

International. Operating Engineer

summer 2009



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Center rising

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◀ ON THE COVER:

Crane booms, with Local 14 members at the controls, fill the sky as work progresses on rebuilding the World Trade Center, while down below, Local 15 members operate the earth-moving equipment on the project.

features



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Pension funding relief, financial industry regulation needed

Workers constantly worry about what they are going to do when their working days are over. And they definitely wear out the worry beads fretting about whether they will be able to afford retirement – at least those do who are past their invincible, what-me-worry youthful years.

Simply put, financial security in retirement is arguably the greatest concern and most sought-after goal of workers, a concern and a goal that get magnified a thousand-fold as retirement day nears.

Of course, the best foundation a worker can have to build toward retirement security is a defined benefit pension plan through his or her work, the type of pension plan many IUOE members have. The most popular alternative to the defined benefit pension plan is the 401(k) plan. (The merits of the defined benefit plan compared to a 401(k) plan are discussed in detail in the Central Pension Fund column on Page 10 of this issue.)

The point here is that in ordinary times, a worker with a pension plan to supplement Social Security benefits and whatever savings he or she may have would certainly have some degree of financial security in retirement.

But, as everyone knows, these are not ordinary times. Mainstays of the corporate world are going belly-up; for other corporations, cutbacks in work and production have become the norm rather than the exception; millions of jobs have been lost; hundreds of thousands of families have lost their homes; government cash IVs are keeping the messed-up financial world alive; individuals and organizations have suffered losses ranging from mild to bad to catastrophic on their savings and investments.

Pension funds are among those organizations that took hits of varying degrees on their investments. Unfortunately, a number of pension funds, including some IUOE local union funds, suffered severe losses because they invested through the now-infamous Bernard Madoff investment firm. Madoff has admitted to fleecing investors of over \$50 billion through a fraudulent Ponzi scheme.

The bottom line is that the unregulated financial industry, with its complex (mind-numbing to the casual investor and even to some experienced professionals) trading of derivatives and credit default swaps, brought about this debacle that taxpayers and investors, including workers and their pension funds, are paying dearly for now in the form of government bailouts and their loss of jobs, savings, homes and even families.

The hands-off regulatory approach to the financial industry must be changed. It is not enough to extend bailouts to these investment firms and banking institutions just so they can get back to business as usual. We need enforceable regulation, more transparency in transactions and reforms to simplify the existing com-

plexity in order to infuse some stability into the financial industry.

For far too long, the financial industry has told legislators, regulators, investors and mainstream America that it is too complex an industry to try to regulate. The industry has long held that if regulation was tried, the financial masters of the universe would crumble. So no one tried to regulate it over the past 10 years – and look what happened: it crumbled and brought down a lot of organizations, funds and individuals with it.

In addition to restoring common sense regulation to Wall Street, Congress must also act to provide relief to our multiemployer defined benefit plans that have been harmed by Wall Street's unchecked greed.

It is our multiemployer plans that have provided retirement security to generations of Operating Engineers. And it is plans like these that have provided the same security for millions of other hand-working Americans. These plans are the gold standard of retirement security, providing a secure monthly benefit for life, thereby permitting participants to budget for retirement with a predictable stream of income. Even in hard times, when defined benefit plans are forced to cut the rate at which future benefits accrue, participants always know what they have already accrued, what they can expect to accrue in the future, and can plan for retirement accordingly.

Congress must act to assist our plans in weathering the current economic storm. The action needed is simple and doesn't require a bailout, a stimulus package or a dollar of taxpayer money. All that is needed are limited changes to the current funding rules to permit plans time to recover from the meltdown in the investment markets. These changes would extend the period over which recent investment losses can be amortized, and permit those losses to be recognized more gradually on an actuarial basis. Such modest changes will permit our plans to effectively recover from the harm suffered by the previous lack of effective regulation of Wall Street.

The IUOE Legislative Dept. already is discussing this necessary pension funding relief with key congressional staff on committees with jurisdiction over pensions, such as the House Education and Labor Committee. Along with other partners in the multi-employer universe, we will be looking to move legislative relief at the earliest opportunity in the coming months.



'The hands-off regulatory approach to the financial industry must be changed.'

Ethics Officer deals with ‘anonymous’ complaints

(When IUOE Ethics Officer James R. Zazzali appeared before the General Executive Board Feb. 10, 2009, the Board authorized him to formulate procedures to deal with the submission of anonymous submissions re ethics matters. Following is the complete text of Zazzali’s June 9, 2009 letter to the GEB outlining the problem and the course of action he is adopting to deal with the matter.)

RE: Code of Ethics –
Anonymous Complaints

Gentlemen:

In my capacity as the Ethics Officer for the IUOE, I write to you to set forth the problems that we have encountered with anonymous complaints filed by some members with the Ethics Officer pursuant to the Code of Ethics.

By way of background, the General President and the General Executive Board indicated, when it adopted the Code of Ethics last year, that it wished to assure members that they can file complaints and ask questions under the Code with confidence in the integrity, independence, and confidentiality of the ethics process. Accordingly, although we prefer signed complaints, we also have accepted anonymous complaints because there may be valid reasons why a member seeks to keep his name confidential.

However, in this first year of experience, we have discovered that problems occur when a member files a complaint anonymously. First, when a member makes allegations without signing the complaint, there is a significant risk of encouraging baseless claims, precisely because the person believes that he or she cannot be identified. Indeed, some international unions will not accept anonymous complaints. Second, and more important, anonymity impedes both the investigation and the ultimate recommendation by the Ethics Officer because he is unable to speak with the complainant in order to obtain facts, reasons, proofs, and answers to questions. Anonymity thus works against the complainant’s objectives because we are unable to gather the background and other data which might sup-

port that claim. We cannot turn to the original source -- the member -- to obtain more information. This is particularly troublesome when there is a credibility dispute -- when the invisible complainant makes a claim and the union officer denies that claim. The union officer is then forced to prove a negative. It is difficult to credit or discredit either party if we cannot speak with the complainant. In fact, and this is the irony, at the conclusion of the inquiry the Ethics Officer cannot even inform the complainant about the results of the investigation.

Another complication is that in some cases it is necessary to hire an investigator to assist in our review, particularly when the matter is complex. Because neither the investigator nor the Ethics Officer is able to communicate with an anonymous complainant to obtain further facts and details, the investigator must perform additional work. Often the investigator and I will be performing functions that the complainant should have performed. Although the expense may not be that significant in a particular case, in more complex investigations the costs could be quite substantial. That is unfair to other dues-paying members, not to mention the union officer.

We have to make a choice. We can decide that we will not accept anonymous complaints. Even though that is the practice with some unions, as noted, I would recommend against that approach. Rather, we should continue to accept anonymous complaints under certain circumstances and subject to the following conditions.

1. Effective immediately, as a general rule, the member should sign the complaint and provide contact information.
2. If the member does not wish to sign the complaint, the member should say so, giving the reasons why he or she will not sign.
3. However, when the member does not sign, the complainant should identify some means or method whereby the Ethics Officer can communicate with the complainant. If the member de-

clines to state his name and address, he at least must identify a post office box, other address, telephone number, and/or some third party such as an attorney or relative, with whom the Ethics Officer can communicate.

4. In any event, the Ethics Officer retains the discretion to decide what to do with anonymous complaints on a case-by-case basis. The Ethics Officer has the right to accept or reject the complaint. If he accepts the anonymous complaint, he may give it limited weight.

I reiterate that we discourage anonymous complaints for the reasons discussed above, particularly the fact that anonymous complaints undercut the member’s claim because they limit our ability to conduct a proper inquiry. However, subject to the above requirements, we will accept anonymous complaints in particular circumstances.

Very truly yours,
James R. Zazzali

Ethics Officer Contact info

Those wishing to contact IUOE Ethics Officer James R. Zazzali can do so at the following address and/or toll-free phone number:

James R. Zazzali
IUOE Ethics Officer
One Riverfront Plaza
Box No. 782
Newark, NJ 07102
866-380-3495

IUOE healthcare reform elements - an overview

The United States healthcare system as we know it is broken beyond repair. There is now consensus that healthcare reform is absolutely necessary. Where this consensus breaks down is the form healthcare reform should take. The debate over healthcare reform is full swing. The U.S. Congress is now debating the details and President Obama has asked Congress for a bill to sign into law by October.

As Operating Engineers we have a strong stake in the outcome of the debate over healthcare reform. Our benefits and health & welfare funds will be impacted. Listed below are the elements of healthcare reform that we believe are important:

Provide Universal Coverage To All

Access to affordable, quality health care is a basic human right. Universal coverage should allow Americans to choose their own doctors and other providers. The cost for universal health care should be shared equitably between employers, individuals and government.

Oppose Taxation Of Healthcare Benefits

Even limited taxation of health benefits could undermine employer coverage. Taxing health care benefits hurts children by hitting family-coverage harder than individual coverage, which will fragment health insurance coverage for families.

Employers Must Contribute To The New Health Care System

- Either by providing adequate coverage to their employees or paying into a public fund to subsidize coverage.
- From an equity standpoint, non-offering firms must be brought to the table as well as those that voluntarily provide coverage.
- Costs should be shared by all employers, not shifted from the irresponsible to the responsible ones.
- Health care reform must not incentivize employers to reduce workers' health benefits.
- Since over 60% of firms offer employees coverage today, including non-offering employers will be essential to keep coverage affordable.

Improve Quality And Delivery Of Care

Government should be the watchdog on costs, quality and fairness.

Continued on page 6

Healthcare Appointment Checklist

Make a list

Before you leave for your appointment, take a moment to review the things you want to say during the visit and questions you want to ask and write them down in a list and take it with you to your visit.

- ☑ Taking written lists to your visit makes it easy for you to tell the nurses, doctors, and other health professionals the things they need to know about your symptoms, medications, and other health issues.

Ask questions

Asking questions is one of the best ways to make sure you are getting quality care. Below are some suggestions about asking questions during your visit.

- ☑ Ask the questions on your written list. Go over the list of questions you brought with you to make sure you don't miss any of them.
- ☑ Speak up whenever you are confused or have concerns about what is said.
- ☑ If you don't understand an answer, ask again! If the nurse or doctor answers your question and you still don't understand, you need to say so.
- ☑ Ask questions about medications and other treatments.
- ☑ If any questions come up after you leave the office, call back and ask.

Clarify answers

It's important to be sure you understand what is said about your health and what you need to do. You might be given a lot of new information during your visit and there may be technical terms that are unfamiliar to you. It's hard to absorb new information in a short period of time.

Whether you are feeling confused or not, it's wise to make a habit of checking on how well you understand what is said during your medical visit. After your doctor or nurse tells you something, repeat the main points back in your own words. If you have misunderstood something, then the doctor or nurse will know right away, and they can give you more explanation. It's always better to double check than to assume you understood and then find out later you were wrong.

Local 150's Sweeney elected general vice president

James M. Sweeney, business manager of IUOE Local 150, Countryside, IL, was elected unanimously by the General Executive Board as an IUOE general vice president, effective February 18, 2009. He fills the vacancy on the GEB created with the passing of Gerald Ellis.



General Vice President James M. Sweeney

A member of Local 150 since 1979, Sweeney began his career working on several deep-tunnel projects in the Chicago area and later worked on numerous water and sewer projects as a loader operator. He also worked for several years as a mechanic in the steel mills in Illinois and Indiana.

He was named the local's first organizing director in 1987 and played the major role over the next many years in crafting the Local 150 organizing operation into one of the best in the business.

Over the past 20 years, he has been instrumental in helping the local more than double its membership. Sweeney actually pioneered the use of what is now a well-known icon of union organizing in the public eye: the inflatable rat.

He was appointed as an assistant to the business manager in 1999 and two years later was elected vice president of the local.

Sweeney also serves as chairman of the Midwest Operating Engineers Fringe Benefit Funds, chairman of the Apprenticeship Fund Board of Trustees, and on the executive boards of the Chicago Federation of Labor, the Chicago and Cook County Building Trades Council, and the Illinois Operating Engineers' State Council.

IUOE healthcare reform elements

Continued from page 5

- Standards need to be established to ensure uniform care and best outcomes throughout the country.
- Detecting and treating chronic diseases early will improve the quality of care and reduce costs.
- Government should work with the health industry to develop and implement new technology and procedures for coordinating care, keeping records and processing claims.

Solutions For Pre-Medicare Population (55 - 64 year olds)

Policy options include allowing this group to buy into Medicare or using reinsurance aimed at higher than average costs to spread those costs more broadly, expanding Medicare eligibility to begin at age 55, as well as other policy options to address this group.

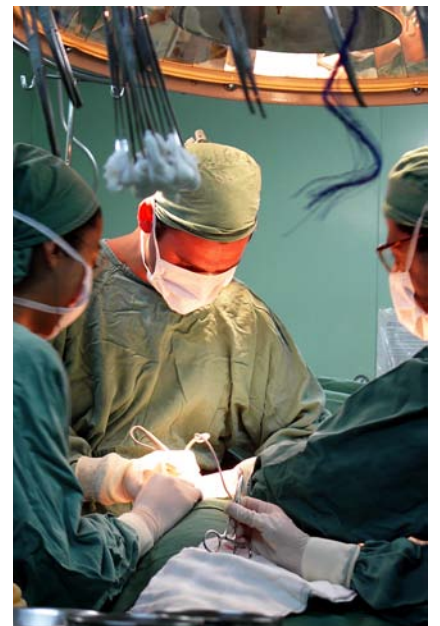
End Insurance Company Abuses

Government should outlaw the following: pre-existing condition exclusions; rating based on factors such as age, gender and health status; a lack of transparency around cost sharing; as well as delays and denials of appropriate care.

Health Reform Must Work For Union Employers And Multi-Employer Plans

Unions have a long history of negotiating health benefits for their members and have achieved, through collective bargaining, comprehensive benefits that protect workers.

- The ability to negotiate supplemental benefits must be preserved.
- Policies should reward employers that have been providing affordable, comprehensive benefits to their workers.
- The mechanics of health reform must work for multi-employer plans, especially where subsidies and tax code changes are concerned.



Political Conference benefits practitioners

As part of the ongoing effort to build a more effective IUOE political infrastructure, the International Union convened over 80 IUOE Local and International Union staff in June in the nation's capital for the Third Annual Legislative and Political Conference. This conference is designed for practitioners – the folks who do the hard work on behalf of local unions to shape public policy to support Operating Engineers.

The conference was focused on detailed information – the type of information designed to help make union staff effective advocates for IUOE members. The conference stressed an array of important legislative issues facing IUOE members in the national and state capitals.

There is one reason to participate in political and legislative activities: jobs! Like it or not, public policy has a profound impact on the lives of Operating Engineers. That fact means that, in order to influence policy outcomes to benefit IUOE members, the IUOE must actively engage in all facets of political life.

In his opening remarks to the conference, General President Giblin said, “Your attendance here, even in the worst economic recession this country has seen in decades, underscores the importance of what we are trying to accomplish: build power and create jobs for Operating Engineers.”

Tim James, legislative and political director of the IUOE, described in detail just how far the International Union's program has come. The size of Engineers Political Education Committee (EPEC), the IUOE's voluntary federal political action committee (PAC), has more than doubled. In 2008, the International Union conducted a major political field operation in conjunction with local unions in five states: Michigan, Minnesota, Nevada, Pennsylvania, and Washington. Political friends of the IUOE were elected in all



Conference participants listen intently to a guest speaker on health care reform.



Congressman Peter DeFazio (D-OR), chairman of the powerful Highways Subcommittee in the House of Representatives, calls for a massive investment in the nation's transportation system.

five of those states. For the first time in its history, the International Union also ran a voter registration and early vote program in 2008.

The conference emphasized key job-creation issues in Congress, from the reauthorization of the highway and transit bill – perhaps the single biggest job-creation legislation for heavy equipment operators – to energy legislation. Billions of dollars are at stake in infrastructure spending this Congress.

Congressman Peter DeFazio (D-OR), chairman of the Highways and Transit Subcommittee of the House Transportation and Infrastructure Committee, was a featured speaker at the conference. He said about the re-authorization of the highway and transit legislation: “We have crafted a bill which will set the stage for a 21st century transportation system... A delay of this bill would be an incredible disservice to the American people and would cost hundreds of thousands of jobs. It would basically negate the advances of the American Reinvestment and Recovery Act [economic stimulus] and further decimate the already struggling construction industry. We must do this now, to do otherwise would be wrong.”

After more than a day of policy briefings, representatives from local unions were ready to hit Capitol Hill. Teams of Operating Engineers visited Capitol Hill to take the IUOE message directly to elected officials. Dozens of meetings were conducted in the few days that local union representatives were in Washington, DC.

For more information about the highway and transit legislation, the Surface Transportation Authorization of 2009, go to the IUOE website and check out the Political and Legislative Department section.



Local 478's Government Affairs Director David Moakley, second from the left, addresses the conference, as panelists Tim Cremins, IUOE Western Region political director, far left, and Local 94's Ray Macco and Local 302's Randy Loomans look on.

Stimulus funds and water legislation key for IUOE

STIMULUS FUNDS BEGIN TO EMPLOY OPERATORS

The pace of contracting for American Recovery and Reinvestment Act funds is picking up in the highway and transit sectors. As the unemployment rate increased to 9.4% in the month of May, the first time the rate

has soared above 9% in 26 years, the infrastructure investments cannot hit the street soon enough.

Because of the new occupant of the White House and several new Democratic members of the U.S. Senate, the economic stimulus package that includes billions of dollars in construction investments was passed by Congress and signed into law by the president February 17. Thousands of operating engineers jobs will be created by this legislation.

In other words, thousands of jobs for members of the IUOE would not have been created had we not invested political resources in the elections of 2008. Had operators failed to knock on doors, place phone calls, and authorize contributions to the Engineers Political Education Committee (EPEC), the policies flowing from Washington, DC, would be completely different. There would have been more tax cuts for the rich – the essence of the House Republican plan – and fewer jobs for IUOE members.

A new report from the House Transportation and Infrastructure Committee shows that 2,901 highway and transit projects have been put out for bid in 50 states as of April 30, 2009, only 73 days after the bill was signed into law.

Almost 1,100 projects, totaling \$3.5 billion, have gone through the bidding process and are actually under contract. The committee report, released May 21, says that work has begun on about half of those projects.

The new figures show substantial progress in the month of April. In March, 1,380 highway and transit projects, valued at \$6.4 billion, had been put out for bid and work had started on 263 projects, totaling \$1.1 billion, according to the committee. About twice as many projects have now been started. Vice President Joe Biden said, “Construction cranes and hard hats are going to be seen a lot more this summer than they have in the past.” He added, “We feel confident.”

The status report only covers investments under the jurisdiction of the Transportation Committee, such as highways, transit, rail, aviation, Clean Water and Corps of Engineers civil works. It excludes other major stimulus construction investments such as those managed by the Departments of Energy, Defense, Housing and Urban Development and Veterans Affairs – which combined to total nearly \$100 billion of federal dollars in construction and energy-efficiency retrofitting. Contracts are also being let by those federal agencies.

POLITICAL WORK WILL PAY DIVIDENDS: CONGRESS READY TO PASS KEY WATER LEGISLATION

For over 15 years, the IUOE has been pushing Congress to “re-authorize” the Clean Water Act’s State Revolving Fund – the main tool for making federal investments in local sewage treatment plants. During much of the 1990s and the first part of this decade, Republican leadership in the House of Representatives objected to re-authorizing the bill because they knew that the operating engineers and other construction trades possessed the votes to re-institute Davis-Bacon prevailing wages in the program. Right-wing Republican leaders’ opposition to paying construction workers a decent wage meant that the whole program – and the nation’s waters – suffered.

Despite the clear language and intent of Congress in the Clean Water Act, both when it was initially enacted in the 1970s and in its most recent reauthorization in 1987, a series of decisions by Environmental Protection Agency administrators had eliminated the application of the Davis-Bacon Act prevailing wages to the program. These decisions have meant that billions of dollars in public investments could go to cutthroat contractors that undercut local wage standards.

Getting this problem fixed has been a major priority for the IUOE. And after the political work by members of the IUOE and other unions in the 2008 elections, the prospects for passing this legislation in this Congress have never been better. The hard work in election season appears ready to pay off for operating engineers.

The House of Representatives passed its version of the Clean Water Act State Revolving Fund reauthorization in March. The House-passed version includes complete Davis-Bacon prevailing wage coverage. On May 15, the Senate Environment and Public Works Committee approved the Water Infrastructure Financing Act (S. 1005) on a bipartisan 17-2 vote. Committee members adopted an amendment by Senator Ben Cardin (D-MD) to insert Davis-Bacon prevailing wages in the legislation, with only one Republican vote, Senator George Voinovich of Ohio, supporting the amendment. Barbara Boxer (D-CA), chairwoman of the committee, said, “The Water Infrastructure Financing Act is a historic milestone in protecting the health of American families from coast to coast.”

Key Water Infrastructure Financing Act Funding Provisions:

- Increase the Clean Water State Revolving Fund to \$20 billion, and the Drinking Water State Revolving Fund to \$14.7 billion, over five years;
- Authorize \$1.8 billion for a nationwide grant program to address combined sewer overflows;
- Authorize a \$60 million a year nationwide grant program to provide funding to states and municipalities to reduce lead in drinking water.

The Senate may take up this bill later this summer. Thousands of good-paying jobs for heavy equipment operators are at stake.

Political action preserves benefits for members

When the Indiana General Assembly took up legislation meddling with unemployment insurance for construction workers and imposing an extremely high unemployment insurance tax on industry employers, the legislators might just as well have issued an open invitation to Operating Engineers and other trades to visit them in Indianapolis.

Because that's just what they did. Members of the Operating Engineers throughout the state packed into buses and private cars – and did members of other trades -- to converge on the state capitol in late April to express their displeasure with their elected officials.

Bruce Tarvin, business manager of Local 103 in Indianapolis, coordinated with the business managers of Locals 150, 181 and 841 in getting the word out to their respective members about the Assembly's unprecedented attack on their unemployment benefits. Arrangements were made for transportation to the state capital from local union offices around the state. Members packed the halls of the Assembly and made their voices heard, with the end result that the offensive language was dropped from the bill.



From the left at the General Assmby are Operating Engineers Carol Blair, Chad VanMeter, Cory Hutchinson.

In thanking the members, their locals and the contractors who participated in the action, Tarvin said “this is just another example of what an active, energized political-legislative program can accomplish in protecting our members’ rights.”



Operating Engineers pack the Indiana General Assembly.



IUOE members meeting with State Representative Dennie Oxley Sr. (in suit), included Tim Wilkes, Cory Novak, Larry Pollard, Lowell Wilkes, Lana Wilkes, Eric Herron, Kenny Saylor and Carl Pendleton

Operators testify at OSHA crane safety hearing

Five representatives of the IUOE offered professional workers' perspective in testimony before an Occupational Safety and Health Administration hearing on federal regulations for crane safety. All five representatives stressed the importance of proper, extensive training before allowing an operator in the seat of a crane. “An operator with no prior crane experience cannot become a competent crane operator within a matter of days,” Local 49 Business Manager/IUOE Trustee Glen Johnson testified in refuting certain organizations' claims that they can give an operator enough training in “two to four days” to pass crane operator certification tests. The reps also told the hearing that the IUOE has the most comprehensive training and certification methods that best guarantee a skilled operator will be at a crane's controls. Shown here ready to testify at the OSHA hearing are, from the left, Emmett Russell, IUOE Safety and Health director; Anthony Lusi Jr., assistant director, Local 542 (Philadelphia) Joint Apprenticeship and Training Fund; Glen Johnson; Donald Frantz, regional coordinator, Ohio Operating Engineers Apprenticeship Fund (Local 18, Cleveland), and David Moakley, director, Government Affairs, Local 478 (Hamden, CT).





Central Pension Fund

In Economic Crisis Defined Benefit Plans Still Shine

In response to the worst economic crisis since the Great Depression, defined benefit plans across the globe have reduced the rate of future benefit accruals to adjust their liabilities to their assets. In spite of these unprecedented adjustments, defined benefit pension plans continue to be the gold standard of retirement security.

Benefits Protected

As demonstrated by the Central Pension Fund's recent reduction in the rate of future benefit accrual, no matter how severe the economic crisis, defined benefit plans have the ability to absorb losses without endangering a penny of the benefits that have been earned by participants, or are being paid to retirees and their beneficiaries.

Benefits Definitely Determinable

While the rate of future benefit accruals may be adjusted (up or down) in defined benefit plans, the benefit earned to date and payable at retirement is always definitely determinable. This means that on any day during a participant's working career, he or she is always able to determine exactly the amount of retirement benefit they will be entitled to at retirement.

Benefits for Life

The most enviable feature of defined benefit plans, that distinguish them from all others, is that they provide a monthly benefit for life. It is this feature that provides the greatest peace of mind to retirees and their beneficiaries.

No matter how large or small the benefit, participants know that they can count on receiving it every month for their lifetime, and that of their spouse if they so choose. This provides one certain source of income that, together with a monthly Social Security benefit, can be critical to budgeting a dignified retirement.

It is impossible to put a value on the peace of mind that is provided when retirees do not have to worry about whether the stock market is devouring their retirement savings, or whether they will outlive the savings they have accumulated.

Years of Service Add Up

Entirely separate from the rate at which benefits accrue in any particular year, in defined benefit plans each additional year of participation has additional benefit significance. This is because the number of years of participation determines eligibility for both the retirement and ancillary benefits typically provided by defined benefit plans.

For instance, the Central Pension Fund requires 5 years of service to qualify for a Normal Retirement benefit at age 65; 10 years for an Early Retirement benefit as early as age 55; 15 years for a Disability benefit at any age; and 25 years for an unreduced Normal Retirement benefit at age 62.

Accordingly, regardless of the rate of benefit accrual in effect in any given year, continued participation adds important years of service to qualify for the range of benefits offered by defined benefit plans.

Conclusion

To paraphrase a Winston Churchill comment on democracy: defined benefit pension plans may not be perfect, but they are better than all the others that have been tried.

The only current alternative to defined benefit plans are 401(k) plans, which offer none of the features of defined benefit plans:

- 401(k) benefits are never protected.
- 401(k) benefits are never definitely determinable.
- 401(k) benefits are not payable for life.
- 401(k) years of service don't qualify participants for either normal retirement, or ancillary benefits.

The current economic crisis has demonstrated the ability of defined benefit plans to adjust to even the greatest adversity. As the United States, Canada and the world economies recover --- as they will --- so will defined benefit plans recover lost assets, restore benefit accrual rates, and continue to provide the most secure form of retirement income ever created.



Local 49 operators' blue collars turning green

Other than the traditional water tower and church steeple you'll find in just about every small Midwestern town, there's not much more in the way of a skyline, especially in a town such as Chandler, MN with a population of less than 300 people.

But just beyond the town limits stand dozens of impressive, tall structures, rising into the sky like giant windmills – which is what they are, except the modern versions are called wind turbines. These slender turbines in the state's southwest corner support narrow blades that harness wind and generate energy—"green" energy, if you will.

Crane operators from Local 49 hoisted these 21st Century landmarks into place, while other members dug the trenches for the transmission lines and did the grading.

One of the big misconceptions trade unions, including Local 49, are trying to correct is that specialized training programs on "green" construction have to be established to train personnel to work on so-called "green" jobs.



Local 49 crane operators install a wind turbine blade in southwestern Minnesota.

Local 49 crane operators still need to learn the basics," added Local 49's Director of Training Gary Lindblad. "Whether an operator is lifting a column for a wind turbine or raising a high-efficiency heating and cooling system to the roof of a green building, he needs to know how to properly and safely control the crane. That's something we've been teaching for generations."

"We're green. We've been green a long time," said Local 49 Business Manager/IUOE Trustee Glen Johnson. "When our operators are building roads and bridges, key environmental factors must be met, such as ensuring erosion control, installing surface water retention systems and providing several other methods to ensure the road will be ecologically sustainable."

"While our staff is constantly improving and updating our training program to include the latest technological

In the federal recovery and reinvestment legislation, President Obama earmarked \$71 billion in direct green spending and \$20 billion in green tax incentives. While this money will help put IUOE members nationwide to work, a good chunk of those dollars are going to establish new training programs to prepare more workers for the green economy. This should raise some concerns for trade unions such as the Operating Engineers, according to Larry Casey, director of Building Trades Programs at the University of Minnesota's Carlson School.

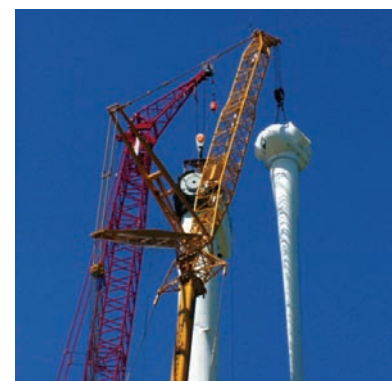
"The unions already have training facilities in place for what a lot of these programs will teach," said Casey. "Why train someone to lift a high-efficiency heating-cooling system onto a roof when workers who already know how to do the job are out of work. It's the same process as raising a regular heating-cooling system."

Casey also fears some of the newly established training programs will have too narrow a focus, and once the push to fund green projects subsides, green-only trained workers could be out of a job.

Instead, Casey and others suggest using the money to buy or develop more green raw materials for building. Lindblad would like to see some of these funds used to haul rejected turbine and blade parts to the union's training facility in Hinckley. The union would use them for wind tower erection exercises, augmenting its already expansive hands-on learning opportunities.



A typical wind turbine farm contains dozens of windmills.



A 49er lowers a damaged turbine blade.

National Training Fund expands educational initiatives

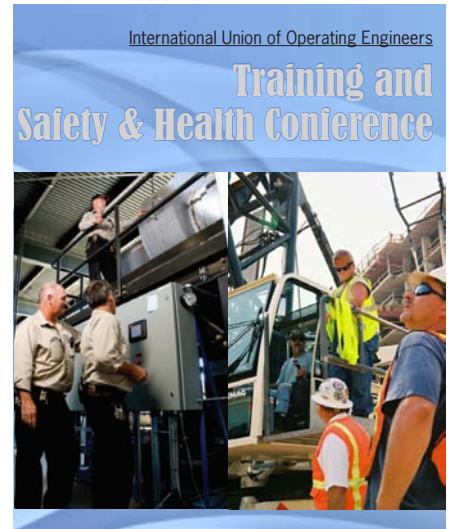
At its February, 2009 meeting, the IUOE General Executive Board approved a plan to expand the National Training Fund. The expansion plan is based on local training priorities that were identified by the NTF H&P and Stationary Training Advisory Committees. A number of initiatives which support and enhance local union training already are well underway. Among the most far-reaching of these is the creation of a training clearinghouse and on-line course delivery platform using the Blackboard Learning System.

The clearinghouse is a dedicated communications channel for IUOE local instructors and training administrators and will provide an information repository on curriculum and other teaching and learning resources. The e-learning portion of Blackboard supplements hands-

on teaching and gives local unions a means to deliver their own on-line courses and other craft training content.

Four new on-line courses have been developed by NTF: Construction Equipment Nomenclature, CFC Training, Indoor Air Quality and Pipeline Instructor Training. Additional courses will be rolled out over the coming months and also made available to local unions.

Besides improving member access to IUOE training programs, the Blackboard system allows instructors to easily develop core content, share training material and exchange ideas such as teaching tips. The new Blackboard system will be unveiled at the IUOE Training and Safety & Health Conference in July.



Local 3 thanks supporters of Valley Power strike

With the Local 3 (Alameda, CA) 90-week strike against Valley Power in San Leandro now over, Business Manager/IUOE Vice President Russ Burns issued a statement thanking the strikers for their solidarity and all those who supported the strikers. Following are excerpts from his statement:

“I express my sincerest thanks to each and every person who offered support in the strike against Valley Power. Supporters are too numerous to name. Some have gone above and beyond to support the strikers and their cause. I thank our General President Vincent Giblin, the International General Executive Board and all the Operating Engineer Locals and their staff for their unwavering support. I would like to give a special acknowledgement to the hard-working staff of Local 3 for giving their hearts and souls to this effort, day after day, for 90 weeks straight, side-by-side with the strikers. And, of course, thanks to the strikers themselves – the men and their families who made a tough decision, took a stand and refused to give up.



From the left: Strike Captain John “Griff” Griffin is personally thanked by Business Manager Russ Burns and Vice President Carl Goff for his hard work and determination in the fight against Valley Power.

“Here was a group of workers, who by their own free choice, were represented by a union for some 45 years prior.

“Over the course of our dealings with Valley Power, more than 30 Unfair Labor Practice (ULP) charges were filed by the union against Valley Power. With the law as it is currently written, this employer was able to take advantage of certain loopholes and weaknesses in the law and trampled on these workers’ rights... They are gone, but what they did shall not be forgotten.”



San Leandro Mayor Tony Santos, Business Manager Russ Burns, Alameda Building Trades Leader Barry Luboviski and Oakland Business Rep. Pete Figueiredo present a plaque that will be placed outside Valley Power’s former facility in honor of the strike.

Upon acquisition, Valley Power refused to recognize the long-standing Collective Bargaining Agreement (CBA), which had been largely responsible for the growth and success of the business at that time. Some 80 highly skilled employees had been providing vital services to the community, which in return, offered good-paying jobs and profitable returns to the company owners.

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Local 428, Arizona Biltmore: long-time partners



The Arizona Biltmore Resort and Spa opened its doors in Phoenix February 23, 1929, and has been known as the “Jewel of the Desert” from its opening day – and members of IUOE Local 428 have helped keep it sparkling for decades.

The Phoenix, AZ-based local received its charter in 1936 and the oldest records available at the local have Arizona Biltmore’s contract, approved by the War Labor Board, coming up for renewal December 18, 1943. Business Manager Gary Teel said that this is one of the longest continuous signatory companies that Local 428 has, with the two organizations having worked together for over 65 years. Just this past November, Local 428 members ratified a new, four-year contract with the Biltmore.

In 1943, the local’s records show that it had had one chief engineer and five watch



Arizona Biltmore’s Director of Engineering Clifford Hawkins, left, shakes the hand of Local 428 steward Regeno Alcon, exemplifying the partnership between the two organizations that has persevered and prospered for over 65 years.

engineers at the Arizona Biltmore. The chief engineer received \$225.00/month and the watch engineers received \$178.25/month based on a 48-hour work week. They all had room and board provided, as well. Today, Local 428 has almost 40 members in the Biltmore bargaining unit, including three lead engineers, 12 Operating Engineers, 14 Engineer IIs and seven Engineer Is.

The unit’s steward, Regeno Alcon, has been doing a great job bringing the Arizona Biltmore and Local 428’s future closer together, according to Teel. This partnership will evolve into a more informed, safer and highly skilled group of men and women engineers at the facility. “These engineers care about their work and it shows,” said Jay Johnson, a Local 428 member who assisted during the local’s last negotiations with the hotel. “These members that I work with are some of the best people around; they’re like family.”

The Arizona Biltmore Resort & Spa is regarded as one of the world’s finest resorts -- and Local 428 is proud to have such a long relationship with the Biltmore and to help it attain and maintain this reputation. The resort spreads over 39 acres covered with lush gardens, beautiful swimming pools and Frank Lloyd Wright-influenced architecture. It has been a favorite of celebrities and U.S. presidents throughout its long history.



Local 428 members working at the Arizona Biltmore are shown with local union reps. From the left are Emir Ceric, Engineer II; Shawn Williams, assistant business manager/district representative; Henry Baker, Lead Engineer; Paso Muslinovic, Engineer II; Sehad Pinjagic, Operating Engineer; Jay Johnson, Operating Engineer, and Mike Mathis, business agent.

In 2007, IUOE General President Vincent Giblin made history by having the first General Executive Board Open Session ever in Arizona, at the Biltmore. Local 428 engineers proudly did their part in helping to accommodate the more than 450 delegates and guests attending the four-day event.



Jay Johnson, who helped in negotiating the recent contract with the Biltmore, is seen here working on a unit.

EDUCATION & TRAINING

Locals 302, 612 conduct joint Operator/Ironworker training

The Operating Engineers Regional Training Center in Ellensburg, WA for Locals 302 and 612 held its first joint training with the apprentices of the Pacific Northwest Ironworkers Local 86. This trial run was designed to promote better, more realistic training and foster better relationships between the future skilled craftworkers in both of these closely connected trades.

“We work together daily in the real construction world, so why shouldn’t we enhance our training with the opportunity to train together in a more realistic way?” Training Director James Agnew speculated. “We had the Operator apprentices running the cranes and the Operator and Ironworker apprentices working on the ground

rigging and signaling for picks involving many various types of loads from structural steel beams to a cumbersome above-ground storage tank.” (see accompanying photos.)



According to Training Coordinator Tami St. Paul, the training involved about 20% classroom time to cover the safety aspects of working with all kinds of different loads and capacities with different cranes. It involved discussion of load charts, safe working loads of wire rope both

on the crane and as used in rigging. Then the students headed out to the 1,600-acre training center grounds to practice what they’d learned.

“We used a couple of our hydraulic cranes, our CDL training trucks and trailers and CDL driving students, one of our lattice boom truck cranes and the tower crane for the training,” she said. “Our ‘bone yard’ has a number of items of varying weights and centers of gravity that were used to teach proper rigging and lifting plans.”

The program was judged a great success by the instructors and the students. The students were able to learn, under the supervision of qualified instructors of both trades, the safe rigging, signaling, and



picking capacities of different hoisting equipment. The Ironworker apprentices were encouraged to climb up into the tower crane to get a better idea of the challenges faced by the operator from that perspective. There were picks planned that turned out to be impractical, as they

were outside the chart and students jointly participated in the process of planning how to resolve those challenges.



Agnew said the center “is looking forward to the next phase of this joint training. We are fabricating the materials and footings necessary

to erect a steel beam building frame. This is the first level of a two-storey planned structure. It is something that can be erected and dismantled by the students in a safe and controlled environment at the training center under the supervision of instructors from both crafts. We expect this training to add realistic situations and diversity to our crane training.”

He added that the training should help foster better working relationships between the two crafts that can be carried out into the workplace to ensure a safer, better trained, more productive work force for both our trades and our contractors. “We look forward to continuing to build relationships and developing more relevant, real-life, experience-based training in the future,” St. Paul said.



NTE, Local 324 hold spring instructor training class

IUOE's National Training Fund held its Spring Instructor Training Class May 18-22 at Local 324's training center in Howell, MI. The National Training Fund wishes to thank Business Manager and General Vice President John Hamilton, Training Director Lee Graham and the entire staff at the training center for their help in making this a very successful class for the visiting locals. Pictured from left to right are: Martin S. Swauger (L832), Arnez Brown (L66), Joseph Militello (L324), Instructor Maurice "Skip" Turner (University of Michigan), John L. Serrano (L9), Scott Lamb (L324), Scott Smith (L324), Kevin Parsons (L12), Mark Worley (L12), Thomas Scholz (L15), Rodney Piper (L825), Berry Gilroy (L77) and Jeffery Stevens (L428).



Locals 926 presents awards to apprenticeship program grads



Local 926 (Atlanta, GA) Joint Apprenticeship Program recently presented its 2008 Apprentice Graduates with plaques and certificates from both the local's apprenticeship program and the U.S. Bureau of Apprentice Training Department. These apprentices successfully completed the 6,000 hour program, which included hours in both the classroom and on equipment at training site and jobsite. Pictured from left to right are: Instructor Rich Shakespeare, Sam Bonner, Anthony Nash, Jason Hughie, James New, Corey Johnson and Apprenticeship Program Director Ray Dameron.

Southern Apprenticeship & Training conducts course, participates in job fair



Southern Apprenticeship & Training and Locals 320, 369 and 624 recently conducted NCCCO Signalperson Training at the Yellow Creek facility in Iuka, MS. Front row, left to right, are: SAT Instructor Ronnie Crane, Terry Carroll, SAT Instructor Jamie Presley, Mike Powers, Jared Morrison, Charles Norris (Barnhart Crane & Rigging) and SAT Administrator Randy Norris. Back row, same order, are: David McCollister, Jackie Cooper, Joseph Davenport, James Taylor and Jerry Credille.



Southern Apprenticeship & Training recently participated in the 2nd Annual Congressman Bennie G. Thompson College & Job Fair at the Washington County Convention Center in Greenville, MS. Pictured are SAT Instructor Jamie Presley, left, and Congressman Bennie G. Thompson.

Local 68 celebrates 50 years of training

Local 68 (West Caldwell, NJ) celebrates 50 years of training members throughout New Jersey. Training first began in 1959 in Irvington at Essex County Vo-Tech and moved locations several times over the years. Training now takes place at the John J. Giblin Training Center in West Caldwell. In 2006, a second Training Center was established to serve Southern New Jersey in Pleasantville, N.J., outside of Atlantic City, where Local 68 has approximately 1,000 members working in the casino industry. In 2008, the combined hours of membership training at both centers totaled 63,000 hours.

The training centers have ensured that their curriculum keeps pace with the changes over time in the duties and responsibilities for the stationary engineer. Steam production is no longer the only focus of the once great manufacturing industry for the stationary engineers. The 21st century engineers' focus has broadened responsibilities in a high-tech arena of building and tenant comfort, high-tech data centers and energy management. To keep up with training demands, Local 68 maintains an indispensable computer Learning Management System to keep track of curriculum, course syllabus, students' attendance and grading.

Some areas of skill training offered at the Local 68 Training Centers are Basic Electric, Basic Refrigeration, HVAC Troubleshooting, NJ State Refrigeration Plant License, HVAC Controls, NJ State HP Steam License, Critical System familiarization and CFC Universal. Furthermore, courses aimed at keeping up the professional and communications skills of its members are offered, including a Chief Engineers Training Course, and a Resume Writing and Interview Skills Course, complete with personalized resume critique and mock interview.



Local 68 established an award in honor of the late Thomas F. Barry, a member of Local 68 for more than 45 years, who served as an instructor with the union's education program for 33 years and as a trustee of the Local 68 Education Fund for 19 years. Frank Timek is the 2008 recipient of the Thomas F. Barry Student Excellence Award. Brother Timek was feted for his dedication to continuing his education and for being a loyal and dedicated union member. His name will join previous recipients on the engraved memorial award that displays the image of the dedicated instructor for whom it was named. The award hangs in the Local 68 Training Center in West Caldwell, N.J. In addition to the plaque pictured here, Timek, who is employed by Showboat Casino in Atlantic City, N.J., received a savings certificate and a lifetime training certificate, which allows him to take unlimited courses at either Local 68 Training Center for free for life. Timek, left, is shown with Kevin Clark, Local 68 Atlantic City training coordinator.



Eileen Charlton, who is employed as a senior custodian at East Side High School in Newark, has taken advantage of the educational programs offered by Local 68. She said she "went back to school to upgrade my licenses. I enjoyed the hands-on experience provided at the Local 68 Training Center. The instructors were very encouraging and supportive." On being the only woman graduate, Charlton said she "was proud to be the only woman graduate in this year's class. I felt like that was a big accomplishment. I encourage other women to enter our line of work as it can be very rewarding." She is shown here with, from the left, Business Manager Thomas Giblin, Charlton, President Edward Boylan and NJ AFL-CIO President Charlie Wowkanek.



The 2008 Local 68 graduation class of 28 apprentices completed 600 hours of classroom training and 8,000 hours of on-the-job training and received a NJ State High Pressure Steam, NJ Blue Seal Refrigeration License and Universal CFC certificate. The ceremony was held at the Hel-drich Hotel in New Brunswick, which was recently organized by the local. Graduates included, back row, from the left: George Cushmac III, Brian Weiss, John Doherty, Thomas Bermingham, Raymond Vanderhoof, Joseph Agnelli, James Mooney, and Daniel Stinsman; middle row, same order: Gerard Richardson, Frank Timek, Larry Williams Andrew McGivney, Daniel Belenski, Eileen Charlton, Thomas Johnston, and Earl Morgan; front row, same order: Patrick McCartin, Anthony Campagna, Sheilon Wharton, Edmund Ferraren, Todd Meyer and Joseph Stevens.



Local 68 John J. Giblin Training Center.



Guest speakers at the Local 68 apprenticeship graduation included Jane Oates, U.S. Dept of Labor, assistant secretary for Employment and Training, and Charlie Wowkanek, New Jersey AFL-CIO president, who is a Local 68 member, who are shown in the accompanying photo with Local 68 officials. From the left are Edward P. Boylan, Local 68 president; Robert Haitmanek, training director; Jane Oates; Charlie Wowkanek, and Thomas P. Giblin, business manager.



LEFT: Joseph Agnelli, an electrician at Fairleigh Dickinson University, is another member who has taken advantage of the educational opportunities offered by Local 68. Commenting on the knowledge he gained, Agnelli said, "One of the best things I got into was the Local 68 Training Center. If you are mechanically inclined, Local 68 is the place to be; the education program, jobs, fair wages and benefits are all outstanding, as are the instructors." From the left are Business Manager Thomas Giblin, Agnelli, President Edward Boylan and NJ AFL-CIO President Charlie Wowkanech.



RIGHT: Another Local 68 member, Joseph Stevens, who is an engineer at Morgan Stanley Chase in Bergen County, had this to say about the local's training programs: "The Local 68 Training Center apprentice program has a strong structure and curriculum. Continuing education, such as the Chief Engineers Leadership course and BOMI courses are the types of classes that apprentice graduates should be looking at." Stevens is shown here with, from the left, Business Manager Thomas Giblin, Stevens' father, who is a recent Local 68 retiree, Stevens, President Edward Boylan and NJ AFL-CIO President Charlie Wowkanech.

Local 39 fetes apprentice grads, scholarship winners



Local 39 apprentice graduates shown above in a class photo with International Vice President/Local 39 Business Manager Jerry Kalmar, seated center, during the local's graduation ceremony.

Local 39 (San Francisco, CA) held its 46th Annual Apprentice Graduation ceremony in March for 62 graduates. In addition to celebrating the graduates' accomplishments, the event brings together the new journey persons with building owners, property managers and chief engineers from throughout the local's jurisdiction, according to Business Manager/IUOE Vice President Jerry Kalmar.



Local 39 Business Manager/IUOE Vice President Jerry Kalmar, left, presents Dillon Dutton with the Apprentice of the Year honors.

Dillon Dutton was honored as Apprentice of the Year for his outstanding achievements based on grades, work evaluations and attendance, which reflect his commitment to be the best that he can be.

In keeping with the night's educational theme, Kalmar also announced the winners of the

Local 39 Scholarship Awards. Each year, the local awards two children or grandchildren of Local 39 members a four-year scholarship of up to \$15,000 per year. Scholarship hopefuls submitted applications and essays. A committee then reviewed the submissions and selected the winners. This year's proud recipients were Adam Delgado, whose mother is a member, and Matthew Soto, whose father is a member.



Scholarship recipient Matthew Soto.



Scholarship recipient Adam Delgado.

Report cites construction fatalities, offers recommendations

This report summarizes fatalities related to construction machinery in Washington State from 1998 to 2008. The data was compiled by the Washington State Fatality Assessment and Control Evaluation (FACE) Program. This report includes construction machinery incidents; construction vehicles such as dump trucks or other motor vehicles were not included.

Between 1998 and 2008, 33 workers died in construction machinery incidents in Washington State, 16 were machinery operators and 17 were workers on foot. Operators were killed most frequently in backhoe/tracker incidents, while workers on foot were killed most frequently in excavator incidents.

Furthermore, machinery operators were predominately involved in fatal roll-over incidents, while workers on foot were either mainly struck by machinery or other objects. The majority of the operators killed were not wearing seat belts or restraints.

PREVENTION MEASURES TO PROTECT WORKERS

The following are some steps that should be taken by employers, equipment operators and others to protect workers from injury while working with construction machinery:

Site Set-Up

- Contact local utilities and other responsible parties to locate overhead and underground utility lines before beginning work. Avoid working near overhead power lines. If you must work near them, develop a plan to avoid contact.
- Do not permit hydraulic excavators or backhoes to be operated on grades steeper than those specified by the manufacturer.
- Make sure that workers position machinery at a safe distance from excavations such as trenches.

Equipment Operators

- Train equipment operators in the proper use of the equipment they are assigned to operate. Be sure to follow manufacturers' specifications and recommendations.
- Continually evaluate safety programs to address changing conditions at the worksite.
- Clearly identify and label all machine controls and make sure that the manufacturers' safety features are working.

- Install and maintain equipment attachments and their operating systems according to manufacturers' specifications.
- Train operators to conduct visual and operational checks on all machine systems and operating controls before working the machine.
- Make frequent visual inspections of quick-disconnect systems—especially after changing attachments.
- Use the ROPS and seat belts supplied by the manufacturer. Do not remove the ROPS.
- Do not exceed load capacities when lifting materials.
- Instruct operators to lower the boom to a safe position with the bucket on the ground and turn off the machine before stepping off for any reason.

Other Site Workers

- Train site workers to recognize and avoid unsafe conditions and to follow required safe work practices that apply to their work environments.
- Make all workers on the site aware of the machines' established swing areas and blind spots before the operator works the machine. Keep workers on foot outside these areas by marking them with rope, tape, or other barriers.
- Before each work shift begins, review and confirm communications signals between machine operators and workers on foot.
- Instruct machine operators to keep the bucket as close to the ground as possible when workers are attaching loads for hoisting.
- Do not allow workers to stand under suspended loads or suspended machine components such as the boom, arm, or bucket.
- Use spotters or signal persons around operating equipment when necessary.
- Never permit workers to ride in or work from excavator or backhoe loader buckets.

The full Construction Machinery Fatalities report generated by Washington State can be found on the Washington State Department of Labor & Industries website at <http://www.lni.wa.gov/Safety/Research/Face/Files/ConstructionMachineryFatalities.pdf>



A night-time overview of the work being done by the members of Locals 14 and 15 rebuilding the World Trade Center.

Operators helping rebuild World Trade Center

Members of IUOE Locals 14 and 15 are manning the cranes and dirt-moving equipment as work continues on rebuilding the World Trade Center complex that was devastated in the terrorist attacks September 11, 2001.

Although the current economic crisis has resulted in some delays on portions of the \$15 to \$18 billion project, work on the \$3.1 Freedom Tower (1 World Trade Center) is progressing in the northwest corner of the 16-acre site. When finished in late 2013, the Freedom Tower will rise to a height of 1,776 feet. There will be an observation deck at 1,362 feet. The complex will contain 2.6 million square feet of office space, restaurants, below-grade retail shops, a transit hub and access to the World Financial Center.



A skid steer machine, with a Local 15 operator in the seat, brings a full bucket of dirt out of the hole.

Some of the operating engineers on the project expressed strong emotions about working this job. Tom Gordon, a Local 14 member operating a Favco 760 Tower Crane at WTC 1/

Freedom Tower, said, “After working on this project for the past two years, I cannot imagine working on another job site where I would feel so proud to show up for work every day.”

Two other members also operating a Favco 760 Tower Crane at the site had similar comments. “As a member of Local 14 Operating Engineers, a New Yorker and an American, I am honored to help rebuild the WTC site,” said Tim Brogan. “Hopefully when this project is completed, it will give closure to the people and families who have lost loved ones.”

Ivor Hall said, “It is an honor and a privilege to work on this project. It is something I will never forget and I couldn’t imagine not being a part of it.”

Some 70 operating engineers from the two locals are working on the WTC project at this time.



Tandem lift – Local 14 operators Ivor Hall on the crane at the left and Tim Brogan on the right set a node for the base of WTC 1/Freedom Tower.



An artist's rendition of the completed WTC complex.



Two Local 15 maintenance engineers and one operator of the Broc drilling machine are seen during a break.



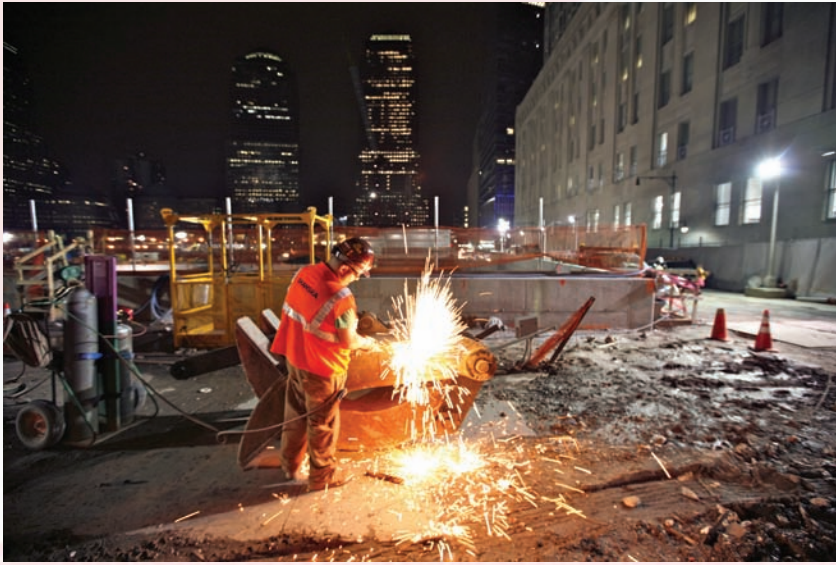
Charlie Noeth, Sr., a Local 14 member operating a Liebherr LTM1400, is setting the Survivor Staircase at the WTC Memorial. Noeth had the opportunity to have his son on the job with him. "It was an honor and a privilege to be a part of this historic event," he said. "Having been at the site in 2001 and seeing all the devastation, it felt good to be part of the rebuilding process. It was an honor to be a part of placing this important and significant piece of history in its final location. I'm proud to be a Local 14 Operating Engineer and proud to have my son as my oiler on that historic day."



Three Local 14 members who operate Favco Tower Cranes at WTC 1/Freedom Tower are, from the left, Tom Gordon, Tim Brogan and Ivor Hall.



Local 14 officials and members standing before the first Freedom Tower column set on December 19, 2006. From the left are Tom Gordon, operator; Jim Conway, director of Industry Advancement; Ken Klemens, master mechanic; John R. Powers, business representative; Edwin L. Christian, president/business manager; Tom Chorusey, master mechanic; Hugh Manley, business representative; Mark Fattibene, operator, and Michael Fattibene.



A maintenance engineer from Local 15 uses a cutting torch to cut off the steel of the grapple in order to reface it.



Dan Noesges, Jr., Local 14 operator, runs a Liebherr 1100 at the WTC Memorial. Noesges said: "My father was one of the engineers who operated a crane during the rescue and clean-up effort in 2001. I think it is a sign of hope and progress for me to be here operating a crane in the rebuilding process."



A Local 15 member operates a Broc Machine to break apart a wall on the WTC site.



Local 14 Operator Tom Gordon on a Liebherr 1300 setting the first column at WTC 1/Freedom Tower.



A Local 15 member operates a rubber-tired excavator at the World Trade Center site.



A Local 15 member welds a cutting edge onto the teeth of the bucket of an excavator.



IUOE NTF creates asbestos training courses

The National Training Fund created and then conducted its first asbestos training for IUOE master instructors on April 19-26, 2009, at the Beaver, WV training site. The training involved two of the EPA-accredited asbestos disciplines: Contractor/Supervisor and Inspector courses. Both are approved by the State of West Virginia, which has reciprocity agreements with nearly all other states in the U.S., so master instructors will be able to establish courses in their locals and have the training recognized by their state.

The courses are tailored to the needs of the IUOE membership. They were developed with support from the Lippy Group and with oversight by a stationary and H&P advisory group of IUOE master instructors. Tom Sundly, a full-time instructor with IUOE Local 49 and NTF master instructor, was approved by the State of West Virginia to assist with delivery of these courses.

The first five days of training covered the EPA Contractor/Supervisor course. This included lectures, demonstrations, and over 14 hours of hands-on training. This allowed the students to perform tasks associated with asbestos abatement. A hands-on simulation facility was converted by the NTF staff for this training. The facility has three separate rooms where students sealed windows, vents, and walls; built a three-stage decontamination facility including a shower; operated HEPA ventilation units; and removed an asbestos-substitute from the ceiling while fully “dressed out” in respirator and disposable suits. The exterior of the building had several runs of pipe insulation that allowed the class to practice removing insulation with glove bags.



From the left are Ed O'Herron, Local 825; Paula Morgan, Local 4 and Ken Kohl, Job Corps conduct an asbestos class exercise, placing the containment steps in order.

The three-day EPA Inspector course followed and focused on hands-on activities. This included a tour of the mechanical spaces at the Mine Safety and Health Administration's Mine Academy so the class could determine the appropriate sampling strategy. Each student practiced taking bulk samples from non-asbestos pipe insulation, after properly filling out sampling forms.

The goal of this training is twofold: 1) To enable the local unions to conduct asbestos worker training for



Oufitted in Level C protective gear, participants remove simulated asbestos from the interior of a unit.

members, and 2) to ensure that members are aware of the continuing risk of asbestos exposures and can protect themselves.

This training allows stationary engineers to provide more services in their facilities by sampling materials to determine if they are asbestos-containing to actually doing minor removal projects, primarily with glove bags. This will avoid delays while outside abatement firms are hired to do minor cleanup or removal prior to mechanical work. H&P members learned how to safely and effectively handle the cleanup of soil contamination with heavy equipment. This situation often arises on demolition projects.

Locals interested in developing a course and having it accredited in their state should contact the NTF at 304-253-8674 or e-mail [hazmat@iuoiettc.org](mailto: hazmat@iuoiettc.org) for additional information.



Local 4's Bill O'Neil, right, and Peter Kerrigan tape polypropylene plastic inside the asbestos training building to prepare for simulated asbestos removal from the ceiling.



Operating engineers conduct trade specific hands-on exercises using a construction roll-off during the Asbestos Supervisor/Contractor 40-hour course.

Operators demonstrate the job of skilled support personnel

Since 2001, many IUOE locals have formed functional partnerships while other locals continue to work in that direction with state and federal Urban Search and Rescue (US&R) teams, local emergency responders and others. These partnerships are formed to allow these workers to respond to disasters in an efficient, expeditious, and safe manner, saving lives and property, as well as conducting the post-disaster cleanup.

The National Institute of Environmental Health Sciences staged a mock scenario during the 2009 Spring Grantee Technical Workshop in Cincinnati, Ohio to demonstrate command, decontamination, mass casualties, incident surveillance, and workzone/hotzone

tactics. The purpose of the demonstration was to foster discussion, share training materials, and identify areas of health and safety that require additional follow-up.

At approximately 0700 EST an alarm came in for a fire and explosion at a local brewery. Shortly after arrival, it was discovered that the manufacturing facility was partially collapsed with smoke and flames visible and a strong pungent odor. Additional fire support, EMS and Hazmat were requested. Upon further assessment and interview with the facility manager, it was determined that approximately 30,000 pounds of anhydrous ammonia and other assorted chemicals used for the production of the brewery's products were stored on the facility grounds.

Operating engineers Maurice Davis and Robert Seaman from Local 18, using a mini-excavator and skid steer loader showed attendees the trade and safety skills that operating engineers apply as skilled support personnel at a disaster site, making them one of most valuable assets in disasters of all magnitudes.

Attendees saw first-hand the importance of training together to understand what each entity in a disaster response is capable of doing and the safety aspects that have to be considered during the response.

For more information on forming a proactive partnership with your local US&R team/local emergency responders, call NTF at 304-253-8674 or e-mail hazmat@iuoeiettc.org.

OSHA 502 construction trainer update course added

An OSHA 502 Construction Industry Trainer Update Course has been added to the 2009 NTF Trainer Schedule. Large numbers of instructors have a need for this Update Course in addition to instructors wanting to take the initial OSHA 500 Construction Industry Trainer Course.

The initial OSHA 500 course will run from September 14-17, and the OSHA 502 Update course will run September 14-16, concurrently

with the initial course. The 500 course is 32 hours and the 502 update course is 24 hours. If you registered for the 500 but only need the 502 update you have been automatically moved into the 502 update course. There are still 10 openings in the OSHA 502 Trainer Update Course. If you need to take this course to keep your OSHA Construction Industry Outreach Trainer authorization current, enroll today. For more information contact the NTF at 304-253-8674 or email hazmat@iuoeiettc.org.

OSHA construction and general industry new program guidelines

Effective October 2008, OSHA program guidelines for the Construction Industry and General Industry Outreach courses have changed.

SUMMARY OF OTHER MAJOR CHANGES:

- Outreach Training Program Report - Trainer must sign statement of certification that the class was conducted in accordance with OSHA's guidelines and attest to the accuracy of the documentation submitted
- Records - trainers must maintain class files for 5 years which include: student sign-in sheets for each class day, student addresses and a copy of the documentation sent in to request cards
- Records which indicate the card number dispensed to each student
- Holding a class of over 50 students - Obtain prior approval from OSHA Education Center and take attendance

The complete list of changes and the new Program Guidelines can be found at: http://www.osha.gov/dte/outreach/construction_general_industry/index.html

When submitting a request for cards through the National HAZMAT Program, course paperwork must include the OSHA Outreach Training Verification Report with Student Information forms, or a spreadsheet that lists the attendees and their personal information, and the OSHA Outreach Training Program report along with the course and instructor evaluations. If you have a Trainer ID number, please include your number on the OSHA Program Report.

TOPIC	MANDATORY HOURS	PREVIOUS HOURS	ADDITIONS	NTF MATERIAL
10-hour Construction	4	3	2 hrs: Electrical & Falls from Focus Four Category; ½ hr each: PPE & Health Hazards	Available
30-hour Construction	12	6	5 hrs: Electrical & Falls from Focus Four Category; 2 Hrs each: PPE & Health Hazards; 1 hr: Stairways & Ladders	Available
10-hour General Industry	6	4	1 hr each: PPE & Hazard Communications	Available
30-hour General Industry	11	4	1 hr each: PPE & Hazard Communications; 2 hrs: Material Handling	Available



PA State Council of Operating Engineers President/Local 95 Business Manager Bill Cagney, left, and Keith Thurner, Local 95 Executive Board member, who is serving as the License Plate project manager, installed the first OE plate on Cagney's car. A close-up of a sample State of Pennsylvania Operating Engineers license plate is pictured below.

PENNSYLVANIA STATE COUNCIL SPONSORS IUOE LICENSE PLATES

The Pennsylvania State Council of Operating Engineers, through an arrangement with the state, is sponsoring IUOE license plates, which are available to any operating engineer residing in Pennsylvania.

According to Bill Cagney, president of the state council and business manager of Local 95 in Pittsburgh, "we take a great deal of pride in our union and in the work we do throughout the state and we thought the license plates on our vehicles would be a good place to demonstrate this pride for all to see." (See samples of the plate in the accompanying photos.)

The plates are available to any IUOE member who lives in Pennsylvania and is current with his or her dues. There is a one-time fee of \$30.00 for the original plate, then normal renewal procedures apply. Over 400 plates have been assigned to date. To order, visit Local 95's website: www.iuoeocal95.org and click on the license plate.



DEMOLITION OF AN AMERICAN ICON

In the hills of East Tennessee, Local 917 members are making history by playing an instrumental role in the demolition of an American icon, the K-25 facility at Oak Ridge, TN.

The facility, which was one of the locations for the Manhattan Project, used the gaseous diffusion method to separate uranium. Completed in early 1945 at a cost of \$500 million, the U-shaped K-25 plant covered more than 2 million square feet and employed 12,000 workers. At the time it was built, it was the largest man-made structure on the planet.

The Department of Energy awarded this historic demolition job to Bechtel Jacobs Company, LLC. The massive project posed unique problems for Local 917 operators, but most were solved with the use of specialized equipment such as track hoers. With a reach of over 100 feet, they were used for the first stage of demolition followed by smaller track hoers to process the materials to a more manageable size. A large front end-loader was used to consolidate the monolithic amounts of debris.



The project posed unique opportunities for apprentices, preparing them for future clean-up projects. With the specialized nature of the work, including equipment and hazards ranging from radiological, asbestos and industrial hygiene issues, the job gave them unparalleled experience.



CITY OF NY DEDICATES PLAQUE TO FALLEN LOCAL 30 STATIONARY ENGINEER

Officials from the City of New York and the New York State court system gathered at a courthouse in Long Island City, Queens May 20, 2009 to dedicate a plaque in memory of Henry Chang, a stationary engineer and member of IUOE Local 30 who died following an on-the-job accident at the courthouse last year.

New York City Deputy Mayor for Operations Edward Skyler joined Department of Citywide Administrative Services (DCAS) Commissioner Martha K. Hirst and Chief Administrative Judge Jeremy S. Weinstein of the Queens County Supreme Court, Civil Term, for the ceremony, which was attended by Mr. Chang's wife, son, brother, and nearly a hundred friends and colleagues, including Local 30 Field Representative John Donohoe.

Brother Chang, 59, was a beloved figure at the Long Island City Courthouse, where he worked for over six years. On the morning of April 22, 2008, Chang was performing a routine check of the mechanical equipment in the building's attic space when he fell 20 feet, sustaining fatal injuries. His death was the first ever on-duty fatality among the 98 operating engineers and 2,000 other workers employed by DCAS, which provides building services to 54 public office buildings, courthouses and warehouses in New York City's five boroughs.

"In the aftermath of this tragedy, there was an inspiring, compassionate response from Henry's colleagues at DCAS and his many friends here at the courthouse," said DCAS Commissioner Hirst. "It's a real testament to Henry that he inspired so much concern and affection and tribute from the community that surrounded him."

In the days immediately following Mr. Chang's death, courthouse staff erected a makeshift memorial to him outside the door to his basement office. New York City Mayor Michael R. Bloomberg spoke at the funeral service in Manhattan's Chinatown, while a color guard of New York State Court Officers stood in salute outside.

Friends said Chang viewed his courthouse assignment as the capstone to a long career marked by diligent effort and conscientious service. Born in Taiwan to a poor family, he immigrated to the U. S. after learning his trade in the merchant marine. He worked as a plant manager for several private institutions, including a hospital and college, before joining the civil service.

The engraved brass plaque for Henry Chang is permanently mounted in the main entrance to the historic 1870 courthouse at 25-10 Court Square. Underneath a photo of Mr. Chang, brief text identifies the plaque as a tribute to "his service to the City of New York, his colleagues and all the visitors to the Long Island City Courthouse."



The City of New York has mounted a plaque at its Long Island City Courthouse to honor Local 30 stationary engineer Henry Chang, who died in an on-the-job accident last year. Attending the plaque dedication ceremony were Henry's wife, Xiu Qin Chang (right), his son John, a junior at Duke University (second from right), Henry's brother Kuen Yen Chang (third from right), and many friends and colleagues.

Chicago • IL **Local 399**

INDIANAPOLIS AIRPORT EMPLOYEES PREPARING FOR NEGOTIATIONS



After an 18-month campaign and a vote of 56 to 9 in favor of IUOE representation, Local 399 has started to prepare for upcoming negotiations. Pictured above is the negotiation committee during their first meeting. Front row, left to right, are: Jeff Christain, Patrick Purslow, Jeffrey Withered, Mark Summers and George Kestler. Back row, same order, are: Brett Lewis, Brent Carter, John Snyder and Mark Chastain.



Local 115 secures contract at CWS Industries

Operating Engineers in Surrey, British Columbia showed tremendous courage and determination in the face of an employer intent on using every trick and legal hurdle in the anti-union book to discourage them from achieving a first collective agreement.

Brian Cochrane, assistant business manager of Local 115, and member representative Everett Cummings worked with these members who do heavy fabrication work building excavation and mining buckets, attachments and guards for CWS Industries.

It came to a point where the local had to apply to the Labour Relations Board for a seldom-used clause, Section 55, which, Cochrane said, "is designed specifically for this type of employer." It gives power to a mediator to impose a collective agreement, write recommendations for settlement or send the two parties away for a strike or lockout. This section of the B.C. Labour Code is not used often and only a handful of agreements have been put in place using this process.



Brian Cochrane

The company began non-union with about 150 employees in 2006, but layoffs quickly mounted when the work was outsourced to China. The remaining 65 employees decided they needed union representation and turned to IUOE Local 115.

The union was certified July 9, 2008 and bargaining began in August. However, the process ground to a halt due to delays by the company and the negotiator it hired. By December 2008, the two sides had only met five times. The company called several standard union concerns "deal breakers." It demanded:

- an open shop
- no seniority rights
- recall rights of only 13 weeks
- the ability to subcontract with no respect for those employed
- the work week to start whatever day or time suited the company

Just before Christmas, the company fired another 39 employees. "We were at an impasse so we applied for mediation at the Labour Relations Board," Cummings said. After several days of mediation, the company still refused to move from its initial position and that's when the union filed for mediation under Section 55. After a further three days of mediations, the mediator wrote up his recommendations. He agreed to the employer's monetary package. On the issues that the employer termed "deal breakers," the mediator agreed with the union's position.

"It was not everything we were after, but we believed it was a good first collective agreement for us to build on," Cummings said. The bargaining council met with the employees and recommended that they accept the offer as mediated, which they did by voting 95% in favour. But problems didn't end there.

The employer flatly rejected the recommendations and then challenged the mediator's role and his right to make the recommendations. The grueling process was further delayed as new hearing dates had to be set. Both sides presented their arguments. The board's decision also went in the union's favour.

Cummings said, "We were successful in retaining all the mediator's recommendations. The employer's 'deal breaker' arguments are history. We are proud of the employees for their resolve and firm belief that their unity would win the day. There are very few union members who have had to endure what they went through."

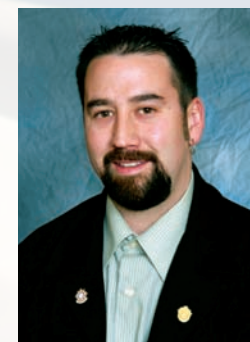
Cochrane said, "It is hard to calculate the amount of time, resources, energy and steps it takes to move a difficult employer through the bargaining process. We were fortunate to have a good mediator and arbitrator who understood the



A partial view of the CWS Industries' yard.

issues. However, reaching a respectable first agreement came down to the commitment of our members and the determination of our member representative.

"They secured OE pension language, seniority provisions, subcontracting language and some decent job protection. Now we need to work to establish a relationship with the company and promote the union products that our members build."



Everett Cummings


Oakville • ON

Local 793

MEMBER FETED FOR SERVICE



A special ceremony was held at Local 793's head office in Oakville to honour a long-service member of the union. Attending the ceremony were, from the left, Local 793 Vice President Alex Law, Financial Secretary John Anderson, President Gary O'Neill, 55-year honouree Raymond (Jim) Crandall, Business Manager/IUOE Trustee Mike Gallagher, and Treasurer Joe Redshaw.



MEMBER service

Atlanta • GA

Local 926



During its Annual Service Pin Awards, Local 926 recognized members for their service. Pictured is 60-year member Thomas Roe, left, and Business Manager Phil McEntyre.



50-year member Paul Forrester, left, and Business Manager Phil McEntyre.



45-year members, from the left, are Don Damron, John Callahan and Calvin Mashburn.



40-year members, left to right, are Terry Helton, Arthur Hightower, Bobby Patton, Jim Cooney, Freddie Lee and Howard McClung.



30-year members, same order, are Johnny Spann, Bret Brady, Chris Jeffares, Arlie Warren and Steve Watts.



25-year members, l - r, are Bobby Wimpey, Jeff Wilson, Bennie Capser, Michael Couch, Ricky Jones and Dale Wolfe



20-year members John Arthur, left, and Jeff Burks.



15-year members Gary Mashburn, left, and Richard Paine.

At 81, still going strong

Raymond Poupore, an operator's operator

What the IUOE is today, it owes in large measure to those who came before and pioneered the paths, who sacrificed, who fought the battles and who persevered through tough times so that today our union is one of the most progressive and influential in the labor movement in the United States and Canada.

One of these earlier trailblazers, Raymond Poupore out of Local 324 in Michigan, recently paid a visit to IUOE headquarters with members of his family and met with General President Vincent Giblin. A 61-

year member, Brother Poupore recounted joining the IUOE as an heavy equipment operator in August 1948 after a stint in the Navy and Army. He was appointed a business agent in 1960 and was elected recording-corresponding secretary in 1978 and business manager in 1980, a position he held un-



An old file photo of Ray Poupore as business manager of Local 324.

til his retirement in 1988.

He also served as vice president of the Michigan Building Trades and chairman of the Michigan Department of Natural Resources.

"I always welcomed those elected positions," he said, "because I wanted to give back to our union that gave so much to me and my family. I believe strongly in the Operating Engineers. In fact, my late wife of 54 years, Blanche, often said I ate, slept, breathed and bled IUOE. As is always the case with most wives, she was absolutely right – and I was darn proud of it."

He said his proudest moment was when his son, R.J. Poupore, joined Local 324. Today, the son is executive vice president of the National Construc-



Ray Poupore running a backhoe circa 1963.

tion Alliance II, the joint partnership between the Operators and Carpenters Union.

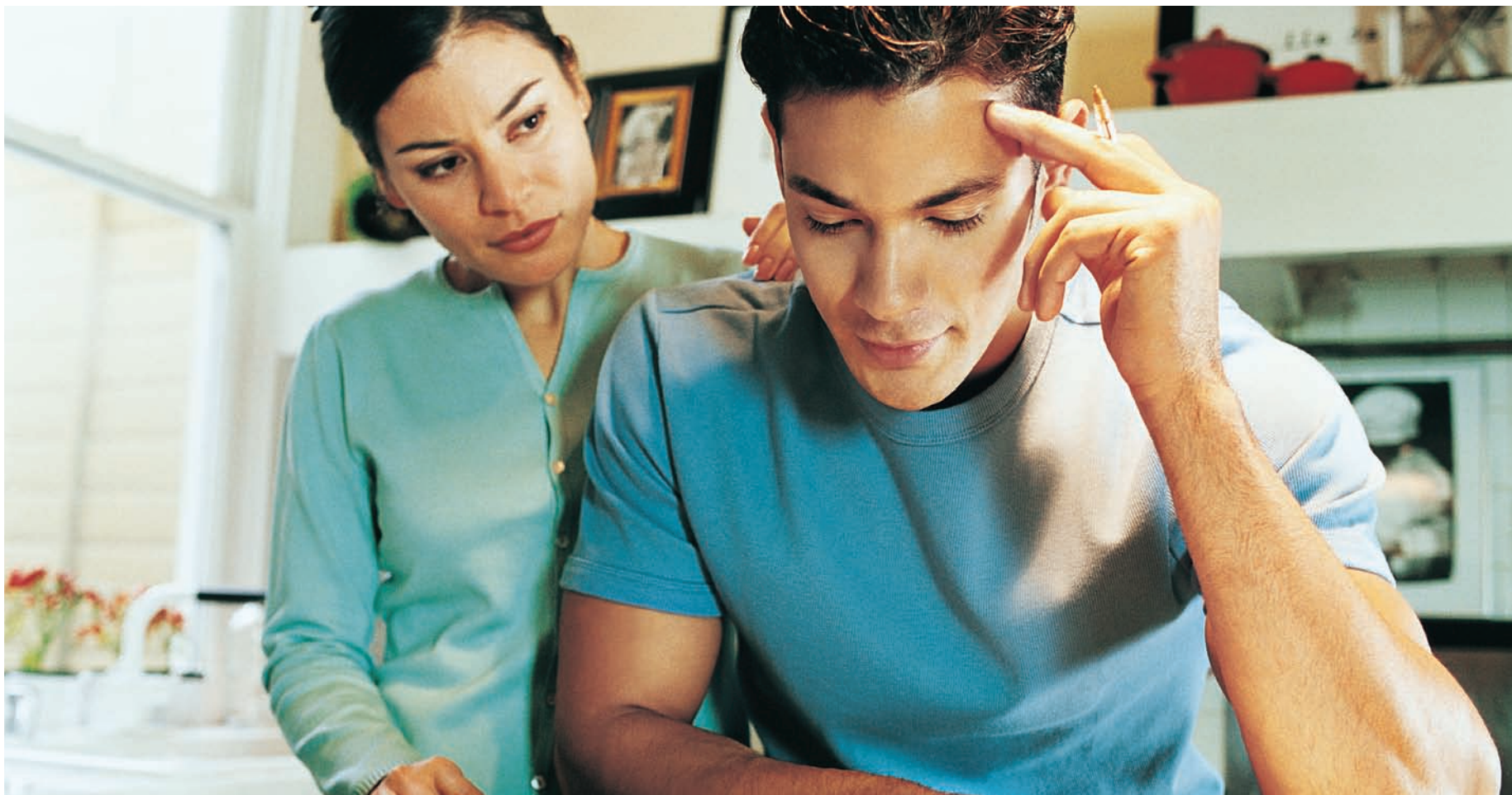
POINT OF VIEW

Ray Poupore is an operator's operator who devoted his working life to making things better for his fellow members in Local 324 and throughout the International Union. He is, indeed, a

class act and a most decent, caring human being.



Ray Poupore and his son, R.J., visit with General President Vincent Giblin at International headquarters in Washington, D.C.



Falling behind financially?

Union SAFE may be able to help.

If you're having trouble making ends meet in this economy, Union SAFE may be able to help. We offer valuable benefits for members who participate in Union Plus programs including Union Plus Credit Card, Mortgage and Union Secure Insurance and who are facing economic hardship.



Security. Assistance. Financial Education.

Register at: www.iuoe.org for this and all union plus benefits.

