

Let me say this about that

...Gov. taps Fletcher

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IRV FLETCHER of Woodburn, a former president of the Oregon AFL-CIO, has been appointed by Governor Ted Kulongoski to the Advisory Committee to the Director of the Oregon Department of Veterans Affairs.

The Salem-based department's newspaper, *Vets News*, said Fletcher is a Korean War veteran who was "honorably discharged in 1954 after serving in the U.S. Navy as a machinist aboard the USS *Corregidor* (CVE 58)." The department said that Fletcher will be on the advisory panel until the end of 2006, filling out the term of a committee member who died.

THE VETS NEWS quoted the department's director, Jim Willis, as saying: "Having an experienced advocate like Irv serving on our Advisory Committee is a big plus for all Oregon veterans. He brings with him integrity and commitment."

The state agency's publication went on to recap Fletcher's career thusly:

"**IN 1973**, Governor Tom McCall became the first of seven chief executives to appoint Fletcher to serve on state government committees. As a lobbyist in the Oregon Legislature, Fletcher played a role in gaining legislative approval for the Labor Education and Research Center, which was established at University of Oregon in 1977.

"Fletcher taught as a junior high teacher for 12 years in Klamath Falls, worked for the Department of Corrections, the Apprenticeship Information Center, and then served as president of the Oregon AFL-CIO from 1981 to 1999. Following his retirement, Fletcher renewed his teaching credentials and also has been very involved in the local Woodburn food bank delivering food to seniors. Irv and his wife Eva reside in Woodburn."

A MAINE NATIVE, Fletcher moved to Eugene from Klamath Falls and held the secretary-treasurer post in the Lane County Labor Council and was on the state labor federation board before becoming its president.

★★★

PENSION HISTORY — A booklet entitled "Labor Firsts in America" contains a short history of pensions in the United States, some of which follow:

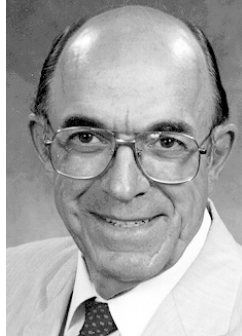


RAY MARSHALL

The first pension was established by the Plymouth colony for its disabled soldiers in 1636. The first federal government pension was established in 1776 to assist wounded and disabled Revolutionary War soldiers. The first private pension plan offered by a labor organization was set up in 1860 by the Amalgamated Society of Engineers, a union of American and Canadian workers. The first private pension plan offered by a company was established in 1875 by the American Express Company. The first private pension plan set up entirely by American workers was created in 1880 by the International Molders Union.

THE FIRST investigation of old age associations was done in 1903 by the Massachusetts Bureau of Labor Statistics. The first proposal for federal legislation to provide old age pensions was made by Congressman William B. Wilson, a Pennsylvania Democrat, in 1907. He became the first Secretary of Labor in 1913. The first state to pass a pension law was Arizona in 1914, but the law was ruled unconstitutional. In 1916, Territory of Alaska passed the first pension law to be declared constitutional. In 1923, Montana became the first state to pass a pension law that was declared constitutional.

The "Labor Firsts in America" booklet was published in 1977 by the U.S. Department of Labor when Ray Marshall was secretary of labor in the administration of President Jimmy Carter.



IRV FLETCHER

Bush first president not to attend Council on Aging

To The Editor:

I was honored to be Congressman Earl Blumenauer's delegate to the White House Council on Aging that took place Dec. 11-14 in Washington, D.C. Often called "the President's WH-CoA," it is an event that takes place every 10 years and has delegates sent from all of the states appointed by their senators, representatives and governors.

In the past, resolutions from these conferences have influenced Congress' lawmaking efforts on issues concerning the aging citizens of this country. It was disheartening to learn that this decade's gathering purposely omitted the opportunity for delegates to discuss resolutions not on the "pre-approved" agenda.

The resolutions presented to us

lacked substance and did not clearly state the issues. "Principles to Strengthen Social Security" was one of the resolutions written in a way to totally avoid the anti-privatization sentiments of the majority of the delegation. The conference's Medicare resolution also lacked substance.

When Mark McClellan, the Medicaid and Medicare administrator, made a statement to the delegates about Medicare's Part D drug benefit — suggesting that the implementation of the plan was working well — he elicited snickers and laughter from his audience. Fortunately, when we broke into work sessions, we the delegates were able to gain attention for our priorities — like strengthening Social Security

and providing affordable and accessible drug benefits under Medicare despite the president's highly-scripted agenda promoting his goals.

It was interesting to all of us that this was the first time in history that the president of this country did not attend this conference. Perhaps he really doesn't want to know what we, the delegates, are thinking about the gravely important issues facing the aging population of this country.

Verna Porter
President
Oregon Alliance for
Retired Americans
Portland

AFL-CIO, Change to Win will oppose Alito nomination to Supreme Court

WASHINGTON, D.C. (PAI) — The nation's two labor federations have formally joined a broad coalition of foes of President George W. Bush's nomination of federal appellate judge Samuel Alito to the U.S. Supreme Court.

The AFL-CIO and Change to Win labor federations weighed their decision on a wide range of anti-worker rulings on union representation, wage and hour, and job safety and health issues.

Alito's rulings and dissents as an appellate judge in the Philadelphia-based Third Circuit Court of Appeals "reveal a disturbing tendency to take an extremely narrow and restrictive view of laws that protect workers' rights, resulting in workers being deprived of many vital protections," said AFL-CIO President John Sweeney in a letter to U.S. senators.

After reviewing cases Alito decided or wrote on, "It's clear that his judicial philosophy is at odds with the interests of working families," Sweeney added.

Change to Win Chairwoman Anna Burger said "Alito's workplace would be one where worker rights would be severely curtailed. Alito's record indicates he would side with those who would deny workers a real voice on the job. Change to Win stands for worker rights Alito would oppose and we will work with our allies to stop him from ascending to the Supreme Court."

Alito was nominated by Bush to replace retiring Associate Justice Sandra Day O'Connor. Senate Judiciary Committee hearings on Alito open Jan. 9.

The AFL-CIO documented 25 Alito case opinions — most of them anti-worker — and sent them, with Sweeney's letter, to the Senate. They included:

- A 1994 case where two Reagan-appointed appellate judges ruled that re-

porters for a chain of suburban Pittsburgh newspapers were entitled to overtime under the Fair Labor Standards Act, despite its exemption for workers at "small" newspapers. Alito argued "neither the statute nor the legislative history supported the majority's opinion" that the reporters should get overtime pay, the AFL-CIO said.

- A 1991 dissent where Alito, disagreeing with two other GOP-named judges, argued the Fair Labor Standards Act covered seamen sailing on re-flagged tankers. The tankers had been transferred to a "flag of convenience" — Kuwait — during the first Iraq-Kuwait war and the court majority said the labor law did not cover the seamen.

- A 1997 Pennsylvania case where Alito's majority opinion said corporate officers of bankrupt firms could not be held liable for unpaid wages of the workers. "In Alito's view, the corporate officers should not be held liable for wages because once a bankruptcy petition has been filed, they are no longer empowered to choose to divert ... funds to pay accrued wages and benefits," the AFL-CIO analysis commented.

- A 2002 case where Alito ruled a company had not had enough prior notice — despite 13 old job safety and health violations — of 33 new Occupational Safety and Health Administration charges that it "failed to abate" on-the-job hazards. Alito threw out OSHA's new charges.

- A 1997 case where a Republican-named majority said a coal processing plant was a "mine" subject to federal health and safety rules. Alito dissented, saying it wasn't.

- In a 1998 case involving the Hotel Employees and Restaurant Employees Union and a failing Atlantic City casino, all three judges ruled it did not

have to give workers 60 days' notice, which the federal plant closing law requires, because the New Jersey Casino Control Commission ordered the closing. HERE argued for the advance notice. "Alito wrote separately to emphasize his view employers are not required to give notice under the WARN Act when the government, rather than the employer, orders the plant closing," the federation noted.

- A 1991 Alito opinion overturning a National Labor Relations Board ruling that the employer involved "discriminatorily failed to recall union supporters from layoff." Alito bounced the board's decision "because it failed to resolve a tension between the board's conclusion that the employer had not proven its defense, and the administrative law judge's decision, which had credited exonerating testimony by the employer." The impact was to leave the union workers laid off.

- A 1993 ruling throwing out a union election in Indiana (Pa.) Hospital. The NLRB upheld the vote and threw out the hospital's objections, but Alito did not. He sent it back to the board on technical grounds. "The issue was the hearing officer's decision to revoke subpoenas for case intake logs of the region's information officer." The hospital claimed NLRB's neutrality was "compromised by advice given by NLRB information officers to employee-voters, and it wanted the logs to determine which NLRB agents the employees had spoken with." Alito told the NLRB to subpoena the logs.

Sweeney's letter to senators also pointed out criticism of Alito by fellow appellate judges for his "excessively narrow view of worker protection and civil rights statutes."

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