

Employer pulls ergonomic chairs out from under workers

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This is a story about chairs. It's also about an employer policy that goes beyond ignorance or indifference into deliberate cruelty and contempt.

The employer is the Boston-headquartered nonprofit Fund for the Public Interest — the fundraising wing of the U.S. PIRG network and its spun-off state environmental groups. Fund for the Public Interest employs tens of thousands of canvassers all over the country who knock on doors or accost pedestrians, signing up members for state groups like CALPIRG and Environment Colorado. Once people sign up, they get calls asking them to renew and make additional contributions. The calls are made by “phone canvassers” at three call centers run by the Fund.

In October 2011, phone canvassers at the Fund's Portland call center voted to unionize with Communications Workers of America (CWA) Local 7901. Eleven months later, the Fund relocated its Portland call center to the windowless basement of a 1928 office building at 516 SE Morrison. The move isolated the unionized telephone fundraisers from their nonunion coworkers in the Fund's door-to-door and street canvass operation, as well as from OSPIRG and Environment Oregon pro-

gram staff. The call center workers have been in that basement ever since. Never mind the cramped conditions, ancient computers, the fold-up tables that serve as desks, or the black- and coral-colored mold that the union is investigating. It's the chairs that best encapsulate how the Fund treats its workers.

When they arrived at the new location, the phone canvassers learned that the Fund had replaced most of their adjustable “ergonomic” chairs with stackable metal-frame conference chairs. Managers announced a new policy: Only workers who presented a doctor's note would be allowed to sit in ergonomic chairs, even if they wanted to purchase and bring in their own. But most of the Fund's phone canvassers don't have access to a doctor, because they don't have health insurance: It takes a year to get the Fund's employer-sponsored health coverage, and even then, the employee share of the cost prevents most from enrolling in it. So, a handful of ergonomic chairs sit unused off to the side of the office, while workers sit from 12:50 to 9:20 p.m., up to six days a week, on chairs that are entirely inappropriate for a desk job. The call center managers, meanwhile, sit in ergonomic chairs.

“My back is definitely hurting a lot,” said Fund caller John Ingram, 30. “I

don't know if it's because of the chairs or not, but when I sit in a regular chair it feels much better.”

Michael Wood, administrator at Oregon OSHA (Occupational Safety and Health Administration), says he's heard of office employers who refuse to fork over money for good chairs, but he's never heard of an employer who had good chairs and then took them away.

“Switching people out of a ‘task chair’ into a stackable chair increases the risk that there will be a [workers' compensation] claim or that there will be a legitimate injurious condition over time,” Wood told the Labor Press. “And I would add, it's a mistake to wait until the injurious condition occurs before you provide a chair that could minimize it.”

The labor movement has campaigned for two decades to get federal OSHA to impose an enforceable ergonomic standard — a requirement that employers take steps to prevent musculoskeletal disorders like carpal tunnel and tendinitis that result from repetitive motion and uncomfortable postures in poorly designed workspaces. OSHA had that authority under the 1970 law that created it, but Congress intervened in 2001 and specifically barred OSHA from issuing an ergonomic standard.

And yet, many employers have



After workers unionized at a call center that raises funds for the PIRG network, management got rid of adjustable ergonomic chairs (right), and replaced them with metal-frame stackable chairs (above).



made ergonomic improvements anyway. Adjusting the workspace to the human being who works in it is the hallmark of a humane workplace. It also improves productivity and morale, and reduces workers' compensation costs. Though OSHA is barred from requiring it, the agency does offer extensive free information about ergonomics, including recommendations about office work stations. Office environments are much safer than factories, warehouses, and construction sites, but there's still much an office employer can do to prevent workers from developing chronic back pain and other conditions.

According to OSHA, a good chair is one that supports the back, legs, buttocks, and arms, while reducing exposure to awkward postures and contact stress. At a minimum, it should have a backrest that conforms to the natural curvature of the spine and provides adequate lumbar support. And it should have a comfortable seat, positioned so that the feet can rest flat on the floor or footrest. Since people come in different sizes, chairs should have seats and backs that are adjustable.

The stackable chairs at Fund for the Public Interest's Portland call center are none of those things. Workers protested to management right away when the new chairs were introduced, but were told the chairs were fine. At a union contract negotiation session, the union bargaining team gave Fund call center director Pat Wood a copy of the OSHA pamphlet on ergonomics. But the Fund refused to change its policy.

“They finally responded to us,” recalls CWA Local 7901 President Madelyn Elder. “[They said] ‘We think that these chairs are perfectly adequate, and we don't understand what's wrong with them; there's no law against them, so we're not going to change them.’”

Call centers in general have developed a reputation as high-tech sweatshops — low-wage high-turnover workplaces where every key stroke is

monitored, every bathroom break timed, every call subject to management surveillance. And yet, says Elder, adjustable chairs are standard even in the most abusive nonunion call centers.

The Labor Press visited the Fund call center, took pictures, and asked floor manager Kate Fielding (found sitting in an ergonomic chair) to explain the Fund's chair policy. Fielding wouldn't answer questions, but took down contact information and promised to relay it to someone who could. No one ever called back. And the Fund's designated spokesperson, Caitlyn Seeley, once again failed to return a call from the Labor Press.

Why does the Fund, a progressive, “cause-oriented” employer, have such a policy? Workers think it's an effort to grind down, demoralize, and wear out the one workplace that had the nerve to unionize.

“This is sadistic,” says former Fund caller David Neel, who was fired in November. “It's really just designed to drive people out of the job.”

Since the union campaign began 16 months ago, the Fund has fired at least nine pro-union workers, including all six workers who volunteered on the union bargaining team when contract negotiations started. That's in a workplace with about 25 workers. And 15 months of monthly negotiation sessions have produced no union contract thus far: The Fund has insisted that the call center remain an “at-will” workplace and a “open shop” employer in which union dues are optional.

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