

UNION ORGANIZING

Hundreds of City of Portland workers look at unionizing

By Don McIntosh

Seven Portland Police Bureau internal affairs investigators joined AFSCME Local 189 on Jan. 25—a vanguard that could swell to several hundred city employees in the months ahead.

An effort to win a union among non-represented City of Portland employees erupted last year when workers began to organize themselves, but their legal path to official union recognition was paved by an earlier battle. City attorneys and HR managers, trying to oppose an effort by three analysts in the Portland Housing Bureau to unionize, ended up opening the door to unionizing non-represented workers across the city.

At the City of Portland, most employees are already union-represented, members of one of 11 separate unions. But at least 942 city employees are *not* represented. Not all of those have the right to unionize under state law. Some are considered managers because they have the power to hire, fire, and discipline other workers. Others—like administrative assistants for top bureau managers—are considered “confidential” employees because they have access to management’s secret union bargaining plans. But roughly 850 to 875 of

the non-represented workers could unionize—if they can find majority support among workers in their job classification at bureaus scattered around the city.

Back in May 2019, when those three Housing Bureau analysts wanted to join Local 189, the city refused to grant union recognition, arguing that the union would first have to show majority support among as many as 220 employees in the “analyst” classification at bureaus across the city, employees that the Housing analysts had never met or worked with. Local 189 took the case to the Oregon Employment Relations Board, but the city won.

Union means pay equity

Under most union contracts, every worker is paid the same, based on their job and how long they’ve been there. In that respect, a union contract is a potent pay equity tool. In contrast, pay among the hundreds of nonunion city employees has historically been fairly arbitrary, depending a lot on subjective judgments and evaluations by managers. In 2018, the city started working to bring sense to its pay schedules for non-represented employees to comply with a new state pay equity law that made gender and racial pay disparities illegal. First

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it collapsed a bewildering list of 400-odd job classifications down to about 100. Each of those was then placed on a ladder of 1 to 4 within four categories: analysts, coordinators, administrative specialists, and a final miscellaneous category made up of truly unique jobs, such as the police internal affairs investigators.

After the reclassification, some employees got a pay bump, but others who were paid above the new scale had their pay frozen until lower-paid co-workers catch up. None had any real say in how they were reclassified, and that fueled interest in unionizing.

Normally, under Oregon’s public employee collective bargaining law, groups of nonunion workers can’t join a union bargaining unit except within 90

days of a contract expiring. But last summer when the six-union coalition known as the District Council of Trade Unions agreed to extend its union contract with the city—and postpone a cost-of-living increase—the contract extension also included a breakthrough: The city signed a letter of understanding committing to let groups of workers join outside of that 90-day window—and also to voluntarily add any job classification to the union bargaining unit if workers in that classification show majority support for the union citywide.

Local 189 President Rob Martineau says the agreement represented a thaw in what had previously been chilly relations with city labor relations managers. With the agreement in place, the union stepped up efforts to reach out to nonrepresented employees with mailers, phone banking, a web site, and informational Zoom meetings. The national union assigned a staff organizer to help.

Remarkably, a union mood was already building among city workers who lacked a union.

“All civil servants have protections of some sort, but union protections are better,” says Local 189 Recording Secretary Chris Flanary.

First past the finish line were the internal affairs investigators. They’re a unique category of city employee: They investigate police misconduct, officer use of force including deadly force, and in-custody deaths, as well as misconduct by non-sworn police personnel.

“We didn’t have a voice in any of the decisions that were being made for us,” says internal affairs investigator Eric Stout, who previously spent 22 years as a police officer in Las Vegas. When higher-ups decided they’d have to be on-call to respond to shooting sites at all hours, that decision was made without their input and without any extra compensation or comp time. They hope, with a union, to take the subjectiveness out of how they get paid.

“Once the word gets out on how easy this process was,” Stout said, “I don’t understand why anybody wouldn’t look at the union and say ‘We want to be part of that.’”

Michelle DePass, now a Portland Public Schools board member, was one of the three Housing analysts who wanted a union in 2019. She’s since transferred to the Bureau of Planning and Sustainability, but said she hopes her former co-workers can win their union in the coming months.

Daimler AG to split in two: Mercedes, and Daimler trucks

Daimler AG on Feb. 3 announced plans to spin off its truck and bus division as a separate publicly traded company by the end of 2021: Daimler would rename itself Mercedes-Benz, continue as a car and van maker, and own a sizable share of the stock of the newly independent Daimler Truck. The two companies would not be competitors but would remain in some sort of joint venture. The plan is supported by the German union IG Metall.

The restructuring isn’t expected to impact operations, and could protect the company from a hostile takeover by Chinese investor Li Shufu, who together with his company Geely holds about 10% of Daimler AG stock. The move is also in line with the trend by companies toward a “pure play” strategy, in which each publicly-traded company focuses on just one

line of business, so that its stock performance correlates closely with the performance of its particular sector. The Daimler move follows a similar decision by Volkswagen to spin off its truck business, Traton, in 2019.

The split is also a recognition that car and truck production will diverge as both move to electric. Cars and vans will shift to battery drives, while trucks and buses will use fuel cells.

Further details will be presented to shareholders at a special meeting this summer.

Daimler Truck is the world’s largest truck and bus producer, with more than 100,000 employees at over 35 locations around the globe, including its union-represented truck plant in Portland. It makes trucks and buses under seven brands: BharatBenz, Freightliner, Fuso, Mercedes-Benz, Setra, Thomas Built and Western Star.

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