

A regulator with a life-and-death mission: Keeping workers safe

For over 15 years, Michael Wood has been at the helm of Oregon OSHA. The Labor Press caught up with him by Zoom April 8.

By Don McIntosh

As an infectious disease that can spread in the workplace, COVID-19 has been described as the greatest threat to workplace health since OSHA was founded 50 years ago. How well do you think Oregon OSHA responded?

We've had pandemics before, but nothing that has impacted the workplace like this, in terms of the risks at the workplace and the level of economic disruption. It has limited our ability to respond, because we haven't wanted to go into workplaces both to protect the safety of our staff, and—in the early days—because we were concerned about being a disease vector ourselves. So at the very time that the need became acute, we were scrambling to identify different ways of doing our work. Here in Oregon, and across the country, we ended up processing 10 times as many complaints as we would in a typical year. The scale of that challenge strained our system. Looking



back, I continue to be impressed that we had a system that was scalable and versatile enough that it didn't break.

Eight months into the pandemic, Oregon OSHA issued a temporary rule requiring employers to provide face coverings to workers and ensure they use them, ensure that workers are six feet away from other people, and other things. How much do you

think Oregon employers are aware of these requirements?

Well, the basic requirements—about distancing and the use of facial coverings and some level of sanitation—even before our rule, we were enforcing those. And I think that Oregon employers were by and large very aware. I know that the rule had some effect. Our enforcement has ended up being focused more on basics about facial cov-

erings and distancing, and on the closure orders issued under public health.

Over the last three or four decades, there's been a fairly dramatic reduction of workplace fatalities and injuries. Why do you think that is? I think it really comes out of the 1990 Mahonia Hall discussions that reformed workers' compensation. It energized our focus on safety in the state. It was a recognition by business, labor, and government that we all needed to work on preventing workers' compensation claims costs by preventing the claims and injuries in the first place. I think that has been a success story. It certainly shows up in the fatality numbers and injury numbers over three decades. And workers' compensation premiums, over three decades, have all gone down dramatically. That also reflects some trends nationally, but the drop here in Oregon has been steeper and sharper over that time.

You attribute it to a financial incentive—in workers' comp rates—for a business to operate a little more safely? Certainly there is a financial incentive for large businesses, and

across the system. For a lot of smaller businesses, if we can get them to take the risk of injury seriously, they will work to prevent it. I've always argued that the really punitive approach when a fatality occurs is wrong-headed, because that's too late. So I think part of our job is making them take that risk seriously. If we can't get them to take that risk seriously, then the second line is to get them to take the risk that will show up and cite them seriously, before a fatality occurs.

There's also been a shift in Oregon away from high risk industries, particularly the logging industry, which were a source of a lot of the fatalities and injuries. How much of the overall reduction in fatalities do you think comes from that?

Well, certainly some of the reduction in the raw numbers is a result of that. But we still do logging, we still have some fairly high risk manufacturing, we still do construction. When I arrived here, there was a lot of data analysis that looked at industry-specific trends, and they found the same thing. If you think about the workers' compensation rates, those are also decreasing in those industries.

JOBS

Blazers must recognize stagehands union

PORTLAND, Ore.—IATSE Local 28 members hope an April 1 union vote will get them back to work at Portland Trail Blazers and Portland Winterhawks home games. For decades, the home games have been union productions. At Moda Center and Memorial Coliseum, members of IATSE Local 28 run score boards and time clocks, spotlights, sound systems, and other technical equipment.

But the stagehand local's contract with Rip City Management didn't require the company to use union labor on competitive sporting events, just concerts and events, which require much bigger crews to load in and take down sets. Under the contract, Rip City *could* request workers from the union hiring hall for sporting events—and it routinely *did*—but it didn't *have* to.

When the pandemic hit, stagehands plummeted to almost total unemployment. The

return of live sports late last year—even without live fans—looked like it would put at least some back to work. But on Nov. 30, 2020, Rip City notified Local 28 it wouldn't need union stagehands at the games: Their duties would be performed by Rip City production managers and/or subcontractors instead.

"It was so shocking," says Local 28 Business Agent Rose Etta Venetucci. "These guys have not worked since March 11, 2020. They see the Blazers coming back, are excited about going back to work, and are told, 'We don't need you.'"

Venetucci says she has no idea why the sporting exclusion is in the contract; it was there when she got active in the union, and it was never a problem until the pandemic because Rip City used Local 28 members for sporting events anyway, and paid them under the terms of the union contract. Now, bargaining over a new union agreement to replace the one that ex-

pired Jan. 15, the union is trying to get the exclusion removed.

But with legal support from IATSE's international, Local 28 also pursued a separate strategy: On Dec. 11—the day the Blazers resumed games at Moda Center—the union asked the National Labor Relations Board to hold an election to see if the workers Rip City employed the previous year want to be represented by the union. Lawyers for Rip City objected, arguing that the employees are already union represented and that the union was just trying to expand the scope of work defined by its collective bargaining agreement, not adding unrepresented employees to an existing unit.

But the NLRB sided with the union, and held an election among all those who'd done the sports work in the previous year. In ballots counted April 1, the vote for the union was 53 to zero.

Rip City could appeal, but hadn't done so as of press time.



Outside Moda Center April 3, that's a Blazers jersey on Scabby the Rat. Stagehands in IATSE Local 28 have been protesting their replacement by non-union labor, and getting honks and thumbs up from passersby, and even from Trail Blazers players themselves as they arrive to play. The jersey was made by Local 28 member Nikki Paulson, an unemployed wardrobe designer.

"We're hoping they'll come to the table and bargain," Venetucci said.

Venetucci acknowledges it's been quite an effort for what

amounts to just five jobs, but says fighting for jobs is the morally correct thing.

"Even if it was one person, we'd fight," Venetucci said.