



PLASTERERS' LOCAL NO. 200

*Operative Plasterers', Cement Masons' and Shop Hands'
International Association, AFL-CIO*

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Trowel Talk

*The Official Newsletter of
Plasterers' Local No. 200*

Editor: DAVID FRITCHEL

SERVING ALL OF SOUTHERN CALIFORNIA

FALL, 2009

50TH OPCMIA CONVENTION

The OPERATIVE PLASTERERS and CEMENT MASONS INTERNATIONAL ASSOCIATION called on every delegate, from every Local Union in the United States and Canada to come together in Las Vegas, Nevada; August 17 to 21, 2009 to attend the Operative Plasterers' and Cement Mason's 50th International convention.

At the OPCMIA convention, all officers of our International have to go through the democratic process of election. I am proud to say that the current officers were all to retain their positions. General President Patrick Finley, Financial Secretary Earl Hurd and General Vice President Daniel Stepano will continue to lead the proud membership of Plasterers' and Cement Masons' for at least another five years.

On the floor of the convention hall; General President Patrick Finley addressed the delegation and assured every delegate from every local across the nation and Canada "There will be no mergers" and that our numbers are growing even during the past 8 years of the Bush and Cheney administration; when political road blocks were set-up to shrink union market share, our numbers have swelled and across the nation our contractor base continues to grow.

General President Finley recognized that now with a new labor friendly Obama Administration the biggest threat to the OPCMIA's rank and file membership is jurisdictional raiding of our two crafts of Plaster and Cement work.

On the convention floor, many resolutions were past and adjusted to our International Constitution and By-Laws. But to this Plasterer and to our Local 200 officers and for members who have been in the ongoing fight for jurisdiction, since July of 2002 with the Carpenters Union, is resolution #130. Resolution #130 whose similar language was passed, the previous week at the Sheet Metal Worker's International Convention and will be adopted next week on the floor of the Painters International Convention.

The OPCMIA resolution #130 recognizes that the

one and only reason the Carp's International dropped from the AFL/CIO was to raid other unions craft jurisdiction. This resolution, long in coming, says every craft adopting the language is sick and tired of having to spend union time and resources to defend jurisdiction instead of using those resources to organize the un-organized.

RESOLUTION NO. 130

TO: THE OFFICERS AND DELEGATES OF THE 50TH CONVENTION OF THE OPCMIA, CONVENED IN LAS VEGAS, NEVADA

WHEREAS: The need for solidarity among labor organizations representing different crafts is vital to the success of building and construction unions; and

WHEREAS: The cooperation and solidarity of building trades unions has increased dramatically with the return to the Building and Construction Trades Department of most major construction unions; and

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ROSEBURROUGH TOOL DISCOUNT

Any Plasterer who has ever used a precision plaster tool crafted by Roseburrough Tool, located in the City of Orange, appreciates all the thought, precision and expertise that is crafted into each and every one of their plastering tools. Compare a Roseburrough Tool to one from Home Depot or anyone else and you will quickly find there is no comparison. Even the tools that are made by another manufacturer and carried by Roseburrough Tools are held to the same high quality standard of manufacture as those made on-site by Roseburrough Tools.

Paul Horton, the General Manager at Roseburrough Tools has consented to offer Local #200 members a 10% discount by just showing your Local #200 membership card before the time of purchase.

Just show your Union Membership card when you purchase a plaster tool to receive a 10% Discount and say hi to Paul.

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Show Your Pride On Your Ride

Do you have a Local 200 member on your gift list?

To Order your OPCMIA
Trailer Hitch
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City, State, Zip _____

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YOU KNOW YOU ARE LIVING IN 2009

when ...

1. You accidentally enter your PIN on the microwave.
2. You haven't played solitaire with real cards in years.
3. You have a list of 15 phone numbers to reach your family of three.
4. You e-mail the person who works at the desk next to you.
5. Your reason for not staying in touch with friends and family is that they don't have e-mail addresses.
6. You pull up in your own driveway and use your cell phone to see if anyone is home to help, you carry in the groceries.
7. Every commercial on television has a web site at the bottom of the screen
8. Leaving the house without your cell phone, which you didn't even have the first 20 or 30 (or 60) years of your life, is now a cause for panic and you turn around to go and get it.
9. You get up in the morning and go on line before getting your coffee.
10. You start tilting your head sideways to smile. :)

The History of Prevailing Wage Laws in the United States

Excerpts from 1995 University of Utah-working paper *Losing Ground: Lessons from the repeal of nine "Little Davis-Bacon" act* by Economics Professor Peter Philips

In February 1891, Samuel Gompers, president of the American Federation of Labor, visited Topeka, Kansas, to speak on what the local newspaper called "the great topic of labor." Ten years earlier, the AFL - at its own creation - had laid out legislative aims that included the eight-hour work day, the elimination of child labor, free public schooling, compulsory schooling laws, the elimination of convict labor, and prevailing wages on public works. These proposals were based on a belief that the American labor market should consist of highly skilled workers earning decent wages, with time for family, and with children free to earn an education. In pursuit of these aims, Gompers' political strategy in Kansas allied him with the Republican Party.

On the morning of Gompers's arrival, the Alliance Party, known to history as the Populist Party, withdrew an earlier invitation for him to speak in the hall of the state House of Representatives, which the party controlled. Gompers, who represented 900,000 workers, had fallen out of favor with the populists, reportedly because of his belief that the trade unions should not form a political party with the Alliance. ¹ The Republicans, who controlled the Kansas Senate, invited Gompers to speak there, and he did.

Gompers was in Kansas to focus on the eight-hour day. Like other Americans, Kansans in 1891 typically worked six days per week, ten to twelve hours per day. In the older trades and crafts, such as carriage making and saddle making, where the work place was slow and under the workers' direction, the long workday was tolerable. In the newer factories producing shoes, textiles, and the like; in the mines; and in the urban putting-out systems in needlework, six-day weeks and twelve-hour days were grueling. The AFL had made its prime objective a shortened workday and workweek with as little cut in pay as possible. In his Topeka speech, Gompers declared:

Our banner floats high to the breeze and on that banner float is inscribed, "Eight hours work, eight hours rest and eight hours for mental and moral improvement." ²

At that time, when there were no income supplement programs for the poor, low-income parents worked and had to send their children to work to make ends meet. This practice was later referred to by a North Carolina newspaper editor as "eating the seed corn." Each generation of poor condemned its offspring to poverty because the children grew up as illiterate as their parents. The prevalence of cheap child labor, which accounted for 5 percent of the manufacturing labor force in 1890 and a larger proportion of service sector workers, kept wages down and forced adult workers to put in the long hours to make ends meet.

Gompers wanted regulation to force employers and the poor to adopt a strategy, however painful in the short run, of a high-wage, high-skilled growth path where children were in school and workers had the skills to justify wages that would allow for a family life. Gompers said,

"The Federation endorses the total abolition of child labor under 14 years of age; an eight hour law for all laborers and mechanics employed by the government directly through contractors engaged on public work, and its rigid enforcement; protection of life and limb of workmen employed in factories, shops and mines; ... the extension of suffrage as well as equal work for equal pay to women ... The Federation favors measures, not parties." ³

Although it was not clear at the time whether government could require private sector employers to honor the eight-hour day, government could set an example, Gompers believed. In state after state, he pleaded for the eight-hour day for government workers and private sector workers employed on public works. Gompers also pleaded for workers to be paid the "current" daily wage so they could afford the reduced work time. Government was being asked to set a good example for the private sector, to show that a refreshed labor force could produce in eight hours what a fatigued and bedraggled labor force turned out in ten or twelve hours. The prevailing wage law in its infancy was an attempt to obtain shorter working hours for all labor. The AFL paid attention to public works, however, because government at all levels was a major purchaser of construction. The AFL said government should not try to save money by eroding the wages of its citizens.

With similar logic, the AFL called for an end to convict labor. Many states employed convicts to pay for their keep. Convicts built roads on chain gangs, operated farms, made textiles, and sewed garments. Convict-made goods were sold, forcing down prices and the wages of working free citizens.

Thus, prevailing wage law legislation, at its birth, was embedded in an overarching intent to shorten the grueling working day for all labor, to compel the working poor to make ends meet in some fashion other than by sending their children into the factories, to compel children into schools so that they might become better workers and better citizens, to compel employers to adopt techniques that profited on the employment of skilled adult workers rather than unskilled child labor, to present government as an exemplar of good management by establishing the eight-hour day in government employment and on public works,

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New safety requirements on Nevada construction sites

- Assembly Bill No. 148

The passage of Assembly Bill No. 148 will require certain health and safety training for construction workers and supervisors. AB 148 was passed in response to a sharp increase in construction worker deaths. There were 12 Deaths at construction sites on the Las Vegas Strip in a span of 18 months. The bill is aimed at increasing workplace safety by heightening worker awareness of safety concerns and knowledge of best safety practices.

1. New Safety Training Requirements for Nevada Construction Workers

Specifically, beginning on January 1, 2010, AB 148 will require:

- All construction workers in the state to undergo a 10-hour safety training course (OSHA-10) developed by the U.S. Labor Department's Occupational Safety and Health Administration (OSHA) at least once every five years;
- All Supervisors on a construction site to undergo a 30-hour safety training course (OSHA-30) approved by OSHA at least once every five years.

The Division of Industrial Relations (DIR) will adopt regulations establishing courses which may be used to satisfy the training requirements. Courses will only be permitted to be provided by OSHA-approved "trainers" who have completed the OSHA 500 course.

2. Proof of Compliance Required

Both employees and supervisors will be required, within 15 days of hire, to present

employers with proof that they completed the required coursework by showing valid "completion cards" for the appropriate course (10-hour or 30-hour). The required completion cards will be issued by Nevada OSHA. Once issued, the completion cards expire after five years. Employees may renew their completion cards within five years by showing proof of at least 5 hours (construction workers) or 15 hours (supervisors) of job-specific safety training that meets the guidelines to be established by the DIR.

3. Penalties for Non-Compliance

The bill requires employers to suspend or terminate any employee who fails to provide valid proof of completion of the required training within 15 days of hire.

If an employer fails to suspend or terminate an employee that has not provided proof of training completion, the employer:

- 1) will be fined up to **\$500** for the first violation.
- 2) will be fined up to **\$1,000** for the second violation.
- 3) upon a third violation, the violation will be considered as if the employer had committed a willful violation under NRS 618.635 and could be assessed an administrative fine of **not more than \$70,000** for each violation, but **not less than \$5,000**, for each willful violation.

Any number of violations discovered in a single day will be considered a single violation.

History of Prevailing Wage Continued from page 2

and to abolish the practice of government saving tax dollars by grinding down wages on public works or through convict labor. It is not surprising, then, that the first prevailing wage law passed in the United States - in Kansas - was part of an eight-hour-day law.

(To be continued in the Winter Edition of Trowel Talk)

La Historia del Sueldo Predominante

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buena gestión estableciendo el horario de ocho horas diario a los trabajadores del gobierno y en trabajos públicos, y para abolir la práctica del gobierno ahorrando impuestos por utilizar los presos y bajar los sueldo de trabajos públicos. No es sorpresa que la primera ley predominante del sueldo en los Estados Unidos - fue en Kansas - y que era parte de la ley de ocho horas-diario. (Continuado en la Edición de Invierno de Trowel Talk)

WHEREAS: The United Brotherhood of Carpenters continues to pursue a "go it alone" policy and has thereby impeded and interfered with the efforts of other building trades unions; and

WHEREAS: The members of the United Brotherhood of Carpenters and unorganized carpenters deserve the opportunity to participate in a labor organization that is allied with the other major building trades unions; therefore be it

RESOLVED: That the OPCMIA hereby endorse the following:

1. The AFL-CIO shall charter an organization to be known as the Carpenters Organizing Committee ("the Committee"), which shall be affiliated with the Building and Construction Trades Department ("BCTD").

2. The mission of the Committee shall be to organize employees working as carpenters and those performing related craftwork.

3. Any affiliate of the BCTD may become a participating International Union in the Committee by paying the annual affiliation fee set by the BCTD.

4. The Committee shall initially be administered by a Steering Committee appointed by the President of the BCTD. All members of the Steering Committee shall be members of participating International Unions. The Steering Committee shall draft a Constitution for the Committee, which shall be effective when approved by the BCTD.

5. With the approval of the BCTD, any participating International Union may charter a participating Local Union with jurisdiction over carpentry or related work in a given geographic area. The craft and territorial jurisdiction shall be determined by the BCTD.

6. Members of participating Local Unions shall be members of the International Union that has chartered the participating Local Union to which they belong, and they shall also be members of the Committee. Each Local Union shall pay per capita to the Committee in an amount set in the Committee's Constitution.

CERTIFICATION DEADLINE

The deadline for certifications is quickly approaching. Members who have not gotten their required certifications will not be dispatched for work after Dec. 31, 2009

Section 9. (Collective Bargaining Agreement)

C. Journeymen Plasterers (hereinafter "Journeyman") must obtain and maintain the following certifications: First Aid/CPR, Scaffold User, and OSHA 10-hour. Failure to obtain or maintain certifications will result in a Journeyman either: 1.) not receiving any future wage increases until such time as the designated certifications are obtained or

2.) have his/her employment terminated at the Contractor's discretion. Journeyman will have until December 31, 2009 to complete the certifications that are listed above. The Union shall not dispatch any Journeyman that does not complete these certification courses after the dates aforementioned.

A journeyman shall be required to maintain all certifications. If a certification expires, the Journeyman shall have thirty (30) days to bring certification back to good standing. The contractor has the right to refuse or terminate employment of any journeyman who has not completed any of the referenced journeyman upgrade courses/certifications, pursuant to this section.

The parties agree to meet during the term of this Agreement to review the need for additional journeymen upgrading or safety courses. Should the parties agree upon the need for additional courses, then all journeymen employees must complete said training within one (1) year from the time the parties agree upon such additional courses.

La Historia del Sueldo Predominante en los Estados Unidos

En febrero de 1891, Samuel Gompers, el presidente de la Federación norteamericana del Partido Laborista (AFL), visito a Topeka, Kansas, para hablar de lo que el periódico local llamó "el gran tema de trabajo". Diez años antes, la AFL - en su propia creación - había ordenado objetivos legislativos que incluyeron el horario de ocho horas diario, la eliminación de niños trabajando, educación público gratis, eliminación de trabajo hecho por presos, y sueldos predominantes en trabajos públicos. Estas propuestas fueron basadas en una creencia que el mercado norteamericano de trabajo debe consistir de trabajadores bastante hábiles ganando sueldos decentes, con tiempo para la familia, y los niños libre para ganar una educación. En la persecución de estos objetivos, la estrategia política de Gompers' en Kansas se alió con el Partido republicano.

El día que llego Gompers, al Partido Alianza, conocido como el Partido Populista, retiró una invitación que le había mandado a Gompers para hablar en el vestíbulo de la Cámara de Representantes del estado, que el partido controlaba. Gompers, que representaba a 900,000 trabajadores, había perdido aceptación con los populistas, supuestamente por su creencia que los sindicatos no deben formar un partido con la Alianza. Los republicanos, que controlaban el Senado de Kansas, invitaron a Gompers a hablar, y él acepto.

Gompers estuvo en Kansas centrado en el horario de ocho horas diaria. Como otros norteamericanos, Kansans en 1891 trabajaban típicamente seis días a la semana, diez a doce horas por día. En los comercios y artes más viejos, como coches, donde el lugar de trabajo era lento y bajo la dirección de los trabajadores, el día largo fue tolerable. En las más nuevas fábricas donde se producen zapatos, textiles, en las minas; y en la costuras, seis días por semanas y doce-horas diario era duro. La AFL hizo su objetivo principal de reducir la semana de trabajo con muy poco corte de pago posible. En su discurso de Topeka, Gompers declaró:

Nuestra pancarta flota en lo alto en la que sobresale es inscrito, "Ocho horas de trabajo, ocho horas de descanso y ocho horas para mejorar mental y moral".

En ese tiempo, no había programas suplementarios para los pobres, los padres pobres tenían que trabajar y tenían que mandar a sus hijos a trabajar también. Esta práctica fue referida por un periodista de Carolina del Norte como "comiendo el trigo de siembra". Cada generación pobre condeno a sus hijos a la pobreza porque ellos crecieron tan analfabeto como sus padres. La frecuencia de niños trabajando por sueldos baratos, justificaba 5 por ciento de la mano de obra industrial en 1890 y una proporción más grande de trabajadores, reprimió los sueldos y forzaron los trabajadores adultos a trabajar

largas horas para poder ganarse bastante dinero para sobrevivir. Gompers quería regulaciones que forzaría a los empleadores y a los pobres adoptar una estrategia, aunque doloroso, de un sueldo alto, gran habilidad donde los niños estuvieran en escuela y trabajadores que tienen la habilidad para justificar sueldos que permiten una vida domesticada, dijo Gompers.

La Federación aprueba la abolición total de trabajo de niños menos de 14 años de edad; impone una ley de ocho horas para todos los trabajadores y mecánicos empleados por el gobierno directamente por contratistas que hacen trabajos público, y su aplicación rígida; la protección de la vida de trabajadores empleados en fábricas, tiendas y minas;... la extensión de derecho al voto e igualdad a las mujeres... la Federación está a favor de medidas, No partidos.

Aunque no era claro en ese tiempo si el gobierno iba a requerir empleadores del sector privado en honrar el horario de ocho horas, el gobierno puede ser el ejemplo, era lo que Gompers creía. De estado a estado, él imploró que el gobierno utilice el horario de ocho horas diario para sus trabajadores y trabajadores del sector privado empleados en trabajos públicos. Gompers también imploró que los trabajadores reciban el pago diario "corriente" para poder proporcionar el tiempo reducido de trabajo. Se le pidió que el gobierno demuestre un ejemplo bueno para el sector privado, para poder permitir las horas de trabajo reducidas. Mostrar que una mano de obra fresca puede producir en ocho horas lo que una mano de obra fatigada produce en diez o doce horas. Al principio la ley predominante del sueldo fue un intento de obtener horas más cortas para todos los trabajadores. La AFL atendió los trabajos públicos, porque el gobierno de cada nivel era el comprador mayor de construcción. La AFL dijo que el gobierno no debe tratar de ahorrar dinero desgastando los sueldos de sus ciudadanos.

Con la misma lógica, la AFL pidió que se termine darles trabajo a los presos. Muchos estados emplean a los presos para pagar por su mantenimiento. Ellos construyen carreteras, trabajan en las granjas, textiles y costuras. Los productos hechos por ellos se vendían, forzando los precios y los sueldos de ciudadanos que bajen.

Por eso al principio cuando la ley de sueldos predominante, fue incrustado con la intención de cortar el día de trabajo para todos los trabajadores, para impulsar al pobre de ganar bastante dinero así sus hijos no tienen que trabajar y pueden estudiar para ser mejores trabajadores y ciudadanos, para impulsar empleadores de adoptar técnicas que es una ganancia cuando emplean trabajadores adultos hábiles en cambio de niños sin experiencia, para presentar el gobierno como ejemplo de

PLASTERERS
ROCK!



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