.

House majority leader Dick Armey, R-Texas, roared, "I will resist an increase in the minimum wage with every fiber of my being."

Opponents to raising the minimum are apparently not convinced by many other independent studies over the last 40 years that conclude an occasional boost in the pay floor does not cost jobs.

That was the conclusion of U.S. Department of Labor surveys even during Republican administrations going back as far as Presidents Eisenhower and Nixon.

Meanwhile in Congress, Senator Ted Kennedy, D-Mass., is taking the lead in making a strong case to raise the federal minimum.

have the last word in fixing responsibility for the chaos resulting from disastrous decisions made by fiscal managers.

In a January 8 news article, the New York Times noted: "In the month since Orange County declared itself bankrupt, irate county taxpayers have made no secret of their desire to recall local officials who were supposed to be overseeing the county's ill-fated investment fund."

"Less well known ... was the fact that several Republican Assembly members who represent the area, voted for legislation that permitted the high-risk investments and received campaign contributions from Wall Street firms that championed the legislation."

benefits for recipients of Aid to Families with Dependent Children, In-Home Supportive Services, and Medi-Cal programs.

Bergeson was Governor Wilson's choice in 1993 to replace Bill Honig as Superintendent of Public Instruction. Honig was forced to resign the post because of a conflict of interest charge against him.

The State Assembly rejected Bergeson for that post after the California Labor Federation vigorously opposed her confirmation.

Gov. Names IWC Member

Gov. Pete Wilson has appointed John J. McCarthy, a long-time Republican political functionary, to the California Industrial Welfare Commission.

McCarthy is to be the supposedly unaligned public representative, serving alongside two members representing employers and two representing labor on the commission charged with establishing minimum wages, hours and conditions of employment for hundreds of thousands of California workers.

The public seat on the IWC has been vacant since Dorothy Vuksich, a GOP fundraiser who held a federal appointment under former President Ronald Reagan, was named by Wilson to head the state agency in charge of labor statistics.

McCarthy, 50, holds a professorship of government at University of California-Irvine. The governor's office lists him as a Sacramento resident.

During the George Bush Administration, he was regional represen-

tative of the U.S. Secretary of Education. Former Gov. George Deukmejian appointed him to several state positions, including director of the Governor's Office of Planning and Research and director of the Governor's Office of Community Relations. Before joining the Deukmejian Administration in 1984 he was an associate professor at University of the South in Seawee, Tennessee.

IWC appointments must be confirmed by the State Senate.

Diamond...

(Continued from Page 1)

manded even steeper concessions from its employees.

On September 4, 1991, nearly 500 workers, mainly Mexican-American, African-American, and Indian/Pakistani women, struck the company.

Diamond Walnut managers quickly brought in permanent replacements even though many of those on strike had been loyal and productive workers for twenty or more years.

Secretary of Labor Robert Reich ordered a U.S. Department of Labor investigation of the events at Diamond Walnut. A final report was prepared by Karen Nussbaum, head of the Women's Bureau of the Labor Dept.

Nussbaum's fact-finding mission cited the case as a classic example of how striker replacement hurts communities.

"If the Workplace Fairness Act were in place, these workers would be back on the job today," her report said.

The first decertification election was held in October, 1992. Even though the final vote was against the union, the NLRB voided the election because of pressure, misinformation and other violations of law committed by the employer.

Following that election, the union informed the company that Miller, Munoz, and Kussair wished to return to work unconditionally so they could campaign and let the scab workers know the union's position.

The company agreed, but said the only jobs available were seasonal, not year-round positions. Scabs had those jobs now.

Willa Miller, who previously had worked in quality control, was assigned as a case packer, even though there were several quality control assistant openings which paid more than the job she was given, said the NLRB.

Alfonsina Munoz, who previously was a lift truck operator, and Mohammed Kussair, who had operated an air separator machine, both were assigned jobs as "crackers" — opening up walnuts to determine their quality. The Board found that although positions similar to their previous jobs were open, the workers were not offered them.

After the second election in October, 1993, the three workers left their jobs and rejoined the strike.

In June, 1994, Administrative Law Judge Michael Stevenson decided in favor of the company, dis-

missing the union's complaint that the three were denied jobs discriminatorily.

But two weeks ago the NLRB reversed Stevenson's conclusion, finding that the company had acted in a discriminatory fashion toward the workers. The Board also rejected the company's contention that the workers' safety would be at risk if they were put in positions similar to their previous jobs because of possible acts committed against them by replacement workers.

Additionally, the Board said the case involved "serious violations ... in which employees were denied jobs solely because of their protected strike activity, while at the same time being placed in positions that were among the lowest paying in the plant."

The Board in its ruling officially demanded that Diamond Walnut offer Miller, Munoz, and Kussair their original jobs back; cease from reprimanding workers for failing to perform in positions which they were unlawfully assigned; and stop coercing workers from exercising their rights guaranteed by labor law.

The company must, according to the NLRB, award the three aggrieved workers back pay with interest; remove any reference to unlawful reprimanding of Kussair; make available to the Board all payroll records, social security payment records, timecards, personnel reports, etc., and finally, that the October 7-8, 1993 election be thrown out and a new election be held.

Sessions...

(Continued from Page 1)

to develop ergonomics policy, and how ergonomics issues can be effectively used in organizing campaigns.

Workshops will explore how ergonomics impact a wide range of occupations.

Registration forms sent to affiliates need to be returned by February 20 to the Federation's office at 417 Montgomery St., Ste. 300, San Francisco, CA 94104.

Both sessions will start at 10 a.m. and continue to 4 p.m. Registration begins at 9:15 a.m. Validated parking is available at the Holiday Inn and the Hyatt Regency offers a choice of valet or self-parking.

Questions can be directed to Kathleen Kinnick at the California Labor Federation by phoning: (415) 986-3585.

Orange...

(Continued from Page 1)

hearing on that agreement was scheduled for February 2.

Now, say union leaders, the county needs to evaluate each affected job with the union's input.

The county, said Fogarty, "Should not look upon the judge's directive as a short-term mandate to return to the collective bargaining process, but instead as a welcome opportunity to work together with county employees and their labor unions to find the best possible solutions to the county's problems."

"There are opportunities available through the collective bargaining process that the county cannot afford to ignore," he said.

"Labor contracts have been drawn up to provide front-line employees a say in the process of making the county work. These employees are the people who deliver the day-to-day services to other taxpayer-citizens of Orange County and thus understand better than anyone else, ways in which services can be continued even in these trying times."

"A lot of county officials have talked about their commitment to the 'Orange County Family,' and the employees make up an integral part of that family," Fogarty added.

"By seeking to exclude front-line workers from the process, management has risked making the county

family a dysfunctional one. You cannot expect to ever make it whole again unless you involve all participants in the healing process," he said.

Meanwhile, the State Senate Special Committee on Local Government Investments, which is investigating the Orange County bankruptcy crisis, has named southern California labor leader John Wyrrough to its advisory panel which will pinpoint the causes leading to the fiscal mess and come up with proposals to prevent reoccurrences in other municipalities.

Wyrrough is Executive Director of AFSCME District 36, one of the unions representing Orange County employees.

Orange County taxpayers may

Bergeson...

(Continued from Page 1)

port Beach is now advocating legislation to sidestep state laws requiring the County to make state-mandated welfare payments to the needy, and instead pay amounts only the County can afford.

It is widely known that Orange County has declared itself bankrupt.

Bergeson is also asking a special session to act on reducing the County's share of administrative costs in connection with processing