

In Brief

Strikers Eligible for Sick Pay

Employers must pay sickness and accident benefits to workers who are disabled when their union stages a strike, even though those employees may be actively supporting the strike, the U.S. Court of Appeals for the Third Circuit has ruled.

Members of the United Auto Workers struck at the E. L. Wiegand Division of Emerson Electric Company in Pittsburgh, after Wiegand announced that it would halt premium payments for employees' hospitalization, insurance, and major medical if the union went through with a planned work stoppage.

The court ruled that because disability payments are "accrued benefits" for past work performed, like vacation time and seniority rights, they are due and payable within the period of the strike for so long as the employee is disabled. Thus the employer demonstrated anti-union intent by committing unfair labor practices aimed specifically at employees on disability insurance, the court said.

Court Ruling Opens Binding Arbitration to OPEU

A decision by the Oregon Supreme Court apparently paves the way for OPEU state employees to go to binding arbitration if their contract negotiations with the State break down.

Possibility of such action came when the high court decided not to hear the State's appeal of a Court of Appeals ruling upholding a 1979 arbitrator's award to employees at the Oregon State Penitentiary and the Oregon Women's Correction Center. The Court of Appeals' unanimous decision said security guards and all other members of the same bargaining unit at the prisons were entitled to the arbitrator's award.

The State appealed the lower court decision on grounds that Oregon law stipulates that only security personnel can go to binding arbitration and that the arbitrator's award of uncapped salary increases,

In commenting on the decision, Gov. Atiyeh told the Associated Press that the language about bargaining units could lead to other state employees claiming that they are entitled to binding arbitration "if we were to stretch it (the decision) out to its ridiculousness."

The case arose during 1979 when non-security personnel at the penitentiary and women's prison struck for three weeks. The guards, who could not legally strike, went to binding arbitration. The court battle began when Atiyeh refused to implement the arbitrator's award granting uncapped CPIs to security and non-security personnel.

Following the Court of Appeals decision, the State agreed to the pay increase for guards, but did not grant non-security personnel a pay increase pending their appeal to the Supreme Court.

based on the Consumer Price Index, violates Oregon's constitution.

In its decision, the Supreme Court ruled that any union with security personnel must take all personnel it represents to binding arbitration if they wish to take the negotiating process beyond mediation. Previously, negotiations for non-security personnel could only go to binding arbitration if both negotiating parties agreed.

The high court also ruled that uncapped CPIs are constitutional.

A literal interpretation of the decision means that OPEU state employees—which became one bargaining unit on Nov. 1 and have security personnel in their unit—will be able to demand binding arbitration if contract negotiations break down, but will not be able to legally strike.

Labor Center Facing Serious Funding Shortage

University of Oregon's Labor Education and Research Center, one of the most active and highly regarded labor education programs in the country, is facing severe cutbacks or the possibility of losing all funding due to State budget cuts.

According to director Emory Via, LERC is receiving a double dose of

cuts—those aimed at the State System of Higher Education and those aimed at basic State services.

This combination of budget cutting measures has been devastating for the University of Oregon, according to the school's provost Richard Hill. Hill said that the school's administration was com-

mitted to doing everything possible to keep LERC in tact, but he offered little guarantee that funding would be continued.

Instead, he suggested that labor unions put pressure on the Legislature to maintain the labor education program.

THE OREGON PUBLIC EMPLOYEE

A publication of the Oregon Public Employees Union, SEIU

VOLUME XXXIII, No. 9
NOVEMBER 1981

The Oregon Public Employee is published monthly (except August) by the Oregon Public Employees Union, a public employe labor organization. Editorial and advertising offices are located at 1127-25th Street S.E., Salem, Oregon 97301. Second Class postage paid at Salem, Oregon.

Subscriptions: \$5 per year.

USPS: 411-480 ISSN: 0279-9367

POSTMASTER: If undelivered, please send form 3579 to OPEU, P.O. Box 12159, Salem, OR 97309.

HEADQUARTERS OFFICE

1127-25th S.E.
P.O. Box 12159
Salem, OR 97309-0159
Telephone: 581-1505
Portland members call: 223-1569
Elsewhere: 800-452-2146
(8 a.m. - 5 p.m.)

PENDLETON OFFICE

424 S.W. 6th
P.O. Box 1659
Pendleton, OR 97801-0510
Telephone: 276-4983
(10 a.m. - 2 p.m.)

SALEM OFFICE

1870 Hawthorne, N.E.
Eldred Realty Bldg., Suite 103
Salem, OR 97303-1620
Telephone: 588-9230
(8 a.m. - 5 p.m.)

EUGENE OFFICE

1748 W. 18th Avenue
Eugene, OR 97402-3625
Telephone: 342-1055
(8 a.m. - 5 p.m.)



PORTLAND OFFICE

2154 N.E. Broadway, Suite 204
Portland, OR 97232-1571
Telephone: 249-2981
(8 a.m. - 5 p.m., except
12:30 p.m. - 1:30 p.m.)

MEDFORD OFFICE

1133 S. Riverside, Suite 7
Medford, OR 97501-0160
Medford members call: 779-4324
Elsewhere: 800-452-7965
(8 a.m. - noon)

Women Still Suffer Pay Bias

Despite tremendous changes in the labor market during the past 20 years, there has been no change in the relative earning positions of men and women, according to a report prepared for the U.S. government.



Substantial discrimination in pay between women and men in comparable jobs persists in the U.S., says the National Research Council. The organization is an arm of the National Academy of Sciences, a private research group chartered by Congress since 1863 to examine questions of public importance.

After completing its three-year study, the council found that women who worked the whole year at full-time jobs earned less than 60

percent of what men did. This condition has not changed since the early 1960s, according to Ann R. Miller, professor of sociology at the University of Pennsylvania and head of the study committee.

The report cited three points to back up its finding that women are "systematically underpaid:"

- When jobs held mainly by women are compared with those held mainly by men, and characteristics such as education, skill and experience are equal, differences in average pay persist;
 - Past discriminatory practices, such as paying women and minorities less for doing the same job as white men, have been incorporated into wage structures and continue to operate even in the face of conscious attempts to avoid discrimination; and
 - Within firms that use job evaluation as an aid in determining wages, women's jobs are paid less on the average than men's jobs with the same performance rating.
- Although the 126-page report underlined the problem, little advice was provided for ending the discriminatory practices. According to Miller, "the social and economic consequences involved make it an extremely complex question."

Nominations Open for College Award

Applications for OPEU college scholarships are now available from local presidents.

Last year, OPEU awarded sixteen scholarships of \$300 each.

Union members may nominate a

relative, another OPEU member or themselves. Nominating members must belong to a local that is currently contributing to the OPEU scholarship program.