

Is TriMet planning to bar access to NW Labor Press?

By DON McINTOSH
Associate Editor

TriMet and Amalgamated Transit Union (ATU) Local 757 made their final arguments March 1 in a lawsuit over whether the public may observe contract negotiations. Local 757 says its members have the legal right to require that the negotiations be open to all stakeholders, including community advocates, the public, and the media, without restrictions. TriMet, in contrast, argues that labor negotiations aren't subject to Oregon's Public Meetings Law; it proposes to bar the public, except for "reporters from news organizations unaffiliated with either party."

Local 757 leaders interpreted that as an attempt to bar the Northwest Labor Press — while giving access to reporters from business-owned publications — and immediately objected.

During a Jan. 22 deposition, TriMet labor relations director Randy Stedman was grilled under oath about that proposed ground rule.

"Can you tell me what an 'unaffiliated' member of the press would be?" asked union attorney Greg Hartman.

"We haven't spent a lot of time thinking about that," Stedman said, "but obviously if we're going to have members of the press there, the object is to present an unbiased objective viewpoint."

Hartman asked if that would include the Oregonian.

"I would imagine that they would be considered an unaffiliated member of the press," Stedman said.

What about the Portland Tribune? "Would they be, at least in TriMet's view, the kind of unaffiliated organization that could send a reporter?" Hartman asked.

"On the surface of it, I would think that they would be an unaffiliated news organization," Stedman answered.

"Labor Press?"

"I don't know what the nature of that relationship is so I don't have any comment on that," Stedman said, noting that ATU records show payments to the Northwest Labor Press.

"TriMet used the phrase 'unaffiliated,'" Hartman said. "So when you used that term, was it your intention to exclude, for instance, the Labor Press?"

"My intention was to put forth a parameter without applying it, to suggest that if the object is to have the newspapers there, that they be in a position to report in an unbiased and fair manner. I didn't reach any conclusions about any particular organizations other than that's the idea behind having the press there, that they could report fairly and objectively on the negotiations."

At the Labor Press, we didn't think that cleared things up very much. TriMet is a public body with a board appointed by the governor. It gets half its operating budget from a payroll tax and the other half from transit fares. Is this government agency really seeking to bar the Northwest Labor Press from observing union contract bargaining, while granting access to business-owned publications?

The Labor Press emailed TriMet spokesperson Mary Fetsch to ask that question, and to object strongly to the prospect of being barred as an "affiliate" of ATU Local 757.

The email explained that Northwest Labor Press is a non-profit independent labor union newspaper, and has been publishing since 1900. Like over 80 other unions, Local 757 pays to subscribe its members; it also sometimes purchases ads, and it pays the Northwest Labor Press to produce and edit a monthly newsletter that is mailed to its members. The union doesn't control Northwest Labor Press content, either directly or indirectly, or even see it prior to publication.

"Given your explanation," Fetsch wrote back, "we likely would not object to one of your regular reporters being considered as an unaffiliated member of the press for purposes of sitting in on the negotiation sessions."

Even if TriMet decides in the end that the Labor Press is unaffiliated, it's hard not to conclude that its choice of language was meant to exclude the paper.

Whether the transit district will be allowed to exclude anyone at all will be up to Multnomah County Circuit Court Judge Leslie Roberts. No facts are in dispute in the lawsuit. Rather, both sides seek a legal opinion interpreting the law. Bargaining on a new contract was set to begin Nov. 30, but was put on hold until the legal question can be resolved.

From ATU's perspective, the law

couldn't be clearer: ORS 192.660(3) provides that, "labor negotiations shall be conducted in open meetings unless negotiators for both sides request that negotiations be conducted in executive session."

It wasn't always that way. Before 1997, if either side wanted bargaining to be off-limits to the public, it took place in closed session. But Republican legislators — arguing that public employers were giving away the store in negotiations outside the public eye — changed the law that year.

"I think the public is entitled to know what's going on," said Roseburg Republican state Rep. Bill Markham

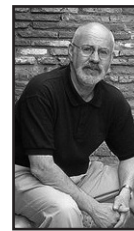
— sponsor of the bill that made the change — in a March 1997 hearing.

That's something ATU Local 757 President Bruce Hansen would agree with. In most cases, both sides agree that bargaining is more effective outside the glare of public scrutiny. But TriMet and Local 757 have been in the labor relations equivalent of a knock-down drag-out fight for at least three years. Hansen thinks if the public sees what the TriMet brass is like in bargaining, they'll side with the district's bus drivers and mechanics.

"We're tired of TriMet trying to make it seem like the union is to blame," Hansen said.

IN MEMORIAM

Longtime union activist **BILL FRITZ**, the first coordinator of the Portland Center of the Labor Education and Research Center at the University of Oregon, died suddenly in his home in Portland on March 4. He was 67.



Fritz was born Oct. 18, 1945, in San Francisco. He graduated from St. Ignatius College Prep in 1964. He studied internal relations at San Francisco State University; engineering economics at Santa Clara University; psychology at the University of Wisconsin-Madison; and speech communications at Portland State University.

Fritz is a former director of the Labor Studies Program at San Francisco Community College.

He moved to Portland in the late 1970s to work for the Oregon Federation of Teachers. He later worked for Oregon AFSCME Council 75 before taking the job with LERC.

"It was Bill Fritz who first recruited me to AFSCME in 1978," noted AFSCME Council 75 Executive Director Ken Allen.

Fritz left LERC in 1994. He was succeeded at the Portland Center by Barbara Byrd, the current secretary-treasurer of the Oregon AFL-CIO.

Fritz then worked for Oregon Senior and Disabled Services before retiring in 2005.

Fritz was married to Nita Brueggeman, a former manager of the NW Joint Board of the Clothing & Textile Workers Union (which later merged with UNITE HERE).

In retirement, Fritz divided his time between his family, Oregon Democratic politics, and cultural activities. He loved the performing arts in Portland, and he and Nita volunteered at organizations such as White Bird, the Oregon Symphony, the Portland Jazz Festival, and ART.

Fritz is survived by his wife; step-

son, Russel; step-daughter Gayle; and four grandchildren.

A memorial was held March 10.

Donations in his memory may be made to any arts organization.

A moment of silence was held at the February delegates meeting of the Northwest Oregon Labor Council for **KEN JETTE**, a retired member of the American Postal Workers Union, who died Feb. 21 at age 77.

KENNETH REYNOLDS JETTE, JR. was born in Portland on May 14, 1935. He graduated from Columbia Preparatory and earned a bachelor of arts degree in history at the University of Portland.

In the early 1960s he went to work for the U.S. Postal Service, retiring in 2009 after more than 45 years as a clerk at the main branch in downtown Portland.

An advocate for social justice and workers' rights, Jette was active in the union. He served as president of the Oregon State Council of Postal Workers, and as a delegate to the Northwest Oregon Labor Council. At election time, Jette would always remind delegates how to properly address ballot envelopes and when to put them in mailboxes to ensure that they were delivered on time and their votes were counted.

In 2003 he was the recipient of the "Bridge Builder Award" from the Auxiliary to the American Postal Workers Union.

Jette married R. Eileen Willett in 1965. They divorced in 1990. He is survived by son, Hazen; daughters, Catherine and Melinda; two grandchildren; brother, Dennis; and several nieces and nephews.

Memorial donations can be made to the Oregon Postal Workers Union College Scholarship, P.O. Box 5254, Salem, OR 97304.



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