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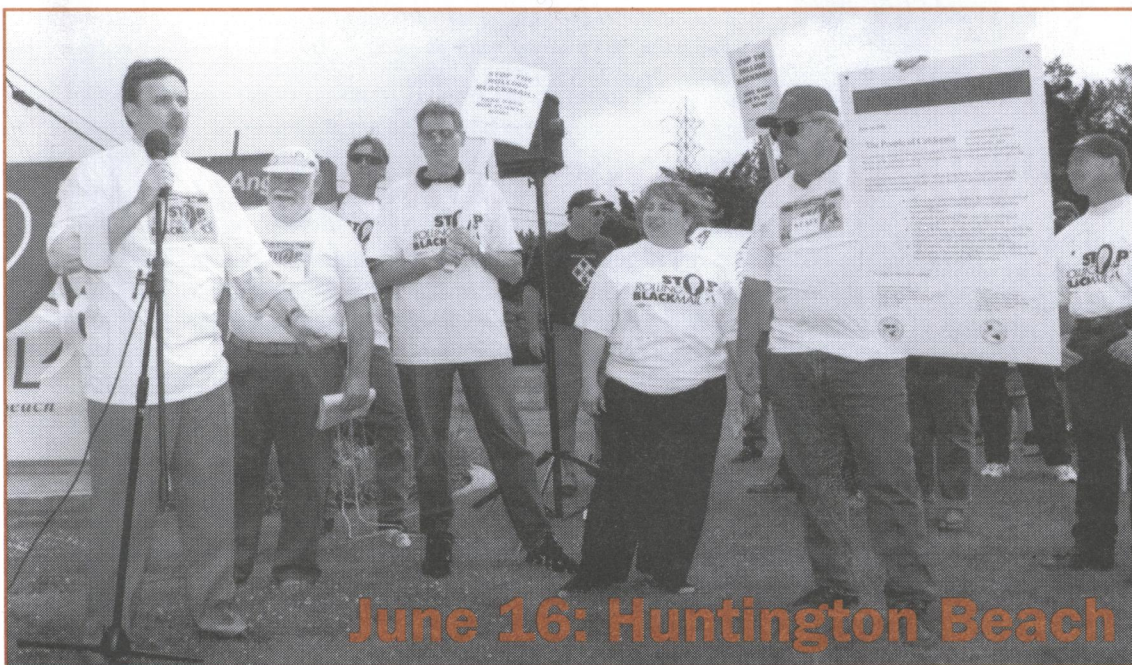
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VOL. 44; NO.5

JULY 2001

# Unions force FERC action



**June 16: Huntington Beach**

Art Pulaski, Tim Sampson, Dave Sickler, Linda Sanchez-Valentine, Doug Chappelle, Mike Mowrey read the seizure notice at the Huntington Beach rally June 16. Photo by Slobodan Dimitrov.



**June 13: Fresno**

Community members joined Fresno unionists in a demonstration at the Federal Building June 13. A delegation to U.S. Representative George Radanovich urged him to reverse his opposition to price controls. Photo by Lauren Cerand.

## Mark your calendar

**July 11, San Jose.** Stop Rolling Blackmail. Rally, March and BBQ. Sponsored by the California Labor Federation and South Bay AFL-CIO. Noon. 635 N First St, San Jose. (408) 266-3790 or (415) 986-3585 x231.

**July 17, San Diego.** Stop Rolling Blackmail. Rally. Save the Date.

**D**emonstrations by California union members in San Francisco, Oakland, Fresno, and Huntington Beach forced the Federal Energy Regulatory Commission to take action on California's energy crisis.

Hundreds of union members have taken to the streets to protest rising energy prices and inaction by the federal government in the Federation's **Stop Rolling Blackmail** campaign. As late as April 26, FERC insisted it would not impose price controls. But on June 18, the commission voted 5-0 for an expanded price mitigation program that operates around the clock, not just during power emergencies, and ordered a settlement conference that may yield refunds from generator overcharges.

"The energy crisis swallowed up \$7 billion of the state's surplus, and all of Sacramento's attention," said Art Pulaski executive secretary-treasurer. "Unions had to take action to protect our members' paychecks and to ensure the urgent public investments in housing, transportation, health care and education were made. Last winter, we issued policy statements and press releases in coalition with important consumer and environmental organizations. But we didn't start to see action until we took the campaign to the streets."

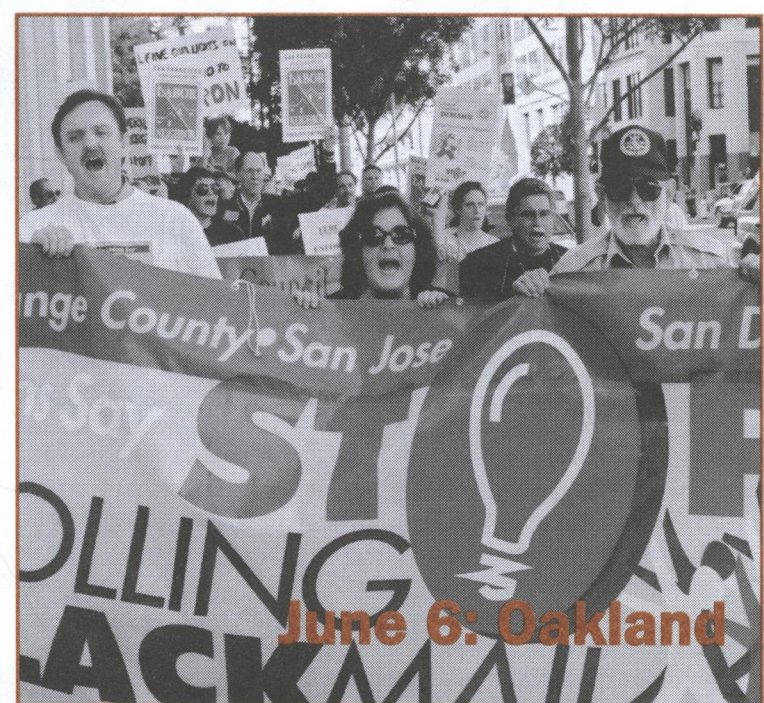
"This is an example of how working people can make themselves heard when unions take action," said Pulaski. "We're not declaring victory yet. We're keeping the heat on the profiteers and preparing for actions in San Jose, San Diego and Los Angeles."

**June 6: Oakland** More than 200 union members and community allies rallied outside the federal building as labor council leader Judy Goff delivered a letter for FERC to Congresswoman Barbara Lee's representative. An educational skit dramatized the energy crisis' impact on California workers in industrial, health care, education and other industries. The crowd then marched on the Duke energy power plant near Jack London Square, and served the first People's Notice of Eminent Domain.

**June 13: Fresno** More than 75 demonstrators dispatched a delegation, led by labor council leader Randy Ghan, to the offices of Congressman George Radanovich to hold him accountable for opposing price control legislation.

**June 16: Huntington Beach** 200 demonstrators marched on the AES Williams generating facility. Linda Sanchez-Valentine, Orange County Labor Council leader, recognized members from a dozen unions in attendance including AFSCME, Machinists, Service Employees, Teachers, Ironworkers, and Musicians—who provided the rousing marching band. Sanchez and Pulaski then posted the seizure notice on the plant gates.

-Sharon Cornu



**June 6: Oakland**

Art Pulaski, Judy Goff, secretary-treasurer of Alameda County CLC, and Bud Beal, FORUM president, lead a parade to seize the Duke generating plant in Oakland. Photo by David Bacon.



**May 30: San Francisco**

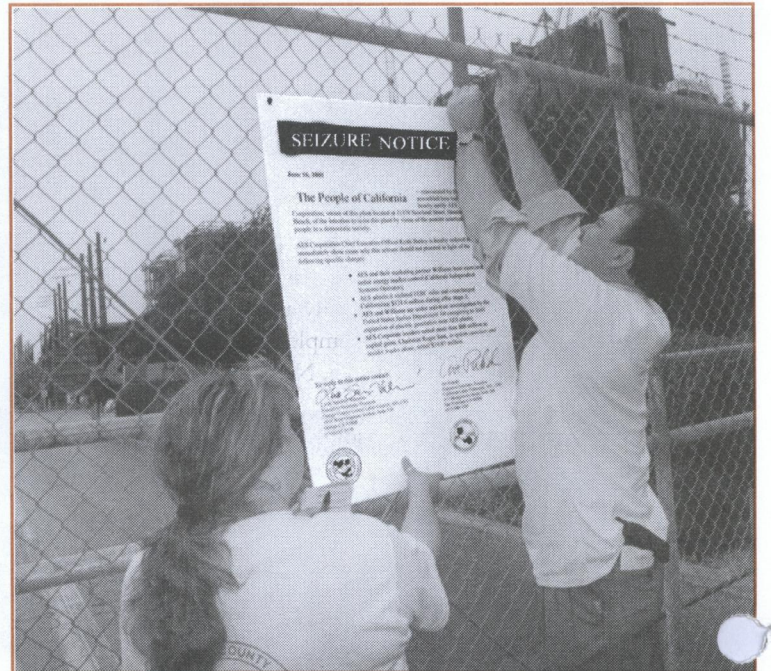
A rapid response action against President Bush's visit to California drew union members, a Bush impersonator, and national media attention. Photo by Greg Castillo.



# Rolling Blackmail actions mobilize workers against energy profiteers



Orange County unionists marched from Huntington Beach to the AES Generating Plant June 16 to demand FERC impose price controls. Two days later FERC reversed its position and imposed "mitigations."



Linda Sanchez-Valentine, executive secretary-treasurer of the Orange County CLC and Art Pulaski, executive secretary-treasurer of the California Labor Federation post a seizure notice on gates of AES generating plant in Huntington Beach. Photo by Slobodan Dimitrov.

## We want our money back!

Now that the Federal Energy Regulatory Commission has imposed some version of price controls, the California Labor Federation energy campaign turns its attention to the fight for refunds of billions of dollars from out-of-state generators. With actions planned for San Jose, San Diego, and Los Angeles we will be taking the fight directly to the pirates!

By dramatizing and fighting for the billions of dollars taken from us by the corporate raiders AES Williams, Duke, Dynegy, Enron, Mirant and Reliant—we can up the ante and pressure FERC to order refunds and the California Legislature to tax windfall profits.

Our campaign adds fuel to the call for seizing the generators' California assets—the generating plants they got from PG&E and Southern California Edison— and opens up possibilities for real California public power authority.

### How your union can help:

- Encourage your union members to turn out for the street actions: July 11, San Jose; July 17, San Diego; and on a date to be announced in Los Angeles
- Organize an action in your community
- Distribute worksite flyers and visit our web site.

If California unions and working families take this fight to the streets, we can make a difference and have our voices heard in solving this energy crisis fairly, instead of on our backs.

**Join the campaign today!**

—Tim Sampson, energy campaign coordinator

## Support pro-worker, pro-consumer bills

California union members can support the fight against energy profiteers by urging their legislators to support key bills advancing regulation and windfall profits taxes.

**Assembly Bill X2-35 (Vargas)** requires the state to seize generating plants and operate them through 2005. Currently, Assembly Bill X2-35 is in the Energy Cost and Availability committee.

**Assembly Bill X2-1 (Soto)** imposes an electric windfall profits tax on energy in California when the sales price exceeds \$80 per megawatt or an amount determined by the PUC. Revenue generated from this tax would be distributed, in equal amounts, to personal income taxpayers in the form of a refundable income tax credit.

**Assembly Bill X2-2 (Corbett)** creates a tax on windfall profits realized by a power generator or middleman. The bill passed the Assembly Appropriations Committee and is on its third floor reading.

Fax your support letter directly to your legislator using one-click communication on our website at [www.WorkingCalifornia.org](http://www.WorkingCalifornia.org).

**California workers say:**  
**We Want Our Money Back!**

Big energy corporations want California's working families to pay the price for the state's energy crisis. We're already seeing layoffs and reduced workweeks in many industries. Our state's credit rating has been downgraded, so investments in education, housing, transportation, and health care may be delayed.

California workers have shown we can conserve power and we're committed to building new energy plants. But that won't stop market manipulation and price gouging. We took this message to the streets and helped force the Federal Energy Regulatory Commission to reverse its position and impose limited, temporary price controls.

But the battle's not over—FERC must still order generators to refund billions of dollars gouged from California consumers.

**We can stop energy corporations' rolling blackmail.**

**STOP ROLLING BLACKMAIL**

Visit [www.WorkingCalifornia.org](http://www.WorkingCalifornia.org) to take action now!

Two million workers in unions of the CALIFORNIA LABOR FEDERATION, AFL-CIO

## CALPERS to question energy pirates

Union testimony before the California Public Employees' Retirement System (CalPERS) Board helped spur an investigation of energy generators' business practices. A CalPERS delegation, led by San Francisco mayor Willie Brown, will question the generators about price gouging and \$9 billion in overcharges.

CalPERS has over \$5 billion in energy investments, and California Labor Federation representatives testified that a responsible shareowner must look beyond investment returns and consider the impact of these corporations' actions on jobs, family expenditures, and the state budget.

State Treasurer Phil Angelides advanced the proposal, which was supported by Board members Sean Harrigan (UFCW), Mayor Brown, President Bill Crist (Teachers), Rob Feckner (CSEA Schools), Mike Quevedo (Laborers), and Charles Valdes (CSEA, AFL-CIO). Opposing the measure were Board members Controller Kathleen Connell, Buenrostro, Carlson and Rosenberg.

CalPERS' meetings with the generators come at crucial time. The Federal Energy Regulatory Commission ordered a settlement conference between generators, the state, utility companies, and creditors. Negotiations may produce a refund for California from the profiteers early in July.

The Federation urged CalPERS to communicate its concerns about generators' business practices, to negotiate with the state in good faith, and to settle liabilities immediately. The Federation will continue to monitor and support responsible investor activities by CalPERS and other pension funds.

Angie Wei

## CALIFORNIA LABOR NEWS

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# Labor newswire

## Federation welcomes new chief of staff



Kirsten Snow Spalding joined the California Labor Federation, AFL-CIO, as chief of staff July 1. Formerly a Labor Policy Specialist with the University of California Center for Labor Research and Education and an associate attorney at the Beeson, Tayer, Bodinerg law firm, Spalding is a graduate of Yale University and Hastings College of Law. She completed courses at the University of Durban, Natal, South Africa, prior to immigrating to the U.S., and served as an advisor to COSATU when the South African unions drafted new labor relations law in 1995. Spalding and her husband, Joe, live in Berkeley. They have a two-year-old and are expecting their second child this fall.

"My immediate priorities are to refine the mission statement and the spirit of the Project 2000 planning process, and to help our staff meet the challenges of building political, economic and organizing power for working people in California," said Spalding.

## Retirees applaud Alliance launch

Utilizing the strength of 2.5 million members, the AFL-CIO created a new national organization of retirees, the **Alliance for Retired Americans**, to advocate for the health and economic well-being of all senior citizens, and build strong communities. California retirees have greeted the news with enthusiasm.

"It's about time," said Bill Price, FORUM and California Congress of Seniors Region II president. "We've been battling for health and economic security rights for California seniors for decades. Many of our senior groups—California Congress of Seniors, Senior Action Network, and FORUM—helped in struggles for affordable senior housing, responsible investment of pension funds, and quality affordable healthcare for all. California retirees have a lot of experience to offer the Alliance."

Because the senior vote is influential, the Alliance will participate in grassroots legislative advocacy. It is already leading the movement to protect Social Security and secure prescription drug benefits in Medicare.

Membership to the Alliance is open to all older and retired workers, whether union members or not. While there are benefits of membership, the organization promises to keep retirees active in social and economic justice movements.

"We must always keep organizing to protect our benefits. If we hadn't been organized in 1983 after Reagan cut the cost-of-living-adjustment on Social Security, our check today would only be 40% of what we receive. The Alliance will pull together labor and seniors. We need to fight for each other," said Wendel Kiser, 90, president of the Stockton-Modesto Teamster Retirees. The club was recently chartered as an Alliance chapter.

—Margaret Hanlon-Gradie

## ILE to support labor research needs

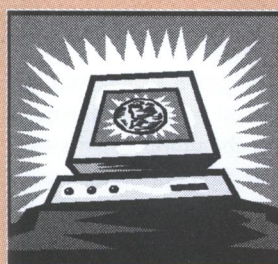
The **Institute for Labor and Employment** is a new multi-campus research program dedicated to studying and addressing challenges workers face in California's diverse and changing economy. Funded by a \$6 million state appropriation secured by the Federation, ILE expands on the existing Institutes of Industrial Relations and Centers for Labor Research and Education at UC Berkeley and UCLA.

The ILE's research agenda focuses on the "new economy, new labor, and new workers," in California. Each year, the ILE will issue a request for proposals to University of California faculty. They may partner with unions and community based organizations to complete research that informs and supports their daily work. Four categories of grants are funded: targeted faculty research, special faculty projects, convenings and dissemination, and graduate student research. The first round of ILE research funds were distributed in February, 2001 and the ILE recently awarded a second round of grants.

The Federation can help unions identify professors interested in collaborating on research projects. Contact Angie Wei, Policy Director, at (415) 986-3585 ext 233 or [awei@calaborfed.org](mailto:awei@calaborfed.org). For more information about the ILE or to learn out about funded research, visit their website at [www.ucop.edu/ile](http://www.ucop.edu/ile).

—Angie Wei

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**California Labor News, including Organizers**



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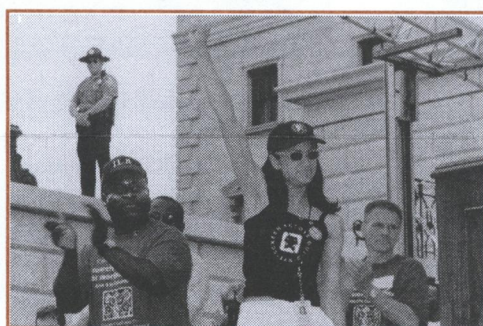


California's ILWU Local 10 Drill Team led 7,000 marchers along Main Street in Columbia, South Carolina, on June 9. Photo by Mike Hawkins.

## California drill team leads march 7,000 unionists rally for Charleston 5

California unionists made the historic journey to Columbia, South Carolina on June 9 to march and rally in support of the Charleston 5, five members of the International Longshoremen's Association, AFL-CIO, who face felony riot charges for defending their jobs.

A Teamsters color guard and San Francisco's ILWU Local 10 Drill Team led the marchers from



ILA President Ken Riley (l) applauds after Screen Actors Guild activist Ann Marie Johnson's speech at the June 9 solidarity rally for the Charleston 5. Photo by Mike Hawkins

Memorial Park one mile to the state Capitol. Chanting "Free the Charleston 5," thousands of unionists and supporters flowed onto the statehouse lawn to hear speakers from around the world pledge support. Linda Chavez-Thompson, AFL-CIO vice-president; James Spinoso, ILWU president; Donna Dewitt, South Carolina AFL-CIO president; and leaders of the NAACP, Coalition of Black Trade Unionists, ACLU and community groups joined family members of the Charleston 5 on stage. The Charleston 5, Kenneth Jefferson, Elijah Ford, Jason Edgerton, Ricky Simmons, and Peter Washington, remain under house arrest pending trial.

After ILA President John Bower spoke, ILWU members erupted into boisterous chants of: "Shut down the ports!" Solidarity was the overriding feeling of the day. Richard Kahoalii, ILWU Local 18, West Sacramento, marched with California unionists from SAG, Service Employees, Ironworkers, and Auto Workers. "It felt good to be there. I felt great pride

being a union member, and seeing such solidarity from different industries," he said. "Our local felt we needed to be there. We are a small local and we know we are not immune to the same attempts to break unions."

Jack Heyman, ILWU Local 10 leader and member of the Charleston 5 defense committee, believes dockworkers have a unique appreciation for the

situation. According to Heyman, ILWU was the first union in the U.S. to initiate a call for the defense of the Charleston 5. The Local even sent two delegates to walk a picket line after the January 2000 riot that resulted in the 5's arrest.

The fight for justice began in November 1999, when Nordana

Shipping Lines cancelled its contract after 23 years. True to the longshore union tradition, the Five and 150 of their co-workers took action to defend their jobs. Peaceful pickets successfully stopped the unloading of two ships in January. But things soon escalated.

Shortly after midnight on January 21, 2000, longshoremen and clerks marched from the union hall to the docks. They met 600 armed police in riot gear. With sharpshooters poised on rooftops, mounted police, armored vehicles, helicopters, and patrol boats stationed off the docks awaited the protestors. Police pushed into the crowd, firing teargas and beanbag missiles.

Ten people were injured and eight picketers were arrested. The court dismissed charges for a lack of evidence after viewing videotape of the action.

However, the State's attorney general Charlie Condon, a gubernatorial candidate, impaneled a grand jury. It indicted the Charleston 5 on felony riot charges, and the men

face five year prison sentences.

Union response was swift. Spanish dockworkers refused to unload Nordana ships in Valencia and Barcelona. ILWU and ILA unions resolved to close the ports in international solidarity on the first day of the trial. Swedish and Danish dockworkers pledged the same.

But the non-union company sued to bankrupt the union and persuaded the ambitious attorney general to continue to jail the Charleston 5. The predominantly African-American members of Locals 1422 and 1717 are political targets for their leadership in the fight to remove the Confederate flag from the capitol.

The rally, sponsored by the South Carolina AFL-CIO and South Carolina Progressive Network, also drew attention to escalating attacks on workers. Current legislation will prohibit union appointments to the Port Authorities Board, expand the "right-to-work-for-less" law, and prevent local governments from passing living wage ordinances.

"I heard from a union activist from Michigan who spoke at our open-stage event before the rally. He said because rally attendees pressured the Burmese consulate to free a unionist there, there had been some movement. I thought: 'How ironic. We helped free a unionist in a dictatorship, and here we can't free five men from house arrest,'" said Donna DeWitt, South Carolina AFL-CIO president.

A June 26 trial date has been postponed until September.

—Margaret Hanlon-Gradie

### Defend the Charleston 5!

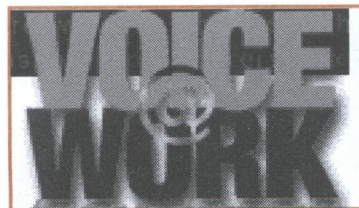
■ Send a check to:  
Campaign for Workers' Rights in South Carolina  
PO BOX 21777  
Charleston, SC 29413

■ Call South Carolina Attorney General Condon (803) 734-3970 and demand he drop the charges



# Organizers Report

## '7 Days in June' celebrate workers' right to organize



California unions highlighted the call for a strong voice at work in events around the state during *Seven Days in June*.

The California Labor Federation held a press conference on June 13 to recognize workers who had successfully organized using Federation-sponsored legislation. Among those recognized was Carolyn Atkinson, HERE Local 49 member, who helped organize her co-workers at the Sacramento Sheraton Grande under a card-check agreement negotiated by local unions and pro-worker elected officials.

Other honorees represented SEIU Local 535 Stanislaus County workers who organized 400 co-workers using Senate Bill 739, known as the Agency Shop Bill (see Organizer's Report, this page) and Yolo County bus drivers who joined ATU Local 256 using Assembly Bill 1889.

In other events, labor leaders and activists, including Art Pulaski and Shelley Kessler, executive secretary-treasurer of the San Mateo Central Labor Council engaged in civil disobedience to draw attention to the struggle of Aeroground workers at the San Francisco Airport. In San Jose more than 150 people marched downtown to support janitors.

*Seven Days in June* is a nationwide series of events that highlights workers right to form unions despite sophisticated campaigns of harassment and intimidation by management and consultants. Thanks to Federation-sponsored and supported legislation, California union membership is growing.

"But more needs to be done to protect and promote a workers freedom to choose a union," said Art Pulaski, executive secretary-treasurer. "Our elected officials must be held accountable on what they do to protect the right to organize. More laws must be passed, until the promise of the NLRA is realized. All labor organizations must support organizing—philosophically, financially, and physically. There's a lot of work to do."



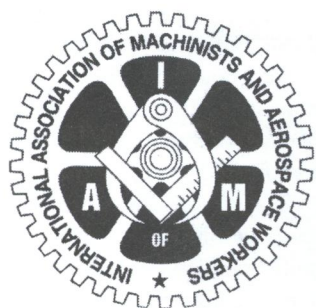
Healthcare workers at St. Bernardine Hospital in San Bernardino savor victory. Lucy Gutierrez is second from right. Photo by Ally Young

## CHW workers win with Service Employees

Workers at two Catholic Healthcare West hospitals in San Bernardino County were the first to organize using a new agreement between Service Employees' and Catholic Healthcare West. 1,200 environmental service, skilled maintenance, dietary workers, nursing assistants and respiratory therapists at Saint Bernardine Medical Center and Community Hospital of San Bernardino became the newest members of Service Employees' Local 399 May 25 with a 622-265 vote.

Under the agreement, which ends a five-year struggle against the largest private healthcare corporation in California, the union has limited access to the facility and use of a bulletin board. When 30% of workers in a bargaining unit sign authorization cards or petitions, a neutral election officer, chosen by the union and CHW, oversees a non-NLRB election. Management cannot conduct captive audience or one-on-one meetings or otherwise interfere with a workers freedom to choose a union.

At Saint Bernardine's, that has not always been the case. "Over twenty years ago, some workers tried to organize here and were fired. Many people remembered that or heard about it, so they were scared," said Lucy Gutierrez, a housekeeper. "But after 21 years at Saint B.'s I knew things were not getting any better. Every department is short staffed. Our opinions are not respected. Benefits and pay get worse. We needed to change things."



## Machinists win one in the air and two on land

110 workers who battle forest fires voted May 8 to join the Machinists. The pilots and mechanics of San Joaquin Helicopter Company, a contractor of the State of California, demonstrated true solidarity in the face of an anti-union campaign in which the company claimed the workers were state employees and not entitled to a National Labor Relations Board election.

Organizing for safety, job security, and a safety net for their families, the workers decided at the end of the 2000 fire season to organize. Beginning last October, the group withstood captive audience meetings and seven days of hearings and appeals.

"There was a real lack of regard for the pilots. We're employees at-will, one year at a time. We are not considered firefighters, and therefore our families are not entitled to a death benefit. Safety issues are a big concern. Flight suit temperatures can reach up to 120 degrees," said 15 year airtanker pilot Jim Barnes. Bargaining began in

June.

On the ground, service department workers joined their co-workers at Saturn of San Francisco on May 3 after voting 26-3 for Machinists Local 1414. The facility, like most of Saturn's Northern California facilities, is owned and operated by Saturn Retail Enterprises. "Saturn likes to play up their pro-union relationship with UAW, but they are no different than any other boss," said organizer Jesse Juarez. "They ran a vicious anti-union campaign. But this was a determined group. From the beginning they were public, wearing buttons and carrying petitions. They were a union from the start."

Seeking fair treatment, better wages and benefits, and holiday pay, workers began the campaign in March with a march on management to demand recognition. They carried a petition declaring their intention to form a union to give themselves a voice and improve the lives of their families. Management hired anti-worker consultants and held captive audience meetings.

"They followed the anti-union script to a 'T,'" said James Jose, Saturn Technician. "The general manager held captive audience meetings and one-on-ones. She would cry and tell us to talk to her directly about problems. We spoke out at the meetings, and presented her with a petition that said we'd rather be working. For the first time we were getting paid for meetings."

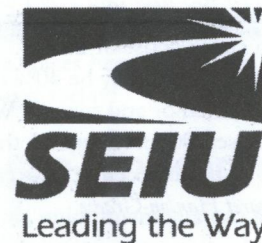
In another IAM victory, Antioch Rock and Ready workers

celebrated the NLRB bargaining order issued on May Day. The decision ends a three-year wait for justice.

In 1997, the Machinists and Teamsters lost a joint campaign at Rock and Ready by one vote. A year later, after management's promises did not materialize, workers began to organize again. Joined by Operating Engineers 3, all three unions won their elections. The owners filed numerous charges with the NLRB, who cleared the Machinists and issued a bargaining order. (The Teamsters won the NLRB ordered re-run within the year). The employer appealed the decisions and refused to bargain. During the delay period management froze pay, took away overtime, and changed benefits. The union escalated the fight by filing ULP charges and taking direct action. In November, the unions began a series of informational pickets. Cement truck drivers picketed the plant, and workers, like Dennis Arnold, honored it.

"I've waited four and one-half years," said Dennis Arnold, a heavy equipment mechanic and fleet maintenance supervisor. "I'll wait another four and a half years." Arnold has not had a raise since the organizing drive began in 1997. When the company severely cut his hours early in the campaign, he had to dip into his 401(K) to pay his bills.

Rolling pickets followed cement and gravel trucks as they left the plant. When they set up at job sites, the forty cement truck drivers, who had reached an



agreement with the company, refused to deliver the cement, which subsequently had to be dumped. On site, Operating Engineers also stopped working. Bargaining has yet to begin between Machinists and the company.

## "With agency shop, our voice is louder"

"When the county refused our proposal to bargain agency shop into the current contract, we took it to the members," said Elaine Carter, Service Employees' 535 organizer in Stanislaus County. Under a Federation-supported law effective January 1, workers can decide whether or not they want an agency shop provision in their contract.

"Prior to the law, each county, municipality and court established its own guidelines to organizing and overall employee relations. Each required extensive research. Unlike other public-sector entities we were not covered by the Public Employee Relations Board (PERB). This law supercedes prior ordinance requirements," said Carter. The result? Four hundred new members, doubling the local's membership in the county and an agency shop clause that helps temporary and part-time workers

join the union. In addition, new units organized by the union will be covered by the agency shop clause.

The union notified county managers about the new law and their option to recognize the union. "They laughed in our face," said Carter. The union decided to flex some muscle and have some fun. They began a campaign to educate members and increase membership.

Beginning April 20, chapter leadership and stewards blitzed their co-workers for the week of negotiations. A majority of workers signed the petition.

Reva Burchett, social worker for 23 years, had fun signing up her co-workers. "Many of my co-workers admitted they had been thinking about joining for a long time. A lot of times I heard things like 'I should be a member, I should support my co-workers, and I should pay'. We were visible. At least once a week we scoured the workplace, walking through the buildings, in the breakrooms, at the entrances to offices — we were everywhere. It was easy to get across to them that with agency shop our voice is louder."

The union activity did not go unnoticed by management. Before the union could even present the petition to management, management changed its position at the table. Workers insisted they get it in writing.

—Margaret Hanlon-Gracie