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## What's Portland Public Schools hiding? Possibly wage theft?

By Don McIntosh

It was Christmas Eve, 2019, when Scott Strickland hit “send” on what he thought was a routine public records request. Strickland—special projects counsel for Operating Engineers Local 701—asked Portland Public Schools (PPS) for four months of payroll records on its Kellogg Middle School reconstruction project. State law spells out the wages and benefits that must be paid on public construction projects—in order to prevent contractors from competing to see who can pay work-

ers the least.

To prove they’re paying that set “prevailing wage,” contractors are required to submit payroll records to project owners like PPS. Owners are then supposed to look through the records to ensure the law is being followed. But there’s reason to think that doesn’t happen most of the time. Strickland wanted to see the records himself to make sure nonunion general contractor Todd Construction and nonunion Moore Excavation

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## OHSU fights Hillsboro union campaign

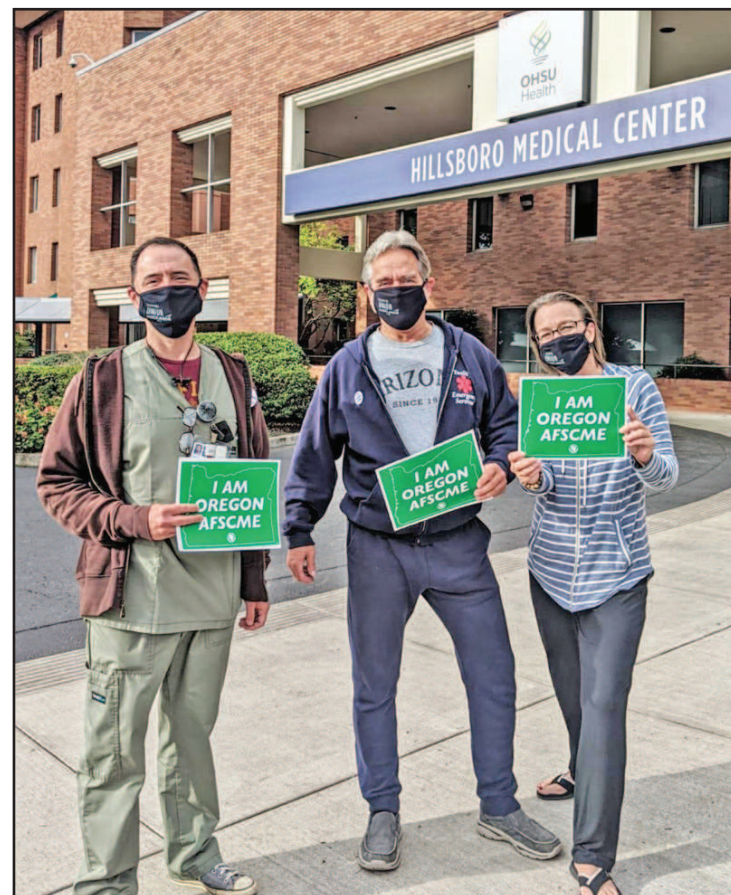
By Don McIntosh

A group of 472 workers at three medical facilities in Hillsboro and Forest Grove is ready to unionize with Oregon AFSCME. But their first two union fights have been about getting a meeting with the boss, and getting straight on who they actually work for.

The facilities—Hillsboro Medical Center, the adjacent 7th Avenue Medical Building, and the Forest Grove Urgent Care Clinic—were formerly known as Tuality Healthcare, but became part of Oregon Health and Science University (OHSU) in early 2016. Though the change-over was gradual, today the stationery and the signs say OHSU. And workers are directed to answer the phone, “OHSU Hillsboro Medical Center, formerly Tuality Health Care.” Considering the definition of “formerly,” employees assumed they now work for OHSU, where AFSCME represents 7,000 employees.

But when hospital executives learned the Hillsboro employees wanted to unionize, the Tuality identity came back from the dead.

It matters because Tuality is or was a private sector employer, while OHSU is a public



On Sept. 21, workers at OHSU Hillsboro Medical Center tried to meet with CEO Lori James-Nielsen to ask for voluntary union recognition. Instead, they were intercepted by a security guard and told to get off the property.

employer. It’s much easier for workers to unionize at public employers under Oregon law than at private sector employers under federal law. Under the Oregon law, all that public em-

ployees must do to unionize is get a majority of their co-workers to sign union cards. And their employers are barred from spending money on union-bust-

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## WORKER SAFETY

# Oregon OSHA says employers must protect workers from COVID-19

Not a moment too soon, the rule arrives as outbreaks are under way at 76 Oregon workplaces.

By Don McIntosh

Oregon workers finally have the right to be protected from COVID-19, thanks to a new temporary Oregon OSHA rule that took effect Nov. 2 after months of pressure from the Oregon AFL-CIO and other labor organizations. The detailed 12-page rule isn’t everything labor leaders hoped for, but it’s a start.

Oregon is only the third state

to require specific action by employers to protect workers from the coronavirus. Virginia adopted protections in July, and Michigan followed in October. Even though COVID-19 has killed more workers in less time than any other health emergency, federal OSHA (Occupational Safety and Health Administration) has refused to require employers to take any specific action to protect workers, saying that employers’ “general duty” to maintain a safe workplace under the law is enough.

Oregon’s new rule covers:

- **Personal Protective Equipment** For indoor workplaces, employers must provide masks, face coverings, or face shields to all workers, ensure that they use them, and make sure they can work at least 6 feet away from others where feasible. The mask requirements also apply when workers are in vehicles for work, or when they’re working outdoors if they must be within 6 feet of others.
- **Notification** Employers must notify workers within 24 hours after they learn that there has been a workplace exposure.
- **Ventilation** Within two months, employers must maximize the amount of outside air circulated through existing heating, ventilation, and air conditioning

(HVAC) systems, to the extent the system is capable of doing so, whenever employees are in the workplace.

- **Sanitizing** Employers must regularly clean or sanitize all common areas, shared equipment, and high-touch surfaces used by employees or the public.
- **Risk assessment** Within a month, all employers must conduct a COVID-19 exposure risk assessment—with participation and feedback from employees—via a safety meeting, safety committee, supervisor, or other process negotiated with a union.
- **Training** Within six weeks, employers must train workers on how to prevent COVID-19’s spread in the workplace and

how to report if there are signs and symptoms of the disease.

- **Posting** Employers must post the COVID-19 Hazards Poster.

In an Oct. 27 press conference, Oregon AFL-CIO President Graham Trainor said the new rules will make a difference in worker safety. It follows lengthy advocacy from nurse, grocery, and other unions. If it took seven months, that’s because Oregon OSHA conducted a really thorough process, with months of listening sessions, Trainor said. The Oregon AFL-

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