

# ...Custodian reactions are mixed

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\$3 million — based on a model worked up by economists hired by the district's lawyers.

"Their position was that everybody should have gotten a job after about 100 days," Stoll said, "and that the pay would have been \$1.50 an hour less. That's only \$3,000 a year per person."

The final amount, \$14.5 million, was a compromise between the two sides' figures. Out of that sum:

- About \$3.3 million — 25 percent — will pay plaintiffs' attorney fees. [25 percent is standard in class-action lawsuits, where lawyers work for years and only get paid if they win an award for their clients.]

- Up to \$140,000, subject to court approval, will reimburse plaintiffs' attorneys for out-of-pocket legal costs, including \$7,400 to each of the four lead plaintiffs for their services.

- A \$370,000 "Extraordinary Health Care Claim Fund" will reimburse a handful of custodians for any amount over \$15,000 that they paid for health care costs or insurance premiums.

The remainder will be divided up among the 280 custodians, amounting to about \$37,000 each. After payroll taxes, income tax withholding and employee retirement plan contributions are taken out, custodians can expect a check of about \$26,000, to be issued sometime before September 2007. A handful of custodians died

before the suit was resolved, and in their cases, the district will make the payment to their estates.

Under the terms of the settlement, the amount of the district's offer decreases \$50,000 for every custodian who chooses to "opt out," and if more than 20 of the 280 opt out, the district can back out of the settlement altogether.

Among custodians, reactions were mixed at an April 23 meeting to discuss the settlement.

"Some people were really happy and some were really unhappy," said Steve Armony, former custodian union leader and one of the four lead plaintiffs who sat through the settlement negotiations. Still, Armony says, he doesn't expect many custodians will choose to opt out of the settlement — which would mean they'd have to find a new attorney and fight on alone.

"You gotta ask yourself, 'Do I still want to be dealing with this five years from now?'" Armony said. "The district has unlimited funds — our tax dollars — to fight this and drag it out."

Stoll, who is also one of the lead attorneys in the Exxon Valdez class action lawsuit, agreed, and gave custodians some sobering perspective — the Prince William Sound, Alaska, fishermen he represents have yet to get a settlement check 18 years after the oil spill cost them their livelihoods.

While it might seem custodians' right to back pay is cut and dried, Stoll said they could face an unsympathetic judge if they went to trial; thus far, only the Oregon Supreme Court ruled in custodians' favor, and that by a split 3-2 majority. And it could take three years or more to get a decision if the two sides go to trial.

"Given everything," Armony said, "this is probably the best deal we could get."

## Retiree gets 76-year pin from Glass Workers #740

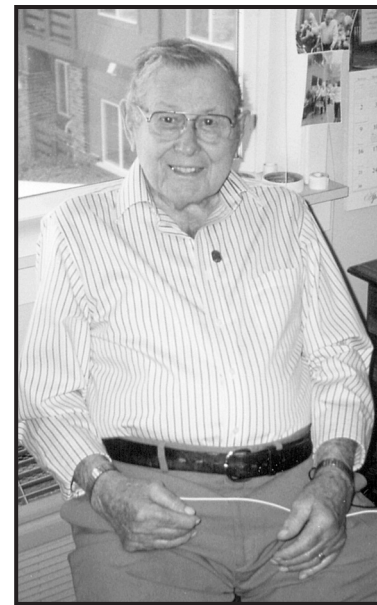
Kenneth Smith received a 76-year pin from Portland Glass Workers Local 740.

Smith, who will turn 102 on June 10, joined the union on Nov. 19, 1930. He worked as a sash glazier for W.P. Fuller until his retirement in 1970.

Smith lives in an assisted living facility in Southeast Portland, where he keeps tabs on new construction work in the area. He also keeps up on current events, reading his union newspapers and magazines.

Smith said window installation — from wood to aluminum to vinyl — has really changed the industry. He said as a sash glazier he ran "lots and lots of putty."

"Kenneth Smith is a remarkable glazier and union member," said William Vonderohe, chair of the Painters and Allied Trades District Council 5 Retiree's Club and recording secretary of Local 740.



KENNETH SMITH

## Steelworkers, two British unions consider merger

OTTAWA, Ont. (PAI) — Saying multi-national unions are needed to combat multi-national corporations, the United Steelworkers (USW) announced April 18 they will work on a merger with Great Britain's two largest unions — Amicus and the Transport & General Workers.

Merger talks, which leaders of both USW and Amicus expect will take a year, aim to create the first trans-Atlantic union and could provide a model for other unions worldwide, said USW President Leo Gerard and Amicus General Secretary Derek Simpson.

In the meantime, the Steelworkers and the British unions will work together on coordinated campaigns and "common approaches to collective bargaining with multi-nationals," they said.

If the merger succeeds, it would join the USW, which has 850,000 active members and 350,000 retirees in the U.S. and Canada, with the two British unions — who themselves merged May 1 into a new union called Unite. Com-

bined, the British unions have 1.78 million active members and over 200,000 retirees.

"Primarily in our existence, we dealt with North American capitalists. But now, with the World Trade Organization and other trade agreements, we're dealing with industry and capital that has become globalized," Gerard explained. "As global corporations have tried to force their will on job security, health care and pensions, we've found we have to get together" to combat them, he added.

The merger is also needed, he pointed out, because the USW, its Canadian arm, and the British unions each represent workers not just in steel and allied enterprises, but at least 12 sectors of the economy.

The USW-British merger plans, announced at USW's Canadian National Policy Congress in Ottawa, Ont., come just after the Independent Steel Union, representing 1,150 workers in Weirton, W. Va., merged with USW on April 13.

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