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Caregivers of migrant children join Laborers #320

Employees at the Oregon Child Development Coalition in Washington County voted July 23 to join Laborers Local 320. The vote, conducted by the National Labor Relations Board, was 124-17 in a bargaining unit of 170 mostly Hispanic women. Thirteen ballots were challenged by management.

"For a unit of this size, it is one of the widest margins of victory I've seen in my 30 years doing this," said John Seaton, organizing director for the Laborers Northwest Region.

Local 320, headquartered in Portland, represents 1,100 workers in heavy and highway construction, at industrial plants, as well as in the public sector.

OCDC is a non-profit pre-school childhood care and education network that works primarily with families of the state's migrant farm workers. Statewide, it employs 1,100 workers at operations in 12 counties, serving about 3,000 children and families.

The Washington County bargaining unit consists of teachers, teacher assistants, cooks, bus drivers, custodians and other workers at locations in Cornelius, Forest Grove and Banks, Oregon.

"These are truly people that need



Employees from the Oregon Child Development Coalition in Washington County celebrate after ballots were counted in favor of union representation by Laborers Local 320.

union representation, and they knew it," said Local 320 organizer Ben Guzman. As "at-will" employees, several teach-

ers — some with more than 10 years of service — had been fired for no apparent reason. Many employees were paid

\$8 an hour with no benefits.

Guzman said he was initially contacted by an employee who had been fired without cause.

"Because I spoke Spanish, she asked me to represent her," Guzman said.

Guzman told the Labor Press that he and the woman met with an OCDC administrator, who told them he didn't have to explain the firing to anyone.

Three months passed before a group of employees from OCDC called Guzman and asked about joining the union. "I laid it out to them," he recalled. "I told them they had to unite, hold hands and work together."

A full-fledged organizing campaign ensued, with picnics, house visits and authorization cards signed.

At first, Local 320 filed for card-check recognition with the Oregon Employment Relations Board, but were told OCDC was a private, non-profit organization.

"Because there was state and federal funding, we thought we were dealing with public employees," said Local 320 Business Manager Dave Tischer.

OCDC operates on a budget of almost \$35 million a year. It gets funding

from the U.S. Department of Health and Human Services, U.S. Department of Education, U.S. Department of Agriculture, Oregon Department of Education, Oregon Child Care Division, Washington County Commission on Children and Families, and the Hillsboro and Forest Grove school districts, as well as from private donations.

ERB told the union that it would investigate, but that it would take some time and the results probably wouldn't be in their favor. The only other option was to file for an election through the National Labor Relations Board.

"Once we found this out, we knew it would be more difficult going through the NLRB," Tischer said.

But pushed by employees, the campaign forged ahead.

Seaton, from the international union, praised Guzman and Tischer for their work coordinating the campaign, but he was especially proud of the employees. "This was worker-driven. I have to hand it to them, it was one of the best campaigns I've seen," he said.

Tischer said the goal now is to get a first contract ratified. The wide margin of victory should help smooth the way.

Sizemore operation faces new forgery allegations

Union-backed group finds evidence of fraud in campaigns for measures that are headed for the ballot

By DON McINTOSH
Associate Editor

Staff at a labor-supported watchdog group found what they think is evidence of forgery on initiative petitions sponsored by anti-union activist Bill Sizemore — after less than 40 hours of staff time spent combing through petition sheets.

The group, Our Oregon, shared its early findings with Oregon Secretary of State Bill Bradbury June 16. Then, after it appeared nothing was being done with the information, the group filed a formal complaint July 15 with the state Elections Division, which Bradbury oversees.

The Elections Division is certifying eight measures for the November ballot, despite indications that election law was violated by paid signature gatherers who worked on seven of the campaigns.

Those signature gatherers are employees of Democracy Direct, Inc., a for-profit company owned by Sizemore associate Tim

Trickey. A 2005 complaint by Our Oregon resulted in fines for Trickey, Sizemore, and two Democracy Direct subcontractors for violating the voter-approved ban on the pay-by-the-signature bounty. Sizemore himself has a history of initiative abuses — a jury found two of his groups had engaged in a pattern of fraud and forgery during several 2000 ballot measure campaigns.

Democracy Direct ran the 2007-2008 paid signature-gathering operations for nine initiatives aimed at the November 2008 ballot. Five of the initiatives were sponsored by Sizemore and two by former state Republican Party chair Kevin Mannix. The other two initiatives, which didn't make it to the ballot, were sponsored by Russ Walker, current vice chair of the Oregon Republican Party. [Walker also co-sponsored three of the Sizemore measures.]

The current forgery allegations stem from a two-day visit in June by two Our Oregon staff members to the Elections Division offices in Salem. Rachel Leibold and Maggie Weller looked for irregularities in a small sample of the initiative petition sheets. They tried to match up sheets for different measures that were circulated by the same paid petitioner on the same day. That wasn't easy: A single ballot measure can easily require more than 15,000 signature sheets. But Our Oregon spokesperson Scott Moore, formerly of Bradbury's office, said it didn't take long to find rather obvious evidence to confirm their suspicions.

A very high proportion of pages had all the signers' address and date information filled out in the same handwriting, and

sometimes that handwriting was different than that of the circulators who'd signed below swearing they'd witnessed the signatures. On many sheets, it was clear that carbon paper had been used to copy addresses and dates from one signature sheet to others; the signatures were always in ink, but on some sheets, they were written on top of the carbon. Sometimes, the same individual's name appeared on several measures, but with fundamentally different signatures.

Leibold and Weller made copies, and used voter registration databases to locate some of the people whose names appeared on the suspicious signature sheets. Moore said they called as many as 200 individuals and spoke with about 70. Though most didn't remember whether they'd signed or not, and some were suspicious or uncooperative, seven said they were certain they hadn't signed the petition on which their names appeared. And four of those agreed to go public.

Keizer resident Ellen Clay confirmed to the NW Labor Press that she was approached in Salem outside a Kohl's store — and signed several petitions. Clay specifically declined to sign a petition eliminating seniority pay for teachers — there are several teachers in her family. But her name appears on a sheet for that initiative, and paid petitioner Joseph Yearby, who lists a Flint, Michigan, home address, signed below swearing he witnessed all the signatures. Clay wonders: Did Yearby trick her into signing a

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