PDX screeners in nationwide campaign to unionize

A nationwide union campaign is under way among roughly 40,000 airport screeners at 450 U.S. airports. The screeners check baggage and passengers to keep weapons and explosives off planes.

Screening used to be the responsibility of airlines, which contracted it out as low-wage work. After the Sept. 11, 2001, terrorist attacks, it was made a federal responsibility: Screeners, renamed "transportation security officers," were made employees of the newly-formed Transportation Security Administration (TSA).

Since the agency began, American Federation of Government Employees (AFGE) has represented the TSA workforce. AFGE currently has about 12,000 dues-paying TSA members at more than 100 airports. The stand-alone National Treasury Employees Union, which is not affiliated with the AFL-CIO, also seeks to represent the group.

But big fights have been waged in Congress over whether the screeners would have the right to collective bargaining. TSA workers currently have the right to join unions and have union representatives represent them at many types of proceedings, but they have no process for establishing a union as their exclusive representative. The law that created the TSA said it would be up to the TSA administrator whether TSA employees have the right to collectively bargain a contract.

The TSA administrator appointed by President Bush said "no" to collective bargaining. Barack Obama told AFGE during his presidential campaign that he would support collective bargaining at TSA.

Sept. 17, eight months after taking office, Obama named Erroll Southers to head the TSA. Southers is chief of homeland security and intelligence for Los Angeles International Airport. But the appointment had to be confirmed by the U.S. Senate, and Senator Jim DeMint (R-South Carolina) and several other Republicans used Senate rules to hold up the nomination. DeMint argued that giving TSA workers collective bargaining rights would hurt security by making management less flexible in changing workplace practices. AFGE leaders countered that unionization could improve national security, because it would improve screener morale and working conditions, reduce turnover, and make workers less fearful of losing their jobs for reporting security lapses or instances where local practices don't conform to national guidelines. Plus, AFGE points out, immigration agents, border patrol, and local police and firefighters have long had collective bargaining rights, without that deterring their mission.

To show support for the union by transportation security officers — and other unionists — AFGE has been holding rallies around the country, including the Portland International Airport Dec. 17.

After the failed attempt to bomb a Detroit-bound airliner on Christmas Day, Congressman Peter DeFazio (D-Ore.), senior member of the House Homeland Security Committee and the Aviation Subcommittee, weighed in with a Dec. 29 letter to DeMint: "You must decide what presents the greater threat to the traveling public — terrorists organizing attacks against U.S. aviation, or the potential of labor organizing amongst TSA employees."

Apparently, labor was the bigger threat for DeMint, who continued to block the nomination. On Jan. 20, Southers withdrew his name from consideration. In an interview, Southers cited "inaction" on the administration's part in defending him. "I wish someone would have defended me more aggressively," Southers told the online magazine Salon.com.

White House spokesman Nicholas Shapiro said Southers would have been an excellent TSA Administrator, "but [the president] understands his personal decision and the choice he has made."

Reacting to the withdrawal in a press statement, DeMint repeated his point about the union: "Collective bargaining would force TSA officials to ask union bosses for permission to make critical security changes," DeMint said. "Mr. Southers was never forthcoming about his intentions to give union bosses veto power over security decisions at our airports."

As of press time, there was no word on whether or when Obama would nominate another TSA administrator, but AFGE may end up pursuing an alternate strategy, a bill that put TSA employees under the protections of the federal civil service system — including the right to collective bargaining. HR 1881 has 147 cosponsors in the House, including Democrats Earl Blumenauer and Peter DeFazio in Oregon and Norm Dicks, Jim McDermott, and Adam Smith in Washington.

If they ever win the right to fully unionize, goals are likely to be modest. AFGE Regional Coordinator Ed Terry said TSA workers hope to use collective bargaining to get on the federal government's regular pay scale — and dump TSA's unique pay-for-performance system, which Terry said gives management too much latitude and invites favoritism.

Federal employees unionize under a different law than the one that governs private sector unionization. Union membership and dues are voluntary, and they're prohibited from striking.

Hansen appointed to open Council seat in Vancouver

VANCOUVER — The Vancouver City Council appointed Bart Hansen to the vacant seat created by the election of Tim Leavitt as mayor.

Leavitt left his seat to run against incumbent Mayor Royce Pollard.

Hansen, who worked as office services manager at Clark Public Utilities, was sworn in Feb. 1.

Hansen was one of 15 individuals to apply for the open seat. The City Council whittled that list down to five people. One of them, Anne McEnery-Ogle, was endorsed by the Clark, Skamania West Klickitat Counties Labor Council, AFL-CIO.

McEnery-Ogle ran unsuccessfully last November against Councilwoman Jeannie Harris.

Hansen must run for election in November 2010 to keep the seat. He will also have to run again in November 2011, the next regularly scheduled council election.

Laborers Gary Moore re-elected to portland Metal Trades Council post

Gary Moore Jr., a business representative of Laborers Local 296, was re-elected executive secretary treasurer of the Metal Trades Council or Portland and Vicinity.

Also elected to office were: President Scott Lucy, a business rep for Machinists District Lodge 24; Vice President Bob Scott of the Pacific Northwest Regional Council of Carpenters; Recording Secretary Bill Elzie of Teamsters Local 162; and Sergeant of Arms John Candioto, a business representative of Sheet Metal Workers Local 16;

Elected trustees were Bob Carroll of IBEW Local 48, Jack Miller of Operating Engineers Local 701, and Lance Hickey of Boilermakers Local 104.

Executive Board members elected were Tim Carrier of Painters and Allied Trades District Council No. 5, Mike O'Rourke of Plumbers and Fitters Local 290, and Stan Danielson, business manager of Insulators Local 36.

Terms are for three years.

...Six parking meter techs to get $28,300 in back pay

(From Page 5)

written up for insubordination if they refused to fix problems with machines installed by FeatherLite.

Worse was yet to come.

Lacking experience with SmartMeters, FeatherLite employees may also have been unaware of certain security features in the machines, features which alerted the City's techs when $3,400 disappeared out of meters while they were in FeatherLite's possession. The techs notified management. A police investigation went nowhere, but FeatherLite reimbursed the City for the losses.

In February 2008, Precise ParkLink terminated its contract with FeatherLite, citing "financial irregularities, incapacity or unwillingness to provide project management … and other reasons." Precise ParkLink then sent two employees to Portland for six months to complete the upgrade.

Other unsavory details began to tumble out. Bruce Feathers, owner of FeatherLite, lawyered up and threatened the City with legal action. According to details published in the Tribune, Feathers charged that City Parking Operations Division Manager Ellis McCoy had acted improperly to get Precise ParkLink to cancel its contract with FeatherLite — after Feathers declined to hire him.

As reported in the Tribune, McCoy had tweaked Precise ParkLink's bid documents before they were submitted. Precise ParkLink had been the only bidder. It was also McCoy's suggestion that Precise ParkLink subcontract with FeatherLite; and McCoy advised Feathers how much to pay the employees who would do the work. McCoy and Feathers had traveled to Toronto, where Precise ParkLink paid for meals, golfing, and fishing. McCoy also accepted meals and Blazers tickets from Feathers.

The Tribune also reported that when McCoy learned of the missing money from the meters, he alerted Feathers — before police were informed. Feathers cleared his employees of wrongdoing, after they volunteered for and passed polygraph tests paid for by the company. A deputy district attorney concluded that McCoy's actions eliminated the chance for police to catch the suspects unaware, according to a memo the Tribune obtained.

Soon after Precise ParkLink got the contract to do the upgrade, McCoy had begun negotiating a plan to sell all the City's meters to Toronto mortgage broker Fovere Capital Management, Precise ParkLink's financing partner, for $9.4 million; the City would then lease the meters back over five years for about $12 million, while also paying Precise ParkLink $3 million ($591,000 a year) to maintain them.

McCoy angled for FeatherLite to hire him, sending Feathers a résumé and a business plan that proposed they try to replicate the sale-and-lease-back idea in Seattle.

The sale-and-lease-back proposal was headed to City Council for approval, but the decision was delayed and then scuttled after then-city auditor Gary Blackmer expressed "significant concerns." Blackmer's office learned of the proposal from Tribune reporter Nick Budnick just as his office was preparing to issue an audit report on the SmartMeter program.

The revelations led the City to investigate McCoy. Two years later, McCoy remains; FeatherLite continues to do business with the City; and no managers appear to have faced any sanction for the City's violation of the union contract.

But the union workers got their "day in court" in 2009 when their grievance protesting contracting out got to the stage of arbitration. A city attorney argued that the work had been contracted out because it was too technical for city employees to handle. But in the hearings and during the arbitrator's visit to the city's parking meter workshop, the integrity and professionalism of the city's techs was evident, says Barbara Diamond, attorney for the union.

"The city was overtly and continually disrespectful to the union," Diamond said. "They treated the process with such disdain; I think that's partly what the arbitrator picked up on."

The arbitrator ordered the City to cease and desist from further violations of the union contract, and pay the techs 780 hours of back pay at the overtime (time-and-a-half) rate. Since most of the group earns $24.21 an hour, the total cost to the City comes to over $200,000.

Dehner faults Adams, then commissioner, now mayor, for the fiasco. It was Adams' bureau when the outsourcing contract was approved, and it's his bureau now. Dehner said he and the techs pleaded with Adams for intervention, but Adams hid behind city attorneys.

"They had multiple opportunities to intervene and set this straight, and they failed," Dehner said.

The city attorney's office did not return Labor Press calls.

It's not clear when the checks will be issued. As of press time, over a month had passed since the arbitrator's Dec. 17, 2009, ruling, and Diamond was contemplating legal action to get the City to pay.