

# U.S. House approves union rights for police, firefighters

WASHINGTON, D.C. (PAI) — In yet another indication of the changed tone in Congress for workers' rights, the U.S. House of Representatives voted July 17 to extend collective bargaining rights to public safety workers in every state. The bipartisan vote was 314-97.

Right now, public safety workers such as firefighters, police and emergency medical technicians have only partial collective bargaining rights in 18 states (Oregon and Washington have full collective bargaining rights). Most of those impacted are in the South. Public safety workers in Virginia and North Carolina have no collective bargaining rights at all.

The bill specifically gives state and local public safety workers the right to join unions, the right to have their unions recognized by their employers, and the right to bargain collectively over wages, hours, and terms and conditions of employment, and the right to a mediation or arbitration process if there's an impasse in talks. Unions could also go to court to enforce the bill's provisions.

The bill bars public safety officers from striking, and management from locking out workers.

The bill is a top priority for the International Association of Fire Fighters, which put on a strong push for it in 2002, just after 343 New York firefighters were killed in the 9/11 terrorist attacks, while trying to rescue victims from the collapsing Twin Towers of the

World Trade Center.

But a Republican filibuster in the Senate that year stopped the bill. Republicans now have 49 of the 100 Senate seats, enough to successfully continue another filibuster.

Oregon Congressman Earl Blumenauer, in a letter to the NW Labor Press, said he has co-sponsored a bill to extend federal collective bargaining protections to public safety employees in the last seven congresses.

"This bill has always had bipartisan support, but the Tom Delay Republican Congress refused to allow the legislative process to work and repeatedly kept this bill bottled up in committee to die," he said (See Blumenauer's entire letter on Page 11).

"We've waited for this day for a very long period of time," Tom Nee, president of the National Association of Police Organizations, told Reuters. Public safety workers "deserve these basic, human, American rights."

Sponsoring Democrats said the bill gives justice to first responders who counter both disasters and terrorist attacks. "Our firefighters and police officers put themselves in harm's way to keep us safe," said Rep. Dale Kildee (D-Mich.) "Unfortunately, some states in this country deny our public safety employees the basic right to discuss workplace issues with their employers — a right many Americans take for granted. My bill would grant these brave men and women this right. We owe it to them."



## Governor signs prevailing wage bill

Oregon Gov. Ted Kulongoski put his signature on a "top priority" bill for construction unions at a public ceremony July 13 at the State Capitol in Salem. House Bill 2140 is a state prevailing wage law that establishes a clearer way to determine when a public-private partnership construction project is subject to the law. State prevailing wage rates are established by the Oregon Bureau of Labor and Industries and are reflective of local wage conditions paid to the majority of workers in each trade or occupation. Currently, public works projects are generally covered by the prevailing wage rate if they are worth \$50,000 or more, and are for construction, reconstruction, or major renovation for public works projects that directly or indirectly use funding from a public agency. The advent of public-private partnerships has created ambiguity in the law. The new law says that private projects with public funds equal to \$750,000 or greater now fall under state prevailing wage rules. Certain affordable housing projects and other projects already under way are exempted, as are several identified situations defined under the public funds section of the statute. "The prevailing wage is a vital part of our economy," Kulongoski said. "This bill helps create a clear line in the prevailing wage law and guarantees that more Oregonians have access to living-wage jobs, providing greater opportunities for more Oregon families."

## Judge OKs \$14.5 million school custodian settlement

U.S. Magistrate Judge John Jelderks has approved a civil rights class action settlement that will pay \$14.5 million to 280 custodians replaced by Portland Public Schools five years ago.

It represents the largest litigation settlement ever paid by the Portland School District.

The lawsuit arose out of the termination of 280 civil service school custodians — members of Service Employees Local 140 — in 2002 when the school district decided to outsource its custodial jobs to a lower-wage, lower-benefit private janitorial contractor.

In late 2005, the Oregon Supreme Court ruled that the terminations of the custodians were unlawful because of a civil service statute.

The settlement resolves all damage claims by the custodians in Oregon federal and state courts. Each custodian will receive a cash payment in excess of \$37,000 after payment of all court costs and attorney fees. Checks are expected to be issued in September.

In addition, custodians who had extraordinary health care costs that would have been paid for by the school district's insurance carriers, but did not because of the termination, will receive reimbursement for those costs.

There are also provisions for payment of lost contributions to the Public Employees Retirement System.

According to plaintiff attorneys, no custodians objected to the settlement or opted out of the class action lawsuit.

Approximately 120 of the janitors who were laid off have since gone back to work for the school district.

The district will borrow the money to pay the settlement, then pay off that debt over the next several years.

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