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Sept. 5, 2012: In front of a packed City Hall audience, Portland City Council votes 5-0 to approve a plan to involve unions in efforts to get more women and minorities on City construction projects. Now that plan is under threat.

Portland's model Community Benefits Agreement could be replaced with 'CEIP'

Building trades officials say City of Portland managers want to bypass a union-backed agreement that provides more opportunities for women and minority construction workers

By Don McIntosh

After decades of talk about increasing women and minority participation on city construction projects, Portland City Council approved a resolution in 2012 that achieved that. The resolution committed the City to use a model "Community Benefits Agreement" (CBA) that had been developed by a coalition of over two dozen unions, pre-apprenticeship training programs, community groups, and contractor associations over nearly two years of discussion. Implemented on two City construction projects, the CBA had record-busting results: On one project, fully 50 percent of apprentices were

"The CEIP takes all the elements that made the CBA successful and dilutes and removes them."

— Maurice Rahming,
owner of union-signatory O'Neill Electric



minorities and 28 percent were women.

Then, for reasons that are still unclear, the City stopped using the CBA. On the next two big City construction projects, city managers implemented a "Frankenstein" version of the CBA which reduced the participation of unions and community groups. Now city managers, led by Dante James, director of the city's Office of Equity and Human Rights, have released an even more altered template for future projects, which they'll ask City Council to approve on April 26.

Union leaders and allies who've been tracking it are furious.

"After all the time and effort we put into this, it's a slap in the face," said Michael Burch, community outreach director for the Pacific Northwest Regional Council of Carpenters. "There's no meat on the bones."

The problem, at least, is very real. Historically, openly-practiced discrimination kept blacks and women in particular out of construction — as workers *or* as contractors. And

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Oregon judge in bakery lawsuit rules against double overtime

Oregon law limits manufacturing workers to a 13-hour work day, and entitles them to overtime pay when they work more than 10 hours in a day. A separate law requires overtime pay for all hourly workers after 40 hours in a week. What happens when manufacturing workers work both daily *and* weekly overtime? Until last year, the Oregon Bureau of Labor and Industries (BOLI) advised their employers to calculate daily and weekly overtime and pay whichever was greater. Now it says they should pay the overtime premium twice once a manufacturing worker has worked more than 40 hours in a week *and* 10 hours in a day — in accord with a lawsuit filed last August by non-profit Northwest

Workers Justice Project. The suit is on behalf of seven current and former workers at Portland Specialty Baking, a Gresham industrial bakery that busted a union campaign last year. About 175 mostly immigrant workers work long hours for around \$10 an hour making baked goods for Starbucks and Walmart.

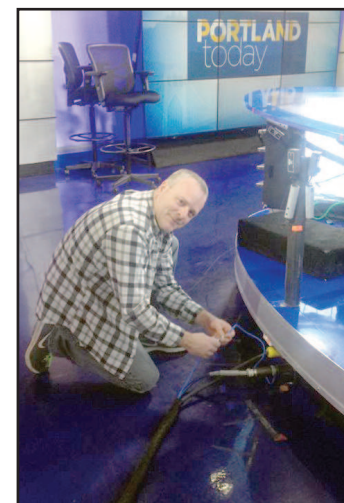
But on March 9, a Multnomah County Circuit Court Judge rejected the plaintiffs' argument that double overtime must be paid after both the 40-hour and 10-hour limits. The lawsuit will still go forward on other issues, including whether the bakery worked workers more than 13 hours — and failed to pay daily overtime — when a 24-hour period included work on two consecutive work days.

KGW returns to labor peace

A long-festering union dispute at KGW-TV has come to a close. At the Portland NBC affiliate, 26 camera operators and editors represented by IATSE Local 600 ratified a new union contract March 22 — more than two years after their old contract expired. They're the last of three KGW units to reach agreement. IBEW Local 48, which represents 17 control room operators and technicians, settled in September 2016, and SAG-AFTRA, which represents on-air workers like TV reporters and anchors, settled in February 2016.

The three contracts are the first set to be signed with KGW's new owner. Gannett, the giant newspaper chain that owns USA Today, acquired KGW-TV with its 2013 purchase of Belo Corporation, and then spun off its broadcasting holdings in 2015 as a new publicly-traded company, Tegna, Inc.

Tegna alarmed unions with an unusual contract demand: eliminate the union "jurisdiction" clause, which says that the unions represent all station employees who do their kind of work. Without that clause,



On camera and off, KGW-TV is a union production. Above, IBEW Local 48 member Brian Matthews prepares the set of the Portland Today show.

nonunion workers could be brought in to do the same work as union members, but under different terms. Tegna owns 46 television stations in total, and has pushed the jurisdiction proposal at other union-represented stations.

"I never believed their [union jurisdiction] proposal had anything to do with running a TV station," says IATSE representative Dave Twedell. "I think from

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