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## WORKERS' RIGHTS

# Right-to-work nation?

## Getting ready for Janus v AFSCME

By Don McIntosh

Ten days from now — Feb. 26 — the U.S. Supreme Court will hear the most significant labor law case in decades.

In *Janus v. AFSCME*, a lawyer for an anti-union group will argue that requiring union-represented public employees to pay anything at all to the union would be an unconstitutional violation of their First Amendment free speech rights — because that would be like making them pay for political speech they might disagree with.

The Court addressed that same argument over 40 years ago in a 1977 case called *Abood*

*v. Detroit Board of Education* and came up with a compromise: Union-represented workers who choose not to join the union don't have to pay union dues, which pay for political expenses like lobbying, but they can, if state law allows it, be required to pay a lesser amount known as "fair share" fees — fees that cover just the union's costs of negotiating contracts and representing members. Now, plaintiffs in the *Janus* case want the Court to overturn the *Abood* decision based on the argument that everything a union does — even grievance handling — is political when

the employer is a government.

If a majority of the Court agrees, it would result in an immediate financial hit to public sector unions in 23 states, including Oregon, Washington, and California. In effect, the Court would be imposing the so-called "right to work" policy on state and local governments nationwide.

The *Janus* case began with Bruce Rauner, a private equity fund manager with a net worth estimated at close to a billion dollars. Rauner, a Republican, won the November 2014 election for governor of Illinois.

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## JOBS

# UO's new \$1 billion Knight Science Campus will be built under a PLA

The Oregon State Building and Construction Trades Council (OSBCTC) has signed a project labor agreement (PLA) with Hoffman Construction and the University of Oregon for the new Knight Campus for Accelerated Scientific Impact. The \$1 billion facility will be constructed in four phases over the next 10 years.

The Knight Campus will support more than 1,300 construction jobs during peak construction, and directly contribute nearly \$100 million in annual economic activity to Oregon's economy, UO officials said in a press release.

When fully operational, the Knight Campus will support more than 750 permanent jobs.

"The building trades has never had a PLA with the Oregon University System," said Tim Frew, executive secretary of the OSBCTC. "This is a great opportunity to show what we're about, and that we can be good partners ... and it will improve our market share in Lane County."

The Knight Campus will consist of three new 70,000-square-foot buildings immediately adjacent to UO's current science complex in Eugene. The campus

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Workers at the Convention Center Burgerville gather outside the store on day one of a three-day walkout.

# Burgerville union calls for boycott

Amid firings of union supporters, House Speaker Tina Kotek and 11 unions back the boycott

By Don McIntosh

Twenty-one months after launching a union campaign at Burgerville, the Burgerville Workers Union has announced a major escalation: A call for consumers to boycott the regional fast food chain until the company negotiates with the union. The announcement

came amid a three-day strike that began Feb. 1 at the restaurant on MLK Blvd. in Northeast Portland, and spread to restaurants at 25th and Powell in Southeast Portland, and in Gladstone.

"We're striking to protest illegal union busting, and because we want our union to be recognized," said Michelle Ceballos, a night shift crew member at the MLK Blvd. store. "Without recognition, we're

not going to get our demands met."

No law prevents Burgerville from agreeing to meet with the union (or obligates it to do so). The company has opposed the union effort and said it won't parley with the union unless the union proves it has majority support in a government-administered election. The company has 44 locations and about 1,300 employees in Oregon and Washington.

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**SHAME ON BOEING.** Operating Engineers Local 701 reports that Boeing's Gresham plant is using a nonunion contractor to move heavy machinery. In the early morning of Feb. 13, the union hoisted a banner outside the plant entrance with the message: "Shame on Boeing for hiring a rat contractor." The contractor is Integrity Machinery Moving of Portland — founded in 2016 by Jeff Morgan, a former executive at union-signatory Omega Morgan. Local 701 Business Manager Jim Anderson says Integrity now is underbidding union contractors while employing nonunion workers and paying them below area-standard wages and benefits. Pictured above are organizers Scott Anderson and Tim Boyette.