

# ...TriMet threatens to sue drivers

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letter continues. "In the meantime, we ask that you stand together in solidarity, and refuse to respond to TriMet's payment demand until such time as we obtain a judicial decision."

TriMet's sample letter contains a Sept. 28 deadline for employees to respond, but as of press time, the actual letter had not gone out. Fetsch, in the e-mail, said not all scenarios have been fully researched and calculated: "This will take some additional time as we are being very careful in order to provide employees an accurate accounting."

The amounts owed differ depending on whether employees were part-time or full-time, active or retired, whether they had enrolled dependents or not, whether they were enrolled in the

Kaiser or Regence plan, and whether any of those things changed between November 2009 and August 2012, as well as whether or not employees opted in January 2011 (at TriMet's direction) to accept lower benefits or keep richer benefits and pay a premium.

That last point, especially, highlights the unfairness of the repayment demand. While bargaining went on, TriMet willingly extended the old benefit formula for a year. Then it asked employees starting January 2011 to pay their increased cost, or take reduced benefits and pay no premium. Now, even employees who opted for reduced benefits with no premium are being asked to pay \$1,182 or \$4,225 — because the benefit level of that first year, which TriMet had voluntarily extended, was richer than the level the arbitrator

ended up imposing two years later.

The arbitrator's ruling itself is contradicted by a July 18 administrative law judge's order. TriMet has appealed that order to the state Employment Relations Board (ERB).

Local 757 has also filed a separate legal challenge to the arbitrator's ruling, arguing in filings with ERB that it's illegal to impose a contract proposal that itself contains elements which are illegal.

Meanwhile, in TriMet's ERB charge over the union's letter to members, it asks that ATU be ordered to tell its members to cooperate and to "make TriMet whole for health insurance payments it is unable to recoup as a result of ATU's unlawful acts."

Bargaining has not yet begun for the contract that would begin Dec. 1.

## Record number of women to serve on prevailing wage panel

Jodi Guetzloe Parker, executive secretary-treasurer of the Columbia Pacific Building and Construction Trades Council, and Nelda Wilson, business manager of Operating Engineers Local 701, have been appointed to the Prevailing Wage Advisory Committee (PWAC) by Oregon Labor Commissioner Brad Avakian.

The new appointments become ef-

fective Nov. 1 and mark a transition from having no women on the committee to having three. The third appointee is Val Solorzano, founder of Chick of All Trades and owner of C.O.A.T. Flagging.

"I am always impressed by the caliber of individuals willing and able to serve on the Prevailing Wage Advisory Committee," Avakian said. "The addi-

tion of three highly qualified women brings a wider diversity of experience and reflects my desire to see more women taking on policy-setting roles at the state level."

PWAC was created by legislative action in 2003, directing the Bureau of Labor and Industries commissioner to appoint six representatives each from management and labor to provide advice to the agency on issues relating to Oregon's prevailing wage rate law.

Norman Malbin, in-house counsel for IBEW Local 48, is the labor co-chair on the committee.

## IN MEMORIAM

**KEN SPRAY**, retired director of collective bargaining for United Food and Commercial Workers (UFCW) Local 555, passed away at his home in Beaverton on Sept. 20, after fighting a long battle with brain cancer. He was 64.



**KENNETH W. SPRAY** was born in Heppner, Oregon, on Oct. 8, 1947 to Richard and Esther Spray. He was raised in Spokane, Washington, where he graduated from high school and met and married his childhood sweetheart, Georgia Williams. They were wed on Feb. 26, 1966.

Spray served in the United States Navy. After a medical discharge he went to work as a union organizer for his father-in-law, the late Bill Williams, who was secretary-treasurer of Spokane Service Employees International Union (SEIU) Local 202.

Spray worked for a myriad of union locals throughout his career.

In 1972, SEIU sent him to Vancouver, Wash., to fill a vacancy at Local 92. There, he helped with an organizing and contract campaign that led to the first unionized hospital in Washington under a new law covering hospitals.

The following year he was in Seattle working at SEIU Local 6, and in 1975 he was off to Alaska to represent members of Public Employees Local 71 and the Alaska Public Employees Association. While there, Spray also worked as a wage and hour investigator for the state, helping recover millions of dollars for mistreated workers.

In 1988, Spray moved to Las Vegas to take a position as international rep for SEIU Local 1107, and later as executive director of the SEIU Council in Orange County, Calif.

He worked for SEIU Local 503 in Oregon starting in 1990.

In 1992 he was hired by Oregon AFSCME Council 75, and in 2003 he worked at UFCW Local 365 in Olympia, Washington.

He started work as a union rep for Tigard-based UFCW Local 555 in August of 2004, covering Southern Oregon. His family resided in Medford.


Shortly after Dan Clay was elected president of Local 555 in 2008, he named Spray director of collective bargaining for the local.

"Ken led the department through some of the most difficult and challenging times most workers have ever seen at the bargaining table or in workplaces across the country," said Clay. "Whenever he went, whatever he did, Ken believed in workers. He fought for workers and he sacrificed for workers."


Spray's illness caused him to retire in December 2011.

Spray is survived by his wife, Georgia; son, William; daughter, Yvonne Fink; four grandchildren, one great-grandson; brother, Dick Spray; sister Judy Hoferer; and numerous nieces and nephews.

Contributions may be made in his memory to the American Cancer Society. A celebration of life will be held at a later date.




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*Our Legal Staff are Proud Members of UFCW Local 555*

## Labor again partners with United Way Columbia-Willamette for 2012 campaign

As the United Way of the Columbia-Willamette 2012 fundraising campaign kicks off, it has been recognized for its financial integrity by Charity Navigator, the Better Business Bureau, and GuideStar. They put the local United Way among the top non-profit organizations in the nation in terms of its responsible use of donations.

"This 'exceptional' designation differentiates United Way of the Columbia-Willamette from its peers and demonstrates to the public it is worthy of their trust," said Ken Berger, president and CEO of Charity Navigator, the largest independent evaluator of charities.

The Charity Navigator rating focuses on financial health and accountability. The rating shows that Charity Navigator believes United Way is using its funds efficiently and sharing sufficient information with donors and the public.

This is the first year that United Way of the Columbia-Willamette has been awarded the Better Business Bureau Charity Seal. For donors, it means that United Way has been extensively evaluated by the BBB and passed its standards for spending funds prudently,

sharing information transparently, measuring the organization's effectiveness and following good governance standards.

The GuideStar Exchange Seal is based on open sharing of information, including financial statements, annual reports, and details about programs and leadership. The Exchange Seal is new this year from GuideStar. When deciding whether to donate to United Way, donors can access all of this information at <http://bit.ly/uwfinancials> to help them make the best choice.

In addition to these ratings, United Way of the Columbia-Willamette also exceeds industry standards for its overhead rating. Overhead in the fiscal year ending June 30, 2011, was 14.2 percent. Recommendations range from 17.5 percent for Charity Navigator to 35 percent for GuideStar and the Better Business Bureau.

One hundred percent of overhead costs of United Way of the Columbia-Willamette are covered by its Cornerstone Partner Program, whereby large corporate donations cover that cost. As a result, 100 percent of a union members' private donation goes directly

back into the community.

In last year's campaign, United Way of the Columbia-Willamette raised \$22,005,560. Almost \$12 million of that is sent directly to the charity of the donor's choice — which includes Labor's Community Service Agency.

Labor's Community Service Agency established its partnership with United Way in 1974. That partnership has continued to grow, and over the last five years United Way has invested \$750,000 into the agency.

To find out more about United Way and Labor's Community Service Agency, or to have someone from the agency speak at your union local, call 503-231-4962.

*(Editor's Note: Bob Tackett, executive secretary-treasurer of the Northwest Oregon Labor Council, and Barbara Mathey, CEO of IBEW and United Workers Federal Credit Union, serve on the United Way of the Columbia-Willamette board of directors. Vickie Burns, executive director of Labor's Community Service Agency, is a member of this year's strategic planning committee.)*