

NORTHWEST LABOR PRESS

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VOLUME 118, NUMBER 19

PORTLAND, OREGON

OCTOBER 6, 2017

NATIONAL

Supreme Court to hear case challenging union dues

The U.S. Supreme Court announced Sept. 28 that it will hear *Janus v. AFSCME*, a case challenging the constitutionality of any requirement that public employees pay dues or fees to the unions that represent them.

The case gets its name from Mark Janus, an Illinois state worker represented by American Federation of State, County and Municipal Employees (AFSCME). Like Oregon, Washington, and 19 other states that recognize public employees' right to collective bargaining, Illinois doesn't require represented workers to join the union, but it requires non-members to pay "fair share" fees to the union to cover the costs of negotiating and enforcing the union contract. Janus objects to that requirement. With attorneys from the anti-union National Right to

Work Foundation, he filed a federal lawsuit arguing that the fair share requirement violates his First Amendment rights.

Forty years ago, the Supreme Court settled that question in a case called *Abood vs. Detroit Board of Education*, ruling unanimously that such fees were reasonable and constitutional. But today's Supreme Court is expected to reverse the *Abood* decision, most likely in a 5-4 vote. The court split 4-4 last year on a similar case, *Friedrichs v. California Teachers Association*, after conservative judge Antonin Scalia died. The case is likely to be argued early next year.

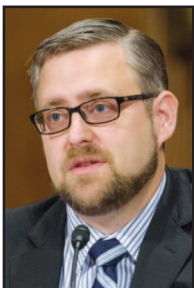
Reversing *Abood* would be like passing a "right to work" law for all public employees nationwide: It would be a severe blow to public sector unions and the labor movement as a whole.

U.S. Senate confirms Trump nominees to the NLRB

The federal agency that's supposed to protect workers' right to form a union may now be on track to reverse years' worth of progress on workers' rights. In a 49-to-47 party-line vote on Sept. 25, Republicans in the U.S. Senate confirmed William Emanuel, president Trump's second nominee to the five-member National Labor Relations Board (NLRB). He follows Trump nominee Marvin Kaplan, who was confirmed Aug. 2 — also on a party-line vote. Together with Philip Miscimarra, who was named NLRB chairman by Trump in April, they make up the first Republican majority on the Board in nine years.



William Emanuel



Marvin Kaplan

U.S. Sen. Elizabeth Warren (D-Mass.) calls the NLRB "one of the most important independent federal agencies that you've never heard of." The NLRB is responsible for interpreting and administering the National Labor Relations Act, the federal law that protects workers' right to join a union, take collective action, and strike.

The agency consists of two parts. The Office of the General Counsel employs 1,500 agents at 26 regional offices around the country. They oversee elections in which workers vote whether or not to unionize, and they investigate and

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UNION ORGANIZING

Precision Castparts welders unionize

A "micro-unit" wins at a company where four previous union campaigns failed.

Welders at Precision Castparts Corp. manufacturing sites in the Portland area voted 54 to 38 on Sept. 22 to join International Association of Machinists District Lodge W24.

Precision Castparts makes cast parts like jet engine components for aerospace and other industries. It has collective bargaining agreements at some unionized subsidiaries in other locations, and since 2015 it has been owned by Berkshire Hathaway, which owns other unionized companies. But in

the Portland area, Precision Castparts is a major nonunion industrial employer, and the company brought in antiunion consultants in an effort to stay that way.

Machinists District Lodge W24 organizer Will Lukens said Precision Castparts' campaign followed the standard antiunion playbook.

"They tried everything they could to scare them," Lukens said.

In the weeks before the union vote, Lukens said, the company also brought in contract welders for the first time — and asked the existing welders to train them.

Brett Clevidence, a 16-year

Precision Castparts employee, told the Labor Press that he and his coworkers voted for a union because they want greater job security and more say over compensation and working conditions. Clevidence stressed that the vote for the union wasn't a vote against the company.

"We're all here to feed our families," Clevidence said. "It's very important that the company and our customers know that we are 100 percent committed to our customer needs."

The union vote came after some legal wrangling over whether workers in a single de-

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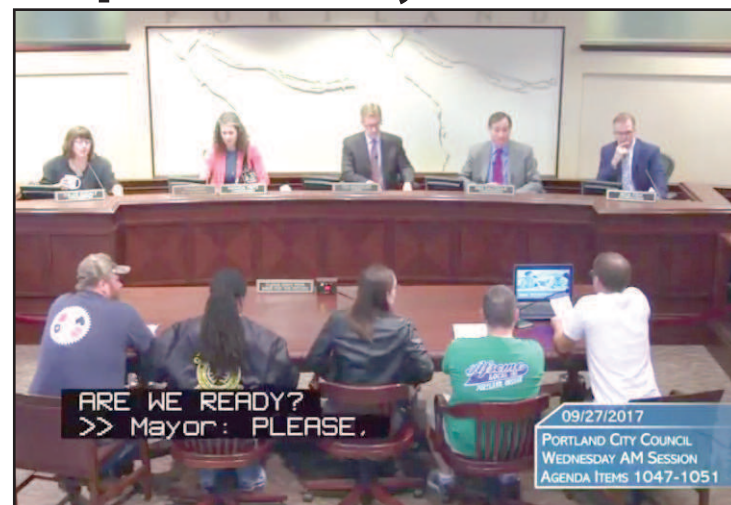
COLLECTIVE BARGAINING

DCTU declares impasse at City of Portland

The District Council of Trade Unions (DCTU), representing over 1,000 employees at the City of Portland, declared impasse in contract negotiations Sept. 27. Five members of the union coalition's bargaining team made the announcement sitting before the full City Council during their morning session.

Bargaining has been going on since Jan. 5 without success. The City called for the assistance of a mediator on July 31, which occurred over two meetings on Sept. 6 and 25 — also with little success. The contract expired June 30.

Having made very little progress with the mediator, the DCTU declared impasse as required under Oregon's Public Employee Collective Bargaining Act. The action initiated a seven-day period to exchange final offers, followed by a 30-day cooling off period. Once the 30-day cooling off period has been exhausted (Nov. 8) the unions may engage in a work stoppage and the City may implement its final offer, with a 10-day notice to the other party.



Members of the District Council of Trade Unions bargaining team from left — Tony Bush, Machinists Lodge 63; Chris Montgomery, Operating Engineers Local 701; Mary Prottzman, AFSCME Local 189 Police Bureau; Rich Thallheimer, AFSCME Local 189, and Mark Hinckle, IBEW Local 48 — declared impasse in bargaining at the Sept. 27 session of the Portland City Council. "I'm sorry to hear that," Mayor Ted Wheeler responded, before moving on to the Council's next agenda item.

At the Sept. 27 City Council meeting, DCTU bargaining team members accused the City's bargaining team of negotiating in bad faith. DCTU submitted its financial package early on in bargaining, yet it took the City 70 days to respond with a financial "proposal" that was good only for

that day, said Tony Bush, a member of Machinists Lodge 63 who works in the City fleet.

The union representatives believe it was a calculated move to draw out bargaining while the City negotiated separate contracts with Laborers 483 and Professional and Tech-

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