

WHAT'S HAPPENING

Supervisor ruling spurs NLRB to re-examine 54 cases

Unions' worst fears about a recent legal decision may be coming true.

When the National Labor Relations Board announced Oct. 3 that hospital charge nurses are supervisors and therefore can't belong to a union, labor said the decision would soon apply to other kinds of workers.

Two weeks after that decision, the NLRB told its regional directors to re-examine 54 legal cases in light of the newly established definition of supervisor. While 35 of the cases involved hospitals and nursing homes, 19 did not.

The cases involve carpenters, electricians, grocery workers and TV reporters.

In each case, the Board said the union and the company must get a new ruling on who is a supervisor and who isn't.

One case stemmed from a June 2005 organizing campaign in Portland. Workers at CBS affiliate KOIN-TV wanted to join Local 51 of the National Association of Broadcast Employees and Technicians-Communications Workers of America. For legal reasons, the workers were split into two groups. Station management argued that some of the workers seeking to unionize in the second group — nine news producers and three assignment desk editors — were supervisors. The NLRB's regional office disagreed, and scheduled elections for both groups. Management appealed, so the NLRB conducted the elections, but impounded the ballots of the second group until the legal challenge is resolved. The national Board agreed to look at the case, but now wants the regional office to a second look based on the national Board's ruling on the charge nurse case.

That's not going to happen. Cathy Callahan, outgoing director of the NLRB's Portland office, said she's asking both sides if they still want the NLRB to decide the matter.

But events in the meantime have made the matter moot.

NABET-CWA won the election for the first group. Emmis Communications, the station owner that fought the unionizing campaign, sold KOIN-TV to Montecito Broadcast Group in January 2006, and Montecito agreed to voluntarily recognize the second group in exchange for NABET-CWA dropping the news producers. In July the two sides signed a first-ever three-year contract covering both groups.

"This whole story illustrates how one-sided and slanted this NLRB process is," said Local 51 President Kevin Wilson. And it's getting worse

with the NLRB's recent decision, which will impact every industry, Wilson said.

Other cases the Board sent back down to its regional offices for new hearings on who is a supervisor include disputes involving a barge operator in Longview, Wash., and a children's museum in Seattle.

The same three-person Board majority that voted to declare charge nurses to be supervisors voted to remand these cases back for a new look.

Gov. Kulongoski declares November 'Hire a Vet' month

SALEM -Oregon Gov. Ted Kulongoski proclaimed November "Hire a Veteran Month" in the state.

Nearly 8,000 Oregon Air National Guard men and women have been called to active duty since 9/11. Some have incurred economic loss and injury while in service, and many are finding it difficult to find a job.

To assist veterans and employers, One-Stop Career Centers have been established nationwide where employers can go to receive assistance in connecting to and recruiting veterans. One-Stop Career Centers offer resources including specialized local Veterans' Employment Representatives (LVERs) and Disabled Veterans' Outreach Program (DVOP) staff who work solely with veteran populations and can provide relevant veteran applicant referrals.

Labor's Community Service Agency, AFL-CIO, is a partner with the Hire Vets First program in Oregon. It is helping to promote the program, especially within the construction trades' apprenticeship programs.

LCSA Executive Director Glenn Shuck has made program presentations to union organizations, conducted mailings to distribute veterans program information, staffed informational booths at veterans events and referred veterans to appropriate services.

Labor's Community Service Agency is a non-profit agency funded in part by United Way of the Columbia-Willamette in partnership with the Northwest Oregon Labor Council, AFL-CIO. Part of its mission is to help workers who have lost their jobs to plant closures and layoffs get plugged into organizations that will help retrain them for new employment.

Eligible veterans for any of the services include veterans with service-connected disabilities, those who have barriers to employment, and those who served on active duty in the armed forces during a war or in a campaign or expedition for which a campaign or badge has been authorized.

For more information about the Hire Vets First program, call toll-free at 1-877-838-4473, in Portland call 503-655-8840, or go to their Web site at www.hirevetsfirst.gov.

Contact Shuck at Labor's Community Service Agency at 503-231-4962.



Zoo workers rally for new contract

Employees at the Oregon Zoo are battling for a new contract with Metro, the government agency that operates the facility in Southwest Portland. The old contract with Laborers Local 483 expired June 30. More than two dozen workers and supporters rallied at the Oregon Convention Center in Northeast Portland Oct. 25, where Metro councilors were meeting. The public elects a council president and six councilors representing Multnomah, Washington and Clackamas counties. Employees have already rejected one contract offer 75-6. The sides are now meeting with help from a mediator. The union said Metro insists on changing job security provisions of the contract, while refusing to address problems such as the 190 temporary employees is uses who receive few benefits. The zoo employs about 100 full-time workers. Skyrocketing health insurance costs, and who will pay for it, also are a bone of contention. The union has already agreed to several small concessions such as increasing the amount of time it takes to reach the top pay scale from 12 to 30 months; increasing the amount of hours temporary employees are able to work from 720 to 1,040; limiting the amount of vacation an employee may take by seniority bid; and dropping the Oregon Laborers Trust health insurance, the one plan that falls under current health care caps. "These concessions, coupled with the loss of the job security provisions, guarantee that the members will not ratify this proposal," said Local 483 Business Representative Rob Wheaton.

Labor, community activists press for 'best value' decree

Labor and community leaders are continuing to press Portland City commissioners to enact "community health" and "best value" ordinances covering city contracting.

The ordinances would apply to all contractors and subcontractors entering directly into construction contracts with the City of Portland or the Portland Development Commission, or through development agreements with PDC that meet a threshold in excess of \$50,000 for project cost.

State law requires that public con-

tracts be awarded to the "lowest responsible bidder," and gives government entities some discretion in defining "responsible."

"The city continues to assume that virtually all contractors are responsible and awards contracts strictly on the basis of low bid," said Cherry Harris, a business representative of Operating Engineers Local 701.

The ordinance labor is pursuing would require contractors to meet specific criteria when bidding on public construction contracts. That criteria would include family health care and family wages at least equal to the prevailing rate for each craft.

The ordinance includes a "pay-or-play" plan that works like this: If an employer does not provide family

health insurance, they will be required to pay into a new city fund to increase health care access for uninsured construction workers. Bidders also would be required to meet certain benchmarks in at least three out of five criteria: provide apprenticeship and training, hire locally, have a safety program, have a drug-testing program, or be designated as a minority, woman, emerging small business.

Harris said a City Council hearing on the resolution will be held Nov. 15 at 6 p.m. The location has yet to be determined.

For more information, call Harris at 503-650-7701.

LERA conference on health care set Nov. 15 in Portland

"Crisis in Health Care: What Are We Doing About It?" is the theme of a conference Wednesday, Nov. 15, sponsored by the Oregon Chapter of the Labor and Employment Relations Association (LERA).

The event will be held at the Oregon Convention Center in Portland starting at 8 a.m. and ending at 4:30 p.m. Registration is \$140.

The keynote speaker will be Dr. John Santa, assistant director for health projects at Oregon Health and Science University Center for Evidenced-based Policy.

Panel discussions will be held on access, delivery and cost of prescription drugs; bargaining for health care benefits; improving quality and safety in health care, and more.

At 2:30 p.m. LERA will present awards to individuals in labor relations, including union leaders, managers and academics.

Union Manor plans gift and craft sale Nov. 17-18

Westmoreland Union Manor will hold a Holiday Craft and Gift Sale on Friday, Nov. 17, and Saturday, Nov. 18, from 10 a.m. to 4 p.m.

The Manor is located at 6404 SE 23rd Ave., Portland, on the corner of 23rd and Tolman, just off SE McLoughlin Blvd.

Health care forum in Portland Nov. 29

The second "Health Care Forum for Labor Leaders" is scheduled for Wednesday, Nov. 29, from 2-5 p.m. at the headquarters of Oregon AFSCME Council 75, 6025 E Burnside, Portland. Unionists will look at goals for changing the health care system and discuss health care reforms they might pursue in the 2007 Oregon Legislature. For more information, contact Laurie or Eliana at 503-236-5573 or email laurie@jwipdx.org.