



## Carpenters throw area standards picket

The Pacific Northwest Regional Council of Carpenters conducted an area standards picket against general contractor Gray Purcell July 24 at SE 28th and Ankeny in Portland. The condo project is the same site where a nonunion crane operator damaged an electrical line, knocking out power to about 8,000 homes and businesses in the neighborhood. Police were called to the July 24 picket with threats of arrest for trespassing. Carpenters organizer Cliff Puckett said the general contractor has set up chain link fences and entrance gates for the project right to the street line, leaving no room for pickets. "Purcell says we can't be on their property, and the police say they'll cite us for being in the street. It's a tactic they're using to make it more difficult for us to picket," Puckett said. The Carpenters stood their ground when police suggested they picket across the street from the jobsite. "That's not fair to the homes and businesses. We could get sued," Puckett said. "If Purcell puts a gate in the street, that's where we have to be. They can't take away our federal rights to picket a jobsite." After much discussion, a compromise was reached as to where pickets could and couldn't be.

## Office and Professional Employees #11 family members get scholarships

College students Erin Farquhar and Sarah Caird have won scholarship awards through the Office and Professional Employees Howard Coughlin Memorial Scholarship Fund.

Each student received the top award of \$6,000, to be disbursed over two years in increments of \$3,000

each year.

Farquhar is the daughter of Dennise Farquhar, a Local 11 member employed at Lower Columbia Longshore Federal Credit Union.

Caird is the daughter of Local 11 member Kirby Caird, who works at NW Natural.



**Quest  
Investment  
Management, Inc.**

• **Serving Multi-Employer  
Trusts for Over Twenty Years**

**Cam Johnson      Greg Sherwood  
Adrian Hamilton    Monte Johnson  
Doug Goebel        Bill Zenk  
Garth Nisbet        Pat Worley**

One SW Columbia St., Suite 1100, Portland, OR 97258

503-221-0158

[www.QuestInvestment.com](http://www.QuestInvestment.com)

# Wal-Mart violated workers' rights more than 2 million times, judge says

By **BARB KUCERA**  
[Workdayminnesota.org](http://Workdayminnesota.org)

**HASTINGS, Minn. (PAI)** — In what may well be a world record, Wal-Mart, the world's largest retailer, known for its anti-worker and anti-union stands, broke labor law more than 2 million times over a six-year period by denying workers time for breaks and forcing them to work "off the clock" for no pay, a Minnesota judge ruled.

Dakota County District Judge Robert King ordered the retailer to pay wronged workers \$6.5 million in back pay. In addition, Wal-Mart faces fines as high as \$2 billion for the wage-and-hour violations.

King's ruling culminated a seven-year legal battle by four former Wal-Mart workers who filed a class-action lawsuit on behalf of 56,000 current and former employees who worked at Minnesota Wal-Mart and Sam's Club stores between Sept. 11, 1998, and Jan. 31, 2004. His ruling echoes similar judgments against Wal-Mart for breaking wage-and-hour laws in other states, including Oregon, California, Colorado and Pennsylvania. Those workers have also won millions in back pay.

"I was treated like so many of my co-workers," said Nancy Braun of Rochester, Minn., one of the four

plaintiffs. "There was just too much work to do and never enough time to do it. There just wasn't enough time in the day to take the breaks we were entitled to."

Judge King found Wal-Mart repeatedly and willfully violated Minnesota labor laws or its contract with its employees on the issues of contractual rest breaks, statutory meal breaks, shaving time from paid rest breaks, and failure to maintain accurate records.

He also found Wal-Mart was aware its employees were not receiving breaks to which they were entitled. "In essence, they (Wal-Mart) put their heads in the sand," King stated.

Minnesota law requires every employer to provide its employees with a sufficient time to eat a meal. Wal-Mart wouldn't let them eat. King stated: "No time to eat a meal is not a sufficient time to eat a meal."

He found Wal-Mart violated the meal break law alone 73,864 times.

The judge ordered a second phase of the trial to begin Oct. 20 to allow a jury to determine the amount of punitive damages and the amount of statutory penalties to be imposed against Wal-Mart. Minnesota's wage-and-hour laws allow for a penalty of up to \$1,000 for each violation. If the jury

awards the full \$1,000 penalty for each of the 2 million violations, the award could be in excess of \$2 billion.

"This first award from Judge King is just the beginning," said William Sieben, one of the attorneys representing the workers. "This award only reimburses these employees for compensation they should have already received from Wal-Mart. The next phase of the trial will be to punish and penalize Wal-Mart for willfully violating the rights of these 56,000 people whose average wage was under \$10 an hour."

In testimony that began last September, attorneys presented mountains of evidence — everything from payroll records, tax records, and company reports to memos and e-mails. Wal-Mart keeps voluminous records on all its stores on a computer larger than the one in the Pentagon. Attorneys for the workers were able to use the company's own records against it.

The United Food and Commercial Workers, which has been trying for years to organize Wal-Mart, lauded Judge King's ruling. "Wal-Mart's violation of wage-and-hour laws is part of a pattern that includes union-busting, employment discrimination and child labor infractions," said UFCW Local 879 of South St. Paul.

## INDEPENDENT RETIREMENT LIVING

**Westmoreland's  
Union Manor**  
6404 SE 23rd Ave.  
Portland 97202  
503•233•5671

**Marshall  
Union Manor**  
2020 NW Northrup  
Portland 97209  
503•225•0677

## Manors Make the Difference

- Studio and One-Bedroom Apartments
- Affordable Rent includes Utilities (EXCEPT PHONE AND CABLE)
- Planned Events, Clubs, and Activities
- Ideal Locations offer easy access to Bus Lines, Shopping, and Entertainment
- No Costly Buy-In or Application Fees
- Federal Rent Subsidies Available (MUST QUALIFY)



### MARSHALL UNION MANOR

*Opened in January of 1974*



LABOR LEADERS IN THE PORTLAND BUILDING TRADE MOVEMENT ORGANIZED THE UNION LABOR RETIREMENT ASSOCIATION IN 1962, WITH THE SOLE PURPOSE OF PROVIDING HOUSING FOR THE ELDERLY.

"We believe that everyone earns the right to retire, free from pressures of earlier years."



**Kirkland  
Union Plaza**      **Kirkland  
Union Manors**  
1414 Kauffman Ave.    3530 SE 84th Ave.  
Vancouver 98660      Portland 97266  
360•694•4314          503•777•8101

[WWW.THEUNIONMANORS.ORG](http://WWW.THEUNIONMANORS.ORG)  
TDD 503•771•0912