



Volume 3,

Issue 1

Month in Labor History:

January 27, 1734: New York City maids organize to improve working conditions.

January 29, 1834: Responding to unrest among Irish laborers building the Chesapeake and Ohio Canal, President Andrew Jackson orders the first use of American troops to suppress a labor dispute.

January 11, 1912: Female textile workers from Poland working in Lawrence, Massachusetts mills begin the IWW-organized "Bread & Roses" strike after collecting their pay, exclaiming that they had been cheated, and abandoning their looms. The strike, which involved 32,000 women and children, lasted 10 weeks and ended in victory.

January 27, 1969: A group of Detroit African-American auto workers known as the Eldon Avenue Axle Plant Revolutionary Union Movement leads a wildcat strike against racism and bad working conditions. They are critical of both automakers and the UAW, condemning the seniority system and grievance procedures as racist.



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THE GAUGE

BY THE INTERNATIONAL UNION OF
OPERATING ENGINEERS, LOCAL 148

We Ignore Politics At Our Own Peril

Doug Williams

Missourians made history in 2018 by overwhelmingly striking down a proposed right-to-work law with a veto referendum in August. As a new year begins, working Missourians can and must maintain the momentum of this hard-fought victory by staying abreast of legislative developments in Jefferson City, MO.

The Missouri AFL-CIO currently has 87 bills on their watchlist, four of which are listed as critical meaning that their passage would be extremely harmful for working Missourians.

Among the critical bills is one modifying provisions of the law pertaining to Project Labor Agreements, one modifying provisions of teacher employment, another, called the Freedom to Work Act mirrors language from previously defeated right-to-work laws, and a final bill from Senator-elect Eric Burlison "creates new provisions relating to Labor organizations".

With the prefiling of his bill, Mr. Burlison has refused to listen to the voice of Missouri voters who spoke loudly in August 2018 with their defeat of RTW by a two-to-one majority.

Under the guise of representing his constituents, he chooses instead to continue to do the work of corporate interests and anti-labor organizations both in and out of Missouri.

Without our diligence and objection, bills like the ones on MO AFL-CIO's watchlist may work their way through the halls of the state Capitol to become law.

We need to communicate with our Senators and Representatives through phone calls, letters, e-mails, texts, and posts on social media to let them know that we care deeply about how they represent us in Jefferson City and that we are watching.

Working Missourians must understand that how their elected representatives vote on legislation critical to Labor can and will affect our livelihoods, both at home and in the workplace.

We must fight for our way of life, and for the future of our children's work life.

I appreciate that we all have family and outside responsibilities that occupy our free time. But this is our watch — yours and mine — and we cannot operate under the idea that protecting our jobs and our rights in the workplace is anyone's job or responsibility but our own.

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2018 Vs. 2019: CHALLENGE Vs. OPPORTUNITY

“In our glorious fight for civil rights, we must guard against being fooled by false slogans, such as ‘right to work.’ It is a law to rob us of our civil rights and job rights.

Its purpose is to destroy labor unions and the freedom of collective bargaining by which unions have improved wages and working conditions of everyone...Wherever these laws have been passed, wages are lower, job opportunities are fewer and there are no civil rights. We do not intend to let them do this to us. We demand this fraud be stopped. Our weapon is our vote.”

Dr. Martin Luther King Jr.

I want to begin by wishing each of our members and their families a happy, healthy and prosperous New Year.

We will always remember 2018 as the year we defeated Right to Work in Missouri through the August 7 vote on Prop A.

There are two other significant events that happened in 2018 which are going to have a huge impact on the future of the labor movement. Whether these two decisions have a positive or negative impact on the labor movement is for us to decide. We decide by how we react to the decisions. The two events are the Janus US Supreme Court Case and House Bill 1413 in Missouri.

The Janus Case involved Mark Janus, an employee of the Illinois Department of Healthcare and Family Services and a member of the American Federation of State, County and Municipal Employees (AFSCME).

He objected to paying union fees and the case went all the way to the US Supreme Court. In their decision, the Supreme Court outlawed fair share fees for public-sector employees by making all fifty states “right to work” for public sector employees. Fair share fees are a fee charged to employees who choose not to join a Union to cover the cost it takes to represent them. It is worth noting that nothing in the Janus decision stops union members from joining their Union, paying dues or exercising other rights. While the Janus decision did not directly apply to the private sector, the attacks on the public sector should sound an alarm for all Union members.

The second significant event is the enactment of House Bill 1413 in the State of Missouri, also known as Paycheck Protection or more appropriately, Paycheck Deception. This legislation is geared towards public sector employees and their Unions.

The obvious intention behind the legislation is to weaken the Unions that represent public sector (government) employees.

The following are some of the highlights from this legislation:

1) Money cannot be withheld from an employee’s paycheck for any type of Union fees without annual written or electronic authorization. We have gone through the initial authorization for all our Missouri public sector employees and will be required to complete it each year.

2) Each Union that represents public sector employees will be required to submit detailed and lengthy reports to the State Department of Labor and Industrial Relations. We submitted the first of these reports at the end of November and it took hours to complete.

3) All Unions previously certified as the bargaining representative of a public sector unit must recertify that the Union has majority support. This would take place through an initial election and then every three years. The greatest challenge is that we would be required to have over fifty percent of the vote of all the employees in the unit, not just those who are currently members of the Union.

We represent Mo. D.O.T. maintenance employees. There are approximately 2,350 employees in this unit. Therefore, we would need to have over 1,175 employees vote to be represented by the Union. Realistically, this would never happen and so we were left with no choice but to walk away from representing these employees. The real kicker is that the Union would have to pay for the cost of these elections. Some of them could cost up to \$2,000.00.

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We need to be active in the political arena and encourage our co-workers to become involved too.

This participation should include both voting for worker-friendly candidates and, as mentioned above, holding those who are elected accountable.

Finding time to participate in the political process will certainly be easier than witnessing the consequences of not participating.

Through determination and solidarity, we must push forward our pro-worker agenda in Jefferson City as we grow the Labor movement and continue to make a difference in our own work lives and the lives of those that will follow us.

Doug Williams, Business Representative, Local 148.

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4. This legislation also makes it easier for groups to get out of the Union through a decertification election.

The only realistic solution we are left with is to put a 100% effort into bringing those employees in our public sector units; who are not members of the Union; into full membership.

Bringing nonunion employees into full membership is much more than signing up a nonunion employee and collecting dues money from them.

The National AFL-CIO recently published an “Internal Organizing Toolkit”. This toolkit puts it very well when it says: “the ultimate objective of successful internal organizing is member empowerment and a stronger labor movement.”

Internal organizing is really about workers having one on one conversations with each other.

The goal of these one on one conversations is to find out what we have in common with each other and how can we work together.

The challenge we present to our public sector members is: Ask who are the people in my workplace that are not members of the Union and how can I have a conversation with them?



The purpose of this conversation is not to criticize them but to listen to them and see how we can work together.

The challenge I present to our private sector employees is: Ask who are the public sector employees in my circle of family members and friends. How can I have a conversation with them and show them in a positive way the value of Union membership?

Keith Linderer, Business Manager, Local 148

Labor can not stand still. It must not retreat. It must go on, or go under.

—Harry Bridges

Growing the labor movement

In Keith's article he refers to a recently published "Internal Organizing Toolkit" published by the National AFL-CIO.

This toolkit says: "Whether it's the continuing attacks on public-sector rights, diminished bargaining power or ongoing private-sector 'right to work' issues, having an active, full membership base is our best defense and offense for achieving justice for our members and our communities."

The way to achieve this active membership base is through **INTERNAL ORGANIZING**. This AFL-CIO "Internal Organizing Toolkit" says: "internal organizing is a local union building up its strength to face challenges that may impact current members and the sector they represent." One on one conversations and planning are essential for internal organizing to be effective.

It's not just the Business Representative or the steward that has the responsibility for these one on one conversations that are the centerpiece of internal organizing. We all as Union sisters and brothers have that responsibility.

Each of us is responsible for making sure that everyone in the workplace is signed up as a member. We cannot afford to let people fall through the cracks. The reason most often cited by people for not becoming a Union member is that they were never asked.

If you are into social media, from the Facebook search box enter "people who work at (Your Employer's Name) and in doing so you are creating a list of potential members.

Here are a few practical steps:

- **Reach out to co-workers** who have shown some interest in the Union, but you do not talk to them on a regular basis.
- Find out something personal about these people that can become the basis of a more fruitful and trusting relationship. **Talk to these individuals about work and what they would like to see changed.**
- **Invite them to an event, e.g. a Union meeting, a rally, a social event.**

In taking these steps you are building trust.



ORGANIZE!

These people will then be more receptive to an invitation from you to consider Union membership; because it has come from someone they TRUST.

Would you be interested in being part of an Internal Organizing Committee at your workplace? If so, please give me a call at 618-604-8752 or e-mail me: steve@iuoe148.com.

In Solidarity!
Steve Joyce, Organizer

We can grow our union and win!

Updates on Training/Ameren's Temporary Referral Workers

2018 has been a busy year for TRWs (Ameren Temporary Referral Workers), as they have worked over 23,000 hours on temporary assignments for Ameren at the four fossil plants and the Callaway nuclear plant this past year.

One of the benefits of the Ameren TRW program is the fact that TRWs have the opportunity to showcase their skills to Ameren management and are considered first for full time positions. In fact 10 TRWs have secured full time employment at Ameren in 2018! Hopefully more will be hired full time in early 2019!

If you know of any skilled journeymen or women, or unskilled laborers who are interested in the TRW program at Ameren, have them send a resume to lynn@iuoe148.com.

Speaking of Ameren, we have 51 apprentices in the coal fired plants and the Keokuk Hydro plant and more apprentice positions are anticipated to be posted in the spring of 2019. Our HVAC apprentices are all doing well and are progressing nicely through their training on the job.

On the training front, the International Training and Education Center (ITEC) is open for business in Crosby TX. They have consolidated all stationary and heavy equipment training at the ITEC and are in the process of moving all the Safety and Hazmat training to Texas as well. We already have some of our members scheduled to attend some Stationary and heavy equipment training at the ITEC in the first quarter of 2019.

The IUOE has spared no expense in making this facility a state of the art training facility for all IUOE members.

I will be attending a meeting in January to come up to speed on a new online registration system that the International is putting in place to make the class registration process more convenient and productive for our members and their employers. Check out the facility (and share the info with your employer) at www.iuoe.org.

Go to the training page and click on the link for the ITEC. You can see the current course schedule for 2019 there. I'm sure you and your employer will be very impressed.

If there is some specific training you and your employer would like to see, let me know and we may be able to customize a course for you.

Contact me or your Business Representative at the Local 148 Union hall to see how you can attend training at the ITEC!

Finally, I would like to wish all our Local 148 members a Happy, Safe, and Prosperous New Year!

Fraternally, **Lynn Sherman**
Vice President
Training/TRW Coordinator
314-477-8109

Why Should Union Members Be Involved in Company Safety Efforts?

Tony Fisher

This is a question that is asked far too many times.

The short and simple answer is that we don't want to see our members hurt, injured, or worse.

Labor unions have a long history with the worker safety movement in the United States. Workers in traditionally dangerous industries like steel production and mining were some of the first to look to unions to negotiate on their behalf with companies for safer workplaces and working conditions.

In our current era, workers at all levels and in all types of jobs still expect unions and companies to work together to make the workplace as safe as possible.

Many business settings rely on work rules that have been disseminated to employees that establish safety procedures, outline expectations and sometimes note penalties for non-compliance.

When employees are represented by a union, the union representatives, shop stewards and/or safety representatives monitor how the rules are applied and enforced. Collectively, they work together to promote consistency and fairness. But to be effective, any safety and health initiative needs the meaningful participation of management, workers and their representatives.

Workers have much to gain from a successful safety culture and the most to lose if that culture doesn't exist. They also often know the most about potential hazards associated with their jobs, because of their frequent performance of the associated tasks. Successful employers tap into this knowledge base.

Building a safer workplace is a team sport; just as building strong unions requires getting all members involved.

Thus, these two go hand in hand. Getting workers involved with health and safety issues is a good way to increase the participation of members.

All too often, just a few of the same people take responsibility for addressing every workplace problem. But the local union is far more effective

when all members participate in activities and problem solving.

Workplace safety is a global issue that affects all members and workers, and therefore is easily improved by the input and expertise of all of those that perform the tasks daily.

In closing, every worker has the right to go home safe, and as union members, we can collectively help protect that right.

Remember, what you do makes a difference, but its up to you to decide what kind of difference you want to make.

United we stand, Divided....you know the rest.

Illinois Updates

Eric Mooshegian

On January 14, 2019 J B Pritzker was sworn in as Illinois' Governor. Pritzker defeated Bruce Rauner with 54% of the vote. Pritzker pledged to put Springfield back on the side of working families. On the campaign trail he touted creating job, raising wages and lowering the cost of health care.

Pritzker's win is a major victory for organized labor which was attacked under the Rauner administration.

Instead of fighting the creation of right-to-work-zones or keeping prevailing wage on public construction projects, unions can look forward to a governor who will work with them to create a Capital Bill to build the crumbling infrastructure, ensuring good-paying jobs by investing in worker training programs, supporting Project Labor Agreements and prevailing wage.

Taking the helm isn't an easy task. To help with the undertaking he formed a transition team which includes several labor leaders. One of our own, Jim Sweeney Business Manager of IUOE Local 150 was appointed to the Powering Illinois Future Committee.

The Illinois Pollution Board is replacing the EPA's proposed rule change concerning the Multiple Pollution Standard (MPS) with one of their own.

The MPS is a set of air pollution control rules. The Board adopted the proposal filed by the Illinois Environmental Protection Agency (IEPA). IEPA proposed changing the existing MPS rule primarily by combining the two existing MPS groups into one group and replacing the existing rate-based emissions standards for sulfur dioxide (SO₂) and nitrogen oxide (NO_x) with mass-based standards and requiring further reduction when units are permanently or temporarily shut down.

The new rule is expected to be filed with the Joint Committee on Administrative Rules (JCAR) in January/February. Adoption of the rule is anticipated in March or April.

Labor History 101 in Brief: Part 2



At the end of Part 1, I said we would look at several examples of the violence that workers and their unions faced in their early efforts to organize and push for improvements in their wages and working conditions.

One of the industries where this violence was on full display was in coal mining. Mine owners were very adept at exploiting their workers. They employed large numbers of immigrants along with white, black, native born workers, as well as children.

They used the differing backgrounds of these workers to pit one group against another. Very few immigrants at this point spoke or read English, which made it relatively easy for them to exploit them and raise suspicions between groups.

During this period of the 1880s and early 1900s, the mine owners required their workers to live in company housing, buy supplies for the company store, send their children to the company school and often times attend the company house of worship. This allowed management to control every aspect of the workers and their family's lives.

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Labor Hist. Cont. from page 7

In order to ensure this they paid workers in company script. Money that could only be spent at company owned facilities.

Consequently, workers mined coal for the employer, where paid and essentially returned the money to the company in the way of housing, living and educational expenses. Often times at the end of the month the employee owed more to the employer than they received in pay (script) for their work mining the coal.

Workers turned to union organizing to combat these exploitive practices. However, the owners were very wealthy and politically connected. The preferred method of dealing with such efforts on the part of the workers was to have the governor of a state call in the state militia to violently suppress any strikes or protests on the part of the miners.



In early 1875, miners went on strike against the mine owners when they cut their pay by 20%. In response to the strike the owners increased rents and prices at the company store. State militia harassed and beat strikers. Facing hunger and evictions the strikers went back to work.

After returning to work, a series of murders, assaults, robberies and acts of sabotage around the mines began to occur.

The mine owners and legal authorities blamed a group of miners known as the “Molly McGuire’s.” The Pinkerton Detective Agency was hired to infiltrate this so called secret society and bring them to justice.

In a trial which ensued later that year all of those identified as “Molly McGuire’s” were convicted of various crimes. Ten of them were hung and the rest imprisoned. Many experts theorize that it was the mine owners and the Pinkerton’s that conspired to commit these crimes and blame it on the miners union.

In 1898 the miners in Virden, Illinois went on strike. The owner of the mine brought in African Americans from the south, who were desperate for work, as unsuspecting strike breakers.

Private security forces and militia guarded the men as they entered Virden. The miners were determined to keep the strike breakers out of the mine and armed themselves. A pitched battle took place between the private security force, the militia and the miners took place leaving 28 miners dead. Several strike breakers being used as human shields were also killed in the battle. There is a monument to these miners and “Mother Jones” in Union Minor Cemetery in Mount Olive, Illinois.



Once again business owners demonstrated their willingness to pit workers against each other on the basis of race or ethnicity.

Probably the most famous and most egregious use of force against workers took place in Ludlow, Colorado in 1914. Again miners struck over wage cuts, rent increases and company store price hikes.

Early in the year when miners went on strike, they were also evicted from their company housing. Subsequently, they set up a tent city on private property with permission from the property owner, on the outskirts of the mining town.

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Labor Hist. Cont. from page 8

In April of 1914, after strikers had survived a long cold and snowy winter, a confrontation took place between the miners, the state militia, private security forces and the regular army.

The Employers police forces were amassed to evict miners from the tent city and force them back to work. The head of the local union went out to meet with the army general under a white flag to attempt to resolve the matter. Apparently, a resolution was not agreed to and when the union official turned to head back to the camp he was shot and killed.



Sketch of an uprising during the Pullman Strike of 1894.

Shortly thereafter the company's forces opened fire on the tent city with machine guns. Most of the men were out on the picket line at the time. After the gun fire the forces moved in and burnt the tent city to the ground. Many women and children fled to the hills to escape the gunfire. However not all were able to.

When the gunfire ceased and the smoke cleared thirteen women and children along with seven men were dead.

This action for the first time was condemned by the general public and the press. No one on company side was ever charged or convicted with any legal violations.

After Ludlow for a number of months a running battle between miners and mine owners took place across the country with an estimated 1,550 people killed in numerous altercations.

Unfortunately, the mining industry was not the only industry to experience such violence.



Over 200 railroad workers were killed in a one month period in 1877 in the national railway strike. The Pullman strike was also racked with violence.

The steel industry and the auto industry have also seen their share of violent confrontations. The Republic Steel Memorial Day massacre, the Hay Market riot in Chicago, etc.

There were many other such violent confrontations between labor and government forces acting on the part of management that have and continue to be a part of U.S. Labor History.



REMOVAL OF THE COLUMBIAN NATIONAL GUARD BARRIERS THE OTHER SIDE

UNION 101: Weingarten Rights WEINGARTEN RIGHTS:

A bargaining unit employee has the legal right to be represented by his/her union at an investigatory interview with his/her supervisor when the employee reasonably believes that the interview may lead to a disciplinary action.

U.S. Supreme Court ruling:

The rights of unionized employees to the presence of union representatives during investigatory interviews was decided by the U.S. Supreme Court in 1975 in *NLRB v. J. Weingarten, Inc.* Since the employee was being investigated by the Weingarten Company, these rights have become known as Weingarten Rights.

What is an investigatory interview?

An investigatory interview occurs when an employer questions an employee to obtain information which could be used as a basis for discipline. If an employee has a reasonable belief that discipline or other adverse consequences may result from what he or she says, the employee has a right to request union representation.

Investigatory interviews usually relate to subjects such as:

- violation of work procedures
- absenteeism
- insubordination
- poor attitude
- violation of safety rules accidents
- sabotage
- work performance
- damage to property
- falsification of records lateness
- theft
- drinking
- fighting
- drugs

Here are some scenarios to look for:

If you are called into a supervisor's office and there are other department heads there such as someone from Human Re

sources, the Legal department, etc., you may want to invoke your Weingarten rights

If, during the course of the meeting, management starts asking for facts or "your side of the story," you may want to invoke your Weingarten rights

If the purpose of the meeting or interview is to investigate an employee's allegedly inadequate work performance or other misconduct, you may want to invoke your Weingarten rights

REMEMBER: YOU CAN ASK FOR A UNION REP AT ANY TIME DURING THE MEETING.

WEINGARTEN RULES:

Under the Supreme Court's Weingarten decision, when an investigatory interview occurs, the following rules apply:

RULE 1:

The employee must make a clear request for union representation before or during the interview. The employee cannot be punished for making this request.

RULE 2:

After the employee makes the request, the employer must choose from among three options.

- 1) The employer must: Grant the request and delay questioning until the union representative arrives and has a chance to consult privately with the employee; or Deny the request and end the interview immediately; or Give the employee a choice of:
 - (2) having the interview without representation or
 - (3) ending the interview.

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Elected Officers:

Keith Linderer
Business Manager

Steven Mooney
President

Lynn Sherman
Vice President

Glen Tolan
Recording Secretary

Greg Glass
Treasurer

Bryant Wooten
Trustee

William Masters
Trustee

Dave Bahr
Trustee

Staff Positions:

Eric Mosshegian
Business Rep.

Michael Yates
*Business Rep/
Organizer*

Doug Williams
Business Rep

Patrick Lynch
Business Rep.

Herschel Riddle
Field Rep.

Steven Joyce
*Business Rep/
Organizer*

UNION 101 Cont.

RULE 3:

If the supervisor denies the request for union representation and continues to ask questions, he or she commits an unfair labor practice and the employee has the right to refuse to answer. The supervisor cannot discipline the employee for such a refusal.

RIGHTS OF UNION REPRESENTATIVES:

Supervisors often assert that the only role of a Union representative at an investigatory interview is to observe the discussion, i.e., to be a silent witness.

The Supreme Court, however, clearly acknowledged a union representative's right to assist and advise workers during the interview.

The employer must inform the employee and the union representative of the subject matter of the interview; i.e., the type of conduct for which discipline is being considered (theft, lateness, drugs, etc.).

The union representative may engage in a private pre-interview conference with the employee before questioning begins.

The union representative must be allowed to speak during the interview. The union representative, however, does not have the right to bargain over the purpose of the interview.

The union representative can request that the supervisor clarify a question so the worker can understand what is being asked.

After a question is asked, the union representative can give advice on how to answer. When the questioning ends, the union representative can provide information to the supervisor.

It must be emphasized that if the Weingarten rights are complied with, union representatives have no right to tell workers not to answer questions or to give false answers.

KNOW THE LIMITS:

Just as it's important to know what your Weingarten rights are, it is also important to know the limits.

Workers are not entitled to have a representative present every time a supervisor wants to talk to them.

If the discussion begins to change into questioning that could lead to discipline, employees have the right to ask for representation before the conversation goes any further.

If you are called into the supervisor's office for an investigation, you can't refuse to go without your representative.

All you can do is refuse to answer questions until your union representative gets there and you've had a chance to talk things over with them.

Herschel Riddle

**Business Representative
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News and Information at:

www.iuoe148.com



Meet The Gauge Editors:

The **St. Louis Workers' Education Society (WES)** is a 501c3, non-profit organization chartered by the St. Louis Central Labor Council, AFL-CIO as a Workers' Center.

We educate and train St. Louis residents, especially people of color, women and youth, to become community leaders. We work with unions – like the Operating Engineers' Local 148 – to help educate and mobilize, to turn members into activists.

Our focus is on the intersection of workers' rights, racial justice, sexual and gender-minority rights and disabilities empowerment.

Additionally, WES acts as a small business and grassroots organization incubator. We facilitate on-going worker-education campaigns, partnering and advising union and community groups, to build a permanent culture of worker-education in St. Louis.

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