

LABOR AND MANAGEMENT COMMITTEE - 56TH ASSEMBLY SESSION.

Minutes of Meeting - April 7, 1971

PRESENT: Chairman, D. Poggione, T. Hafen, R. Capurro, D. Branch,
D. Mello and H. McKissick

ABSENT: R. Bryan

OTHERS

PRESENT: Assemblyman, Grover Swallow; J. W. Patton, Clare T. Neilson, Eddie Williams, Members various Labor organizations in Las Vegas area; Hal C. Curtis and Edward L. West, Ironworkers Local #433, Las Vegas and Frank Kazmienski, Ironworkers #416; Ivan T. Hoback, L.U. #357 and Richard E. Trudell, Electrician Union; Clint KNoll, Nevada Assoc. of Employers.

The meeting was convened by Chairman, Dan Poggione at 8:10 p.m., Room 328, to consider the following bills:

A.B. 553 Prohibits labor organizations from representing employees or acting as collective bargaining agents without local in state: provides sanctions and penalties.

Ed West, member of Ironworkers Local #433, Las Vegas, spoke in favor of the bill. Copy of his testimony is attached hereto.

Mr. Curtis, who is in charge of the Apprentice Ironworkers program, spoke in favor of the bill, saying their local men needed this type of protection. Mr. Hoback said that those present had been sent to the meeting by a great many people in the construction industry, primarily because they felt that, as residents of Nevada, they should be given preference over out-of-state workers. He specifically referred to the recent work in Bullhead City where so many out-of-state employees were working. Mr. Patton said that this particular proposed bill would not only help the workers but all citizens of Nevada, because the money would stay in the state.

Mr. Capurro asked about how many organizations do not have local offices. Mr. Curtis replied that there were five Ironworkers Locals in the state and three Operating Engineer Locals, that were represented by out of state union based offices. There were these he knew of and others too that did not have a charter in the State of Nevada. He stated that they wanted local autonomy.

Mr. Poggione remarked that as he read the bill, on Page 1, Line 11, an out-of-state union could still open a local branch office and the control would still remain out-of-state. Those present said that this should be amended to read "Charter", in order to help them. Further comments were made by all present stating their need for a local, chartered, office for various unions, so they wouldn't have out-of-state people telling them what to do and further repetition of the conditions in Bullhead City.

Assembly

Page 2 (Labor and Management Committee) April 7, 1971

Mr. Capurro questioned the group about the charter requirements. These are issued by the International office, upon request and does not necessarily mean that a local Business Manager must be appointed on a full-time basis. The Charter can remain in a member's home, and even if he is holding down a full-time job, he still attends to matters relating to the membership. In the past, they have tried to secure this, but because of the large voting membership in California and ruling of the International Office, this has not been accomplished.

Mr. Kazmienski said that in the pre-job conference re the Bullhead City job, they had been assured of a 50-50 division of the labor force - between Nevada and Arizona and California. This didn't happen at all and there was nothing they could do about it.

Mr. Capurro suggested that the word "Charter" be inserted in Line 11 of the legislation and a definition of "Charter" also be included. Mr. Branch stated that the opponents of the bill (who were not present at the meeting of this day) had contacted him yesterday and said that, if this bill was passed, the members would lose all of their Health, Welfare and Pensions benefits, which they had built up.

The union members assured the committee members that this could not be done - these benefits are paid in to a trust fund by the Contractors and employers and cannot be taken away. No matter where a worker goes, these benefits, that he has accumulated, are there for him to use.

There were no opponents present to speak against A.B. 553.

A. B. 794 Removing certain limitations on silicosis benefits under Occupational Diseases Act.

Assemblyman Grover Swallow, one of the co-sponsors of this bill, presented his testimony for the measure, saying that the matter of silicosis had been a constant battle since it was first discovered and diagnosed. With present day methods, it is becoming easier to diagnose the disease and ascertain the cause. There are about 52 cases in the State of Nevada, but because of the provisions of the present law, there are about 6 to 12 cases, who are unable to receive any benefits. They have no income and most of them are too sick to do anything about it. The cost to the State of Nevada would be negligible. He felt that whole problem should be wrapped up and that these people should be compensated just like any other sickness in the State. He said also that NIC, and Labor and Management all admit something should be done. He also said that the proponents of this bill were trying to protect the people in the State of Nevada and block out people who have been stricken with silicosis because of work in other states.

Although it may be difficult to tie down the number of cases, both NIC and other related records indicate there would be only between six and twelve, at present, affected by changes in the law. Also, upon further study, Mr. Swallow felt that on Line 17, the 15 years could be realistically changed to 10 years.

There were no opponents to this proposed legislation.

A. B. 801 Requires certain percentage of Nevada labor on public works projects.

Mr. Branch gave background history on this proposed legislation, saying that they had the statutes from ten states. From this information, and with the help of Ted Lawson, they went to the bill drafter and felt a favorable and strong law would result. Now, the same people who helped draft it and wanted the legislation, seemed to be against both A.B. 553 and A.B. 801. They felt that A.B. 801 was going to lock in Nevada Labor. Now they feel that A.B. 801 will not do this but will keep the Nevada men from going to work in California and other states.

Mr. West said he had talked to the building trades and they are not aware of what is going on but felt it was a slap in the face to labor. He was appalled that Ted Lawson would have anything to do with it. He referred to Section 9, saying it was totally unacceptable except for possibly the 80% of Nevada Labor. As originally written this bill would be considered out and out anti-labor. Several others present also remarked that the bill, as written, was anti-union.

Mr. Poggione suggested that by deleting Line 13, Section 9, beginning with "and can be....." through the end of the sentence, the bill would be strengthened.

Mr. Clint Knoll also spoke against the bill. He referred specifically to Page 2, the first paragraph, saying that attorneys for contractors could have a legal field day with this provisions. He also felt section 11 could prove harmful to the State.

Further discussion followed on A.B. 553 and A.B. 801, referring to outsiders brought in and paid lower wages. Also the union members and locals were experiencing some difficulty with the provisions of the Federal Laws regarding hiring of minority groups, and trying to place them in responsible, journeyman positions.

There being no further testimony offered on the three bills under consideration, the committee excused those present.

A.B. 794 Motion for a "Do Pass" was made by H. McKissick, seconded by D. Branch and motion carried.

Meeting was adjourned at 9:15 a.m.

Secretary

48

My name is Ed West. I have been a resident of Las Vegas for 10 years, and I'm a member of Ironworkers Local #433, which is based in Los Angeles.

Passage of AB 553 would give a vote that means something to thousands of Nevada union members who have been in effect disenfranchised in their union affairs. Nevada residents who are members of out-of-state local unions have little, if any, voice in determining their leadership, working conditions, wages, benefits, and dues.

To give just one example -- Ironworkers in Nevada have been so gerrymandered that they are represented by six different out-of-state unions. Each group is then but a small part of a much larger out-of-state union. In the case of my union, Southern Nevada residents number almost 300 out of a total Los Angeles membership of over 3,000 men. Decisions affecting Nevada members must be voted upon by the entire membership -- even that of choosing the Business Agent to represent Southern Nevada. A Business Agent can be elected to represent Nevada members -- even if every Nevada member votes against him!

Local members can pay exclusive attention to local affairs; have better knowledge of local problems and conditions; and can work more effectively with local businesses, other unions, government agencies and officials.

Distance and costs make it prohibitive for Nevada members to attend out of state union meetings and elections that are vital to their interests.

Because their votes are so diluted, many members do not even attempt to take an active part in their union affairs.

We have petitioned our International union several times for our own charter, and each time our request has been denied. The denials usually follow the same pattern. Our Charter application is given to our Los Angeles leadership

to call a meeting for Las Vegas members. At that meeting our request for a vote by secret ballot is denied, and we are instructed to indicate our vote on a post card and send it to the HOME of the International representative -- who also happens to be a former Business Manager of our Los Angeles union. Several weeks later he announces that we either lost the election or that there wasn't enough interest.

In our most recent charter attempt -- our "Request for a Charter" petitions resulted in 217 signatures out of approximately 300 Nevada Ironworkers, along with over \$5,000 in contributions to cover all the expenses involved. Copies of these petitions were given to our International representative at the same meeting where he instructed us to vote by mailing post cards to his home. At that time, I asked the members to mail TWO post cards indicating their votes -- one to the home of the International representative, and one to me. I received 149 post cards in favor of a charter, and 16 opposed. The International representative later announced the vote as 18 in favor and 16 opposed -- and then turned down our charter request for "lack of interest."

Obviously, our out-of-state union officials do not want to lose this lucrative area; International representatives find it easier to manage a few large unions rather than several smaller ones; and local union leaders are anxious to keep in the good graces of their Internationals. But I think they are all forgetting their rank and file when they oppose this bill. Scare tactics have been used by some Internationals to oppose AB 553, yet there is still great support for this bill among the rank and file.

One argument used in opposition is that we will lose our pension and health and welfare benefits. That is simply not true. I will give you a copy of

a letter from the President of our International union indicating none of these benefits would be affected by a local Charter. Pension funds are placed in trusts and cannot be withheld. Changes in jurisdiction regarding all our benefits can be accomplished by mere paperwork.

Another argument offered in opposition is that we can work more steadily by being full-fledged members of out-of-state unions -- working there when work is scarce here. That argument is the most ridiculous of all, because in fact generally it works out exactly the opposite. Presently we have about 20 of our local members out of work, while at the same time about 75 Los Angeles members are working in Southern Nevada. Local residents are given no preference over out-of-state residents in local job assignments. This causes a situation where Nevada members are sub-employed, unemployed, or moving away to seek work, while at the same time Los Angeles members are regularly commuting to jobs in Las Vegas. The theory is that this is also supposed to work in reverse -- however, the several times that I have been unemployed and travelled to Los Angeles seeking work, I found their job situation even worse than ours.

I believe this is a time when the economic interests of the State and the rank and file union member must be placed above the interests of union officials. As a member of the rank and file seeking job security and an effective voice in the affairs of my union, I ask your support of AB 553.

Thank you.



International Association

of BRIDGE, STRUCTURAL AND ORNAMENTAL
IRON WORKERS . . . *Affiliated with A.F.L.-C.I.O.*

SUITE 300 CONTINENTAL BUILDING • 3615 OLIVE ST. • ST. LOUIS, MO. 63105

August 6, 1969

Mr. H. R. Russell
2057 South Atlantic Boulevard
Los Angeles, California 90022

Dear Sir and Brother:

This will acknowledge your letter of July 30, 1969, to which was attached copy of correspondence directed to you by GEORGE J. WILLIAMS, Membership No. 141506, wherein he requests information concerning pension and welfare plans and other fringe benefit plans in which he is now participating, in the event a charter is issued in the area covering Las Vegas.

Please be advised that, inasmuch as this area now comes within the territorial jurisdiction of the District Council of the State of California and Vicinity, in the event a local union would be chartered in that area it also would be affiliated with the District Council of the State of California and be covered by the same agreement which applies to all other outside erection local unions affiliated with that District Council.

With best wishes, I am

Fraternally yours,

James P. Downes
General Secretary

JRD:HB

AGENDA FOR COMMITTEE ON LABOR AND MANAGEMENT

Date April 7, 1971 Time 8:00 A.M. Room 320

Bills or Resolutions
to be considered

Subject

Counsel
requested*

A.B. 553

Prohibits labor organizations from rep-
resenting employees or acting as collective
bargaining agents without local in State;
provides sanctions and penalties.

A.B. 801

Requires certain percentage of Nevada
labor on public works projects.

A.B. 794

Removing certain limitations on silicosis
benefits under Occupational Diseases Act.

*Please do not ask for counsel unless necessary.

HEARINGS PENDING

Date _____ Time _____ Room _____
Subject _____

Date _____ Time _____ Room _____
Subject _____