

# Senate coalition wastes no time pursuing partisan, anti-worker agenda in Washington Legislature

By DAVID GROVES

OLYMPIA, Wash. — Much has been written about state senators Rodney Tom and Tim Sheldon, the erstwhile Democrats who decided the public (and their personal résumés) would be better served by having Republicans control the Senate. [In December, the two announced they would vote with Republicans to elect state Senate leadership, winning top posts for themselves and handing control of the Senate to minority Republicans.]

The new GOP+2 majority began the 2013 session wrapping itself in rhetoric about bipartisanship and cooperation, but most agree they will be judged by their actions, not their words.

“Whether it’s ‘bipartisan’ or not depends on how we go forward from

here,” said Sen. Jim Hargrove (D-Hoquiam) as the 25-of-49-votes takeover was formalized on the Senate’s opening day. “The proof will be in the pudding.”

Well, one week in, the pudding has been served. And it looks pretty rancid.

On Jan. 23, the following bills were heard in the Senate Commerce and Labor Committee chaired by Sen. Janéa Holmquist Newbry (R-Moses Lake):

- SB 5112 gives employers in the Retrospective Rating program more authority over workers’ compensation claims, such as choosing injured workers’ doctors and scheduling their medical exams and vocational rehabilitation.

- SB 5124 changes the way injured workers’ benefits are calculated by, among other things, removing the

value of health benefits, and capping them at the state’s average wage. Bottom line: it cuts workers’ compensation benefits.

- SB 5126 circumvents a Supreme Court ruling and allows the state to take legal damages, both economic (lost wages) and non-economic (pain and suffering), that are awarded to an injured worker when a third party is responsible for the injury. Current law only allows economic damages to be “recovered,” which makes sense because workers’ compensation claims and benefits don’t consider non-economic factors.

- SB 5127 removes the age restriction on “compromise-and-release” lump-sum buyouts of injured workers’ claims. These buyouts, currently only allowed for injured workers 55 and older, would be expanded to cover all workers.

- SB 5128 would make it easier for employers to have these lump-sum buyouts approved by the state, and also allows employers to buy out medical claims.

What these bills all have in common

is that they save businesses money by cutting the benefits workers receive when they are injured on the job. That, and they are all sponsored and co-sponsored exclusively by members of the GOP+2 coalition holding a 25-24 majority in the Senate.

Major changes to the workers’ compensation system — many of which were supported by both business and labor — were just approved in 2011. They are not yet fully implemented but are already beating expectations on cost savings, with the state now projecting to save \$1.5 billion over four years, \$300 million more than originally estimated. Injured workers are returning to work faster and as a result, employers’ premiums have not gone up for two straight years. Plus, the state will be able to put an estimated \$82 million into reserves to start rebuilding the State Fund.

Yet rather than allow these 2011 changes to be fully implemented, the very week that the GOP+2 coalition takes control, it rolls out a wish-list of controversial new benefit cuts long sought by business lobbying groups.

These proposals are opposed by labor because they do nothing to improve workplace safety, they just weaken this critical safety net for injured workers.

And that’s just the workers’ compensation bills. On Jan. 25 the same committee held hearings on, among other things, repealing the Family and Medical Leave Insurance Act.

Indeed, when it comes to “bipartisanship and cooperation,” actions speak louder than words.

*(Editor’s Note: This article appeared in the Washington State Labor Council’s weekly Legislative Update newsletter.)*

## DCTU bargaining kick-off rally Feb. 5 in Portland

The District Council of Trade Unions (DCTU), a coalition of unions representing some 1,600 workers at the City of Portland, will kick off its 2013 contract campaign with a noontime rally Tuesday, Feb. 5, at the Portland Building, 1120 SW 5th Ave.

## PIRG fundraisers strike

*The Fund for the Public Interest wants to remain a ‘right-to-work’ and at-will employer, and walks out of bargaining when a reporter shows up*

By DON McINTOSH  
Associate Editor

Portland call center workers who raise money for state PIRGs and affiliated environmental groups went on strike again Jan. 16, this time to protest late paychecks. The shift-long strike was the fourth time the call center’s workers have walked out to protest conditions at the non-profit Fund for the Public Interest since workers voted to join Communications Workers of America (CWA) Local 7901 in October 2011. Boston-headquartered Fund for the Public Interest is the fundraising wing of the U.S. Public Interest Research Group, statewide affiliates like OSPiRG, CALPIRG, and spinoff environmental groups like Environment Oregon and Environment Colorado.

Draconian pay and discipline practices were the reason workers unionized. When workers fail to meet fundraising targets, their pay can drop up to several dollars an hour in one pay period. And workers are fired if they fail to meet a separate benchmark two weeks in a row, regardless of how many years they’ve worked there.

Those practices have continued. The Fund has fired at least nine pro-union workers since the union campaign began 15 months ago, including all six workers who volunteered on the union bargaining team when contract negotiations started. That’s in a workplace with about 25 workers.

Two pro-union workers have been fired since the Labor Press last reported on the situation. Union supporter

Rachel Starr was terminated Dec. 6 after working nine years at the call center. And union steward Alixandre Long was fired Jan. 3 after one year on the job. Starr and Long, like three of the other union activists, were terminated for failing to reach a fundraising quota two weeks in a row. But they have no say in setting the quota or choosing the lists they call from, and they and other workers believe that managers are deliberately giving pro-union workers heavily-called-over and underperforming lists.

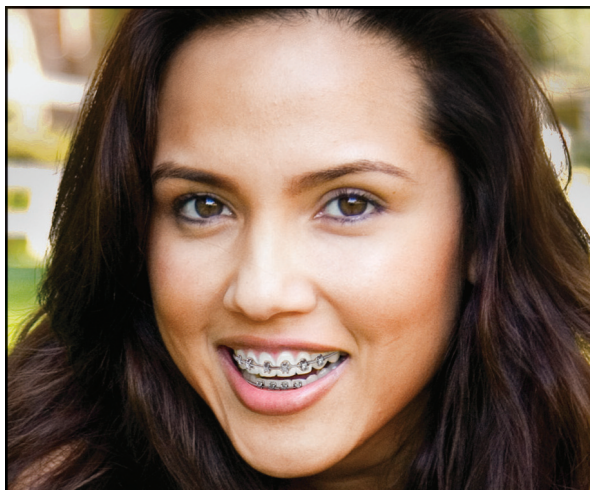
Meanwhile, bargaining sessions have produced no first-time agreement in 14 months.

On Jan. 17, national Fund for the Public Interest managers Pat Wood and Christine Walsh walked out and cancelled the day’s negotiations after a reporter from the Labor Press showed up to observe the bargaining session. [The Labor Press wanted to see a bargaining session to get a sense of why it’s taking the two sides so long to get a contract.] CWA Local 7901 President Madelyn Elder says when bargaining began 14 months ago, CWA proposed that the negotiations be open to other workers and to members of the public, and the Fund agreed. In September, now-Oregon House Speaker Tina Kotek sat in on a bargaining session.

Elder says the Fund has agreed to some changes to the pay and discipline policies which drove workers to unionize, but the changes won’t be implemented until a complete agreement is reached.

Meanwhile, the Fund has refused several basic features of union contracts, including “just cause” discipline. “Just cause” means an employer has to show a reason before disciplining and terminating an employee. Under the alternative, known as “at-will” employment, an employer may terminate a

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