

# Nutrition Clinic PMA's Put Bosses on Notice

Sister Laure Ann Lee is 23 years old, attractive but wise for her years. She has worked for the past two years at the Waipahu Health Center's family planning clinic as a PMA-I, and has been the UPW steward there for just about the same length of time.

For over a year now PMAs assigned to community health centers in nutritional and well-baby programs have been waiting for new job descriptions to be issued, based on the reports they have given their administrators about their duties. But the administrators have dragged their feet — and these PMA's have been stalled in their efforts to gain the higher classifications they deserve.

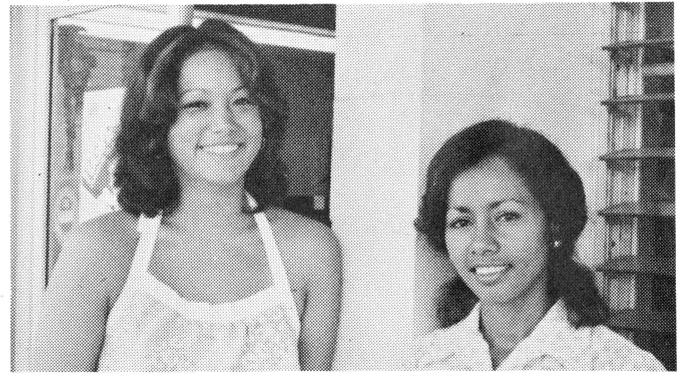
Sister Laure graduated from Leilehua High School and worked for a while as a clerk at Liberty House while attending Leeward Community College. As a Paramedical Assistant and union steward, she takes an active interest in the problems of both clients and fellow staff, and is willing to take these problems up with management.

Last April she and UPW B.A. Bobby Chang met with WIC (Women, Infants, Children) nutritional program supervisor Mr. Green to urge him to get moving on drafting the new job descriptions. "Our WIC PMAs were working out of class," Laure reported. "They were screening new and old clients, recertifying clients which involves a lot of questions and paperwork, and even training new staff members. And they were still only PMA-I's, getting about \$535 a month, though their responsibilities kept growing. We knew that wasn't right."

Sister Rose Glover is one of the two active and dedicated PMAs in the Leeward area WIC nutritional program. She pointed out that she and co-worker Penny Suguitan handle some 500 to 600 clients. "Every six months," Rose complained, "we were expected to recertify all our clients to determine if they were still eligible for our services. This took at least 15 minutes per client, and took us away from our main work."

She noted that sometimes other people were brought in to help on the recertification work; but they often didn't know the forms being used, and the PMA's would have to train them in how to do it.

The April meeting produced no results, so in late May Laure, with help from Rose and Penny, took the initiative and sat their supervisor down. Laure informed him



Sisters Rose Glover (right) and Laure Ann Lee (left), two PMA's based at the Waipahu Health Clinic, have been actively trying to correct some of the problems facing some of the PMA's in the health clinics on Oahu. Laure is the UPW's steward for Unit 10 workers in the area.

that the PMAs would no longer do the recertification work until the promised new descriptions and classifications come out. She also gave him the PMAs' suggestions for resolving other problems.

"There's hardly been any communication between staff and management. Our bosses are usually downtown and are hard to reach. Often they schedule special clinics and give us very little notice, so this jams up the schedules we've worked out with our clients. We're not told who's coming for these special clinics, and they're scheduled right during regular clinic hours, right in the middle of our work. We suggested more advance notice about these special clinics and workshops."

The PMAs also urged a regular in-service training program to brief people on new developments, techniques and procedures, and to orient new workers. They also suggested regular monthly staff meetings to get the problems out in the open and get them resolved. This last idea has just gotten off the ground.

The PMAs have seen several supervisors come and go, procedures changed every month or so, and shortages of supplies so acute that they've had to go out and borrow pens, pencils, typewriters, staplers and duplicating machines. Things are a little better now, but the issue of reclassification is still a major one with the PMAs.

## HPERB Approves UPW's Service Fee Rates: Back Dues and Fees to Be Collected

The UPW recently won approval of its new schedule of service fees. The new rates were to take effect last January 1, but they were held up pending approval by the Hawaii Public Employment Relations Board. After extensive hearings and examination of the UPW's proposed rates, HPERB approved the \$7.65 monthly fee for part-timers; and 1.5% of gross pay per month (with an \$8.65 minimum and \$15 maximum) for full-time workers in bargaining Units 1 and 10.

The Counties collected the higher dues rates from UPW members beginning last January, but could not collect from non-members until the HPERB approved. The State did not collect the higher dues and service fees from either members or non-members. So these back service fees and dues must be collected retroactive to last January from those affected.

To lessen the hardship on Unit 1 and 10 workers, the UPW State Board approved a plan for collecting back amounts owed over a 1-to-6-month period, beginning this July or August. The following groups of workers

would be affected:

**STATE**—all Units 1 & 10 workers, both members and non-members

**City & County of Honolulu**—non-members only (service fee payers) in Units 1 & 10

**Maui, Kauai & Hawaii Counties**—non-members only (service fee payers) in Units 1 & 10.

Under the plan to pro-rate collection of the retroactive dues and fees, a WB-2 custodian or cafeteria worker, for instance, would owe about \$6 (\$1 more a month since last January), and this would be deducted probably over two pay periods. For higher-paid workers, the back amount owed would be greater, and extra deductions would be taken at the rate of about \$8 a month over a period of up to 6 months, until the back fees or dues are paid up. This will hopefully lessen the pinch our members and non-members feel. Any questions can be referred to UPW staff members or phoned into UPW headquarters.



# ORGANIZER



★ ★ ★ UNITED PUBLIC WORKERS ★ AFSCME LOCAL 646 ★ ★ ★

VOLUME XI, NUMBER 7

HONOLULU, HAWAII

JULY, 1976



HHA workers voted overwhelmingly last month to authorize a strike. Brother Benny Tomas is their unit chairman and a member of the Oahu Division Strike Strategy Committee. The statewide Unit 1 strike vote taken in early June was 93% in favor of a strike, which could be called any time after July 31. Many work areas voted 100% for a strike.

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State Director Henry Epstein was in Miami last month with other UPW delegates and observers at our AFSCME International Convention. His "State of the Union" column will appear in the next issue of the Organizer.

## Union Wins Significant Worker's Comp Decision

# Ambulance Driver to Be Compensated For Accident Injury on Way to Work

On August 19, 1974, City and County Ambulance Driver George Hallas was involved in a car accident turning left into the Waipahu Fire Station parking lot on Leole Street and suffered an injury. He was in the process of driving his car into the lot to park it and report for work.

On May 18, 1976, Appeals Board Chairman Nadao Yoshinaga issued a significant and far-reaching decision reversing the Director's ruling against Hallas and ordering further proceedings toward granting Brother Hallas worker's compensation for his injury.

Though he hadn't actually started work at the time of the accident, Brother Hallas and the union felt his injury was **compensable** under the Hawaii Workers' Compensation Law as a work injury, since it was an "accident arising out of and in the course of employment. . . ."

The Appeals Board found that the accident and injury would never have occurred had not Brother Hallas been executing a turn into the parking lot maintained by the employer in order to report to work. The Board felt that this was enough to make the injury work-connected and to justify the compensation award.

The State Director of Labor and Industrial Relations ruled against the union and Brother Hallas last October 20, but his claim was appealed to the Appeals Board.

Ed Nakamura of Bouslog & Symonds represented the union and Brother George Hallas in the appeal. B.A. Bob Chang did the work on the first step of the claim.



Brother George Hallas, C&C Ambulance Driver.

# Talking Safety



Brothers Blue Mattos, Joe Muro and Ernest Simmons of the C&C Sewer Maintenance Division explain health and safety problems they encounter on the job to interested University public health school students and staff.

## Dangers in the Sewers

"If there are no cockroaches in the ditch, watch out!" That's how sewer worker Brother Blue Mattos put it. "Gas is our daily hazard—the damn sewer gas. If cockroaches can't hack it in a sewer line or wet well, we ain't gonna stand a chance." Blue mentioned that a surveyor was killed a few years ago by sewer gas and the lack of oxygen in a manhole.

Brother Mattos has worked for 28 years as a sewer maintenance worker. "Fire fighters may take in smoke and fumes one or two days a month while fighting fires. They have time to clear out their lungs. But we take in the gas day after day, 5 days a week," Blue pointed out.

Fellow worker Brother Ernest Simmons agreed. "Sometimes you're a little punchy at the end of a day. We often get headaches. There are also a lot of heart attacks, and lung and liver problems down here at sewer maintenance."

Both Ernest and Blue feel strongly that sewer workers, and public workers with equally hazardous jobs, should get early retirement rights with full benefits, and should be covered by the heart and lung legislation that gives these benefits to fire-fighters at the higher rate of 2½% of pay per year of service. They want the union to fight for this coverage at the next legislative session.

The hazards faced daily by sewer workers are numerous. They include physical injuries from ditches collapsing, rat bites, explosions in sewer lines, or wet well ladders breaking; infections and rashes from contact with sewage; and poisoning and asphyxiation.

Unlike broken water mains, sewer lines cannot be shut down completely or emptied before crews are sent into them to make repairs. They usually have to work in or close to the sewage.

Brother Joe Muro is one gas detector who works with sewer maintenance. He takes the initial readings on gas levels before work begins. But after the initial reading, there is no continuous recording of gas levels. Once the workers start digging up the ground and taking dirt out, the gas is disturbed and

often the gas level rises dangerously. The absence of oxygen, Joe reports, is just as dangerous to the workers as the presence of toxic gases.

### DANGEROUS GASES

The main gases present, besides carbon monoxide from traffic in the area, include gasoline vapor, naphtha, illuminating gas and methane. Gasoline vapor is probably the most frequent cause of explosions in sewers. According to Joe, a mixture of 1½% of gasoline vapor and 98½% of air by volume at 65 degrees F. is explosive. It needs only the spark of a stray electric current, a lighted match, or a cigarette to set off an explosion.

Sewer workers are supposed to use harnesses while working in sewer lines or manholes, so they can be pulled out if they pass out, but often the harnesses interfere with freedom of movement required for the tasks of digging and repairing. The gloves issued have no choke and are slippery and impractical; water gets into them, or tools slip out of your hands. "The gloves themselves become a hazard," one sewer worker reported. Management has been slow to supply the needed shoes or boots for the job, and the workers must use their own work clothes, take them home dirty with sewage and launder them themselves. This is definitely a hazard to the workers and their families, for raw sewage is full of harmful and toxic materials.

Hearing loss is also not uncommon because of working close to pavement breakers. If workers wear earplugs, then they cannot hear shouted warnings about approaching cars or possible cave-ins.

According to University public health instructors, there is no such thing as a safe gas level. There is a chronic danger involved, and over a long period of time, sewer workers do suffer considerable damage from long-term exposure to even minimal quantities of toxic gases.

Workers will have to be on guard against these dangers, fight for more protections such as constant recording of gas levels, uniforms, better safety precautions and education, more staffing, and early retirement rights.



Sister Julia Tsugawa and EDU Custodians' Unit Chairman Brother Gelacio Daoang.

## Cake-Like Meat Loaf

## HUNGRY POWER

Recipes for a Worker's Budget

### Ingredients:

2 pounds lean ground beef  
½ cup tomato juice  
1 egg  
1 package Lipton onion-soup mix.

½ cup ketchup  
3 tablespoons warm water  
¾ cup bread crumbs

### Directions:

Mix all ingredients together. Place in a loaf pan. Bake at 350° for 45 minutes. For 6.

## WORKERS' HISTORY



## Workers and the American Revolution Part II

(Everyone is being bombarded with talk, gimmicks and advertising about the Bicentennial, about the "freedom we have won in battle", and about how much workers and bosses have in common, going back 200 years. This is mainly shibai. Even in the time of the American revolution 200 years ago, workers organized as a class to build resistance to British oppression, and often had to fight their own bosses and merchants as well.)

The American Revolution was basically about the colonies' fight to break Britain's stranglehold on their economic development and political independence. As one high British official put it, Britain's "two great objects" were: 1) to oblige her American subjects to take from Great Britain only all the manufactures and European goods she can supply them with; and 2) to regulate the foreign trade of the colonies so the profits thereof may finally center in Great Britain. . . . In short, to plunder the 13 colonies for all they were worth.

To accomplish this, the British limited the growth of commerce in the colonies, banned the trade of many goods, and outlawed the making of steel. But the American merchant class developed anyway, mainly based on the profits of a rich sugar and slave trade, and smuggled European goods, such as tea.

To keep things under control, the British parliament passed various tax laws like the Stamp Act of 1765, which further burdened colonial trade and added to the number of unemployed workers in the colonies.

The workers were not that concerned about the colonial merchants' profits, but didn't like paying the higher prices and taxes and getting laid off. They organized militant organizations usually known as the Sons of Liberty, with a women's auxiliary known as the Daughters of Liberty.

### WORKERS TAKE THE LEAD

Sometimes lawyers, teachers and merchants led these groups, but when they were too conservative, the craftsmen and workers forced them out of leadership. These workers led the fight against the Stamp Act, organizing demonstrations, hanging tax collectors in effigy, and burning down their homes. They even ran the Lt. Governor of Massachusetts out of town and took over control for a while. Similar uprisings and demonstrations occurred throughout the colonies, making the collection of the Stamp Act tax impossible. Finally, Parliament repealed the Stamp Act in 1766, but later passed other equally lousy laws taxing the colonies, like the Townshend laws of 1767, which levied taxes on many

commodities.

In response to the Townshend taxes, the workers, led by the Boston mechanics, demanded a boycott of all British goods throughout the colonies and had a great measure of success, through tar-and-feathering tax officials, pushing non-importation agreements, and refusing to unload British goods on the docks.



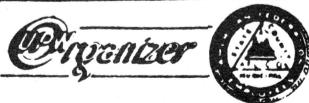
THE BOSTON MASSACRE of March 5, 1770, took the lives of five Boston workers and enraged colonial workers even more, setting the stage for the "Boston Tea Party" and the Revolutionary War of 1776. The above sketch of the "massacre" was engraved by Paul Revere.

To put down the rebels, British troops were sent to the colonies especially to New York and Boston. The colonists resented their presence, especially when British soldiers were allowed to take civilian jobs in their off-duty hours, throwing more colonial workers out of work. Scuffles occurred in both New York and Boston between workers and British troops, fights which climaxed in the Boston Massacre of March 5, 1770, when five Boston workers were killed. Among them was Crispus Attucks, a fugitive Negro slave who had become a seaman and dock worker. The five victims, black and white, were buried in a common grave. The "Boston Massacre" further enraged colonial workers, and made them more determined to throw off the British yoke.

NEXT TIME: The Boston Tea Party.



Some of the school custodians who attended the dinner in appreciation of their former B.A. Julia Tsugawa.



JACK KONNO  
President

ADELIN UHRLE  
Secretary-Treasurer

HENRY EPSTEIN  
State Director and Editor

JOHN WITECK  
Editorial Assistant

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American Federation of State, County & Municipal Employees AFL-CIO  
1426 North School Street, Honolulu, Hawaii 96817 Telephone 847-2631

### CONTRIBUTING EDITORS

Steve Murin, Al Carvalho, Jackson Ah Chin, Gary Rodrigues, Evalani Subee.  
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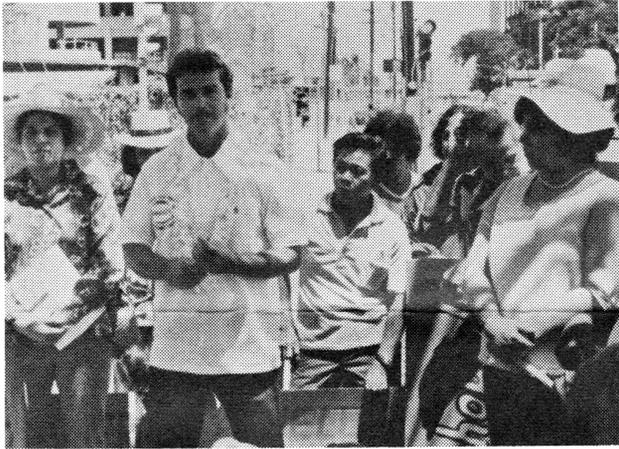
# Workers Take the Lead in Land Struggles

The past few years have seen communities banding together and organizing against threats of evictions, unwanted developments, and rezonings. The new thing about many of these struggles is that workers, including several UPW members, have come forward to take the lead, and their lead has been crucial and strong.

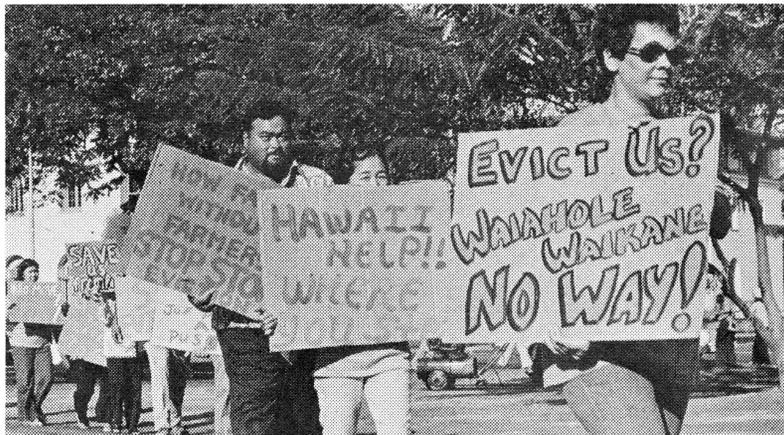
## WAIAHOLE-WAIKANE VALLEYS

Probably the best known of these fights is that of the residents of Waiahole-Waikane where the people have been battling against the redevelopment and eviction plans of developer Joe Pao and landowner Ms. Marks. Honolulu Federal Savings & Loan is financing the development plans. After dozens of rallies and demonstrations, and a successful bout with the State Land Use Commission which was forced to turn down the developer's original rezoning request, the people are now faced with a court order to get out of Waiahole and Waikane Valleys.

HECO worker Bobby Fernandez, refuse worker Candido Manatad, Kailua dump bulldozer operator Kelly Lopez, school custodians Odeline Davis and Joe Kalama, and cafeteria worker Mary Haili are part of the Waiahole-Waikane fight, and have helped give it the support and leadership that has made the difference. With workers in the lead, other workers, like private bulldozer and heavy



UPW Refuse worker Jim Sanders discusses the situation of their struggle with fellow Heeia-Kea residents supporters in front of the Bishop Estate building after a spirited picketing.



Working people, including blue-collar public workers, have given leadership to the important struggle of Waiahole-Waikane people against the eviction and development schemes of developer Joe Pao and landowner Mrs. Marks. Above, Waiahole School custodian Odeline Davis (right), helps lead a Waiahole-Waikane demonstration in front of the Circuit Court building last spring.



C&C Refuse worker Candido "Boy" Manatad has put in many hours with his wife and kids on the Waiahole-Waikane picket lines. He has lived 30 years in Waiahole and worked three years in the Roads Division and four years with Refuse.

equipment operators, have refused to work in the valleys for Joe Pao or Mrs. Marks.

## MOKAUEA FISHERMEN'S FIGHT

Mokauea fishermen have waged a powerful struggle to keep the State Transportation Department from kicking them off their traditional fishing grounds and out of their homes. The DOT wants the area cleared for its reef runway plans, and has gone so far as to burn down six homes—until the people caught them and charged them with arson. The Cobb-Adams family and other workers have played important roles in that struggle.

At Heeia-kea, another UPW refuse worker Jim Sanders has often played a leading role in that community's fight against the Hawaiian Electric Company, the Bishop Estate and developer Mike McCormack. So has DOE cafeteria worker Maxine Kahaulelio, who is also a strong supporter of the Waiahole-Waikane struggle. The people are resisting HECO's plans for a new power plant and relay station for their area, and McCormack's plans for new subdivisions. They've confronted Electric Company executives and sat in at City offices of Planning Commissioner Bob Way, to demand that the City reject these plans.

Hauula people have played an important role against unwanted and high-priced development on the Windward side, and the Richards family has often been in the forefront. Brother Richards is a cesspool worker, and his wife Margaret is a real fighter.

Emil Mokuakane has been the leader of PACE, People Against Chinatown Evictions, and an active fighter against plans to redevelop Chinatown into an expensive, upper middleclass business and housing district. His sister Rocky has been an active UPW member among the Honolulu Airport custo-

dians. Brother Charlie Correa, another PACE leader in the Chinatown struggle, is a retired C&C refuse worker. That struggle has been getting hot lately, as court orders have come down ordering the elderly residents of Chinatown out of their buildings and rented rooms, with no community relocation alternatives provided at rates they can afford.

A coalition of these community struggles was formed last January, with many workers playing leading roles. The large February 14 anti-eviction march through Honolulu, which involved over 1,500 people, included many workers and was a clear sign of the growing strength of the workers' and community movements, and a recognition that they face a common enemy, both in their communities and on the job.

These forces, tested in struggle, will be important allies of our Unit 1 blue collar workers should we have to take to the battlelines this summer or fall. With workers now leading, these struggles have a much stronger chance of success.



Brother Richards, a cesspool worker, was among the community forces who appeared before the UPW's Oahu Division seeking support for the large anti-eviction march last February 14, which brought out over 1,000 workers and supporters.

## WHO'S TO BLAME?

# Maintenance Problems in Our Schools

By Gelacib Daoang,  
Custodians' Unit Chairman  
and Albert Spencer, DAGS  
Building Maintenance Chairman

(This report was prepared originally for the Hawaii State Teachers' Association newspaper, and is presented here, in part, for the benefit of our members.)

We all know about the State's "position freeze". It has hurt many of us. Though the freeze is supposed to be over, the thaw has yet to come. Now they're even talking about more cut-backs...while conditions in our schools get worse.

We school custodians and DAGS building maintenance workers have been understaffed for years, with no relief in sight. Often, when workers quit or retire, no one is hired into the vacant positions, in order to "save

money". Over the years, this has left us really short-staffed, sometimes by more than 50% in some areas.

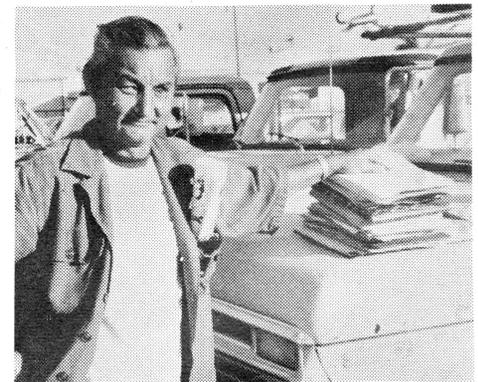
For example, to do repairs in more than 30 schools in the Leeward Oahu district, we have only two DAGS electricians and two plumbers. Easily twice that number is needed. There's also the big distance we have to travel—to go out and check out the problems, drive back to town to get the needed parts, and then return to do the repairs. Often the needed parts are in short supply or not available. Sometimes it takes more than six months to get things like toilet bowls. We don't even have enough foremen to do the purchasing, so workers have to do that as well. Foremen vacancies go unfilled, so workers with more than 20 years' service are shut off from promotions. This really has a bad effect on morale.

Our logbook of work orders for plumbing repairs in the Leeward schools goes back to 1972! Four years later, and we still haven't been able to get to repairs needed in some schools! The same is true in the Windward area, and all the outlying districts. There's just not enough staff to get the job done. And the Department has done little to get the funds and positions needed to correct these poor conditions. It seems to us that the State is trying to put the burden of its financial problems on our backs—and is hurting its workers, our schools and the general public in the process.

Vandalism is a problem in some schools, but the State's policy of neglect only encourages more vandalism—as the schools become unfit for the basic task of giving our kids a good and healthy learning environment. Cutbacks in health, education, and welfare make no sense at all. More staffing and services would mean more jobs and less unemployment...as well as better schools and a brighter future for our kids.

Trying to save money by pinching the schools and cutting down on their maintenance will only lead to greater expenses in the end—as equipment and facilities break down completely and have to be replaced.

Workers break down, too. Custodians used to have 30 minutes to clean a classroom, but a few years ago it was cut down to 21 minutes because of the shortage of workers. And new

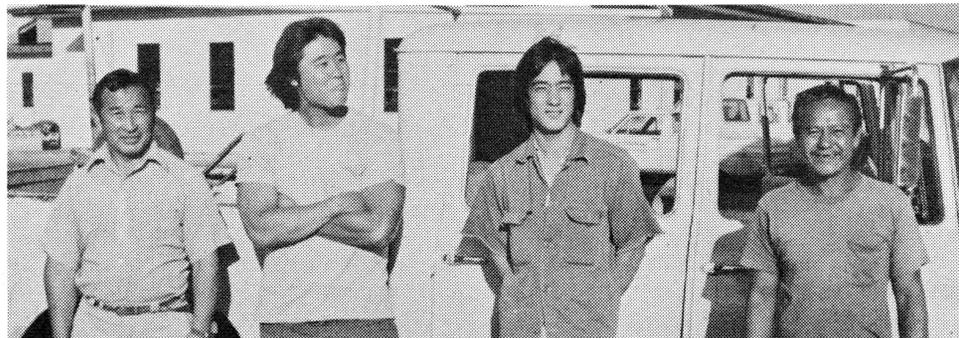


DAGS plumber Brother Albert Spencer stands next to growing stack of plumbing repair work orders for the Leeward area which go back to 1972!

tasks were added to the job—cleaning erasers, boards, and sinks.

Our school custodians ain't getting any younger, and there are few new hires. So this speed-up is killing us. If one of us is sick one day, or takes leave, we often don't get a substitute sent to the school, so the pressure is even greater. Custodians now have a hard time getting vacation leave approved during the school year, except for a few special situations. We are denied the same vacation rights as other public workers.

Our manini wages aren't to blame for the State's financial troubles. And we aren't to blame for the growing maintenance problems in the schools. We must put the blame where it belongs—on the top State administrators—and together let's push them to get the burden off our backs and get the schools properly serviced and staffed. We owe that much to our kids and the people of Hawaii.



DAGS grounds maintenance workers are also short-staffed. Above, left to right, is one of the crews: Brothers John Minoda, Michael Nam, Larry Alesna and Ernest Tanaka.

# OAHU DIVISION NEWS

## O.T. Policies on CETA Workers Changed Discrimination Charges Upheld Against Public Works Dept.

An on-going practice throughout the City Department of Public Works of denying CETA employees the right to work overtime and to receive overtime pay for their services rendered has finally been resolved in the Union's favor.

On appealing the discriminatory practices against CETA workers to the 3rd step of the grievance procedure, the union contended that the CETA employees assigned to the Kailua Refuse Yard were not afforded the same benefits and contract rights as other refuse collectors since they were subject to the following policies: (1) CETA workers were asked to work overtime with the understanding that they would not be paid the overtime rate, but would only be given compensatory time off. (2) When Department and Division officials were informed of these contract violations,

they immediately ordered their yard overseers to refrain from giving any overtime at all to these employees!

The reply from the Mayor's representative Harry Boranian reaffirmed the union's position that the Department's practice of denying overtime to the CETA workers was in conflict with the federal law and that the Department had been guilty of discriminatory practices.

Credit for this important victory goes to shop steward Benjamin Cobb-Adams for his alertness in reporting the grievance to the union and for showing his concern for equal treatment for all the men in the Kailua Refuse Collection Baseyard.

Other units should be watchful to ensure that CETA workers get a fair shake and are treated as regular employees with the same contract rights.

### Understaffing Plagues State Highway Workers

## Contracting Out Practice to Continue at State Highways

"Contracting out depends on the availability of our workforce," State Highways Oahu District Engineer Tit-Mun Chun asserted. "Normally we make a submittal to the Legislature asking for a certain amount of manpower, and a certain amount of money for contracts....Getting the manpower we need has been the problem...We have more facilities to maintain, but how are we to do it without enough manpower?"

Staffing has been a long-standing concern of our Unit 1 workers in State Highways. Look at the figures over the past 10 years for the Oahu district, where construction has brought many more miles of new highways and many more facilities into the Department's system of maintenance:

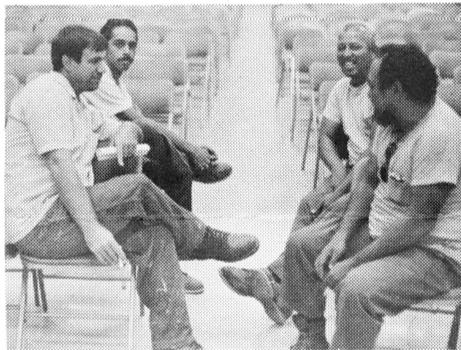
1966-67 ..... 170 blue collar positions  
1968-69 ..... 166 blue collar positions  
1975-76 ..... 191 positions authorized,  
but only 161 filled.

In other words, there are no more blue collar State Highway workers now than there were 10 years ago! And the practice of contracting out our work to private contractors has grown considerably. Three years ago, some \$190,000 in five contracts were bid out. This year \$250,000 worth of landscaping and cantoneering projects were given out; and next year the Department will spend more like \$480,000 in this way.

Construction projects like building viaducts have normally been contracted out, through competitive bidding. But more recently given the shortage of blue collar public workers, management's policy has been that, if an area of work or project can be clearly defined and done "competitively", they would try to contract it out—even if it was work that our Unit 1 workers would normally do, like striping and cantoneering.

Some initial construction projects provide for striping to be done as part of the contract, but sometimes this practice is continued through the years on a private contract basis.

And it's really questionable whether the State saves any money on this—since these are profit-making projects for the private contractors, and laborers for companies that are unionized make about \$8.49 an hour in wages and fringes, much more than public workers.



State Highways workers were strong in voting approval of a strike, if necessary, to win key Unit 1 demands.

However you view it, it's clear that contracting out is a threat to the union and to the job security of our members. Although there may be no actual workforce reduction over the next several years, more and more of our growing workload will be contracted out to private firms, and a greater part of the work will not be done by public workers. There will also be more pressure and speed-ups on the job for public workers.

Already, even management admits, morale has suffered from understaffing, and filling the 30 vacancies is long overdue. Machinery stands idle because there aren't enough workers to use them. In part, it has been delayed by the complicated and bureaucratic method of making promotions and filling higher job vacancies before hiring is done at entry levels. State Highways now has over 20 SCET workers, but with their new and temporary status, they can't pick up all the slack caused by the 30 regular vacancies.

Management seems reluctant to really provide for a larger workforce, and is planning to do even more contracting out. "We want staff enough for day-to-day work, emergency repairs, first aid and potholes—because it's more efficient to use your own workforce for these. Beyond that, we'd rather contract out," Mr. Chun concluded.

The State's position freeze has really hurt the State Highways workers, and it looks like the State plans to cut back more—so the issues of understaffing and contracting out will become even more important and urgent to highway workers and all public workers.

### Staffing "A Joke" at H.C.C.!

## Honolulu Community College Gets the Short End of It

According to UPW Steward Lindo Kinney, a Honolulu Community College custodian, maintenance staffing at the College is way short. "It's a joke. With all the buildings and grounds we have to take care of, we only have about a dozen workers. When one of us is sick, we feel bad cuz we know it's gonna hurt the ones who come to work. And it's easy to get sick when you gotta rush to get the job done."

The College has no maintenance man and only one maintenance helper, Brother Inamine. There are only two full-time groundskeepers for the large campus. There are only 7 custodial positions filled, one acting supervisor and one working foreman.

### TWO TO THREE TIMES THE NORMAL WORKLOAD

Yet these 8 full-time custodial workers are expected to maintain more than 225,000 square feet of assigned building space, or some 347,231 gross sq. ft. of space. This means that each custodian covers on the average some 40,851 gross sq. ft. (or about 26,471 sq. ft. of assigned class and office space). This is two to three times the normal workload of a custodian according to the University's own consultants' report—which suggested that 12,500 sq. ft. was the



Brother Lindo Kinney, Sr., UPW steward at Honolulu Community College.

normal advisable workload. Places like the automotive shop cannot even be handled by the present work force, and student workers have to be assigned there.

Something needs to be done about understaffing at H.C.C. Management has advertised to fill two evening shift custodial vacancies, but this will not be enough. This kind of squeeze really hurts our members, and is not in the interest of those who use our campuses. Lack of maintenance will only cost more in the long-run and causes unsafe conditions and hardships in the present.



Honolulu Community College Unit 1 workers met with B.A. Teddy Lii to nominate and elect unit officers and stewards, and to discuss unit problems.

### Problems at Waikiki Aquarium

## Not Enough Aquarists

Before the State's position freeze several years ago, there were 13 workers at the U.H.'s Waikiki Aquarium. At one point a few years ago there were only 6 workers on staff. Today there are 11, including management — but there are still not enough aquarists to collect specimens and tend to the sealife at the Aquarium. A maintenance mechanic has finally been hired, and this should help some.

It wasn't uncommon for aquarists, whose sole task should be taking care of animal life, to be working to repair pumps or electrical wiring; or for Brother Harry Cordeiro, the custodian to be working with cement, acting as cashier, or feeding the seals. A few years ago, most of the workers stopped working out of their class, and began to demand the staffing they needed.

The Aquarium's budget has reflected the cut-backs. In 1972-73, the State spent \$153,918 on the Aquarium, including personal costs. In 1974-75, the figure was only \$108,939 for this 7-day a week operation, housed in a 20-year-old building with 20-year-old problems. During the past year, additional funds have been authorized and spent for capital improvements at the Aquarium, and there have been some gains in staffing.

Aquarium staffers themselves a few years ago built a walk-in freezer, a 3,000-gallon carp pool, and renovated a large laboratory and made it into a classroom. Remaining needs include a new static display building, a reef tank, a shark tank, a dolphin pond, and a turtle pool for the giant ocean turtles. A year or so ago, Governor Ariyoshi broke



Brother Harry Cordeiro points to a spot on the Waikiki Aquarium grounds where over a year ago State officials, including the Governor, broke ground for a turtle pond. Because of budget squeezes, construction has not yet begun.

ground on the new turtle pool, but to date no other work has been done on it. Once the pool is built, the Aquarium can begin returning baby turtles to the sea.

The workers are concerned that new funds now available for staffing might be used primarily on office workers rather than for the aquarist positions and maintenance staff that are needed. Brother Joe Paekukui, the yard caretaker, feels that an additional groundskeeper is needed, and another custodian, at least part-time, would be a great help to Brother Cordeiro, as the Aquarium is used more at nights.

The Aquarium is a valuable resource for our own people and the many tourists who come to see the displays and live exhibits there. It should be properly staffed and maintained, and improved to provide even more to the public in terms of knowledge of the life in the seas around us.

# Ambulance Arbitration Case Hotly Contested

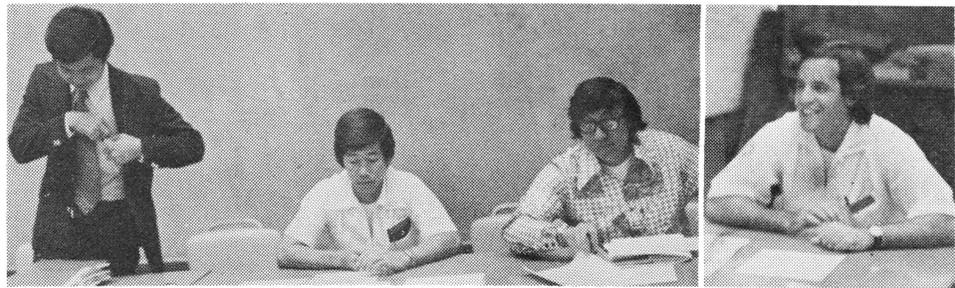
Walter Nishimura, C & C Ambulance MICT IV, had his "day in court" when his suspension case was presented to Arbitrator Harold S. Burr. Brother Nishimura had been suspended for five days and forbidden to wear the uniform or to appear as a representative of the Division during that suspension. The Union argued that the suspension was excessive and punitive for reasons not included in the terms of the contract. It happened at the height of the period of tension between advocates and opponents of the MICT system with the attendant bad publicity from TV and newspaper reports.

Brother Nishimura and UPW B.A. Bob Chang testified that the charge of closing the work unit at Queen's Medical Center was not an act of the grievant but of his supervisor. "I did not close the Unit nor did I act in any way that differed from our normal past practices when there was a shortage of personnel. I reported it to

Central and got the word from my supervisor," Brother Nishimura testified. BA Chang testified that policies on staffing had been carefully worked out through consultation with the Employer, and that there was no deviation from those policies by MICT Nishimura.

Supporting witness and fellow MICT Les Bowker, who had been on duty with the grievant on the day of the suspension, refuted testimony from the Employer's side when he said there had been no argument, "no hassle" and no closing of the Unit by Walter Nishimura.

There will be a full report on the hearing in another issue of The Organizer including highlights from the testimony of Civil Service Director Harry Boranian and possibly the decision of the Arbitrator. The case was heard over a period of one and one-half days with Attorney Francis Namamoto representing the Employer.



Employer's attorney Frances Nakamoto prepares to make management's opening statement against ambulance technician Brother Walter Nishimura (center), who had been suspended for five days for the "unauthorized closing of a unit." Next to Walter is UPW B.A. Bob Chang who assisted UPW staff member Steve Murin in presenting the union's case to Arbitrator Harold Burr. Brother Les Bowker, MICT-IV (far right), was a very helpful witness for the union.

### U.H. Unit in Benefit Kalua Pig Sale

To raise monies for their unit's Emergency Fund, University of Hawaii workers will be selling kalua pig on Saturday, July 10, from 11 a.m. to 4 p.m. at the UPW Hall garage, 1426 N. School St. \$3.50 donation per pound. Come one, come all, and help build the cause!

## HOSPITAL DIVISION NEWS

HOSPITAL DIVISION JULY MEETING SCHEDULE			
Palama Settlement	Tues., July 6	11:30 a.m.	Palama Settlement
Children's	Tues., July 6	3:30 p.m.	Children's
Agenda Meeting	Tues., July 6	5:30 p.m.	UPW
Division Board	Tues., July 6	7:30 p.m.	UPW
Kahuku	Wed., July 7	4:30 p.m.	Kahuku Library
Labor-Management, Wahiawa	Wed., July 7	3:30 p.m.	Wahiawa
Wahiawa	Thurs., July 8	3:30 p.m.	Wahiawa
Hale Nani	Tues., July 13	4:00 p.m.	UPW
Kuakini	Wed., July 14	4:30 p.m.	Kuakini
Pohai Nani	Thurs., July 15	3:30 p.m.	Pohai Nani
Queen's	Thurs., July 15	7:00 p.m.	UPW
State Exec. Board	Fri.-Sat.-Sun., July 16-17-18		Molokai

### IN MEMORIAM

Florentina M. Aragon, member, Oahu Division, Operations unit, 5/13/76

John J. Freitas, member, Oahu Division, Retired, 5/11/76

Cary Diniega, member, Oahu Division, Lieutenant Gov. office, 5/17/76

Muriel K. Huffman, member, Oahu Division, Retired, 6/2/76

Hitoshi Yasutake, spouse of member, Clara Y. Yasutake, Oahu Division, Leahi unit, 5/12/76

### Oahu Dates to Remember

July 6, Tues. — COPE mtg./Hawaii AFL-CIO

July 6, Tues. — Oahu AFL-CIO ..... 7 p.m.

July 8, Thurs. — Oahu Division & PAC ..... 7 p.m.

July 10, Sat. — U.H. Kalua Pig Sale, ... 11 a.m.-4 p.m. (UPW Hall)

July 11, Sun. — EDU Custodians ..... 1 p.m.

July 13, Tues. — Parks Unit ..... 7 p.m.

July 16-18, Fri.-Sun. — State Exec. Board ..... Molokai

July 21, Wed. — Retirees' Committee ..... 9 a.m.



C&C Road workers pause briefly from their School Street patch-up work for this picture, with their 1934 Barber-Greene paver in the background (there are only two such vintage pavers in the islands — 42 years old!!) From left to right—front row, Brothers Dan Kupahu (equipment operator), Antalia Kalani (heavy truckdriver), Bernard Respicio (laborer), Lloyd Souza (equipment operator), foreman Joe Leong; in the back, left to right, Ken Nakila (laborer), and Edward Hoopii (laborer).

# Kam Schools Workers Gain Their First Contract

Last June 1 Kamehameha Schools workers voted by a 76 to 2 margin to approve their first contract. About 140 maintenance and food service workers will be covered by the new 2-year agreement negotiated by the UPW.

Rank and file negotiators included Isabelle Akana (unit chairperson), Charles Mitchell, Tadashi Shinmura, Reginald Keaunui, Ted Shaw, Mildred Chun, Dorothy Lau, Geraldine Andrews, and Rosaline Doo. State Director Henry Epstein acted as chief spokesman for the union, with UPW staff members Evalani Subee and Leighton Sukanuma assisting.

### CONTRACT HIGHLIGHTS

The new contract allowed the workers to keep present benefits of group life insurance, medical and dental coverage, long-term disability insurance, and retirement plans, and provided for at least 5% wage increase in the first year and a 6% wage hike in the second year of the contract.

The new unit will enjoy agency shop protection, with all workers in the unit paying either dues or an equivalent service fee to the union. All regular, part-time and temporary workers employed for more than 3 months will be covered by the contract. There'll be no limit to the number of stewards nor on the length of time for leave of absence for up to two workers at a time for union business. Three union bulletin boards will be placed in central locations.

One important provision requires management to give the union 30 days' notice prior to any sub-contracting out of maintenance or food production work, allowing the union to discuss and negotiate any changes affecting our members.



Kamehameha Schools maintenance and food service workers listen attentively to details of the proposed settlement last June 1 before voting 76-to-2 to approve this first contract.

Another important gain is contract language allowing our members to refuse to cross or work behind any legal picketline without fear of discharge or discipline.

A three-step grievance procedure has been set up, with a streamlined informal arbitration route provided under which an arbitrator, once selected, would have 5 days to hear and decide a case, with a written decision given two days after the verbal decision is made. The formal arbitration procedure provides for 15 days for the arbitrator to hear the evidence and another 30 days to decide. The union or any employee will have 21 days to present a grievance from the time the violation is discovered.

The old 6-month probation period has been reduced to three months, and all vacancies must be posted for 7 days prior to being permanently filled. Schedules must be posted 1 week in advance. The workers will now have 15½ holidays a year.

In case of lay-offs, a system of chain bumping has been set up based on seniority. Workers will now be able

to see their personnel files. Management will now furnish and launder all uniforms required.

### SHIFT DIFFERENTIAL, PREMIUM PAY

For all work between 7 p.m. and 5 a.m., a 10¢ night shift differential will be paid. For split-shift work, not less than 8 hours of work must be scheduled spread out over no more than 14 hours. Time and a half overtime rate will be paid for all work between 8 and 12 hours straight, and double-time for all work after 12 hours.

In case of recall to work, there is now a guarantee of a minimum of 3 hours' pay at the overtime rate. If temporarily assigned to a higher paid job for more than 4 hours, a worker will be paid at the higher job rate.

### VACATIONS AND LEAVE

Workers employed from 1 to 5 years will get 13 days' vacation leave a year; from 6 to 15 years, 18 days; and from over 15 years, 24 days. Workers will earn 21 days of sick leave a year. A maximum of 1 year physical disability leave without pay is also provided for.

If serving on a jury or State or County Board, a worker will receive his full pay

(management will make up the difference).

Three days of funeral leave will be given anytime between the date of death and 50 days after, for deaths within the family. Five days of personal leave may be taken each year, either as vacation leave or leave without pay. Leave of absence or vacation leave may also be used for national guard or reserve training. Two hours' paid leave will be given for tubercular exams and physicals taken for PUC licenses.

Management has also promised not to use student workers to reduce normal straight-time hours of UPW workers at Kam Schools. Management will also talk to the union this summer about proposed changes in the bus-drivers' schedule because of a planned reorganization. Temporary workers can be hired for less than three months, but after three months they must be put on regular probation.

All in all, the Kam Schools negotiators and workers seemed pleased with their first contract and eager to begin enforcing it. Congratulations to these new members for a job well done!

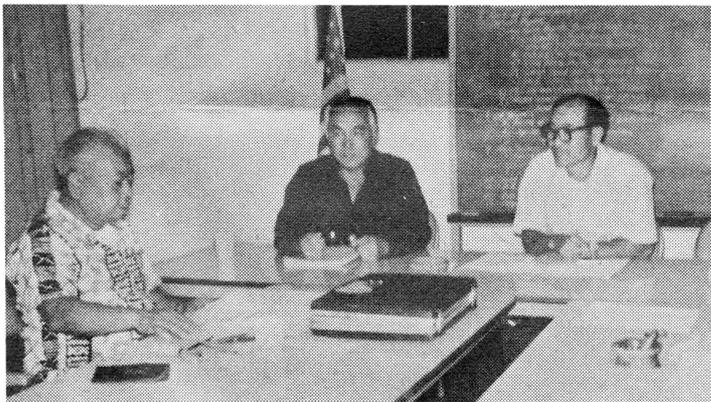
# Maui, Lanai and Molokai UPW's Aims and Principles

Some of our members may be taking their membership in the Union a little too lightly, and we would like to remind them of our Union's Aims and Principles as outlined in our UPW Constitution, so all will see the need for complete unity in the event of a strike:

### ARTICLE I

We, the men and women working under the jurisdiction of this union of the State of Hawaii, in order to build and maintain a strong organization and provide for the defense of our common interests, promote the welfare of our members and families, uphold the rights and dignity of our labor and its organized expression, have determined that we shall be guided by the following principles:

- An injury to one is an injury to all.
  - The right to be treated in a decent and respectful manner by the employer.
  - To organize the unorganized workers within our jurisdiction so as to protect our gains as well as to extend them to others.
  - To encourage the organization of all labor so as to help raise the living standards of all wage earners.
  - To oppose all violations of democratic practice whether they be racial, religious, or political, thus assuring the rights guaranteed by the American Constitution to all.
  - To encourage the fullest participation in the democratic processes of our community and our nation in order to help assure honest government responsible to the people.
  - To support and encourage the members' interest in world as well as national and local events, since events throughout the world affect the people of Hawaii.
- Basing ourselves on these principles, we are pledged to work, individually and collectively in pursuit of these aims:
- To promote the best interests of our members by organizing all workers eligible for membership in our



State Senate Brother "Hank" Takitani was the guest speaker at the Custodian Unit meeting during the month of May as part of the Units' Education Class. His presence was to indicate his stand on the Unemployment Insurance Bill. On the left is Brother "Masa" Okumura, Maui Division PAC Chairman; center is "Hank" Takitani; and on the right is Brother Jiro Ikemori, Unit Chairman of the Custodian Unit.

Union.

- To help elect honest officials in our government.
- To encourage the participation in politics of men and women sympathetic to the needs and rights of the working people.
- To support and encourage the spread of honest news and to encourage the newspapers and radio stations which give working people factual reporting free of anti-union bias.
- To encourage the building of the trade union movement in Hawaii as the one movement which can best give labor the dignity, self-respect, and standard of living which has so long been a goal of workers everywhere.

### ARTICLE II METHODS

The basic methods to be used in achieving our objectives shall be legislation, negotiation, education and collective bargaining.

"It shall be the policy of this union to engage and assist in lawful strikes against private and government agencies when all other avenues have failed."

### UNITY IS KEY

We cannot emphasize enough the importance of "unity" among our membership in the crucial times ahead of us.

If and when you're called upon to take part in any activity of the Union, please do so willingly and cooperatively. Mahalo!

## Emergency Fund-Raising

To help swell the Maui Division Emergency Fund, a fund-raising drive will take place around the end of July or early August. The drive will consist of orders taken for Kulolos from Kauai and "cottage bread" from Nashiwa Bakery. The price will be \$1.50 each for either the kulolo or the bread. Please kokua when approached! This is all for your own benefit. We need all the kokua we can get!



The Hale Makua Unit met recently at the Maui Division Headquarters for a Stewards' workshop with Brother Leighton Sukanuma B.A. organizer of the Hospital Division as resource person.

# Maui DAGS Workers Win Retroactive Meal Payments

On September 10, 1973, State Comptroller Ke Nam Kim sent out to all Heads of Departments and Agencies, a MEMORANDUM No. 1973-7, relating to Subsistence Allowances. In effect this memorandum approves the payments of meals whenever employees are assigned in areas between specified

points on the same island as "travel status". (On Maui, Wailuku or Kahului to Hana).

Our members at DAGS (Maui) were completely unaware of this benefit until it was brought to their attention by Division Director Al Carvalho.

The UPW got the ball rolling by

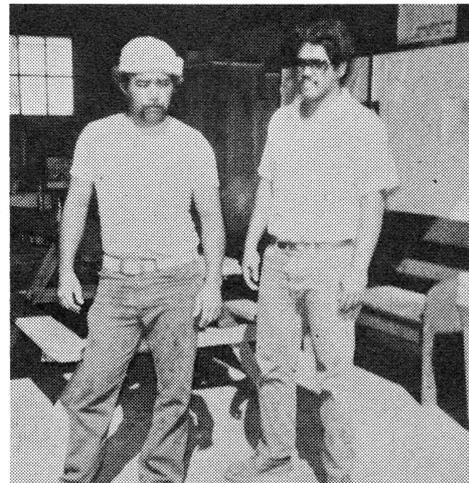
having the stewards at the DAGS Unit check the work log on assignments to the Hana area, all the way back to September 10, 1973. After this was done, a total of 18 claims for retroactive meal payments together with an accompanying letter was sent to DAGS District Engineer Shigeru Sano. The letter was dated January 15, 1976, but payments were finally made during the month of April, 1976. Total payments amounted to \$787.45 to our members, and they are very thankful to the UPW for the time and effort expended in the handling of this problem.

The "funny" part about the whole situation is the fact that immediately after the claims were sent in, the travel rules and regulations were revised to eliminate "subsistence allowances" for travel between points on the same island. The other "funny" part is that this change was made during negotiations.

We wonder whether this is coincidental or just plain deliberate!!!

## SAYING OF THE MONTH

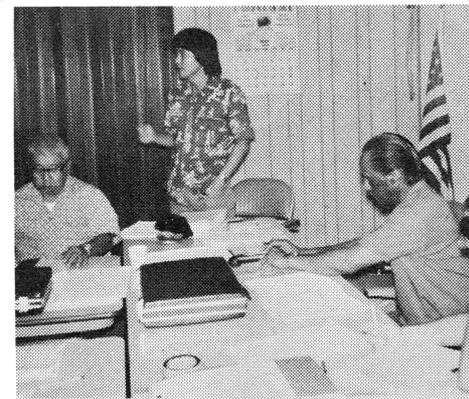
TO A WIFE, RETIREMENT MEANS TWICE AS MUCH HUSBAND AND HALF AS MUCH INCOME! . . .



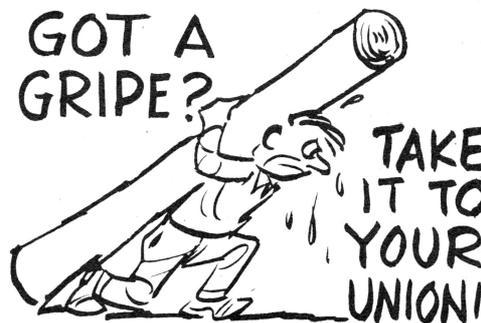
According to Brother Gilbert Correa — Unit Chairman of Transportation Unit, Brother George Landford (left) a former CETA worker, became full-time Highways employee recently as a Laborer II, and Brother Llewellyn Kupaku (right) also became a full-time Highways employee in the Highways Division of the Dept. of Transportation. Both are serving their 6-month probationary period.



These are members who were responsible for the recent Division Emergency Fund "bread sale" which ended with a successful drive and profit of approximately \$300. On the left is B.A. Adrian Hussey; center, is Brother "Masa" Okumura; and on the right is Division V.P. Brother Benny Keau. Other drives will take place during the month of July to fatten the pot of the Maui Division Emergency Fund.



Brother Mel Goto of the Oahu Division Staff, came to Maui recently to present a full report to the Maui Division Executive Board on the recent legislative activities of the 1976 Hawaii State Legislative Session.



**Perform a death-defying act.**  
**Have your blood pressure checked.**

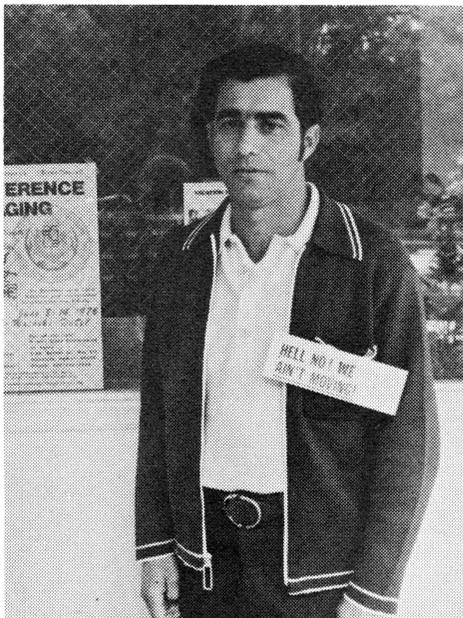
Hawaii Heart Association  
245 North Kuku Street  
Honolulu (968) 7-538-7021



MAUI DIVISION JULY MEETING SCHEDULE			
Molokai Hospital Unit	Tues., July 13	7:30 p.m.	Hospital Conf. Room
Molokai Unit	Wed., July 14	3:00 p.m.	County Garage
Molokai Custodians & Cafeteria	Wed., July 14	7:30 p.m.	Community Center
Kalaupapa Unit	Thurs., July 15	11:30 a.m.	Paschoal Hall
State Exec. Board	Fri.-Sat.-Sun., July 16-17-18		K'Kai School Cafeteria
Makawao Unit	Tues., July 20	3:00 p.m.	Baseyard Office
Kula Unit	Wed., July 21	7:30 p.m.	Keokea Park Pavilion
Parks Unit	Thurs., July 22	3:00 p.m.	Div. Headquarters
Lahaina Unit	Thurs., July 22	3:00 p.m.	County Garage
Maui Memorial Hosp. Unit	Thurs., July 22	7:30 p.m.	Div. Headquarters
DAGS Unit	Fri., July 23	3:00 p.m.	Carpenter Shop
Division Exec. Board	Fri., July 23	7:30 p.m.	Div. Headquarters
Retiree Committee	Mon., July 26	10:00 a.m.	Div. Headquarters
Custodian Unit	Mon., July 26	7:30 p.m.	Div. Headquarters
Hana Unit	Tues., July 27	11:30 a.m.	Baseyard Office
Cafeteria Unit	Tues., July 27	7:30 p.m.	Div. Headquarters
Wailuku Unit	Fri., July 28	3:10 p.m.	County Baseyard
Associate Services Unit	On Call by Unit Chairman		
Transportation Unit	On Call by Unit Chairman		

# KAUAI

By Gary Rodrigues,  
Kauai Division Director



Brother Gary Rodrigues, Kauai Division Director and chief spokesman for Unit 1 contract talks, adopts slogan of Waiahole-Waikane struggle—"We Ain't Moving"—to express the Unit 1 rank-and-file negotiators' determination to fight for all we can get, and not give in to management's manini wage proposals and scare tactics.



Hawaii Division's three representatives on the State Executive Board: left to right, Sister Eve Hayselden (Secretary-Treasurer), V.P. Kiyoshi Nagata, and Yuki Nishimoto.

## Grievances Bring Out the Poor Attitude of Kauai's Mayor Toward the UPW

Some of the union's formal grievances filed against the County of Kauai demonstrate Mayor Malapit's poor attitude towards the Unit 1 Agreement and our union. Some supervisors are following the Mayor's attitude, which seems to be: get away with as much as you can and do as you want to. This has led to many grievances.

In one grievance, the Union charged that one employee, a Construction Equipment Operator in the Department of Public Works, is being granted special privileges by being permitted to operate only a truck-tractor-trailer. Since the truck-tractor-trailer is not used continuously, the operator spends the rest of his time in the automotive shop. In the meantime, other equipment operators are required to operate several other vehicles or to perform other laboring jobs. When the grievance reached the Mayor's step, his answer was that his personal investigation led him to believe that there was nothing wrong with the special treatment being granted to the one operator. This kind of answer encourages favoritism.

In another grievance, the Union charged that the County had violated Section 46 of the Unit 1 Contract and the Memorandum of Agreement that was signed by the Union and the County. The Union contended that raincoats were issued to some public works employees without discussing the specifications of the raincoats with the Union as agreed to in the Memorandum of Agreement. Further, the

union maintained that the raincoats were in violation of Section 46, since the type of raincoats purchased by the County were of a drab color which presented a hazard to the employees. The raincoats were also the full-length type which could be hazardous to equipment operators and laborers because the raincoats could get tangled in the gears of the equipment and could cause the laborers to trip.

When the grievance reached the Mayor's step, his answer was that his personal investigation led him to believe that the raincoats were safe and that the County did not do anything wrong by buying the raincoats without discussing it with the Union.

Another recent grievance filed against the County concerned a violation of Section 16. The Union charged that temporary assignment was granted to the wrong employee when a Laborer II from one baseyard was sent to another baseyard to take the temporary assignment to Equipment Operator II. The temporary assignment list further showed that the Union was correct. The Mayor's reply was that the temporary assignment was granted to the Laborer II from another baseyard because the equipment on which the temporary assignment was granted had an oil leak which the County did not repair and that the Laborer II was more qualified to operate the equipment with such an oil leak than were other employees.

The Mayor further replied that his personal investigation led him to

believe that the assignment of the wrong employee was proper and judicious. Translated into Blue Collar language, this meant that the Unit 1 Agreement does not apply as long as he is the Mayor.

On yet another occasion, Mayor Malapit clearly violated Section 15.03 of the Unit 1 Agreement by meeting with an employee to discuss a grievance and then making a decision on the grievance without permitting the Union to be present at the meeting. The Mayor replied by saying that the charges made by the Union against this were totally erroneous and without any legitimate foundation whatsoever. The Mayor also stated that he did not know anything about the case the Union was referring to.

### NO BIG SURPRISE

The Mayor's reply was no big surprise to the Union because, as pointed out earlier, the Mayor is noted for trying to get away with as much as possible. In this case, as well as in the others, the Mayor was caught red-handed.

Upon receiving the Mayor's reply, the Union sent a memo to him informing him that the Union had a copy of a memo sent to the County Engineer and signed by the Mayor. In the memo, the Mayor informs the Engineer to take care of the grievance. The memo from the Mayor proved that the Mayor had tried to pull a fast one again. However, he'll have to get up earlier in the morning to get away with it.

HAWAII DIVISION JULY MEETING SCHEDULE			
Parks & Recreation	Tues., July 6	6—3:00 p.m.	Shop
South Hilo Road	Wed., July 7	7—3:00 p.m.	Shop
Airport	Thurs., July 8	8—11:00 a.m.	Lounge
Laupahoehoe	Thurs., July 8	3:00 p.m.	Library
Puna	Fri., July 9	9—3:00 p.m.	Shop
Cafeteria Unit	Sat., July 10	10—10:00 a.m.	Hilo Lagoon Hotel
Hilo Hospital	Mon., July 12	7:00 p.m.	UPW
State Highway	Tues., July 13	3:30 p.m.	Shop
State Parks	Tues., July 13	12—noon	Shop
Kau Hospital	Wed., July 14	1:30 p.m.	Lounge
Waimea Road	Thurs., July 15	3:00 p.m.	Shop
Kohala	Thurs., July 15	7:00 p.m.	Court House
Honokaa	Fri., July 16	3:00 p.m.	Shop
Custodians	Wed., July 21	7:00 p.m.	UPW
Kona	Fri., July 23	7:00 p.m.	Yano Hall

# HAWAII

## Hawaii Retirees Meeting Set

The next Retirees' meeting will be on July 21, 1976 at Wailoa State Park starting at 9:00 a.m.

They will have meetings every third week on the month at the same place and time.

## HPERB Sends Pavao Promotion Case to Arbitration UPW Sees New Challenge

For a few minutes on June 14th it seemed that HPERB would act to break the eight-month log-jam on promotion cases in UPW Units 1 and 10. After hearing opening statements by attorneys for UPW, HGEA, and the State of Hawaii, HPERB Chairman Mac Hamada stated that the Board

would hold off hearings till after the UPW had taken the Pavao grievance to arbitration.

The view of the Chairman was that Frank Pavao had the "private" right to take his protest to the UPW, and the Union had the duty to process his grievance under the terms of the Unit

1 Agreement. The UPW and Pavao also had the right to reject the remedy suggested by the Employer, namely, to follow Civil Service procedures. The Employer, Hamada's reasoning suggested, should not have refused to go to arbitration because management's legal right to stop the grievance procedure does not exist till arbitration is reached.

In effect, the Employer was told, "Go to the arbitrator and tell him your troubles. If you are not satisfied with his decision, come back to HPERB."

This statement and recommendation, not called a decision, was a victory for the position taken by UPW B.A. Tsugawa, who defended Brother Pavao's grievance through meetings at Steps 1, 2, and 3.

The victory will be a short-lived one, however, because Deputy Attorney Larry Kumabe, representing the DOE for the State, immediately made it clear that this HPERB statement did not settle the issue of the UPW grievance. The State Attorney, now supported by HGEA Attorney Naito, make it clear that at arbitration the same challenge will be repeated and the Arbitrator will be asked to rule on whether he has the right to hear and decide a question which they contend the collective bargaining law does not cover. That legal question can be expressed: CAN A MEMBER OF ONE UNIT USE THE TERMS OF HIS CONTRACT TO GET A PROMOTION INTO A DIFFERENT UNIT WHICH

HAS ITS OWN CONTRACT? The HGEA, through Attorney Naito, said it was not attacking the UPW position but was making a supporting statement at HPERB because "we want to keep the Units separate. There is more to this case than Units 1 and 2. Unit 3 members have an interest in the issue, too."

UPW Attorney James King, fighting for a ruling on the Pavao case itself, admitted that clarification of the legal question was important. "In this grievance there was no applicant from either Unit 2 or 3. If there had been, the UPW would not be here, nor would the UPW even have gone to arbitration. We are here because only members of Unit 1 are denied the right to move into Unit 2 under these circumstances; the position taken by the Employer closes the door to promotions to all these and other Unit 1 members. THERE IS NO OTHER PLACE FROM WHICH POTENTIAL FOREMEN CAN COME BY PROMOTION."

UPW Contract Implementation Director Steve Murin told the ORGANIZER: "This hearing was really on the subject of the no man's land which exists between certain Units. It seems to me that we have here another area in which the remedy should be corrective legislation. I will recommend to our State PAC that a positive amending statement be adopted for consideration for our next legislative package."

## The Issues in a Nutshell Background of the Pavao Seniority Promotion Case

Many, many months ago UPW member Frank Pavao applied for a posted vacancy as foreman at a school near where he worked. Brother Pavao had 25 years of service as a Custodian, had a very good record of service and attendance and countless numbers of temporary assignments to Foreman.

Three other Custodians and members of the Union also applied, but none of them had the impressive credentials held by Brother Frank. Naturally, when one of the other members was given the promotion, B.S. Julia Tsugawa filed his grievance with a feeling of confidence. "Duck soup", she thought.

But that was more than eight months ago! What started off as a

routine grievance has developed into a tangled legalistic swamp. Because the Employer challenged the UPW right to take the case to arbitration, an agreement was made to ask the HPERB to give a "declaratory ruling" on the legal question which the State of Hawaii says is more important than the simple grievance raised when Brother Pavao did not get the promotion our contract seemed to say he should have had. That legal question is: CAN A MEMBER OF UNIT 1 USE THE TERMS OF HIS UNIT CONTRACT TO GET A PROMOTION INTO A UNIT WHICH IS COVERED BY ITS OWN CONTRACT, IN THIS CASE HGEA'S UNIT 2 BLUE COLLAR SUPERVISORS?

# Vote Overwhelming Strike Approval Unit 1 Workers Stand United to Win

Despite scare leaflets and attempts by management to persuade Unit 1 blue collar workers to vote against a strike, Unit 1 workers by an overwhelming margin voted approval for a strike, if necessary, to win their key demands. The statewide Unit 1 vote was 93% in favor of a strike.

The strike vote was conducted over a two-week period in early June and came immediately after the Unit 1 Full Negotiating Committee had decided unanimously in a roll call vote to recommend a favorable strike vote and full support for the position taken by the union's 13-member Executive Negotiating Committee.

The Full Committee met last June 5 at AFSCME Hall and heard a complete report on the progress of Unit 1 negotiations from Executive Committee members and chief spokesman Gary Rodrigues. The unanimous approval vote came after full discussion and many questions about the union's and management's positions.

## FACT-FINDERS' FARCE

In late May, the report of the three "fact-finders", commissioned by HPERB to hold hearings on the disputed Unit 1 contract issues and make a recommendations for settlement, was made public. The Unit 1 Executive Committee had already rejected this report and refused to settle on the poor terms recommended by the fact-finders.

On wages, the fact-finders recommended a 1½% wage hike plus \$70 across-the-board for Unit 1 workers from Wage Board 1 through 8; and 1½% plus \$85 for Wage Boards 9 and up. The union is demanding \$180 across-the-board, and \$230 for tradesmen. The

employers at first accepted the fact-finders' recommendation in order to make a big fuss with the rank-and-file about how generous and reasonable they were.

## BOSSSES TAKE BACK CARROT

But after the union rejected the fact-finders' manini wage recommendation, the employers took back their little carrot, and went back to their 1½% plus \$60 wage offer, with no extra differential for tradesmen.

The fact-finders—two lawyers and a labor relations "expert"—seemed friendly to most of the union's demands at the hearings in May, especially given management's weak presentation—but their final recommendations went against the union on almost every point.

On wages, the fact-finders felt that it would harm working relations for Unit 1 workers to be paid almost as much as their foremen, and said a 20% differential between workers and their foremen would be the best policy. Their decision didn't at all deal with what workers needed to live on in this state—and minimized the big differences between what federal workers and private workers receive and what Unit 1 workers get for the same type of work. The employers had even argued that as long as they paid the minimum wage (\$2.40) or better, they were paying a living wage.

## OTHER DEMANDS REJECTED

On contracting out, the fact-finders agreed with the bosses that the union had no right to demand to end this threat to the job security of our members and to the future of our union. The Unit 1 Executive Committee later dropped this demand as a contract issue, as a gesture of good faith.

The fact-finders shot the union down



The Unit 1 Full Negotiating Committee voted unanimously last June 5 to stand firm on our key demands and to authorize a strike vote.

on the other five demands as well, giving a little ground only on one point on seniority, requiring management to give a worker reasons in writing for the denial of a promotion within 3 working days. The union accepted this recommendation.

But the major demand concerning seniority—making workplace seniority the primary qualification for a promotion or job assignment and requiring the employers to exhaust all internal possibilities for public workers getting a promotion before hiring from outside—was not part of the fact-finders' recommendation, and is a major strike issue at this time. The language proposed by the union would go a long way toward strengthening seniority rights and getting rid of favoritism in promotions. This is why the employers are so opposed to the union's position on this issue, since promotions is one of their favorite clubs they hold over public workers.

The fact-finders rejected the union's position on 4 other issues: payments for meals during emergency overtime situations; full vacation rights anytime during the year for Department of Education employees; night shift differential (40¢ an hour instead of 20¢); and no loss of transportation for

workers now provided with it.

Full Unit 1 Committee members, after getting the details of management's position and the fact-finders' report, on a motion from Joe Brun of Kauai unanimously backed up their rank-and-file negotiators and rejected the fact-finders' proposals. Joe Kapahu (Hawaii) and Blanche Hew (Maui) then moved to have a strike vote taken—and this also passed unanimously. Finally, the Full Committee authorized the executive committee to continue negotiations with management toward trying to reach a settlement.

Although the Unit 1 Contract expired last June 30, the union is bound by a 60-day cooling-off period provision which prevents the union from striking until after July 31. The union is seeking to extend the present contract until the point when and if a strike becomes necessary.

Strike preparations are underway in all units and Divisions and many fundraising projects are going on. The watchword is "Get prepared."

Already by our strong strike vote the rank-and-file have put management on notice that they stand solid behind their demands and are willing to fight all the way to win them.

• UNITED PUBLIC WORKERS • LOCAL 646 AFSCME, AFL-CIO • 1426 North School Street, Honolulu, Hawaii 96817



UPW blue collar workers led walk-outs in 1969 and 1970 demanding pay adjustments and a fifth increment step in their pay scale. Above, our members rallied at the State Capitol to put the heat on the legislators to meet our demands, most of which were won.

## SCET Workers Will Not Be Fired For Respecting Picket Lines

SCET counselors and program coordinators have taken the word out to temporary workers in the State's Comprehensive Employment Training program (SCET) that, in the event of a Unit 1 strike, they will not be fired for respecting our picket lines. If they join in with the strike, the union has already decided that they will be entitled to the same strike benefits provided for regular workers.

TLF (welfare) workers also cannot be forced to scab or work behind picket lines, since this would violate the law. They should also be encouraged to join or respect the picket lines.

CETA workers are definitely in the bargaining unit and should follow the union's strike policy just as if they were regular workers. Student workers and veterans doing our bargaining unit work should be strongly discouraged from going to work during any strike of Unit 1 workers.

Public workers in other bargaining units may cross our picket lines but must not perform any of our Unit 1 jobs or work duties during a strike.

## Employers Must Continue to Pay In

# Medical Coverage Will Continue In the Event of a Unit 1 Strike

As long as any UPW strike that is called is legal, the Attorney General's office has ruled that the employers must keep up their contributions to our health plans—and the State Health Fund Board of Trustees has accepted this ruling.

HMSA and Kaiser have already said they would continue the health plan coverage of our Unit 1 members in case of a strike—and arrangements

## Consumer Protection Complaints

If you live in the Kahuku, Wahiawa, Waianae, Kaneohe, or Waipahu areas and if you have a consumer complaint — it is no longer necessary to come to the Honolulu Office of Consumer Protection to register that complaint.

On the fourth Tuesday, Wednesday and Thursday of each month, an investigator from the State Office of Consumer Protection will be at the libraries in these locations to hear consumers:

The fourth Tuesday from 8:30 a.m. until noon is always Kahuku and Wahiawa day.

The fourth Wednesday from 8:30 a.m. until noon is Kaneohe and 1:00 p.m. to 4:00 p.m. Waianae.

The fourth Thursday from 8:30 a.m. until noon is Waipahu.

The main office is at 250 South King Street, 5th Floor, in Honolulu. Telephone: 548-2540.



The Oahu Retirees Committee is picking up steam, and more retirees are getting involved. Don't forget to attend the meetings on the third Wednesday of each month, 9 a.m., at UPW Hall. Refreshments served. The next meeting, July 21, will feature a presentation on the issues involved in the UPW's Unit 1 contract fight and possible strike. Please attend.