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WORKER SAFETY

Oregon OSHA issues emergency heat rule

By Don McIntosh

It took a frightening three-day heat wave and at least one on-the-job death to light a fire under the agency, but on July 8, the Oregon Occupational Safety and Health Administration (OSHA) said employers must now take steps to protect workers during extremely hot weather. Washington's Department of Labor and Industries already had such a rule, but increased its requirements as of July 13. The rules say when the weather gets hot, employers must provide water and shade breaks to workers.

Oregon OSHA has dragged its feet on the issue for years. In October 2016, Kate Suisman of the Northwest Workers Justice Project, along with union leaders like Scott Oldham of Painters Local 10, asked the worker safety agency to protect workers from heat. Suisman says the agency wasn't convinced a rule was needed, but she and others kept pushing, and in early 2020 Oregon OSHA said it would develop a rule... by 2025.



JUSTICE FOR SEBASTIAN FRANCISCO PEREZ A vigil at the United Farm Workers office in Hermiston was one of three held around Oregon July 3 to call for heat protections after a St. Paul nursery worker died June 26 of heat exposure.

That timetable changed after Republican state lawmakers walked out in March 2020 to kill a climate jobs bill that Democrats had declared a priority. In response, Oregon Gov. Kate Brown announced climate-related steps she could take under

her own authority, including directing Oregon OSHA to develop a rule by March 2021 to protect workers exposed to heat and wildfire smoke. Then the pandemic hit. Rulemaking

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YOUR RIGHTS UNDER OREGON'S NEW RULE

When the heat index (temp+humidity) is over 80°, your employer must:

Provide access to shade during breaks

Provide cool drinking water at no cost, enough for you to drink a quart (32 oz.) per hour

When the heat index is above 90°, your employer must also:

Provide a cool-down rest period in the shade of 10 minutes for every two hours of work

Ensure that you and your co-workers are observed for alertness and signs of heat illness, and monitored to determine whether medical attention is necessary

SECURE RETIREMENT

U.S. government launches pension rescue

Plasterers Local 82 and OPEIU Local 11 could undo pension benefit cuts almost immediately.

By Don McIntosh

The U.S. Labor Department on July 9 unveiled its rules for a new \$94 billion program to rescue failing union pension plans. The program was one small part of the American Rescue Plan Act which passed in March, and it's expected to help more than 3 million union members and their spouses.

"Every working person deserves to retire with dignity and receive all the benefits they earned during their career," said U.S. Secretary of Labor Marty Walsh in a press statement as the rules were announced. "Unions

... have been fighting for years for what these workers have earned."

The rescue is Congress' biggest-yet response to a crisis afflicting about one in seven multi-employer pension plans. Multi-employer plans are collectively bargained plans that include at least two employers and are jointly overseen by employer and union trustees. They're most common in industries like construction, trucking and janitorial that have lots of small union employers. In all, there are about 10.9 million union workers and retirees enrolled in about 1,400 multi-employer pension plans. The plans are heavily regulated, and most of the time they're able to provide workers a secure retirement at a fairly affordable rate

for employers. But in the last two decades, the plans' investments have lost value in financial crashes. Most of the 1,400 plans have been able to recover, but 100 to 200 plans, especially in industries where the union workforce is aging and declining in number, have been unable to make up the losses.

All told, the Pension Benefit Guaranty Corporation (PBGC) estimates over 200 pension plans will be eligible for the assistance, including over 100 plans that would otherwise have become insolvent during the next 15 years. PBGC is the government agency that insures pension plans. Without the rescue, PBGC itself was headed for insolvency

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COLLECTIVE BARGAINING

Painters turn down \$2.94 in raises, return to bargaining

A day later, a competing contractor group offered \$4.30 an hour over the same time frame.

By Don McIntosh

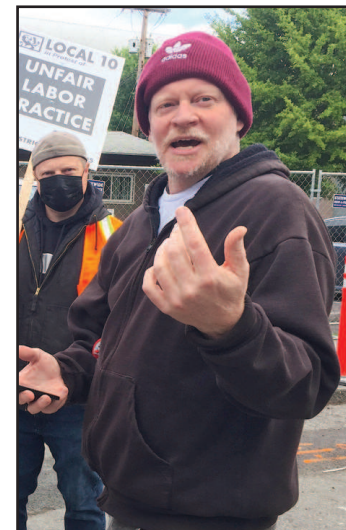
In a lopsided 82-30 vote, members of Painters Local 10 rejected an employer offer to raise their wages \$2.94 an hour over the next year. Voting took place via drive-through balloting July 6 in union parking lots in Portland, Salem, Eugene and Prineville.

"It would have been the largest three-year raise we would have received in decades," explained Painters District Council 5 representative Scott Oldham. "However, I think the sentiment from the members was that they're trying to catch up to the other trades. And this was not a big enough movement."

Oldham says Local 10 members are determined to make big strides after having lost ground to inflation for decades, during which time union painters' pay rates fell behind those of all other local construction trades union members. Wages under the current contract with Signatory Painting Contractors Organization (SPCO) are \$26.56 an hour for commercial and residential painting and \$28.36 for industrial painting. SPCO offered a \$2.94 wage increase (plus 56 cents more for benefits) after an escalating series of unfair labor practice strikes that began May 21; before the strikes it was offering just \$0.25 an hour.

"The threat of the strike had everything to do with the sudden increase," Oldham said.

A day after members rejected SPCO's offer, a competing contractor organization offered more generous raises: a \$6.75 an hour increase in total compensation within the next 24 months. Under the tentative agreement with Associated



"They felt like they didn't want to continue to fall behind," said Painters Local 10 rep Scott Oldham.

Wall and Ceiling Contractors (AWCC), journeyman wages that are currently \$27 an hour would rise \$2 an hour retroactive to July 1, 2021, plus 10 cents for health insurance and 20 cents for pension. The total package would increase again \$2.30 an hour July 1, 2022, and \$2.15 an hour July 1, 2023, to be divided among wages and benefits as determined by membership vote. AWCC proposes an even bigger 2023 increase if the union market share and work picture improve: Members would get an additional \$1 an hour if commercial paint hours increase 5%, and \$1.50 if hours increase more than 10%.

"That would be an incentive for us as a union to seriously try to grow market share," Oldham said.

Local 10 members were set to vote on the AWCC proposal July 14 (after this issue went to press), with the union bargaining team strongly recommending a "yes" vote.

Local 10's bargaining team met July 8 and 13 with SPCO to discuss further improvements, and the two sides were set to meet again July 15, after this issue went to press. Oldham predicted SPCO was likely to match AWCC's offer.