

Local Motion

February 2012

A list of Oregon and Southwest Washington workplaces deciding whether to be union-represented – as reported by the National Labor Relations Board and the Oregon Employment Relations Board.

Voting in union elections

Date	Workplace (Location) Union	Yes	No
No unionization elections were reported for Oregon/SW Washington in February 2012.			

Requesting a union election

Workplace (Location) Union	Number of workers in unit
Lafarge North America cement terminal (Vancouver) Boilermakers Local D-37 DECERT	3
McCormack Coil refrigeration factory (Lake Oswego) Teamsters Local 162	17
St. Charles Medical Center (Bend) SEIU Local 49 DECERT	597
Dyno Nobel chemical factory (Deer Island) AWWPW	24

LEGEND

: workers will be union-represented : workers will be on their own
DECERT : A decertification election occurs when some union-represented workers declare that the union no longer has majority support. A 'yes' vote is a vote for the union.

Labor commissioner sides with Fire Fighters in overtime pay dispute

GRANTS PASS — The City of Grants Pass has been ordered by the Oregon Bureau of Labor and Industries (BOLI) to include vacation and sick leave when computing overtime pay for firefighters. The City also must pay back overtime wages to 24 firefighters — members of the International Association of Fire Fighters Local 3564 — to correct up to two years (the maximum allowed) of miscalculated pay. The cost is estimated to be \$30,000.

The union filed a wage claim with BOLI in February 2011 after discovering state statutes that set working hours and that established a method of computing overtime pay for firefighters.

“We didn’t know the laws even existed,” union President Michael Fazio told the Labor Press.

Some members brought it to Fazio’s attention late in 2010 after attending an HR officers class.

The statute has been on the books since 1959, with amendments made in 1969.

“I asked the City about it, and they said, ‘you’re right. We’ll make it right.’ Then they changed their mind,” Fazio said.

The City argued before BOLI that a more recently enacted law governing overtime for public employees (the 1973 Public Employees Collective Bargaining Act, giving public employees the right to collectively bargain for the first time) trumped the firefighter-specific statute. It also asserted that language in their collective bargaining agreement with the Fire Fighters addressing overtime pay eclipsed the law.

Labor Commissioner Brad Avakian rejected that analysis, ruling in favor of the firefighters, stating that they should be paid overtime wages based on their total regular duty hours, including authorized vacation and sick leave, as set forth by the state statutes.

The City of Grants Pass has as filed a petition with the state Court of Appeals to review the decision as it continues to calculate overtime pay incorrectly, Fazio told the Labor Press.

Because a labor commissioner’s determination carries legal weight in all state jurisdictions, the ruling potentially impacts other fire departments in Oregon. It is not known how many jurisdictions or individual firefighters may be impacted, though Fazio said at least five other Fire Fighter locals are planning to file similar wage claims.

Workers with questions about proper calculation of overtime should contact the Oregon Wage and Hour Division at 971-673-0761 or go online at http://www.oregon.gov/BOLI/WHD/contact_us.shtml.

And new journeymen

Bricklayers recognize longtime members

Bricklayers and Allied Craftworkers Local 1 in Portland held its annual pin awards and apprentice graduation dinner Feb. 25. Guest speakers were Oregon Congressman Kurt Schrader (D-5th District), and Multnomah County Commissioner Judy Shprack.

Sixty-year pins were presented to Stan Cliett, Chester Dutton, Eugene Forsberg, Melvin Morrow, Bruce Plumb and H. Edward Stelling.

A 50-year pin went to John Schell, with 40-year pins awarded to Ray-

mond Cain, Michael Garvin, Ron Moore, Wes Swanger, William Wayne Terry, and Dan Wildenberg.

Receiving 25-year pins were Gary E. Brown, Brad Cram, Jay Cram, Lance Howard, Edward Shane O’Neill, Dennis Price, and Brent Wenzler.

Graduating from the three-year apprenticeship program were new journeymen John Lambert and Shane Salchenberg.

Handing out the awards were Busi-

ness Manager Matt Eleazer, Apprenticeship Coordinator Shawn Lenczowski, and Business Agent Mike Titus.



Forty-year pin recipients (holding plaques) are from left to right: Wes Swanger, Raymond Cain, and Ron Moore. Bricklayer and Allied Craftworkers Local 1 officers handing out the awards are Business Manager Matt Eleazer (left), Apprenticeship Coordinator Shawn Lenczowski (center), and Business Agent Mike Titus (right).

Gradine Storms, Principal Broker

RE/MAX equity group
 Cell/Text 503-495-4932
grady@gradystorms.com

Local Real Estate market shows upward trend in pending sales, while interest rates remain ultra-low.

Broadway Floral

for the BEST flowers call
503-288-5537

1638 NE Broadway, Portland

Your Oregon & Washington Union Mail House.



MORE INK
 Print anything, mail anywhere.
 Formerly Witham and Dickey

Proud Mailers of the
Northwest Labor Press

www.morelink.biz | 503-736-0111 ext. 40



James Coon



Raymond Thomas



Cynthia Newton



Chris Frost



Cheryl Coon



Charley Gee



Nicole Bockelman

The team at SWANSON, THOMAS, COON & NEWTON

can help you:

Workers Compensation

VA Disability

Construction Injuries

Death Claims

Personal Injury/Product Liability

Social Security Disability

Occupational Disease/Mesothelioma

Call us today at **503-228-5222**

Straight answers. No cost for consultation.

SWANSON, THOMAS, COON & NEWTON
 ATTORNEYS AT LAW

820 S.W. Second Avenue, Suite 200,
 Portland, Oregon 97204

www.stc-law.com



KNOW YOUR RIGHTS

IF YOU ARE HURT ON THE JOB,
 YOU HAVE THE RIGHT TO
 CHOOSE YOUR DOCTOR.
 YOUR EMPLOYER CANNOT
 FORCE YOU TO USE A CERTAIN
 DOCTOR OR FACILITY.