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California Labor Relations

BACKGROUND AND DEVELOPMENTS
THROUGH MID-2002

DANIEL J.B. MITCHELL

LABOR RELATIONS—IN THE TRADITIONAL SENSE OF UNION-MANAGEMENT relations—has become a neglected topic nationally. To the extent that employment issues are covered at all in academic settings, the focus is on (predominantly nonunion) human resource management. And even in that context, the topic is more likely to be managers dealing with other managers and related issues of “leadership,” rather than with the employment concerns of ordinary nonsupervisory workers.¹

Statistical agencies of the federal government, such as the U.S. Bureau of Labor Statistics (BLS), have also curtailed their coverage of labor relations. In the mid-1990s, for example, BLS dropped its longstanding series on major union pay settlements. And since the early 1980s, work stoppage data from BLS refer only to situations involving 1,000 or more workers, omitting many smaller events.

Until recently, California state agencies exhibited a similar tendency. California was one of the early states to establish a labor statistics program, beginning with a state Bureau of Labor Statistics in 1883. But the state’s data collection on union contract settlements and similar information stopped in the late 1980s, a little over a century after California’s initial pioneering efforts in the field of labor statistics.

This chapter reviews significant developments involving California workers, their employers, and relations between the two in recent years, drawing on available data from various state and federal sources, such as the Public Employee Relations Board (PERB) and the National Labor Relations Board (NLRB). Among the key findings are the following:

- As in the United States as a whole, because of the erosion of private sector unionism, the public sector in California has increasingly become the center of collective bargaining activity. Roughly half of all California workers covered by collective bargaining are government employees. Thus, state policy with regard to labor relations is increasingly independent of federal policy (which tends to preempt state action in the private sector).

1. The author thanks Dionne Jimenez for research assistance on this chapter. Information reported in this chapter is as of early August 2002.

- Contracts involving 1,000 or more workers cover a little over half of all unionized workers in California, in both public and private employment.
- Two-thirds of all unionized workers in California are in the Los Angeles and San Francisco consolidated metropolitan statistical areas. But the highest rate of unionization is in the Sacramento-Yolo CMSA.
- Unions represent workers in a wide variety of private industries in California. The image of union workers as mainly manufacturing employees is not correct. Large concentrations of unionized workers are in the construction industry, grocery stores and warehouses, and health care.
- Some of the most dramatic union-organizing successes in California in recent years have involved low-wage immigrant workers. Janitors and homecare aides are examples. Campaigns at the San Francisco and Los Angeles airports have also been noteworthy. In addition, public sympathy for low-wage workers has shown itself in such recently enacted public policies as “living wage” ordinances. Unionization in agriculture has also shown signs of revival.
- Despite its successes at the low end of the wage spectrum, organized labor recently suffered a serious defeat in a decertification involving over 4,000 relatively highly paid Boeing engineers in Southern California and elsewhere. That episode—which stemmed from the absorption by Boeing of McDonnell-Douglas—was several years in the making; and turmoil within the local union was a significant factor in the loss. The Boeing episode suggests a need for the California labor movement to have an “early warning system” in place.
- The dot.com bust, stock market decline, recession, and terrorist attacks of 2001 have had an important adverse effect on California state and local government revenue. This development has put stress on collective negotiations in the public sector. Economic distress in the private sector has also complicated negotiations. Rising health care costs pose yet further challenges. Workers in the tourism sector were particularly hard hit in the aftermath of the 9/11 terrorist attacks. (see Pastor and Zabin, this volume)
- Many of California’s unionized workers are covered by contracts or bargaining patterns that are national in scope. Examples include workers employed by the major airlines and firms such as United Parcel Service. Even in the public sector many federal workers located in California are covered by national contracts.

The remainder of this chapter examines these developments in further detail.

BACKGROUND ON UNION REPRESENTATION IN CALIFORNIA

As in the rest of the nation, union representation rates in California have fallen significantly in recent decades, especially during the 1980s. Consistent Current

Population Survey (CPS) data on union representation became available at the state level beginning in 1983, following a period of widespread deunionization.²

Representation Rates

Figure 6.1 compares union representation in California and the United States as a whole between 1983 and 2001. As shown there, California consistently exhibits above-average unionization levels. As further detailed in Figure 6.2, the drop in unionization in California (as in the rest of the nation) is concentrated in the private sector. Private manufacturing and private nonmanufacturing both experienced sharply declining union membership rates between 1983 and 2002, whereas unionization in government showed little change.

The private sector decline has triggered renewed organizing by local unions, as well as pressure from the AFL-CIO on its affiliates to put more resources into such campaigns. At the same time, however, the labor movement has been particularly focused on the political arena. In May 2002 the AFL-CIO Executive Board approved a per capita tax increase expected to generate \$7 million a year for political campaigning. Some unions—notably the Teamsters and the Machinists—opposed the move, however, calling for a more targeted use of political funds.

Further shifts in union representation strategies may be in the offing if an approach being pursued by the International Union of Electronic, Electrical, Salaried, Machine and Furniture Workers—Communications Workers of America at General Electric becomes more widespread. The basic IUE-CWA agreement with the company, which expires in June 2003, covers only a few service workers at GE's San Diego facility. However, under its "Working at GE" (WAGE) campaign, the union hopes to gain members where it does not have a unit majority. Such individuals would become associate members and receive various benefits.

Traditionally in the United States, unions represent workers only if they have majority support. But nothing in U.S. labor law precludes minority representation, and in fact, the law includes protections for "concerted activity" and union membership even in nonunion settings. Unions might seek to represent or advise workers by, for example, using nonunion grievance procedures, offering legal advice on employment issues, or assisting in dealing with the employer's health insurance provider. Although GE does not have a big presence in California, a success in the WAGE campaign might lead other unions in the state to emulate the program.³

The public-private divergence in unionization rates has changed the composition

2. Data for this section are from Hirsch and Macpherson (various editions).

3. A related development is unions' providing their members services that are not related to collective bargaining. For example, in July 2002 the AFL-CIO announced a program of mortgage financing for union members in Los Angeles. The program includes reduced transactions fees and other advantages over commercially available mortgages.

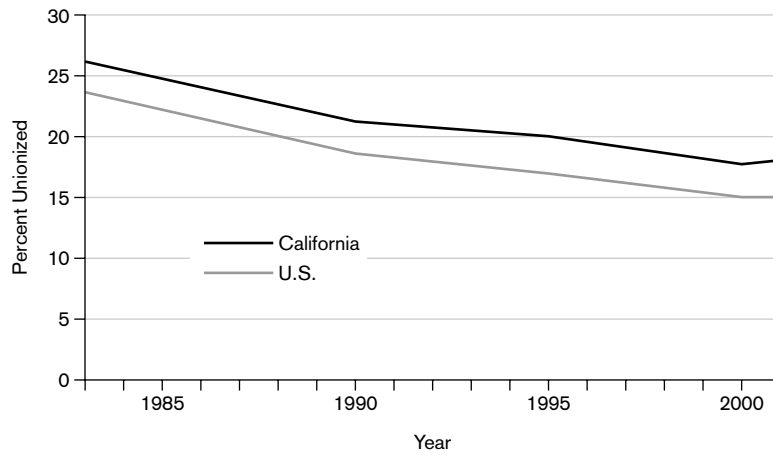


FIGURE 6.1 Union Representation Rates in California and the United States, 1983–2001

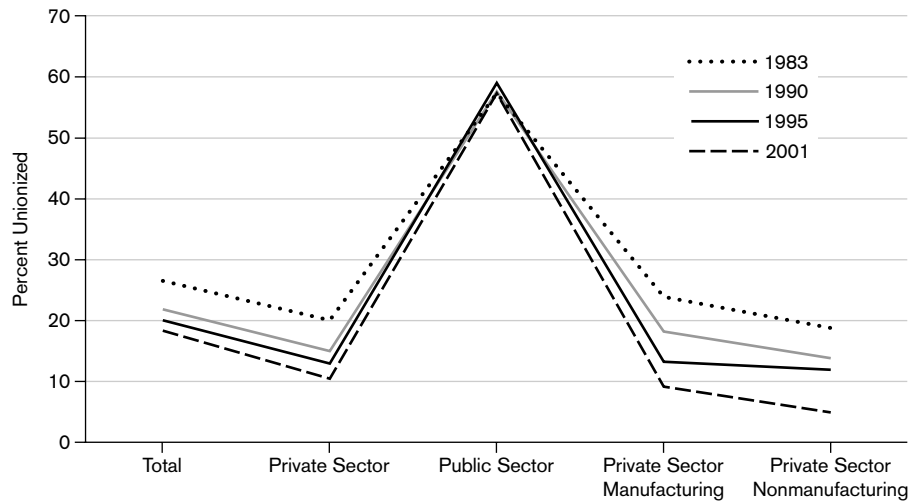


FIGURE 6.2 Union Representation Rates in California, by Major Sector, Selected Years, 1983–2001

of California’s union-represented workforce over time. As Figure 6.3 shows, by 2001 fully half of the state’s unionized workers were in the public sector, compared to only 37 percent in 1983. Most of the private sector decline was in manufacturing employment, while in private nonmanufacturing unionization was fairly stable.

California’s overall employment level grew disproportionately during the 1980s relative to employment in the U.S. as a whole, but it slowed during the recession in the early 1990s. Not surprisingly, then, as Figure 6.4 shows, union representation in California rose as a share of all union-represented workers in the United States dur-

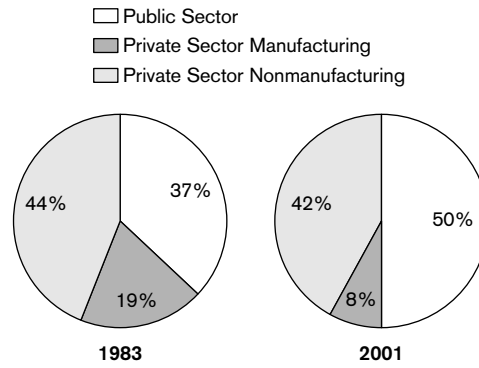


FIGURE 6.3 Union-Represented Workers in California, by Major Sector, 1983 and 2001

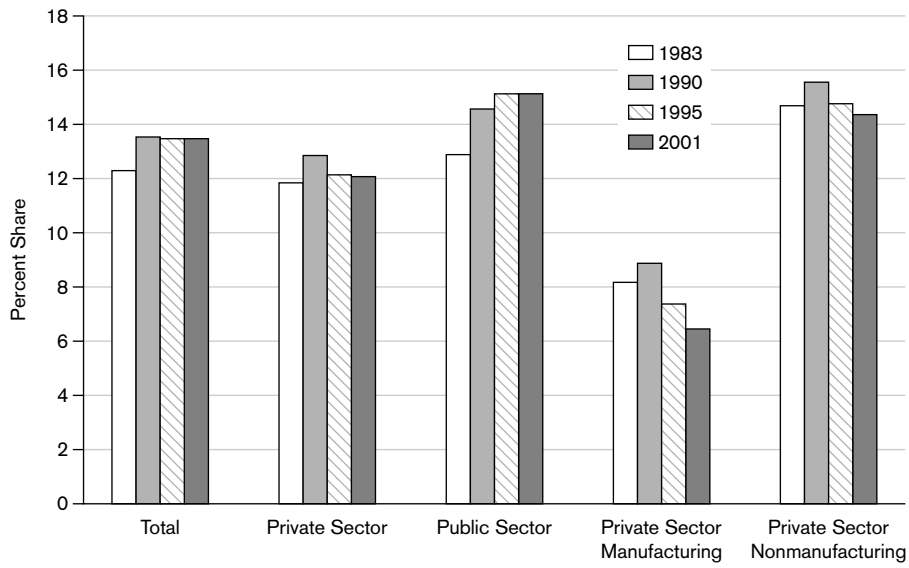


FIGURE 6.4 California's Share of All Union-Represented Workers in the United States, by Major Sector, Selected Years, 1983-2001

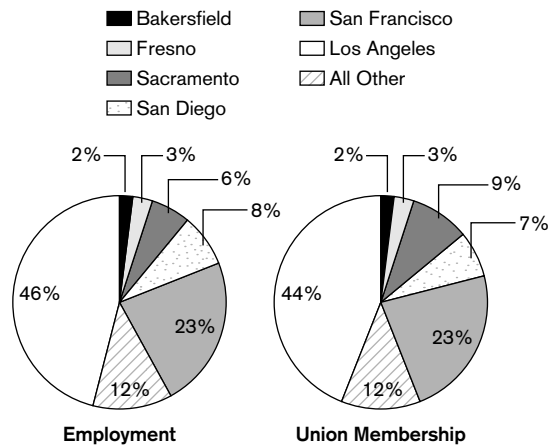


FIGURE 6.5 Employment and Union Representation Rates in California, by Region, All Sectors, 2001

ing the 1980s but was largely unchanged in the 1990s. Again, this relative growth in the 1980s was a product of public sector—rather than private sector—trends.

Figure 6.5 compares the distribution of employment with the distribution of union-represented workers in six metropolitan areas.⁴ About two-thirds of union-represented workers in California can be found in the San Francisco Bay and Los Angeles areas. Not surprisingly, as the second largest metropolis in the nation, the Los Angeles area dominates. Nevertheless, the Sacramento area has a disproportionate share of union representation, because of its high level of public sector employment.

Major Union Contracts

As noted earlier, the BLS no longer publishes data on—or analysis of—major union settlements (agreements covering 1,000 or more workers). The agency has also discontinued publishing “wage calendars,” lists of upcoming contract expirations. Nevertheless, BLS does continue under a legal mandate to maintain a file of such contracts in its Washington, D.C. offices, and it provides a database of those agreements on its Web site (www.bls.gov). From that source it is possible to extract information on California contracts.

Appendix 6A provides a listing of such contracts in the private sector known to the

4. The areas shown are metropolitan statistical areas (MSAs) or consolidated metropolitan statistical areas (CMSAs) for Bakersfield, Fresno, Los Angeles–Riverside–Orange County, Sacramento–Yolo, San Diego, San Francisco–Oakland–San Jose, and residual areas. Because of small sample sizes, we present the data in percentage share form. However, even for the smallest area (Bakersfield), the pie charts are accurate enough to give a reasonable picture of the distribution of unionization.

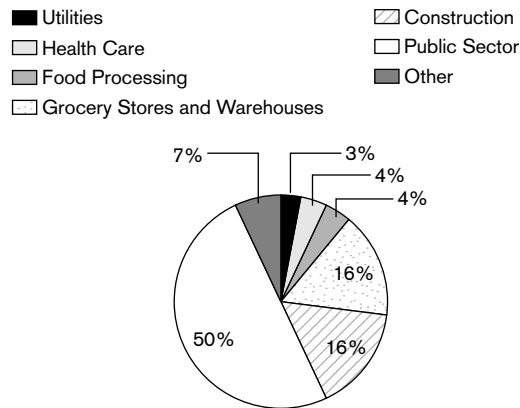


FIGURE 6.6. California Workers Under Major Contracts, by Industry, 2001

BLS as of the end of 2001. BLS major agreements wholly within California covered 610,817 workers in the private sector. CPS data suggest that 1,185,100 private sector employees in California were represented by a union in 2001. Thus, just over half of union workers were covered by major agreements. However, some additional unionized workers in California are covered by multistate contracts; a partial listing of which is included at the end of Appendix 6A. Unfortunately, BLS data do not provide a state-by-state breakdown of the number of workers in California under those or other multistate agreements.

A similar picture emerges from Appendix 6B, which lists public sector contracts in the state covering 628,379 workers. CPS data indicate that there were 1,206,600 union-represented workers in California's public sector. Thus, the proportion of union-represented workers under major contracts in this sector was also a little over half. Very few union-represented workers from other states or localities outside California work within California. (Some unionized federal workers do work within California's borders, but they are not included in the totals.)

BLS reports expiration dates of 2002 or later for 405,815 of the 610,817 workers under major private sector contracts, or about two-thirds, as shown in Appendix 6A.⁵ Contract negotiations for the other third may not have ended by the close of 2001, or may have ended but were not known to the BLS. Alternatively, some bargaining units with contracts expiring before the end of 2001 may not have continued to exist

5. The private Bureau of National Affairs, Inc. (BNA) also provides information on contract expirations (Bureau of National Affairs 2002). Appendices 6A and 6B include the BNA's listing of expirations in 2002 in California and month of expiration where such contracts were not also included in the BLS database. BNA does not provide a detailed industry code for the contract listing it publishes. Thus, where BNA contracts are shown in the Appendices, only the less detailed industry description used by BNA is shown.

after the expiration. Appendix 6A, therefore, provides only a partial wage calendar for known major contracts in California in 2002 and beyond. Some of these contracts will have been renegotiated by the time this volume goes to press. Negotiations to renew contracts typically take longer in the public than in the private sector. Thus only 229,617 of the 628,379 public sector workers shown in Appendix 6B had contract expiration dates of 2002 or later in the BLS listing, a little over a third.

Figure 6.6 provides a sectoral breakdown of union-represented workers under major contracts. About half are in the public sector, a result consistent with the CPS data presented earlier. Within the private sector the largest concentrations are in construction, grocery stores and warehouses, health care, food processing, and utilities.

ECONOMIC BACKGROUND

California experienced a more severe recession in the early 1990s than the rest of the nation, in part reflecting the decline of the aerospace sector in the southern part of the state. But by the late 1990s the dot.com boom centered in the San Francisco Bay Area had powered a recovery and produced substantial gains in employment, income, and tax revenue for the state. The later dot.com bust played a significant role in California's experience of the national recession of 2001-02. (see Pastor and Zabin, this volume) However, unlike the experience of the early 1990s, projections for California (such as those of the *UCLA Anderson Forecast*) suggest a resumption of employment growth of about 2 percent annually by 2003. Such growth will gradually bring down the state's unemployment rate.

There is always an unknown element in economic forecasting. Some analysts have expressed concern, for example, about a California housing price bubble that could burst, depressing consumer spending. Nevertheless, at this writing employers' hiring intentions—as surveyed by Manpower, Inc.—suggest that early 2002 saw the recession's trough.

Figure 6.7 shows results of the Manpower survey for the state as a whole, and for Northern and Southern California separately, between the first quarter of 1999 and the third quarter of 2002.⁶ The survey asks employers whether they intend to hire workers, lay off workers, or maintain their current staffing levels, in the quarter following the survey date. The difference between the percentage of employers planning hiring and the percentage planning layoffs has proved to be a reasonably accurate short-term indicator. It does not necessarily predict the actual subsequent change in employment, but it is correlated with that change. If the gap between projected hiring and projected layoffs widens, economic conditions tend to improve,

6. Because of substantial seasonality in employers' projections, the Figures depict employer forecasts separately by the quarter *predicted*. Note that the employers made their predictions in the *preceding* quarter. Thus, for example, predictions for the third quarter of 2002 are based on employer predictions made in the second quarter of 2002.

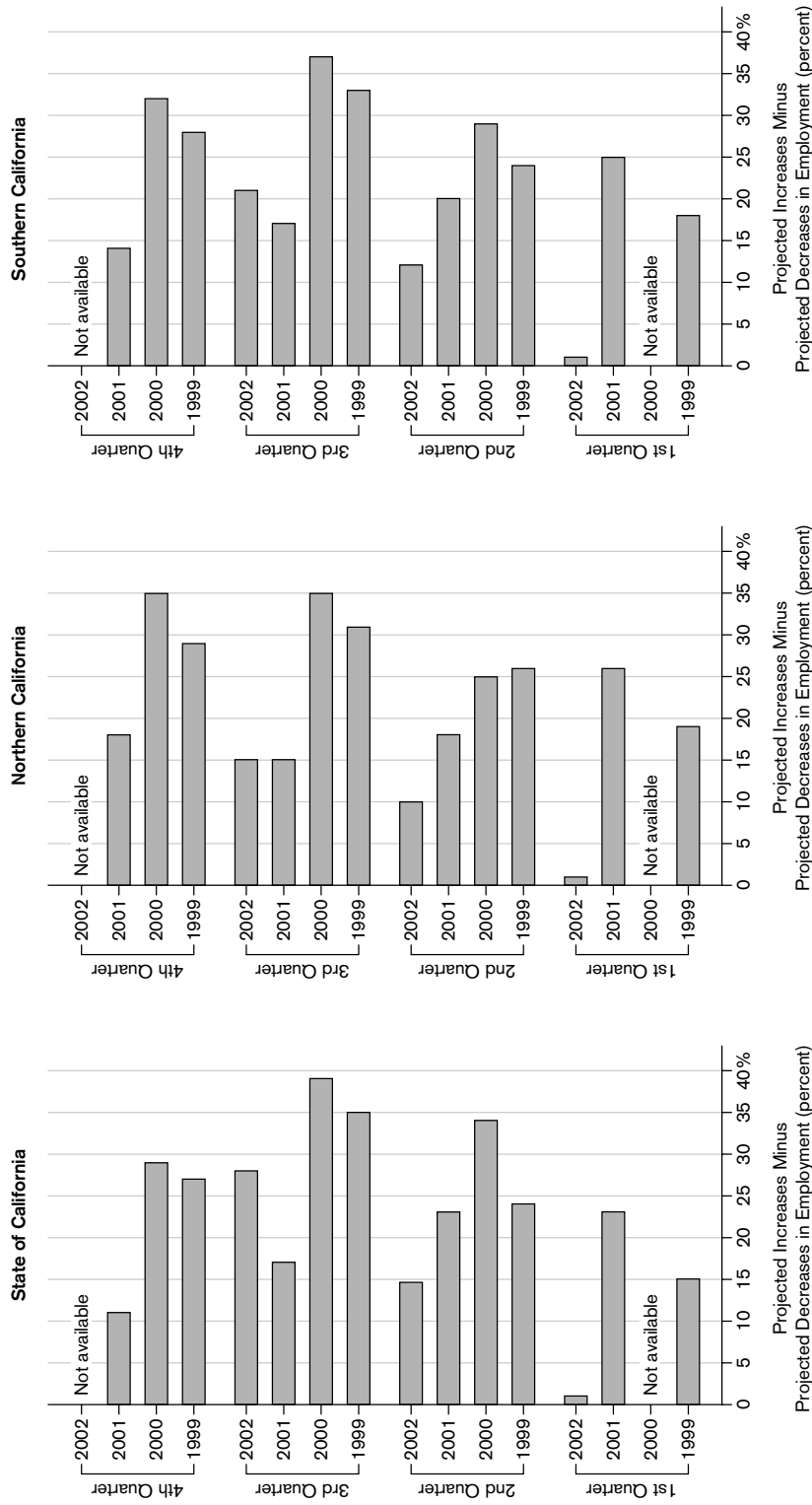


FIGURE 6.7 Manpower, Inc., Employer Intention Survey: Projected Increases in New Jobs Minus Projected Number of Layoffs (in percentage points), 1999-2002

TABLE 6.1 First-Year Median Union Wage Settlements in California and the U.S.: 1999–2001

	BUSINESS SECTOR		STATE AND LOCAL GOVT.	
	<i>Calif.</i>	<i>U.S.</i>	<i>Calif.</i>	<i>U.S.</i>
1999	3.6%	3.0%	4.0%	3.0%
2000	4.0	3.4	3.0	3.5
2001	4.1	3.5	5.0	3.5

NOTE: Settlement data do not include escalator adjustments or lump-sum bonuses.

SOURCE: Settlements reported in Daily Labor Report.

and vice versa. Estimates for the third quarter of 2002 suggest a sense among California employers overall that the recession was bottoming out. That sentiment seems concentrated in Northern California, where the dot.com bust was especially disruptive. Employers in Southern California seem less sanguine, perhaps because the recession was slower to come to the south.

Generally, a soft economy—other things equal—tends to make bargaining more difficult for unions because the economic “pie” is smaller. The focus may shift from pay and benefits to job security. In California the problems of the private sector have been magnified in the public arena by the loss of state tax revenue caused by the recession and the dramatic reduction of taxable capital gains from stocks and stock options. Because of revenue-sharing arrangements, state-level budgetary problems have also affected local entities such as counties and school districts.

Despite these constraints, first-year negotiated wage increases in California have generally been above the national average, as shown in Table 6.1. No deceleration occurred in 2001, despite the recession that began in that year. It may be that there will be some wage deceleration in 2002, especially in the public sector. But since most public sector bargaining occurs in the context of the state budget cycle, and since the budget was delayed in enactment, data on settlements in government for 2002 are not available at this writing.

GENERAL DEVELOPMENTS IN CALIFORNIA LABOR RELATIONS

Since organized labor’s 1998 success in defeating a “paycheck protection” initiative that would have made union funding of political campaigns more difficult, unions in California have increasingly emphasized the political channel. Labor’s endorsement of Gray Davis for governor in 1998 and Davis’ subsequent victory were important signs of labor’s political clout within the state. The California Labor Federation formally en-

dorsed Davis for reelection almost a year before the November 2002 vote. Of course, the support of organized labor has not always meant that union-friendly bills will pass the legislature or be signed by the governor. But Davis did sign a bill toughening the state's "Little Norris-LaGuardia Act," which limits the ability of state courts to issue labor injunctions. In 2000 he signed AB 1889, which prohibits state contractors from using public funds to discourage union organizing efforts. Davis approved legislation widening the use of the "agency shop" in the public sector.⁷ He also extended federal discretionary funding to the research arm of the Los Angeles County Federation of Labor in April 2002 for a study of the county's economic and training needs.

In the area of more general legislation, Davis vetoed a bill requiring e-mail privacy at the workplace. But he signed into law a major hike in the state's level of Workers' Compensation benefits—the first increase since 1996. With a phase-in to begin in January 2003, increases in workers' compensation benefits will follow an automatic escalation tied to California wage rates. Benefits will rise from \$490 a week to \$840 a week by 2006. Davis also signed legislation increasing unemployment benefits, initially to be effective in January 2002 but then retroactively moved to September 11, 2001.

In 2001 California adopted an amendment to its Fair Employment and Housing Act prohibiting workplace rules that restrict the use of a foreign language, except in cases of business necessity. The change reflects the growing workforce diversity and presence of immigrant workers in the state. Despite the state's budgetary problems, Davis signed a bill to conform California tax law to federal policy, benefiting workers with 401(k) retirement plans or IRAs. And in March 2002 the governor proposed a reorganization plan for the state's labor agencies. The plan creates a new Labor and Workforce Development Agency containing various existing entities, including the Agricultural Labor Relations Board, the Employment Development Department, the Department of Industrial Relations, and the Workforce Investment Boards.

Although organized labor's endorsement of a candidate has not always meant a sure win on Election Day, in some parts of the state, most notably Los Angeles, union-backed candidates have a high success rate. A major recent exception was the defeat of Antonio Villaraigosa for mayor in 2001, despite endorsement by the L.A. County Federation of Labor. Nevertheless, many California candidates do seek the endorsement and electoral support of individual unions and central labor councils. And unions can influence major referenda and other policy initiatives. For example, municipal unions in Los Angeles are likely to play an active role in the November 2002 vote concerning the possible secession of the San Fernando Valley and Hollywood from the larger city.

National developments, such as court decisions and legislation, inevitably affect labor relations in California as well. The state is a major player in international trade, because of its ports and airports, and its low-wage manufacturing is especially vul-

7. Under agency shop provisions, nonmembers in bargaining units represented by unions pay a fee to the union for representation services.

nerable to foreign competition. Although the state is not a major steel producer, the Bush administration's decision to reinstate tariffs on steel could indirectly affect the California economy. In particular, retaliation by the European Union or other countries for the steel decision could affect California exports. In addition, there have been moves in Congress to widen the Trade Adjustment Assistance (TAA) program for workers displaced by international commerce, particularly the North American Free Trade Agreement (NAFTA). The form of such payments could change; the Bush administration is promoting "wage insurance"—enhanced unemployment benefits—rather than retraining and similar programs. Congress rejected "legacy payments" aimed at retaining retiree health insurance for workers retired from now-bankrupt steel firms. But the issue of benefits for displaced workers—as opposed to just adjustment and cash payments—may yet arise again.

Federal court decisions have had important reverberations in California recently. In March 2002, in an 11–0 decision, the 9th Circuit of the U.S. Court of Appeals (which covers California and some other western states) ruled that nonmembers in a unionized shop can be charged fees that include organizing expenses. The court ruled that unions could include organizing expenses in the fees because, in organizing competing nonunion employers, unions helped protect the wages and benefits of their existing members. And earlier in the year a federal district court struck down a presidential executive order requiring "Beck" notices from federal contractors to their employees. Such notices would inform nonmembers of their right not to pay full dues in union shops, but only representation expenses.

While those decisions could be seen as benefiting unions, in March 2002 the U.S. Supreme Court ruled in a 5–4 decision that employers of undocumented immigrants could not be ordered to reinstate them or to pay them back wages if they were fired for union activity, as federal law would otherwise require (*Hoffman Plastic Compounds, Inc. v. NLRB*). The decision effectively eliminated the penalty for unfair labor practices for undocumented workers. Earlier, in November 2001, the Supreme Court let stand a lower court's dismissal of a Steelworkers union challenge to NAFTA. The union argued that the "fast track" procedure used to adopt NAFTA was unconstitutional. And in June 2002 the Supreme Court in *BE&K Construction Co. v. NLRB et al.* made it more difficult for the NLRB to enjoin retaliatory lawsuits by employers against unions.

In 2002 public concerns about corporate accounting fraud, excessive executive compensation, lost pension investments, and other matters related to corporate finance and governance surfaced. Absent federal responses to these concerns, the financial and accounting scandals of 2002 could well lead to political responses and legislative repercussions at the state level. Public perceptions of these scandals may in turn influence unions' bargaining and organizing strategies. Organized labor has taken a strong stand defending workers who have suffered from layoffs or lost value in their 401(k) retirement plans—although many of these workers are not union members.

Finally, although it is easier to assess the past than forecast the future, skyrocketing health insurance premiums will undoubtedly be a prominent issue in union-management bargaining over the next few years. When such costs rise, employers have fewer resources available for cash wages or other benefits. A survey conducted by the *UCLA Anderson Forecast* found that employers are expecting large increases in health costs (Basqua et al. 2002). Many of them will seek to transfer those costs to their employees through co-payments or deductibles or to cut back on the health programs they offer. Again, we can expect a strong union response in the bargaining and organizing arenas should that occur.

PRIVATE SECTOR DEVELOPMENTS

A variety of recent developments have reshaped California's labor relations scene in particular industries.⁸ During 2001 only three "major" work stoppages (involving 1,000 or more workers) occurred in California, as Table 6.2 shows. All were in the private sector.

NLRB data offer one measure of the labor relations climate in the state.⁹ As Table 6.3 shows, over the past five years large numbers of unfair labor practice charges (ULPs) have been filed with the NLRB in California. Many of these are ultimately dismissed or withdrawn, but they often reflect disputes in the context of organizing campaigns or contract negotiations.¹⁰

During 2001 health care employers, the Postal Service, and "special trade" construction firms led the list of employers against whom charges were filed under Section 8(a) (Table 6.4a). Individual workers filed about a fifth of those charges, in many cases claiming they were fired or disciplined for union activities. The top unions filing charges were the Teamsters and the Service Employees (Table 6.4b). Since ULP charges and countercharges often arise from the same disputes, it is not surprising that the Postal Service, hospitals, and special trade construction firms topped the list of employers filing 8(b) charges against unions. Similarly, the Service Employees and the Teamsters were the unions most often charged with ULPs in 2001 (Tables 6.5a and 6.5b).

Union contracts often contain provisions for binding arbitration for unresolved grievances. One source of arbitrators is a database maintained by the Federal Mediation and Conciliation Service (FMCS). When the parties request assistance from FMCS in finding an arbitrator, the agency sends them a short list of names

8. Information for this section is based on public media reporting.

9. The NLRB has jurisdiction in the private sector, except for railroads, airlines, agriculture, and very small employers. It also covers the Postal Service, a federally owned enterprise.

10. Individual workers and unions file Section 8(a) charges against employers; employers file Section 8(b) charges against unions. The text of these sections of the law can be found at <http://www.nlr.gov/publications/nlr4.pdf>.

TABLE 6.2 Work Stoppages Involving 1,000 or More Workers, Selected Data for California and the United States, 2001

<i>Organizations involved and location</i>	<i>Beginning date</i>	<i>Ending date</i>	<i>Number of workers</i>	<i>Days idle</i>
Hospitals Service Employees Northern California	4/16/01	4/19/01	3,500	10,500
Painters and Finishing Contractors San Francisco, CA, Area Painters	7/01/01	7/30/01	1,000	21,000
Painting and Decorators Joint Committee Oakland, CA, Area Painters	7/01/01	7/23/01	1,200	18,000
All CA stoppages during 2001		3	5,700	49,500
All US stoppages during 2001		30	101,800	1,151,300

NOTE: The number of workers involved is rounded to the nearest 100.
SOURCE: U.S. Bureau of Labor Statistics

TABLE 6.3 National Labor Relations Board Unfair Labor Practice Charges Filed in California, by Section

CALENDAR YEARS 1997-2001		
<i>Year Case Filed</i>	<i>8(a) charges</i>	<i>8(b) charges</i>
1997	4657	468
1998	1132	401
1999	1160	429
2000	2748	692
2001	2314	652

SOURCE: National Labor Relations Board

TABLE 6.4A Top 10 Industries Charged under NLRB Section 8(a) Unfair Labor Practice Filings, California, 2001.

1 Hospitals	188
2 Postal Service	144
3 Special Trade Contractors	140
4 Administrative and Support Services	116
5 Accommodation	96
6 Nursing and Residential Care Facilities	93
7 Broadcasting and Telecommunications	89
8 Waste Management and Remediation Services	86
9 Food Manufacturing	80
10 Wholesale Trade, Nondurable Goods	65
All California 8(a) Cases (including other industries not shown)	2314

TABLE 6.5A Top 10 Industries Filing Unfair Labor Practice Charges under NLRB Section 8(b), California, 2001.

1 Postal Service	62
2 Hospitals	60
3 Special Trade Contractors	44
4 Administrative and Support Services	37
5 Accommodation	29
6 Broadcasting and Telecommunications	27
7 Food Manufacturing	23
8 Transportation Equipment Manufacturing	20
9 Couriers and Messengers	17
9 Nursing and Residential Care Facilities	17
9 Waste Management and Remediation Services	17
All California 8(b) Cases (including other industries not shown)	652

TABLE 6.4B Top 10 Parties Filing Unfair Labor Practice Charges under NLRB Section 8(a), California, 2001.

1 Individual	466
2 International Brotherhood of Teamsters	341
3 Service Employees International Union (SEIU)	286
4 International Union of Operating Engineers	136
5 Hotel Employees & Restaurant Employees Union	99
6 United Food & Commercial Workers International Union	75
7 Communications Workers of America	73
8 American Postal Workers Union	71
9 Laborers International Union of North America (LIUNA)	61
10 United Brotherhood of Carpenters and Joiners of America	53
All California 8(a) Cases (including other unions not shown)	2314

TABLE 6.5B Unions Charged under NLRB Section 8(b) Unfair Labor Practice Filings, California, 2001.

1 Service Employees International Union, Health Care Workers	100
2 International Brotherhood of Teamsters	95
3 Hotel Employees and Restaurant Employees	43
4 American Postal Workers Union	37
5 Laborers' International Union of North America	31
6 United Food & Commercial Workers	28
7 International Brotherhood of Electrical Workers Union	24
8 Communication Workers of America	23
9 International Longshore and Warehouse Union	23
10 International Union of Operating Engineers	20
All California 8(b) Cases (including other unions not shown)	652

from which to select. During federal fiscal year 2001 California accounted for 729 “panel requests” for arbitrators, about 4 percent of the national total, according to FMCS data. It is unclear whether this surprisingly small proportion—given California’s large share of union-represented workers nationally (about 14 percent)—reflects a lower propensity to use arbitration in California or a higher propensity to obtain arbitrators from non-FMCS sources.¹¹

Contract negotiations, organizing campaigns, and disputes took place in many of California’s private sector industries during recent years. The remainder of this section examines these developments for a series of key industries.

Agriculture

Farm wage and salary employment varies on a seasonal basis from 2 to 3 percent of total California employment. In the 1960s and 1970s the United Farm Workers (UFW) organizing campaign among grape workers attracted international attention and led California to establish its Agricultural Labor Relations Board (ALRB). The ALRB filled a void in labor law, since the NLRB does not cover agriculture.

Because agricultural employment is such a small component of the overall workforce in California, and because the sector is largely nonunion, the ALRB received only about 200 to 400 ULP charges annually over the past decade, as shown in Table 6.6. The board’s administrative law judges dismissed many of these, and the parties themselves resolved most of the others. As a result, the ALRB handed down only a handful of such decisions each year. Similarly, only a few ALRB representation elections took place each year. In early 2002, however, the ALRB adopted various internal regulatory changes that eased requirements for securing union authorization cards and filing ULP charges. In addition, state legislation created a fund to compensate employees awarded damages in cases where restitution from the employer was not possible. The fund receives its resources from monies owed by employers to employees who cannot be located.

During the 1980s the UFW fell on hard times and lost most of its contracts with growers. Some workers are still benefiting from the old contracts, however. A pension fund established under the old agreements and reportedly holding about \$100 million in assets has been seeking out workers eligible for retirement benefits but who have not claimed them. About 2,200 retirees currently receive payments from the fund.

Under new leadership, the UFW has recently begun to revive. Its renewed activity appears to be part of a larger movement among Latinos and immigrants toward unionization. In November 2000 the UFW scrapped its 16-year-old grape boycott

11. Federal fiscal years run from October through September. Parties may also obtain arbitrators from the American Arbitration Association or other sources. Some contracts may specify particular arbitrators who are used regularly. Unfortunately, FMCS could not make available earlier data on panel requests in California.

TABLE 6.6 Agricultural Labor Relations Board Charges and Their Disposition, and ALRB Elections, 1990-2000.

	FY 1990-91	FY 1991-92	FY 1992-93	FY 1993-94	FY 1994-95	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	FY 1999-2000
<i>Unfair Labor Practice Charges Filed</i>										
TYPE OF CHARGE										
Against Employers	NA	273	214	279	292	322	291	219	281	322
Against Unions	NA	14	89	26	39	23	10	20	14	54
Total	394	287	303	305	332	345	301	239	295	376
<i>Unfair Labor Practice Charges Closed</i>										
TYPE OF CLOSURE										
Dismissed	NA	154	128	117	204	190	149	149	175	109
Withdrawn	NA	21	27	30	76	26	166	31	28	80
Into Complaint	NA	72	50	83	48	59	33	34	18	42
Settled	NA	55	92	18	5	16	8	20	7	1
Total	NA	302	297	248	333	291	356	234	228	232
<i>Disposition of Charges</i>										
DISPOSITION										
Withdrawn before hearing	0	1	0	2	5	2	1	4	2	0
Settled before hearing	8	10	8	9	6	6	5	3	7	2
Settled at hearing	7	8	11	5	7	8	7	8	3	2
Settled after hearing	NA	NA	NA	NA	NA	0	1	0	1	0
Total	15	18	19	16	18	16	14	15	13	4

TABLE 6.6 (continued)

	FY 1990-91	FY 1991-92	FY 1992-93	FY 1993-94	FY 1994-95	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	FY 1999-2000
<i>Hearings and ALJ decisions</i>										
HEARINGS AND DECISIONS										
ULP Hearings	16	17	21	12	22	17	9	12	5	3
ULP Decisions	9	15	8	10	10	12	7	4	3	3
<i>Elections</i>										
Petition for Certification	13	12	16	12	NA	NA	2	3	7	5
Petition for Decertification	10	15	4	5	NA	NA	1	2	2	2
Dismissals	NA	NA	NA	NA	NA	NA	2	1	1	1
Elections	15	23	14	9	19	6	1	3	7	6
Objections	NA	NA	NA	NA	NA	NA	0	0	4	4
Certifications	1	8	10	5	12	4	1	2	5	6

SOURCE: Agricultural Labor Relations Board, Annual Reports to the Legislature 1991-1992 through 1999-2000

for more traditional organizing tactics. The union has also decided to move its organizing efforts beyond the agricultural sector. In September 2001 it signed a two-year agreement with a Bakersfield furniture manufacturer that provides wage increases and reduced employee contributions for health insurance. And within its traditional agricultural jurisdiction, the UFW reached a three-year agreement with Coastal Berry in March 2001, for an Oxnard unit covering about 750 workers. The agreement provides a 7 percent wage increase over term, medical benefits, and profit sharing. The union viewed this as a breakthrough in its campaign to organize strawberry workers. However, a rival independent union, the Coastal Berry Farm Workers Committee, retained representation rights for other strawberry workers.

The conflict over representation rights at Coastal Berry left a residue of litigation. In fact, strong resistance to unionization remains characteristic of growers. In June 2002 a growers' representative disputed the UFW claim of 27,000 members, noting that the union had reported only 5,946 members to the U.S. Department of Labor. In response the union pointed to the seasonality of agricultural employment and indicated that the lower figure was as of December, a low point in farm activity. Still, even when it wins representation elections, the UFW has a hard time obtaining first contracts with growers. In mid-2002 the California Legislature passed a bill, sponsored by Senate President John Burton, that would provide for compulsory interest arbitration for initial farm sector agreements. At this writing, it is uncertain whether the Governor will sign the bill.

Although the ALRB rather than the NLRB covers farmworkers, some workers in the closely linked food processing industry fall under federal jurisdiction. An example is winery employees, such as the 1,200 workers at E&J Gallo represented by the United Food and Commercial Workers (UFCW). In June 2002 UFCW negotiated a new three-year pact with Gallo that eliminates the "two tier" elements in the prior agreement and provides nearly 12 percent in wage increases over the term of the agreement.

Finally, housing conditions for farmworkers—which from time to time capture public attention in California—are again becoming a political issue. In the Napa Valley, for instance, voters passed Measure L by a landslide 71 percent in March 2002, allowing growers to tax themselves to provide housing for farmworkers.

Aerospace

The end of the Cold War in the late 1980s and early 1990s led to a dramatic decline in aerospace-related employment in California. A major consolidation of the industry occurred, and employment centers outside California became increasingly important. Today much of the labor relations "action" in aerospace takes place in such cities as Seattle, Wichita, and St. Louis.

In May 2000, 5,200 Boeing workers in Long Beach (at a former McDonnell-Douglas plant) started working under a new four-year contract that provides a 3 percent wage increase in the first year plus lump-sum bonuses and an uncapped cost-of-

living adjustment (COLA). The recession of 2001 hurt commercial airlines, and Boeing announced layoffs and job reductions in August 2001, before the September 11 attacks. The terrorist attacks only exacerbated the decline in airline travel, leading to more layoffs and the possibility that the Long Beach plant—which once employed 40,000 workers—might eventually close.

Although aerospace manufacturing has declined substantially in Southern California, the region retains a substantial engineering and technical workforce. The Southern California Professional Engineering Association (SCPEA), an affiliate of the Office and Professional Employees International Union, (OPEIU), unionized some 4,300 such employees at Boeing. Their latest contract, negotiated in June 2001 and due to expire March 2, 2005, included lump-sum bonuses and merit allocations of 4 percent in the first year. McDonnell-Douglas's consolidation with Boeing, however, created demands within the union for merger with the larger engineering union that represents Boeing engineers, the Society of Professional Engineering Employees in Aerospace (SPEEA). Internal turmoil at SCPEA finally led to a decertification election in July 2002, which removed the union as the official bargaining representative.

It remains to be seen whether the now-nonunion engineers will eventually pursue representation by the larger Boeing union, which has undergone some internal political turmoil of its own.¹² SPEEA has had organizing success elsewhere in the country. But in the short run, the loss of a large unit of professionals certainly created adverse publicity for organized labor. The episode suggests a need for an advance warning system for the California union movement when local union activities threaten to create adverse “externalities.” Perhaps, had such a monitoring system been in place, outside resources might have been brought to bear to meet the concerns of those who voted for decertification.

Despite the impact of the recession and the 9/11 attacks on aerospace, workers at Lockheed-Martin, including some at Sunnyvale, Palmdale, and Lompoc in California, rejected a company contract offer at union urging and voted to strike in March 2002. The California plants eventually ratified an agreement without a work stoppage, although a strike occurred elsewhere in the country. Over the long run, however, the summer 2002 negotiations between Boeing and the International Association of Machinists and Aerospace Workers (IAM), for a new agreement covering 25,000 workers in Seattle, Portland (Oregon), and Wichita, is likely to have a strong indirect effect on aerospace workers in California.

Airlines

No major airlines have headquarters in California, a state that once was home to such regional carriers as PSA and Western. Airline employment involves less than 1

12. A recall election of top SPEEA officials was underway at about the same time the SCPEA decertification election took place.

percent of total wage and salary employment in the state. Nonetheless, the industry is quite important for the state's tourism sector. Key airlines fly in and out of airports in Los Angeles, San Francisco, San Diego, and other cities. Apart from passenger traffic, airlines transport low-weight but high-value freight to and from California. The state's airports are also important stopover points for passengers and freight going to other national and international destinations.

The airline industry underwent recession-related revenue and profit losses even before the 9/11 attacks. In their aftermath, however, the industry sustained massive layoffs and drops in air travel. Security measures and reduced traffic have put financial strains on airport operating agencies and concessionaires. And the new federal Transportation Security Agency (TSA) is taking over some private functions at airports, especially baggage screening. TSA officials report that the agency plans to hire 50,000 screeners nationwide by the end of 2002.

The federalization of airline security was a contentious issue in Congress and produced a split among unions. The Service Employees International Union (SEIU) had been organizing screeners, many of whom were low-wage immigrants, before 9/11. It opposed federalization and requirements that screeners be U.S. citizens. But unions that organize mainly in the public sector—such as the American Federation of Government Employees (AFGE) and the American Federation of State, County and Municipal Employees (AFSCME)—supported federalization. Nevertheless, whether screeners would even be eligible for unionization—and the degree to which they would have “whistleblower” protections—remained unsettled. TSA indicated it wanted to have maximum flexibility to fire workers deemed security risks. The new federal citizenship requirements produced a strike threat at San Francisco International Airport. To meet such concerns, California's U.S. Senator Diane Feinstein supported a bill that would allow the hiring of workers who were in the process of becoming citizens.¹³

Airlines have followed different business strategies in the wake of 9/11. Southwest, a major carrier in California, retained its schedule even in the face of reduced passenger demand. Management offered to extend the existing agreement with its pilots by two years (to 2006) to assure long-term labor relations continuity. The offer involved pay increases and stock options. Southwest managed to remain profitable despite 9/11. In fact, in June 2002 its mechanics, represented by the Teamsters, rejected the company's “best and final offer”—on the grounds that the company's profitability justified a more generous contract.

13. President Bush's proposal for a new cabinet agency—including TSA—to deal with homeland security would reduce the number of workers with the protections (including union rights) enjoyed by other federal workers. This matter is likely to be debated intensely in Congress. The issue will be important in California—not only for federal employees at airports, but also for operators and workers at the at seaports in the state, not to mention its large immigrant population. Federal employees dealing with trade and immigration are likely to be incorporated into the new agency.

United Airlines, in contrast, made major cuts in its schedule and discontinued its United Shuttle subsidiary in California. Although the federal Air Transportation Safety and System Stabilization Act (ATSSSA) of September 2001 offered loan guarantees to airlines in financial distress, most airlines waited until the application deadline—late June 2002—before applying. United applied, as did smaller, discount airlines such as ATA. The ATSSSA specified that federal authorities would not approve a loan guarantees unless the carrier obtained contract concessions from their unions. All major carriers flying to California have unionized pilots, including largely nonunion Delta. Apart from Delta, the major carriers also have unionized mechanics, flight attendants, and reservation clerks.

In addition to the loan guarantees, airline carriers received \$5 billion in direct federal aid after the terrorist attacks. Some carriers, however, announced that under emergency provisions of their union contracts, they would conduct post-9/11 layoffs without providing normal severance pay. Protests by unions—and adverse public reaction—forced a retreat from that approach. In some cases, the carriers relied on early retirement and voluntary furlough plans to avert actual layoffs. Workers at Frontier took pay cuts for two months.

Despite the obvious economic distress in the airline industry, unions were unsuccessful in obtaining adjustment assistance for airline workers from Congress. They had other concerns, as well, relating to flight security. At one point the Association of Flight Attendants threatened job actions to protest lax anti-terrorist programs, citing a lack of training in security measures. Pilots and their unions generally favored rules allowing them to have guns in the cockpit in the event that measures such as secured cockpit doors and airport screening failed to foil hijackers. The TSA, however, was reticent about such a policy, although it appears that some arming of pilots may yet take place.

Labor developments in the trucking industry have influenced the airlines, because in addition to drivers and other employees, the Teamsters union represents aircraft mechanics at United Parcel Service. UPS reached a tentative four-year agreement with the Teamsters for its aircraft mechanics in December 2001, providing a 28 percent wage increase over the four-year term. The membership rejected the offer, however. A larger UPS-Teamsters agreement in the trucking sector will expire during the summer of 2002 (see below).

Over the past few years the airline industry has witnessed some consolidation of union representation. The independent pilots union at Continental and Continental Express joined the AFL-CIO-affiliated ALPA in June 2001, and the independent pilots union at FedEx joined ALPA six months later.

American Airlines: At American Airlines relations between the independent Allied Pilots Association and management were complicated long before 9/11. The union owed the airline a court-ordered payment of \$45.5 million as the result of a sick-out by pilots in 1999. But a federal court rejected a suit by passengers against the

union in connection with the same sick-out. Another independent union at American representing flight attendants threatened a strike in early 2001, prompting a declaration from the White House that it would block the strike pursuant to the Railway Labor Act. Eventually, the parties reached agreement without a stoppage during summer 2001, and the membership ratified it after September 11. American's merger with TWA led to concerns among pilots about combined seniority rosters. That dispute was also settled in summer 2001. The Transport Workers Union (TWU) also reached agreement with management on a new contract for 31,000 service workers at that time.

Delta Airlines. In June 2002 Delta reached agreement with its ALPA pilots on a five-year contract with an 11 percent wage increase in the first year. The union filed grievances concerning the handling of post-9/11 layoffs but eventually agreed to a system of voluntary furloughs and reduced pay to cushion the impact. During the summer of 2001 the Association of Flight Attendants launched an organizing campaign at the airline. The post-9/11 anthrax scare delayed a mail-ballot representation election under the auspices of the National Mediation Board. Although the AFA won a majority of the ballots received, it failed to obtain a majority of the workers in the unit—a requirement for certification under the Railway Labor Act—since not all workers voted. Management granted significant pay increases in early 2002 to its nonunion mechanics, who were the target of an organizing campaign by the Aircraft Mechanics Fraternal Association. Delta asserted that the pay increases, reportedly making its mechanics the highest paid in the industry, were unrelated to the campaign.

United Airlines. United Airlines is unique as a major carrier because it is 55 percent owned by its employees. Thus, its unions have an important influence on such management decisions as selection of the carrier's CEO. Despite this arrangement, labor relations at the carrier have been rocky. United began 2001 with a dispute with the International Association of Machinists (IAM) over a contract renegotiation. Complicating the dispute was a petition from the Aircraft Mechanics Fraternal Association to replace IAM as the bargaining representative, a petition the National Mediation Board rejected in summer 2001. In spring 2001 United flight attendants (who are not part of the ownership arrangement) threatened a work slowdown. Both they and the Machinists were concerned about a proposed merger with US Airways, a proposal that was later dropped. Flight attendants at United are operating under a long-term agreement providing for interest arbitration of wage claims. The arbitrators rejected a pay increase in 2001 but in 2002 did provide one, based on the pay prevailing at other major carriers. President Bush indicated he would block a Machinists strike during the holiday season of late 2001, and he appointed a Presidential Emergency Board. Eventually, the Board proposed catch-up pay increases for the Machinists, which the union rejected. The parties did not reach a settlement until March 2002. Amidst all this turmoil United's board of directors, under union pressure, dismissed its

CEO shortly after 9/11, for his statements indicating the airline was “bleeding” money. United applied for federal loan guarantees in June 2002 and received a concession offer from its pilots. The carrier may well negotiate similar concessions with other unions.

Baseball

In 1994 a dispute between the major league team owners and the Major League Baseball Players Association (MLBPA) led to a strike and premature termination of the season. The World Series was canceled and—both sides seem to agree—fan interest in the sport waned as a result. A contract between the owners and the MLBPA expired in November 2001 (after the 2001 season) and was still in negotiations as the 2002 season began. A settlement was reached at the 11th hour in August 2002.

Apart from minimum pay scales, the issues involved testing players for drugs such as steroids and how such testing might be conducted. Previous baseball contracts have been of special interest to industrial relations specialists because of their unusual features. Although the agreements specify minimum pay scales, as in other industries, star players may use a “final offer” system to arbitrate their individual pay disputes. Under that system the arbitrator picks either the management’s or the player’s proposal and cannot compromise. This system is viewed as deterring either side from making unreasonable offers that the arbitrator is likely to reject.

Construction

Construction is an important sector in California, accounting for about 5 percent of all wage and salary workers. As in other parts of the country, competition between the union and nonunion firms in the industry is often intense. Construction unions have been concerned about the rise of temporary employment agencies supplying labor to contractors. In February 2001 suits complaining of wage-and-hour law violations were filed against Labor Ready in California as part of a larger AFL-CIO Building and Construction Trades Department effort. Among the charges was the firm’s failure to pay for workers’ transit time to worksites. Construction unions have also pushed for state legislation making the overall contractor the “employer of record” even when temps are used.

Many state and local governments, and the federal government during the Clinton years, implemented “project labor agreements” setting pay and conditions and guaranteeing labor peace.¹⁴ Shortly after taking office, however, President Bush signed an executive order restricting such agreements on federal construction. The order was subsequently modified to allow existing projects covered by such agreements to proceed. Unions challenged the overall Bush order, delaying implementation until July 2002 when a federal appeals court ruled in the administration’s favor.

14. Johnston-Dodds (2001: 63–64) provides a list of project labor agreements negotiated in California during 1984–2001.

More generally, unions have sought to hold public employers to union standards. Thus, in June 2001 the Los Angeles Department of Water and Power re-bid a contract for a Sun Valley power plant after having selected a nonunion contractor.

Disputes have arisen among construction unions concerning membership erosion and the thrust of new organizing campaigns. The boom of the late 1990s led to strong growth in construction employment, some of which unions were able to capture by new organizing or by expanded employment in existing union shops. Union organizing in construction almost never involves NLRB elections, though, because of the tendency of workers to move from project to project.

The United Brotherhood of Carpenters and Joiners of America withdrew from the AFL-CIO in March 2001. In doing so, the Carpenters opened the door to jurisdictional disputes with other craft unions that normally would have been resolved by internal AFL-CIO procedures. Although the Carpenters' concerns are national in scope, the division among construction unions could eventually create frictions within California.

Entertainment

Hollywood has long been a highly unionized industry, and has been an important terrain of labor activity in recent years. A long strike began in May 2000 by the Screen Actors Guild (SAG) and the American Federation of Television and Radio Artists (AFTRA) against ad agencies that produce commercials. A key issue was the method of payment: a flat fee (as was the practice in cable) versus a per appearance fee. Among the many advertisers targeted in the course of the strike were General Motors, AT&T, Procter & Gamble, and the Bush presidential campaign. The two unions also targeted celebrities, such as basketball star Shaquille O'Neal and golfer Tiger Woods.

Some advertisers went to Canada to produce commercials during the course of the strike. On-again, off-again negotiations and unfair labor practice charges by both sides characterized the bargaining process. Individual advertisers—such as the California Milk Processors Board—and various ad agencies signed interim agreements with the unions. Eventually, in October 2000, the parties reached an agreement. The new deal increased flat fees for cable ads and rejected the demand by advertisers for flat fees on network TV.

The removal of advertising to Canada during the strike was part of a larger controversy about film production and government subsidies for such production in Canada. Such “runaway” production affects mainly below-the-line jobs in the industry. A U.S. Department of Commerce study endorsed the idea that California jobs were being lost to Canada. But the general lack of solid industry data in Hollywood has limited the ability of neutral analysts to make such a determination.

Nevertheless, SAG and two California Teamsters locals developed plans to file a complaint with the International Trade Commission (ITC) concerning Canadian subsidies. Normally, when trade in goods is involved, proof of foreign subsidies results in

countervailing tariffs by the United States. The degree to which such procedures could be applied in motion picture production is unclear. Film producers, not surprisingly, were opposed to the proposed suit and argued instead for U.S. government subsidies to offset Canadian subsidies. California's U.S. Senator Barbara Boxer initially endorsed the unions' approach but subsequently withdrew her support. The unions ultimately withdrew the petition, without a decision by the ITC, in January 2002.

After the ad strike, SAG and AFTRA faced a dispute involving the Hollywood film and TV actors' contract expiring July 1, 2001. Movie production slowed in anticipation of a possible strike. Employers represented by AMPTP, the Alliance of Motion Picture and Television Producers, settled first with the Writers Guild of America and then moved to the actors' negotiations. The bargaining focused on issues of concern to "middle class" actors earning \$30,000–\$70,000 a year. Negotiations continued after the contract expired and soon produced a three-year deal with basic pay raises but no change in compensation related to video and DVD sales. The contract allowed Fox Broadcasting to continue paying lower rates than the other major networks but brought it up to the general standard in the third year. The agreement reportedly will provide special increases for lower paid actors and cost \$120 million over its life. A strong majority of SAG's membership voted to ratify in August 2001, and AFTRA reached a similar pattern deal with the TV networks and producers in November 2001.

SAG has also had to deal with a complex issue affecting those of its members with "agents" as representatives. Under a six-decade old agreement expiring in January 2002, such agents were not to have linkages with ad agencies, entertainment firms, or production companies, to avoid conflicts of interest. Talent managers performing similar services were not so constrained, however. Agents negotiated a new tentative pact with SAG that allowed them greater commercial freedom in exchange for support in a campaign to see that SAG members receive union wages wherever in the world they are employed. The SAG membership rejected the pact in April 2002, leaving the agent matter in limbo.

Internal political problems have plagued SAG. A 2000 report for the union by the consulting firm Towers Perrin pointed to an oversized SAG board, with 105 directors, and expensive offices around the country. Many members work only part-time in the industry, some very part-time, but all have a say in union policy. The board selected a new SAG executive director after a long search in June 2001, but the candidate declined the job after board dissidents questioned his authority. Although the board hired a replacement in September 2001, a tense presidential election campaign, which had to be rerun after a challenge to the voting procedures, diverted union attention from its internal managerial issues.

The Writers Guild contract expired in May 2001. During negotiations both workers and management watched the process closely, edgy with memories of a 22-week writers' strike in 1988. The talks had episodes of collapse and resumption before the

parties reached a settlement in May 2001. The settlement was influenced by the recently announced layoffs at NBC, AOL Time Warner, and Disney, as well as pressure from outgoing L.A. Mayor Richard Riordan and others fearful of the economic consequences of a strike on the local economy. The eventual three-year pact produced more money for writers for original cable and pay-TV programs, but not for network shows run on cable. An interesting feature was an acknowledgment of certain “creative rights” for writers, including the right to be on the set and attend premieres. Nevertheless, tensions over such rights between directors and writers remained.

Meanwhile, the directors themselves had to renegotiate their contracts with the AMPTP and major TV networks. The Directors Guild contract with AMPTP was due to expire in June 2002, but the parties were able to settle six months earlier, avoiding a disruption of production. The Guild did not reach a settlement with the networks until June (without a strike).

In other labor relations developments the National Association of Broadcast Employees and Technicians (NABET) reached a four-year deal with NBC in spring 2002. Disneyland also reached a four-year deal with the various unions representing its workers. But not all compensation arrangements in entertainment came through collective bargaining. Recording artists brought complaints to the California state legislature over what they considered the excessively lengthy individual contract durations allowed under state law. Finally, when NBC acquired the Spanish-language Telemundo TV network in April 2002, AFTRA demanded that NBC grant it representation rights for two Telemundo stations in Los Angeles that had resisted union organizing efforts in the past. The union appealed to city political leaders as part of its campaign to extend its contract with NBC’s English-language affiliate in Los Angeles to the Spanish-language stations.

Health Care

Health care for American workers and their families has been supplied largely by employer-based private insurance since the end of World War II. Programs such as Medicare have covered nonworkers—such as retirees, persons on welfare, and, more recently, children of the working poor. Attempts in California during the 1940s by then-Governor Earl Warren to enact a state-run health insurance plan failed, primarily because of doctor opposition. Efforts in the 1990s to resurrect the idea of either a state plan or an employer mandate for coverage also failed. Thus, California’s health care system remains—as in the rest of the nation—a hodge-podge of employer plans and public programs. De facto coverage for those not under any formal plan ends up being provided by county hospitals and emergency rooms.

The decentralized health care system has been subject to waves of efforts at cost containment by insurers, employers, and government agencies. During the 1990s those efforts held down the skyrocketing premiums for coverage, but only for a time.

More recently, cost pressures have risen again, fed in part by public concerns about excessive rationing of access to needed services by HMOs and “managed care.”

As a labor-intensive industry, health care providers focus much of their cost containment on wages. Nurses’ wages seem to have been most at risk. The result has been growing concern over a nursing shortage. Early in 2002, for example, California adopted rules establishing minimum nurse-to-patient ratios in emergency rooms. But absent high enough wages to attract more nurses into the profession, such rules simply tend to shift the overall shortage to other facilities.

Some employers in health care have in fact boosted nurses’ wages recently. During the summer of 2001, for example, Kaiser Permanente in Northern California raised nurses’ wages 11 percent above the levels required in its union contract—to deal with the labor shortage. Nurses at University of California hospitals threatened a one-day strike in May 2002, which was averted by a new three-year agreement with the California Nurses Association (CNA). Covering 8,000 workers, and ratified by a 95 percent margin, the contract includes pay increases of 19 to 25 percent over term and an end to the “merit” system that the nurses said management had abused. As it happened, many other CNA-negotiated contracts came up for renegotiation in summer 2002. And some nonunion nurses have voted for union coverage in the face of cost containment. Thus, SEIU won a representation election at a nursing unit at Northridge Hospital Medical Center in September 2001, and CNA won representation rights for nurses at Long Beach Memorial Medical Center in November 2001.

In fact, SEIU and CNA have been in competition to represent nurses in California. CNA formed an “alliance” with the United Steelworkers as part of its organizing strategy, which, among other things, gives CNA members access to a Steelworkers pension plan. Perhaps more significantly, the two unions have agreed to coordinate their efforts, with CNA focused on nurses and the Steelworkers on other health care occupations.

Agitation for union coverage has extended beyond nurses to other health care workers. A long-running representation dispute between SEIU and Catholic Healthcare West (CWC) eventually produced a card-check agreement in 2001. The result was the union’s representation of 9,000 workers at 20 California hospitals run by the chain, as well as a new two-year agreement in April 2002 that provides an increase in wages and benefits of a reported 10 percent each year. CNA also obtained a first agreement running two and a half years from the CWC chain.

Not all disputes in health care have been settled without a strike. Work stoppages in the first half of 2002 included those at Queen of Angels–Hollywood Presbyterian Medical Center, the Watts Health Foundation (an L.A.-based HMO), and St. Francis Medical Center in Lynwood. The summer saw a three-week strike by claims processors represented by the Teamsters at the Delta Dental Plan in Northern California. Cost containment pressures in response to rising health care costs may well produce other labor relations conflicts in the next few years.

High Tech

Although high-tech firms in the Silicon Valley and elsewhere in the state are largely nonunion, there have been organizing efforts, notably by the Communications Workers of America (CWA). CWA targeted contract (contingent) workers in this sector and did succeed in scheduling an election at Etown.com, but the firm went out of business as part of the larger dot.com bust, before an election could be held. Contract workers are subject to layoff when cost-cutting pressures arise. After a bruising stockholder battle involving the HP-Compaq takeover, for example, the company, once known for its job security, announced that 4,000 workers at the newly-combined firm would be asked to take unpaid furloughs. The on-line San Francisco-based brokerage firm Charles Schwab asked its employees to take three days off to save money in February 2001, but later reversed the policy, apparently in response to the negative publicity surrounding the request.

Use of such furloughs has become particularly controversial in California. The chief counsel for the state's Division of Labor Standards Enforcement (DLSE), Miles Locker, issued an opinion in May 2001 indicating that exempt employees (typically managers and professionals) had to be paid a full month's salary even if they were asked to take off a few days or use up vacation time. The ruling produced an outcry from the employer community, and the state labor commissioner quickly reversed it. Subsequently, the state announced that Locker would lose his job in an administrative reshuffle. The Industrial Welfare Commission (IWC) decided in late 2001 to follow federal precedents on the furlough issue that would not require a full month's salary, but the California Labor Federation subsequently filed a lawsuit against the IWC's policy.

Absent unionization, employee complaints in high tech tend to find their outlet in regulatory efforts and litigation. Four high-tech firms were fined in August 2000 for underpaying workers' overtime hours for industrial homework. And two "community leaders" of AOL online chat rooms have filed a class-action suit against the company, alleging they should receive compensation for services AOL considers voluntary. Stock option procedures have also been the subject of litigation in this sector. With the dot.com bust and shakeout, layoffs and pay cuts became common, and we can expect to see further employment litigation as a result.

Hospitality

The hospitality sector has traditionally included both hotels and restaurants. An overlap between the two occurs because many hotels themselves operate restaurants. Generally, the hotel sector has better withstood trends toward deunionization than has the stand-alone restaurant industry. A new wrinkle in the sector has been the rise of gaming on Native American reservations. In many areas recognized tribes have obtained rights to operate casinos that may be out of the reach of national and state

labor laws. Nevertheless, the operations typically involve some form of state sanction, which in California has often been conditional on union and labor rights.

Hotels. Hotel ownership and management can change over time, even though the hotel itself remains in place. In addition, new centers of economic activity often give rise to new hotel construction. Thus, the challenge for unions is both to maintain existing bargaining units and to organize the new centers. As in other industries over the past few decades, the dual challenge has proved difficult. In the Los Angeles area, for example, changes in ownership and management have sometimes led to management efforts to de-unionize, as, for example, at the Miramar in Santa Monica.

Newer hotels, such as the New Otani in downtown Los Angeles and the Loews in Santa Monica, have resisted union organizing campaigns vigorously. As a result of the policy at Loews, the Democratic National Convention moved some of its functions out of the hotel during the summer of 2000. Union complaints led to a fine on the hotel in March 2002 for illegally checking Latino workers' immigration documents. At the New Otani, unions brought pressure on local government authorities regarding their dealings with the hotel's Japanese parent company. Perhaps in recognition of the increasing level of organizing efforts in Los Angeles, the Hotel Employees and Restaurant Employees union (HERE) elected Maria Elena Durazo, president of HERE Local 11 in the city, as a vice president of the national union.

Where the political climate is friendly to unionization, as in the City of Santa Monica, union activities can benefit from external support. That was the history at the Miramar, where a long-running decertification campaign was ultimately defeated after a change in management and support from the local city council. In addition, in November 2000 HERE won a card-check election at the Pacific Shores Hotel in Santa Monica. The parties signed a first contract in July 2001. HERE has negotiated card-check agreements in Northern California, too, including one reached in October 2000 with developers of a new hotel on Market Street in San Francisco. And in April 2001 HERE won another card-check election at the Sheraton Grand in Sacramento.

Santa Monica witnessed an interesting linkage between the "living wage" movement—which in most jurisdictions has applied only to government contractors—and hotel unionization efforts. After meeting strong resistance from new beachfront hotels, activists were able to enact a \$10.50 living-wage law that applied not only to government contractors but also to larger employers (mainly hotels) in the beachfront area. The ordinance has met considerable resistance, in part in the form of ballot initiatives aimed at constraining the law.

After the attacks of 9/11, with their strong adverse effects on the hotel business, Santa Monica also enacted new ordinances prohibiting hotels from discriminating against union members in layoffs and requiring hotels to rehire by seniority. Although the nearby City of Los Angeles has not intervened directly in the labor relations practices of hotels, its Department of Water and Power did provide reduced rates to laid-off tourism workers, including former hotel employees.

Restaurants. Because of the low unionization rate in the restaurant industry, employee complaints are often processed through legal, regulatory, or political channels. Political pressure, along with the upcoming Democratic National Convention in 2000, led to an accord by HERE and concessionaires at the Staples convention center in downtown Los Angeles. Lawsuits over unpaid overtime work led to settlements with Taco Bell in California in March 2001. Labor leaders have also pressured the Los Angeles International Airport in connection with living-wage laws.

Community organizations have intervened on behalf of low-paid restaurant workers in various contexts. The Korean Immigrant Workers Advocates (KIWA), based in Los Angeles, has been representing workers and protesting labor standards violations such as failure to pay overtime. Such efforts can produce resistance, however. A restaurant owner sued KIWA for defamation in connection with its picketing over the overtime claims. But a court ruled that California's anti-SLAPP suit law of 1993 barred such a suit. (The law prohibited "Strategic Lawsuits Against Public Participation" that use the legal system to deter community-based public relations campaigns or similar activities.)

Native American Gaming. As noted above, establishment of gaming facilities on reservations generally involves some kind of state approval. HERE has sought card-check agreements from tribal authorities in return for the union's political support for state accords. Efforts are underway in Congress to ban states from including labor regulations in compacts with tribes on gaming operations. As of this writing, however, no such federal ban has been enacted.

Janitors

The Justice for Janitors (JJJ) organizing campaign of the Service Employees International Union (SEIU) in Los Angeles began in the late 1980s and early 1990s, after the city's commercial contract cleaning industry had largely deunionized and transitioned to an immigrant workforce. SEIU locals around the country went on to imitate the tactics used successfully in Los Angeles. A fictionalized feature film version of the campaign—Ken Loach's *Bread and Roses*—further publicized the effort when it appeared in movie theaters in 2001. By that time, however, a three-week strike in Los Angeles for a third contract round had led to additional success (see Erickson et al. 2002).

In addition to the pay and benefit increases obtained for L.A.-area workers, the 2000 strike led to the unionization of janitors in Orange County and in Los Angeles supermarkets. Orange County's 16-month first contract, ratified in January 2001, covers 3,000 janitors. Its odd duration aligns the new contract with the expiration of the 2000 Los Angeles contract—part of a larger SEIU strategy of coordinating the timing of its janitor contracts around the country. Apart from wage increases, the new Orange County accord backloads the start of health care coverage to January

2003. The new four-year supermarket accord of February 2001 provides both wage increases and limits on subcontracting.

In April 2001 SEIU and the Mexican American Legal Defense and Education Fund (MALDEF) went to court to request the enjoining of use of cleaning contractors that violate state wage-and-hour laws. In October of that year state authorities announced a crackdown on such violations among contractors providing cleaning services to supermarkets and discount stores.

Where developers and building owners have not cooperated with the union, SEIU has relied on political leverage. For example, in October 2001 SEIU testified against a proposed development at a Costa Mesa city council meeting in Orange County. The developer complained that the union's opposition stemmed from the developer's refusal to use unionized cleaning contractors in the proposed project.

Generally, low-paid janitors have had the benefit of public support in their efforts. This support has been particularly visible on some college campuses. At UC San Diego, for example, student demonstrators protested the university's use of nonunion contractors in June 2001. Shortly after the demonstration, which led to 15 arrests, UCSD agreed to make the janitors university employees who will be covered by an AFSCME contract. In July 2001 the Ford Foundation awarded \$130,000 in grants to four J4J activists to develop leadership and computer skills. And in 2002, the state's Displaced Janitor Opportunity Act came into force, providing limited employment security for janitors when new contractors take over a workforce from another contractor or employer.

Laundries

In April 2001 the 8,800-member Laundry and Dry Cleaning International Union moved its affiliation from SEIU to the Union of Needletrades, Industrial and Textile Employees (UNITE), in a friendly transfer. Nearly half of its membership works in California. A year later UNITE reached a three-year contract settlement with Mission Linen's northern and central California divisions. In addition to pay increases, the new contract—reflecting the demographics of the workforce—provided for excused absences for appointments with the Immigration and Naturalization Service. The company also agreed to expedited NLRB representation elections at its nonunion facilities in California and Arizona.

Maritime and Longshore

California is a major exporter of its own goods, as well as goods originating in other areas of the country. It is also a major importer of goods for its own use and to be transshipped elsewhere. As noted above, a substantial share of this trade passes through the state's major airports. But for lower value, higher weight cargo, shipping

by freighter remains the only viable option. West Coast ports, including those in California, saw the negotiation of a three-year contract covering 10,000 workers in 1999 by the International Longshore and Warehouse Union (ILWU) and the Pacific Maritime Association (PMA), the multiemployer bargaining arm of shipping and stevedore firms. The pact's expiration was June 30, 2002.

Although there has not been a coastwide strike since the early 1970s, localized job actions have occurred. A coal export terminal (not covered by the master ILWU-PMA agreement) had a brief strike in January 2001, for example. In preparation for the 2002 bargaining round, the PMA signaled that it was prepared to initiate a lockout if job actions occurred and reportedly had obtained a \$200 million line of credit to finance operations during a long strike. The ILWU expressed concerns about the application of labor-saving technology and use of nonmembers for important functions. The Teamsters, who have had in jurisdictional disputes with the ILWU in the past, promised to support the ILWU in the event of a strike or lockout.

Despite these announcements by both sides, negotiations continued without a strike after the old contract expired. Neither side predicted a strike, and during the second week after the expiration, a labor and management group toured worksites to examine issues of new technology. At this writing, the union has proposed to accept technology-related job cuts in exchange for unspecified benefit increases and recognition of the union's jurisdiction over jobs that are sometimes performed on a nonunion basis. This type of exchange is reminiscent of the union's Mechanization and Modernization Agreement with the PMA of the early 1960s, which allowed technological change in exchange for job security and early retirement provisions.

The 1947 Taft-Hartley Act includes a provision granting the President authority to seek an 80-day "cooling off period" in the event of national emergency disputes. In the initial period following the Act's enactment, this measure was applied in a variety of industries. Since then, however, deunionization in the private sector has made it difficult to establish that a given strike would pose a true emergency. Over time, presidents invoked the provision only in longshore disputes, because of their immediate effect on international trade and related production. Given President Bush's proclivity to apply a similar provision to strikes in airlines under the Railway Labor Act, he might invoke Taft-Hartley in any West Coast longshore dispute. Administration officials have indicated to both sides that intervention in the event of a work stoppage or slowdown is likely.

Apart from traditional labor negotiations, port operations have been a topic of discussion in relation to security against terrorist attacks. The press has made much of the possibility that terrorists could smuggle a nuclear or "dirty" bomb in a shipping container and detonate it in a major port. Preventing such an attack would involve costly cargo inspections. Further concerns have been raised about the port work-

force. The ILWU has protested against proposals for intensive and intrusive background checks of its membership.

Finally, at the relatively small Port of Hueneme, public and longshore concerns became entwined in another way in July 2001. During a strike of public employees of Ventura County, some strikers picketed the port. Longshore and other unions honored the picket line, although it was unrelated to maritime operations, halting shipping for a day. (In September 2001, the county reached a settlement with the Ventura employees that provided for a 13 percent wage increase over four years, as well as pension improvements.)

Motor Vehicles

At one time, the major American automobile manufacturers had assembly plants in California. Those gradually closed; the last wholly American-owned operation, a General Motors plant in Van Nuys, pulled out in 1992. In 1984, New United Motor Manufacturing (NUMMI), a joint venture between GM and Toyota, reopened a closed GM plant in Fremont that has continued to operate. The venture has been the subject of numerous academic studies because of its application of Japanese manufacturing practices to a unionized American workforce.

NUMMI and the International Union, United Automobile, Aerospace, and Agricultural Implement Workers of America (UAW) reached a new four-year agreement in August 2001 covering the plant's 3,900 workers. The pact generally followed features of the existing "Big Three" auto contracts and included lump-sum payments, wage increases of 3 percent a year, and a COLA clause. It also featured an Election Day holiday, part of a wider campaign by the UAW to encourage union members to vote, and a fund for training in health and safety. NUMMI's future as a production venue brightened with the announcement in January 2002 of a new vehicle to be built at the Fremont plant.

Meanwhile, Toyota announced plans to set up its own plant in Long Beach, to make panel trucks beginning in 2004. The company already manufactures pickup truck beds in that city. So far, the UAW (and its Canadian counterpart, the CAW) has been unable to organize stand-alone "foreign transplant" operations. Thus, the Long Beach plant will pose an additional organizing challenge and a potential opportunity for reversing the trend.

Petroleum

After Alaska and Texas, California is the third largest U.S. producer of crude petroleum. For certain areas of the state, such as Kern County, the oil industry is a major factor in the local economy. Unionized workers in petroleum are mainly represented by the Paper, Allied-Industrial, Chemical & Energy Workers International Union (PACE). Bargaining follows national patterns, but with considerable local

variation. Although the union has called local strikes in recent decades, the last industrywide stoppage was in 1980.¹⁵ In late 1997 union contracts in petroleum then in force were extended by two years, to expire in February 2002. The initiative for this extension came from Shell, “to preserve workplace stability.”

Shell again became the lead company in the 2002 negotiations. Before formal talks began, PACE expressed concerns about job protections in the event of company takeovers. Ultimately, however, the national pattern did not include successorship language. It did provide wage increases of 3.6 percent per year over a four-year term, thus continuing the tendency toward long-duration contracts in petroleum. In local negotiations, however, workers at a Chevron facility in Richmond rejected the basic contract pattern, seeking special wage adjustments for additional job duties. The parties agreed on a revised contract that included such adjustments for Richmond in March 2002.

Printing and Publishing

California is home to various foreign-language newspapers, reflecting its growing immigrant population. In March 2001 workers at the Chinese-language *Chinese Daily News* in Monterey Park voted to unionize with the Communications Workers of America (CWA) as their bargaining representative. Workers at the paper had experienced a pay freeze, and the company had reportedly asked them to sign a statement that they were “at-will” employees. Management at the newspaper has not recognized CWA at this writing, and the dispute continues. It has attracted considerable public attention, and was the subject of a State Assembly hearing in May 2002 at which workers aired their complaints.

Newspaper unionization is more concentrated in the Bay Area than in Southern California. Papers such as the *San Francisco Chronicle* and the *San Jose Mercury News* are organized, along with smaller papers such as the *Monterey County Herald*. At the nonunion *Los Angeles Times*, however, the Tribune Co., owner of the paper, imposed a wage freeze and a 5 percent wage cut for senior managers in November 2001, citing the economic downturn.

Race Tracks

After a *Los Angeles Times* story documenting poor conditions among “backstretch” workers at horse racing tracks in the state, the California legislature voted in August 2001 to improve those conditions. The legislation—which also permits telephone and Internet wagering—included protection for such workers who wish to unionize, as well as arbitration if a first contract cannot be reached. State authorities also

15. At the time of the strike, the Oil, Chemical & Atomic Workers International Union (OCAW) represented workers in the industry. In 1999 it merged with the United Paperworkers International Union to form PACE.

stepped up their labor standards enforcement efforts, especially with regard to minimum wage and overtime standards.

Railroads

Railroads are a national industry and, like airlines, are covered by the Railway Labor Act. Nonetheless, some rail workers are employed in California, and rail transportation is critical to the state's economy—providing a crucial link to the state's ports, including the new Alameda Corridor development in the L.A. area. A rail strike would have substantial adverse effects on local (and national) economies, but rail unions and management know that in past disputes, the federal government has always stepped in to halt strikes using the mechanisms of the Railway Labor Act or other, ad hoc legislation.

Negotiations procedures under the Railway Labor Act tend to be cumbersome. In May 2002 the United Transportation Union (UTU) reached a tentative agreement for the 1999 bargaining round with the National Carriers' Conference Committee, covering 43,000 workers around the country. The smaller Brotherhood of Maintenance of Way Employees (BMWEE) did reach an accord in May 2001, but agreements with other unions in the industry have not yet been reached at this writing. Complicating the UTU negotiations was an on-again, off-again merger negotiation with the Brotherhood of Locomotive Engineers (BLE) that ultimately fell through. BLE thereafter began merger discussions with the Teamsters and reached a tentative agreement on such a plan.

Meanwhile, the financial perils facing Amtrak in the spring and summer of 2002 threatened jobs and local commuter services in California, some of which are partly handled by Amtrak employees. Rail unions have opposed a proposal to break Amtrak into components. In June 2002 Amtrak's CEO threatened to close down the company unless additional funding from the federal government was forthcoming. Congress quickly appropriated temporary funding, but Amtrak's longer term financial health remains in question.

Retail Supermarkets and Grocery Warehouses

Collective bargaining in the retail and wholesale food distribution industry is primarily a local affair. The major unions in the industry are the United Food and Commercial Workers International Union (UFCW), representing clerks, meatcutters, and other workers, and the Teamsters, representing drivers and warehouse employees. During the 1980s the industry was the scene of significant wage concessions and "two-tier" wage plans (under which new hires receive lower pay than existing workers). More recently, the industry has seen considerable merger and restructuring activity and the threat of nonunion competition from Wal-Mart and other "big box" stores.

Wal-Mart indicated in June 2002 that it would open a store in the Harbor

Gateway area of Los Angeles and that the company has plans for 40 Wal-Mart “Supercenters” in California. UFCW has been trying to gain recognition from Wal-Mart in various stores throughout the country, including one in Lake Elsinore. In 1999 Governor Davis vetoed a union-sponsored bill that would have limited the ability of big-box stores to offer food and drugs. Major unionized supermarket chains also supported the bill. Generally, the line between supermarkets and drug stores and other retailers has blurred. Drug stores, for example, sell some food items, and supermarkets sell over-the-counter medicines. Some big-box operators, such as Costco, that primarily sell other types of products such as electronics also carry some health care items, cosmetics, and other products that might be found at a drug store or supermarket. While Wal-Mart is nonunion, Costco has Teamster union contracts covering 8,000 workers in California.

In the San Francisco area the Safeway chain spun off Summit Logistics, a company that now supplies its stores with warehouse and delivery service. After a six-week strike in December 2000, the Teamsters settled with Summit on a six-year accord that narrowed the gap in pay between new hires and incumbent workers. Safeway and Albertsons negotiated a new agreement with the UFCW in the Sacramento Valley covering 10,000 workers in July 2001. Pension overfunding helped ease the pact through, averting the need for additional employer contributions to the retirement program. Many employers had a similar experience because of the run-up of the stock market in the late 1990s, but market declines since then may well lead to underfunding and the need for new contributions in the future. The Sacramento Valley accords also provided management with the ability to sell “case-ready” meats in exchange for job security assurances for meat department workers.

More difficult negotiations occurred between UFCW and major supermarkets in the San Francisco area. Workers rejected management’s last offer on the advice of the union but did not vote the two-thirds margin needed to call a strike. As a result, they reluctantly accepted the contract—covering 27,000 workers—in October 2001. It provides a 10 percent increase over a three-year term.

Supermarkets serving immigrant populations have proved harder to unionize. However, after a two-year campaign, UFCW negotiated a four-year agreement covering 200 workers with Gigante, a Mexico-based chain operating in Southern California in April 2001. Management agreed to union recognition after a card-check process. Although the new contract includes wage increases and health insurance, pay remains below levels at the major chains. The Gigante accord appears to be part of the larger movement of Latino union organization.

In contrast, unionization among Asian immigrants has proven even more difficult. In some cases, community organizations such as KIWA (Korean Immigrant Workers Advocates) have focused on labor standards enforcement through appeals to state regulatory agencies. However, KIWA has targeted supermarkets in L.A.’s Koreatown for a union organizing drive. An NLRB representation election in March 2002 resulted in a near-tie vote at one market, with both sides challenging the outcome.

Shipbuilding

Shipbuilding in California, as elsewhere in the country, has declined substantially in the face of foreign competition and reduced federal support. At one time shipyards up and down the West Coast negotiated unified agreements, but coordinated bargaining disappeared in the 1980s. The National Steel and Shipbuilding Company (NASSCO) in San Diego—the only major shipbuilding facility on the West Coast—and the various craft unions representing workers there have had a long history of contentious labor relations. Since abortive strikes in 1992 and 1996, no union contracts have been in place for many of the union workers at the company. Between 1989 and 1998 NASSCO was owned through an Employee Stock Ownership Plan (ESOP)—a fact that did not seem to improve the labor relations climate—but in 1998 General Dynamics purchased the firm's holding company. Some craft workers have formed an independent union that won an NLRB election in June 2002, ending the jurisdiction of some AFL-CIO affiliates. But other groups voted to remain with their affiliated representatives. Management has shown a willingness to negotiate with the new independent union and did reach an agreement with the Machinists in 2001.

Student Athletes

Although college athletes are not “employees,” they do receive various stipends and benefits, and colleges and universities often use those awards in recruiting. The United Steelworkers of America is assisting a campaign by student athletes to obtain improved stipends. The campaign includes students at UCLA who formed the Collegiate Athletes Coalition. This is just part of a larger effort by unions to organize student workers at private and public colleges and universities, where they may work in a variety of clerical and food service operations, under work-study programs, and, at the graduate level, as research assistants and teaching assistants. A branch of the UAW currently represents student workers at various University of California campuses.

Telecommunications

Since deregulation and the breakup of the Bell System in the 1980s, the telephone industry has undergone substantial restructuring. Collective bargaining, which at one time was largely conducted nationally with AT&T, has become more of a regional affair. In addition, there is substantial competition between conventional “landline” telephone networks and the newer wireless systems. California is a major center of wireless activity. For example, San Diego is home to QUALCOMM.

In March 2001 CWA reached a contract with SBC Communications, owner of Pacific Bell and Nevada Bell. The new pact provided for wage increases of 12.25 per-

cent over three years and covers Cingular Wireless workers as well as landline workers. The pact limited mandatory overtime and provided an extra \$25 per week for workers using bilingual skills. Verizon agreed to a similar contract in California, providing 12 percent over three years, in November 2001.

At the national level, in April 2002 AT&T reached an 18-month accord with CWA and the International Brotherhood of Electrical Workers (IBEW) that dealt in part with job security concerns. The new agreement established a committee to investigate ways to shift displaced operators from the declining long-distance operations to newer Internet and cable services. The pact also included a lump-sum bonus and 6 percent in wage increases over term.

Trucking

Like telecommunications, the trucking industry was greatly affected by deregulation in the 1980s that fostered nonunion competition. The major union in the trucking industry, the Teamsters, has more recently been concerned with competition from Mexican trucking firms pursuant to NAFTA. Under a provision of NAFTA, Mexican trucking companies can access the U.S. market beyond a limited border zone. The Teamsters have resisted application of this provision, citing safety concerns among other issues. A report from the U.S. General Accounting Office in early 2002 questioned whether the United States was in a position to enforce its safety standards, but a NAFTA arbitration panel later ruled against further U.S. delays in admitting Mexican trucks. In May 2002 the Teamsters and the carriers' California Trucking Association (which has split from national trucking groups) filed suit to block implementation on environmental grounds. Further support came from California Attorney General Bill Lockyer, in a friend of the court brief. The Teamsters have also raised the issue of border security against terrorism in this matter.

At the national level the Teamsters renegotiated a major agreement, replacing one due to expire at the end of July 2002, with United Parcel Service. The new six-year contract, once ratified, will cover UPS workers in California and elsewhere. Preliminary reports indicate it will raise wages in the 3 to 4 percent range annually through scheduled wage increases and COLAs. The union increased dues to support a larger strike fund. In 1997 a 15-day strike against UPS attracted considerable public attention over the issue of use of part-timers. The part-time concern remained an issue in 2002 and found some resolution in UPS's backloaded commitment to convert some part-timers to full-timers under the new accord, as well as to pay special wage increases to part-timers. The union's right to recognition at UPS-operated businesses related to "logistical planning" and other services, along with health care and pension issues, were also at issue in 2002. Details on how the new accord dealt with those issues are not available at this writing.

UPS reported that its second quarter 2002 profit fell because nervous shippers had

begun moving business elsewhere in anticipation of a possible strike. However, the parties managed to settle about two weeks before the contract expiration. The six-year duration of the new contract, one more year than in the expiring contract, also suggested that both sides wished to avoid strike-related business losses.

As noted above, a proposed contract with UPS for mechanics and other workers at its airline operations was rejected in December 2001. Because of the unit's size and importance to the union, the outcome of the UPS negotiations has been viewed as a test for Teamsters president James P. Hoffa, who faces significant internal union opposition.

Also noted earlier was the Teamsters' formation of a cooperative arrangement with longshore unions to organize independent truckers who service ports. As part of that effort, the union has supported the U.S. Department of Justice in pushing for a lifting of antitrust exemptions for ocean carriers. The union argues that the carriers form a de facto cartel that has the power to pressure trucking firms to hold down costs, which in turn depresses wages. Although longshore unions have supported the effort, other maritime labor organizations, such as the Seafarers International Union, have opposed it.

Ultimately, trucking unions and employers, like their counterparts in airlines and maritime shipping, will be facing difficult and costly issues related to security against terrorist attacks. The above-mentioned Mexican trucking issue is an example. The concerns are likely to involve hiring standards and screening and the handling of hazardous materials (Belzer 2002).

Utilities

California's unfortunate experience with deregulation of its electrical utilities attracted nationwide attention, as rolling blackouts and rocketing consumer prices for power took hold in 2001. Pacific Gas and Electric (PG&E), one of the nation's largest private utilities supplying electricity and natural gas, declared bankruptcy, and disclosures of improper electricity trading by Enron and other firms appeared in the media. Under deregulation the utilities had sold off many of their power plants, disrupting ongoing labor relations at the facilities. For example, at a former Southern California Edison plant in San Bernardino, now owned by Reliant Energy, workers rejected continued representation by the Utility Workers. The union charged that a pre-election bonus by the firm led to the rejection. However, at a similar spun-off plant in Barstow, workers voted for continued representation by the union.

Other Developments in the Private Sector

International Trade. Unions have been concerned about job displacement due to foreign competition. In some cases, such displacement occurs when foreign sup-

pliers enter the U.S. market and compete against domestic firms. In other cases, domestic firms outsource abroad. One prominent example of the latter was the announcement in April 2002 that San Francisco-based Levi Strauss—a firm that has generally enjoyed good union-management relations— would be moving production offshore from six of its eight plants in this country, one of which is in California.

Generally, such offshore moves do not run afoul of U.S. labor law, but a move of production motivated by anti-union animus—for example, in response to a union organizing effort—could be ruled an unfair labor practice under federal law. In November 2000 a federal court granted an NLRB request for a preliminary 10(j) injunction that would have prevented a Gardena jewelry firm, Quadrtech, from moving production to Mexico, on grounds that the move was linked to anti-union animus. CWA had won an NLRB election just before the announced move. A month after the NLRB's request for an injunction, the firm canceled the decision. The question of union representation at the firm remains unresolved, however. And a CWA representative has complained that the company canceled an out-of-court settlement with workers fired during the organizing drive after the U.S. Supreme Court ruled that undocumented workers could not receive back pay for discharges carried out in retaliation for union activity. (*Hoffman Plastic Compounds, Inc. v. NLRB*)

An interesting experiment is underway in the L.A. garment sector with financing from the Hot Fudge Social Venture Fund established by Ben Cohen of Ben and Jerry's. A new apparel firm called SweatX, whose workers are represented by UNITE, opened in 2001. Management pay is limited to eight times that of the lowest paid worker, and employees can become part owners under special internal financing arrangements at the firm. The objective is to pay a "living wage" of \$8.15 to \$15 per hour and yet be profitable enough to compete in the marketplace.

Litigation in California and by Californians may have an effect on international trade and investment patterns. The California Supreme Court ruled in May 2002 that Nike ads denying sweatshop conditions at the company's foreign shoe suppliers were commercial statements subject to state laws on misleading advertising. If plaintiffs can show at trial that Nike's statements were misleading, they might win damages that could go to charities or consumers. Nike is likely to appeal the ruling to the U.S. Supreme Court.

Related to the Nike suit are efforts by some California-based activists to improve labor conditions at factories in Saipan, part of the U.S. Commonwealth of the Northern Marianas. Saipan factories contract with known brands in the United States such as Gap to produce apparel, commonly employing workers from China and the Philippines. A pending class action suit—now accepted by a federal district court—argues that such workers are often employed under conditions violating minimum labor standards. Meanwhile, Los Angeles Superior Court Judge Victoria Chaney has ruled that a suit against El Segundo-based Unocal can go forward. Filed by villagers in Myanmar (formerly Burma), the suit alleges human rights violations

involving the construction of a natural gas pipeline through a joint venture between Unocal and the Myanmar government.

Finally, even local governments may have an influence on international trade developments. A proposition slated to appear on the Berkeley ballot in November 2002 would require coffee shops to sell only coffees meeting “fair trade” and environmental standards. Fair trade coffees are those certified as yielding the local equivalent of a living wage to farmers in supplying countries. Such legal and political initiatives are part of a larger national concern about labor standards and international trade. Congressional debate about such matters in the context of proposals to give the president renewed “fast track” negotiating authority for new trade agreements was another reflection of those concerns. Ultimately, the fast-track bill contained expanded trade adjustment assistance for U.S. workers injured by foreign competition and refers to core labor standards of the International Labor Organization as an objective of trade negotiations.¹⁷

Overtime and Minimum Wage Issues. California’s current minimum wage of \$6.75 (effective January 2002) exceeds the federal minimum of \$5.15. Its overtime provisions, with certain exceptions, apply to an 8-hour day/40-hour week standard, as opposed to the federal norm of a 40-hour week. Overtime enforcement has become an important, high-stakes issue in California, as various high-profile employers have been charged with wage-and-hour violations in recent years. Some have been found in violation of state or federal pay laws, while others have settled claims of such violations—typically involving off-the-clock work or alleged misclassification of certain employees as exempt. These firms include Farmers Insurance Exchange, the Auto Club of Southern California, 21st Century Insurance Group, Bank of America, Starbucks, Pleasant Care (nursing homes), Radio Shack, Rite Aid, and Pacific Bell.

In early 2001 various community organizations created a Garment Workers Center in Los Angeles, which helps workers file claims of wage underpayments. In connection with this effort, the Asian Pacific American Legal Center of Southern California filed a suit against the apparel firm Forever 21, charging pay violations by its contractors. Forever 21 then filed a defamation suit against APALC, the Garment Workers Center, and others. In turn, the American Civil Liberties Union announced it would join the suit against Forever 21, charging that the defamation suit was an illegal SLAPP suit (Strategic Lawsuit Against Public Participation) that should be dismissed. Just as labor standards in the international trade sector have become a focus of legal and political activity, so, too, have labor standards for workers in California.

16. The new law defines core labor standards as the right of association, the right to organize and bargain collectively, a prohibition on the use of any form of forced or compulsory labor, a minimum age for the employment of children, and acceptable wages, hours, and occupational safety and health conditions.

TABLE 6.7 Public Employee Relations Board Charges and their Disposition, 1991-2001

	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	1997-98	1998-99	1999-00	2000-01
<i>Unfair Practice Charges Filed</i>										
Charges filed	599	467	501	532	546	660	621	604	511	461
<i>Charge Disposition</i>										
charge withdrawal	NA	NA	NA	169	151	155	188	176	149	139
charge dismissed	NA	NA	NA	139	138	172	149	158	173	153
Complaint issued	NA	NA	NA	152	213	338	278	312	216	193
Total	NA	NA	NA	510	502	665	615	646	538	485

SOURCE: Public Employment Relations Board Annual Reports 1995-2001

PUBLIC SECTOR DEVELOPMENTS

California public sector collective bargaining is governed by a variety of statutes. Federal employees in the state—such as air traffic controllers, immigration officials, and VA hospital workers—are subject to federal civil service laws. The State Employer-Employee Relations Act of 1978 (SEERA), also known as the Dills Act, covers state employees. The Higher Education Employer-Employee Relations Act of 1979 (HEERA) covers employees of the University of California and California State University. Workers in the K-14 public education system fall under the Educational Employment Relations Act of 1976 (EERA), while city and county employees fall under the Meyers-Milias-Brown Act of 1968. The California Public Employment Relations Board (PERB) administers SEERA, HEERA, and EERA, and it has had jurisdiction over the Meyers-Milias-Brown Act (except in the City and County of Los Angeles, which have their own administrative apparatus) since July 2001. Finally, employees in California's transit districts are subject to the statutes creating those districts. With the exception of certain public safety employees, nonfederal public workers in California generally have the right to strike.

PERB caseloads are primarily comprised of unfair labor practice (ULP) charges, shown in Table 6.7. Perhaps because the public sector in California is already heavily unionized, relatively few representation elections take place for state, higher education, and primary and secondary education employees. (PERB has not had jurisdiction over local elections until recently.) As noted earlier, California's public sector now comprises roughly half of all workers covered by collective bargaining in the state. Yet ULP charges received by PERB annually do not even approach the NLRB's intake from California. This may be a reflection of less contentious labor relations in the public sector, where employers are less vigorous in resisting organizing campaigns than their counterparts in the private sector. As noted earlier, many ULP charges at the NLRB flow out of organizing situations.

Although some of the state's unionized public sector workers are employees of the federal government, the large share of state and local employees means that public policy with regard to labor relations in California is more and more a state affair. In the past state and local authorities have tended to follow federal (NLRB) practice in interpreting the statutes under which they operate. In fact, much of the language in those statutes derived from the Wagner/Taft-Hartley Act framework. But there is no need for California to continue to follow this copycat approach for public workers (or for agricultural workers under the ALRB). If the trend continues toward a greater share of the unionized sector being made up of public employees, the state may begin to adopt a more independent labor relations policy.

Airports

Major international airports in California, such as SFO in San Francisco and LAX in Los Angeles, are public, semiautonomous entities. Nonetheless, private contractors and concessionaires employ many low-wage workers at these airports, and union organizing projects have been underway at both for several years. The SFO Airport Commission agreed to card-check recognition in spring 2001, although litigation over that agreement arose. A coalition of unions—including SEIU, HERE, IAM, UFCW, and OPEIU—has been active at SFO, and about 2,000 workers at the airport have been organized. Similar efforts have been underway at LAX. For example, under a card-check pact, HERE organized workers at DFS North America's duty-free stores in LAX.

The 9/11 terrorist attacks immediately cut traffic at California airports. Revenues decreased for both the airport authorities and concessionaires, leading to substantial layoffs. LAX was able to cover its budget shortfalls by cutting costs and drawing down reserves. However, a fatal shooting at LAX at an El Al ticket counter on July 4, 2002 raised questions about security and travelers' safety. California airports may need to institute more expensive security procedures, which may in turn require the creation of some jobs (in security) but the loss of others (if air travel is further discouraged).

In short, continued uncertainty in air travel could lead to greater economic difficulty for airports and concessionaires. Ironically, these difficulties can provide some union leverage. In December 2001, for example, LAX gave rent relief to concessionaires that had suffered in the post 9/11 period, but unions pushed for the airport authorities to deny such relief to those concessionaires that had failed to follow the terms of their union contracts.

Home Care Workers

Disabled persons receive public funding to hire home care aides. In the past, these aides—often paid at the minimum wage—were considered to be individual em-

ployees of the disabled persons. As such, it was not practical for them to have union representation. But in 1997 the County of Los Angeles, the SEIU, and the state agreed to create an employing entity for the 75,000 aides in the county: the Personal Assistance Service Council. The SEIU was then able to win representation rights for the aides and negotiate an agreement on their behalf with the council. Unionization of the aides was one of the largest election victories for organized labor in California in decades.

Although there have been legal challenges to the arrangement, other counties in California have been adopting it. For example, Sacramento's employing entity negotiated a 15-month contract for 9,250 aides in April 2001. Many of those aides became eligible for health insurance under the new accord. In San Bernardino County 5,050 homecare aides became covered by SEIU representation in June 2002; over 3,000 became so-represented in Fresno County at about the same time.

Meanwhile, back in Los Angeles where the concept was developed, SEIU and the County Board of Supervisors became embroiled in a dispute over a union-sponsored ballot initiative that would raise the pay of the aides from \$6.75 an hour to \$11.50. The board viewed this political effort by the union as an end-run around the bargaining process (which was unlikely to produce anything like \$11.50). At a closed meeting Board members apparently discussed with legal counsel options for keeping the initiative off the ballot. An issue then arose over whether the county could legally discuss such matters in a closed meeting and over the propriety of blocking the initiative. (Similar issues arose when Los Angeles County officials obtained a court order blocking an initiative that would have raised pensions for Sheriff's Department workers.) Further political efforts to improve the pay and conditions of low-wage public sector workers are likely to emerge in California in the future. In the meantime, however, a judicial ruling in July 2002 did keep the SEIU-sponsored initiative for home care workers from appearing on the ballot.

Teachers and University Faculty

After the 1978 passage of Proposition 13, the tax revenue base for local governmental entities—especially school districts—dropped sharply. Since then, state funding of local schools has become increasingly important. Proposition 98, a kind of aftershock to Prop 13, now guarantees that a formula-based share of the state's general fund goes to K–14 education. Nevertheless, the shift in budgetary responsibilities has meant that K–14 education funding is highly sensitive to the state's increasingly tenuous financial position. Although independent unions represent many education workers in the state, the threat of a fiscally adverse climate may spur greater unity within organized labor. Thus the independent California School Employees Association, which represents about 200,000 workers, joined the AFL-CIO in 2001.

In February 2001 United Teachers Los Angeles (UTLA) reached a three-year pact

(retroactive to July 1, 2000) with the Los Angeles Unified School District (LAUSD) covering 43,000 teachers, counselors, psychologists, and nurses and providing 15 percent in pay increases over term. (The District reached a similar agreement with 2,200 school administrators, providing 14 percent increases.) By June 2002, however, the grim budgetary outlook was making labor relations more difficult. The District indicated it would increase class sizes to cut costs, leading UTLA to file a complaint with PERB concerning a possible contract violation. In turn, the District hinted that a failure to achieve savings through increased class sizes would lead to future cuts in teacher pay. We can expect to see more disputes like this one as school budgets tighten.

Not all trends in education, however, are leading to more difficult labor relations. In June 2001 Los Angeles financier Eli Broad and teacher unions around the country announced a program to improve both student performance and labor-management cooperation. The San Francisco Unified School District will be one of the districts involved in this effort. And despite their conflicts, UTLA and the LAUSD have cooperated for several years on a project to teach high school students about collective bargaining (Tubach 2002). On the other hand, efforts to obtain greater worker input in educational decision-making via legislation have been less successful. A bill to obtain bargaining rights over textbooks and curriculum, sponsored by the California Teachers Association (CTA), an affiliate of the American Federation of Teachers, was opposed by Governor Davis and eventually shelved.

University of California faculty are not represented by a union for collective bargaining purposes on a systemwide basis. (The UC Santa Cruz campus is organized, and many nonfaculty employees are represented at the systemwide and campus levels.) However, faculty at the California State University (CSU) System are union represented, along with other employees. A threatened faculty strike in March 2002 was averted at CSU after a factfinder's report led to a three-year pact providing 2 percent pay increases in the first two years. The new agreement covers 22,000 CSU employees.

Transportation

Although California has the image of a car-happy state, its major urban areas have extensive public transit systems. In the Bay Area the summer of 2001 brought concerns that a dispute between BART (Bay Area Rapid Transit) management and its two unions, SEIU and the Amalgamated Transit Union (ATU), would lead to a strike. A court injunction and a cooling-off period imposed by Governor Davis delayed the stoppage, and in late September the parties agreed on a four-year contract providing pay increases of 22 percent over term. In contrast, at about the same time a Teamsters strike did occur in Los Angeles against private bus lines that carry passengers under a contracting out system. There remains the possibility of a strike at this writing against the Los Angeles Metropolitan Transportation Authority by bus

and train supervisors represented by AFSCME. Negotiations have been underway between AFSCME and the MTA since 2000. Although relatively few employees are directly involved, the larger ATU local representing mechanics and maintenance workers pledged to observe an AFSCME picket line, should the dispute reach that point.¹⁷

The contracting out issue led to a dispute in 2002 between the Teamsters and Laidlaw Educational Services, a private school bus operator that carries some students for the Los Angeles Unified School District. Laidlaw employs about 700 drivers and handles about a third of the routes for the district. The key issue for the Teamsters was parity with drivers employed directly by the district. A settlement reached after a 26-day strike provides 3.5 percent wage increases per year over three years, with issues concerning health insurance to be settled by subsequent arbitration.

Other Developments in the Public Sector

One example of political activity to improve wages at the lower end of the spectrum is the living-wage movement, which has been particularly active in California. The movement's focus is governmental agencies that contract out services to private firms or make major purchases from the private sector. Living-wage ordinances passed in many jurisdictions specify the wage levels that outside providers must pay their workers when providing government services. The wages required are well above the federal or state minimum wage and often require provision of health insurance or a wage premium if such insurance is not provided. Ventura County, for example, enacted such a law in 2001 as did the City of Richmond. (Santa Monica's unique living wage law—which also applies to selected noncontractors—is described above in the section on the hospitality industry.)

The movement has influenced public dealings with private firms that require governmental assistance and cooperation, even if the living-wage law in the jurisdiction does not strictly apply. For example, in 2001 the Wing Hing Noodle Company agreed to a Los Angeles City request to pay the local living wage in exchange for approval of a \$4.3 million industrial development bond. Developers needing city approval for a project near the North Hollywood subway station also agreed to a living wage in 2001. And in July 2002 McDonald's restaurants at Los Angeles International Airport also agreed to pay the municipal living wage.¹⁸ Even where a direct relationship with a local government does not apply, the living-wage idea can have an influence. For example, Stanford University agreed to a living wage policy for its subcontractor employees in February 2002.

17. The United Transportation Union represents MTA bus drivers. During a drivers' strike in 2000, some AFSCME-represented workers crossed their picket line. Reportedly, UTU has not committed itself to observing a possible AFSCME picket line in 2002.

18. McDonald's had a contract with the airport that pre-dated 1997, when the living wage law took effect. As such, it was not obligated to pay the living wage.

Another prominent issue in the public sector is contracting out – a long-term trend but one that tends to accelerate in periods of fiscal austerity. Contracting out figured in a 2001 sanitation dispute in Los Angeles involving the Teamsters and private trash haulers that provide public service. The 700 to 800 workers involved rejected a tentative deal and went on strike for five days. The settlement, which was similar to the rejected offer, provided a 33.5 percent pay increase over five years.

California's large prison system, whose population grew rapidly under "three strikes" and similar legislation, has been another site of controversy over contracting out. As part of the budget cycle, Governor Davis announced, but then reversed, a decision to close a private women's prison near Sacramento. The Governor's January 2002 preliminary budget for the 2002–2003 fiscal year had called for such closings. Complaints about the political influence of the California Correctional Peace Officers Association may have played a role in the reversal. Concerns were also raised about a new state contract raising prison guard pay by 33.75 percent over five years during a period of budget stringency.

Budget stringency ran up against a court decision requiring the County of Los Angeles to give the same pay to officers employed by the Office of Public Safety as that received by county sheriffs. After the decision, which the County claimed would ultimately cost \$100 million in back pay and pension enhancements, the Board of Supervisors threatened to abolish the office. In contrast, Santa Barbara County gave its sheriff's deputies an unscheduled 12 percent pay increase (above union contract rates) in June 2002 due to a labor shortage.

In 2002, the battle over possible secession of the San Fernando Valley and Hollywood from the City of Los Angeles drew in municipal unions who fear such secession would threaten job security. In June 2002, the SEIU, the Los Angeles Police Protective League (LAPPL), and the umbrella Los Angeles County Federation of Labor all announced opposition to secession. Shortly thereafter, the general counsel for SEIU Local 347 filed a lawsuit to block the vote on secession scheduled for November 2002. The Local even released a CD with songs such as "Breaking Up is Hard to Do" to underline its opposition to secession! LAPPL also disputed claims by the County Sheriff's Department that it could provide relatively inexpensive policing services under contract with the proposed Valley city.

POSTAL SERVICE

Postal worker union contracts are negotiated at the national level but affect postal employees in California. The Postal Service is one of the largest employers in California, with something under 100,000 workers. As in the case of airline and other transportation workers, issues of security against terrorism are likely to influence postal bargaining in the future. Shortly after the 9/11 terrorist attacks, anthrax was spread by mail on the East Coast. The source of this bioterrorism has yet to be

determined. But it raised widespread concerns among postal workers as well as the general public.

Workers of the U.S. Postal Service are in a unique position. They are employed by a government-owned entity that nonetheless is covered by the NLRB. On the other hand, unlike other NLRB-covered workers, they do not have the right to strike. Impasses in collective bargaining are settled through compulsory interest arbitration under a special federal law whose origins go back to a postal strike during the Nixon administration. In December 2001 an arbitration panel determined the terms of a new three-year pact between the Postal Service and the American Postal Workers Union. The contract provided wage increases of 4.4 percent plus a constrained COLA clause. Although most postal negotiations have historically ended up in arbitration, both the National Association of Letter Carriers and the National Postal Mail Handlers Union reached deals with the Postal Service in 2002 without outside intervention. The former received 6 percent plus a constrained COLA over four years, and the latter received 7.1 percent plus a constrained COLA over five years. (The smaller National Association of Rural Letter Carriers also reached a postal accord in 2002.)

Although sometimes at loggerheads during negotiations, both postal union officials and postal management are concerned about technological changes—such as faxes, e-mails, and the Internet—that tend to undermine traditional mail communication. In addition, the Postal Service competes with private delivery services such as FedEx and UPS. Increasingly, these sources of competition are pushing postal unions and management toward cooperative efforts—in terms of both legislation and organizational restructuring (Sombrotto 2002).

CONCLUSION

Although the state's economy is often said to be equivalent to that of a major independent nation, California obviously does not have an autonomous economy. The ups and downs in its employment trends are closely tied to those of the United States as a whole. Similarly, its industrial relations system is not independent of larger trends at the national level. The erosion of private sector unionization that occurred in the nation as a whole over the past few decades is also apparent in California. Nonetheless, California's industrial composition is not typical of the U.S. as a whole. For example, its large entertainment sector has unique labor relations characteristics. The fact that roughly half of collecting bargaining coverage in California applies to public employees means that the state has more authority over its industrial relations policy than is widely supposed.

California politics have been shifting towards the Democrats in recent years, a trend that suggests that organized labor will have more influence on public policy than was the case in the 1980s and much of the 1990s. As a major destination of im-

migrant workers who are often at the bottom of the wage scale, California will continue to be faced with policy issues related to the pay and health care of such employees. They also seem to be a population ripe for union organizing, especially in service industries where import competition is not a factor.

In the past California has sought to provide vehicles for labor-management cooperation. In 1945, with the endorsement of then-Governor Earl Warren, the state legislature established the original Institute of Industrial Relations at the University of California—predecessor to the new Institute for Labor and Employment. At the time the conversion from a wartime economy had sparked a wave of strikes and union density was at its peak. Today, the issues are different, but research about the state's labor relations scene is still crucial. The national Industrial Relations Research Association (IRRA)—whose members include labor and management practitioners, neutrals, and academics—has seven active local branches in California, more than in any other state.¹⁹ Thus, the impetus for bringing together bargainers and other interested parties has remained high in California. As this chapter demonstrates, there is much industrial relations activity and much to study in the Golden State.

19. IRRA branches exist in San Francisco, Oakland–San Jose, the Inland Empire, Sacramento, Los Angeles, Orange County, and San Diego. The IRRA is also attempting to re-start its chapter in Fresno. For more information, visit www.irra.uiuc.edu

REFERENCES

- Basqua, Deepa, et al. 2002. "Current Trends in Employer-Sponsored Health Insurance." *The UCLA Anderson Forecast for the Nation and California*, June, pp. California 3.1–California 3.15.
- Belzer, Michael H. 2002. "Truck Driver Security Issues: The New World of Secure Surface Transportation." *Perspectives on Work* 6, 1: 13–15.
- Bureau of National Affairs. 2002. *2002 Source Book on Collective Bargaining*. Washington, DC: Bureau of National Affairs.
- Erickson, Christopher L. et al. 2002. "Justice for Janitors in Los Angeles." Pp. 111–53 in *California Policy Options 2002*, edited by Daniel J.B. Mitchell Los Angeles: School of Public Policy and Social Research.
- Hirsch, Barry T., and David A. Macpherson. Various editions. *Union Membership and Earnings Data Book*. Washington, DC: Bureau of National Affairs.
- Johnston-Dodds, Kimberly. 2001. "Constructing California: A Review of Project Labor Agreements." Report CRB 01-010 <Sacramento?>: California Research Bureau, October. Available at <http://www.library.ca.gov/crb/01/10/01-010.pdf>.
- Mitchell, Daniel J.B., and David Hensley. 1993. "Employment Forecasting and Employer Hiring Survey Data: Evaluation of the Manpower, Inc. Index." Pp. Nation 17–Nation 30. in *The UCLA Business Forecast for the Nation and California*, June.
- Sombrotto, Vincent R. 2002. "Looking at the Trees in Your Forest: Changes Ahead for Letter Carrier Work," *Postal Record* 115 (July): 2–3.
- Tubach, Linda. 2002. "Taking Labor Relations to High School: The Collective Bargaining Education Project." *Perspectives on Work* 6, 1, pp. 39–40.

**APPENDIX 6A. California Private Sector Contracts and National Contracts Affecting California, by Expiration Date
(BLS and BNA information)**

<i>Employer and Location</i>	<i>Union</i>	<i>SIC or BNA Industry</i>	<i>Workers</i>	<i>Expiration Date</i>	<i>Source: BLS ID or BNA</i>
<i>Pre-2002</i>					
Kaiser Foundation Hospitals So. CA (clks & aides) CA San Bernardo	USWA 7600	8062	2900	11/1/00	8135
Garage & Parking Lot Agreements CA San Fran	IBT 665	7525	1200	11/30/00	7730
Food Employers Council, Inc., S. CA Retail Food Ind. CA Southern	SEIU 1877	5411	1800	01/21/01	6316
Price Company (was Price Club) CA	IBT 986	5311	7800	2/1/01	6585
McDonnell Douglas Corp (now Boeing Co.) CA SAPEA	SAPEA	3721	5002	3/4/01	4210
Winery Employers Assn. CA	DWW 45D & 186	2084	1000	3/31/01	323
Mason Contractors Exchange of So. CA CA Southern	BAC 4	1741	1100	4/30/01	8554
Natl Elect Cntrctrs Assn (residential) CA Santa Clara	IBEW 332	1520	1600	5/31/01	8228
San Diego Hospital Assn, dba Sharp Healthcare CA San Diego	UNAC	8062	3500	5/31/01	7963
CPC Baking Business (bakery drivers) CA Southern	IBT 63, 683 et.al.	2051	3000	6/2/01	8117
Textile Rental Services Assn (linen & industr agmt) CA Los Angeles	LDC 52	7211	3000	6/5/01	7712
AGC, CA & SCCA, San Diego CA San Diego	IUOE 12	1540	1700	6/15/01	8405
AGC, CA - Southern exc San Diego CA Southern	IUOE 12	1540	14000	6/30/01	8413
Painters & Decorators Jt Comm of East Bay-9 Cntries CA Oakland	PAT DC 16	1721	2000	6/30/01	8143
Sheet Metal & Air Conditioning Cntrctrs Assn CA Los Angeles	SMW 108	1761	2000	6/30/01	8576
Kaiser Foundation Hospitals (office & profess) CA San Diego	OPEIU 30	8062	1600	7/1/01	8001
Kaiser Foundation Hospitals (serv,maint,cler,tech) CA San Diego	OPEIU 30	8062	2500	7/1/01	8136
New United Motor Manufacturing, Inc. CA Fremont	UAW 2244	3711	4000	8/4/01	4197
Air Conditioning and Refrigeration Cntrctrs Assn. CA LA & Orange	PPF 250	1711	1700	8/31/01	8610
San Diego Gas & Electric Co. CA San Diego	IBEW 465	4930	1500	8/31/01	6077
Food Employers Council (Safeway & Lucky Stores) CA Northern	UFCW 870	5411	34000	9/1/01	6729
Food Employers Council (Safeway & Lucky Stores) CA Northern	UFCW 588	5411	1000	9/1/01	6736
Food Employers Council (Safeway & Lucky Stores) CA Northern	UFCW 428	5411	34000	9/1/01	6755
Food Employers Council (Safeway & Lucky Stores) CA Northern	UFCW 648	5411	34000	9/1/01	6756
Mechanical Cntrctrs Council of Central CA CA Centra	PPF DC.36	1711	1200	9/30/01	8684
National Steel & Shipbuilding (implemented terms) CA San Diego	Various 6 unions	3731	1800	9/30/01	4129

Universal Studios CA LA	OPEIU 174	7811	1000	9/30/01	7815
Kaiser Permanente (So. CA Region) CA Pasadena	SEIU 399	8062	10800	10/1/01	7996
Raytheon Systems Co. (was Hughes Aircraft Co) CA Southern	UBC/E&ST 1553	3663	3800	10/19/01	3693
Disneyland Theme Park Operations CA Los Angeles	HERE 681	7996	1500	10/30/01	7986
San Mateo County Restaurant & Hotel Ownrs Assn CA San Mateo	HERE 340	5811	3000	10/31/01	7524
Kaiser Permanente CA Northern	SEIU 250	8062	14000	11/3/01	7929
Kaiser Permanente Foundation Hosps (ofc & cler) CA Oakland	OPEIU 29	8062	2000	11/3/01	8036
<i>2002</i>					
Chevron USA (Richmond)	PACE	Petroleum Refining	800	Jan. 2002	BNA
Kaiser Permanente Medical Care Prgm (pharm techs) CA Southern	UFCW 135,324, 770,103	8062	1000	2/1/02	8137
Lockheed Martin Skunk Works CA Palmdale	IAM Dist 725	3721	1900	3/1/02	4080
E&J Gallo Winery	UFCW	Food	1200	Mar. 2002	BNA
Chevron USA (El Segundo)	PACE	Petroleum Refining	700	Mar. 2002	BNA
National Broadcasting Co. (Multistate)	CWA	Telecommunication	2700	Mar. 2002	BNA
Yosemite Concession Services Corporation CA Yosemite	SEIU 535	7032	1200	3/14/02	7532
Disneyland, Div. of Walt Disney Productions CA Anaheim	VAR-AFF	7996	3000	3/15/02	7993
GTE California Inc. CA (now Verizon)	CWA	4813	10000	3/16/02	5721
Cedars-Sinai Medical Center CA Los Angeles	SEIU 399	8062	1200	3/31/02	7995
Southern California Gas Co. CA Southern	UWU ICW	4924	5000	3/31/02	6050
Stanford Health Services (RNs) CA Stanford	CRONA	8062	1100	3/31/02	8013
Associated Produce Dealers & Brokers of Los Angeles	IBT	Wholesale/Retail Trade	1150	Apr. 2002	BNA
Delta Dental Plan of California (San Francisco)	IBT	Health Care	700	May 2002	BNA
Robertshaw Controls, Grays Division (Long Beach)	UAW	Instruments	750	May 2002	BNA
Southern Wine and Spirits of America (San Francisco)	IBT	Wholesale/Retail Trade	2200	May 2002	BNA
Elect Cntrctrs Assn (inside wiremn) CA Orange Cnty	IBEW 441	1731	1000	5/31/02	8535
Natl Elect Cntrctrs Assn (inside wiremn) CA LA Cnty	IBEW 11	1731	4300	5/31/02	8532

APPENDIX 6A (continued)

Employer and Location	Union	SIC or BNA Industry	Workers	Expiration Date	Source: BLS ID or BNA
Drywall/Lathing Master Agreement (So. California)	Carpenters	Construction	1000	Jun. 2002	BNA
Alta Bates Medical Center (Berkeley)	CA Nurses Assoc	Health Care	1700	Jun. 2002	BNA
AGC, CA (hwy-hwy & bldg) CA Northern	IBT 94,137,150,et a	1611	5000	6/15/02	8467
AGC, CA - northern CA Northern	IUOE 3	1611	8500	6/15/02	8468
AGC, CA CA Northern	LIUNA No. CA DC	1540	21000	6/30/02	8542
AGC, CA & BIA, & SCCA (11 So. CA counties) CA Southern	UBC SCCC	1540	4000	6/30/02	8401
Laborers Tunnel Master Agrmt (AGC) CA Northern	LIUNA No. CA DC	1622	1000	6/30/02	8548
Southern CA Drywall/Lathing Master Agmt CA Southern	UBC SCCC	1520	1000	6/30/02	8139
United General Contractors (12 So. CA counties) CA Southern	UBC SCCC	1540	16000	6/30/02	8092
Santa Clara Valley Contractors Assn.	PPF	Construction	1500	Jul. 2002	BNA
Rite Aid Inc. (drugs) (was Thrifty Payless, Inc.) CA Southern	UFCW 135,324, 770,103	5912	1000	7/7/02	7300
Rite Aid Inc. (retail drugs) (was Save-on-Drug) CA Southern	UFCW 135,324, 770,103	5912	1000	7/7/02	7307
Pacific Bell Directory Co. (San Francisco)	IBEW	Telecom - communications	1050	Aug. 2002	BNA
Buena Vista Cafe CA San Fran	HERE 2	5811	2000	8/31/02	7142
Vons (Anahem)	IBT	Wholesale/Retail Trade	3300	Sep. 2002	BNA
Food Employers Council (wrhse, drvrs & office) CA	IBT 63,495, 630,848	5411	4000	9/15/02	6302
Kaiser Permanente (So. California)	SEIU	Health Care	10200	Oct. 2002	BNA
Foster Farms CA Cent Valley	UFCW 1288	2015	2200	10/5/02	450
Food Industry (food, meat, bakery, gen.merch.) CA Southern	UFCW 135,324,770,103	5411	80000	10/5/03	6707
Natl Elect Cntrtrs Assn (sound & commun- So. CA) CA Southern	IBEW 9th Dist- 441	1731	10000	11/30/02	8230
Pacific Gas & Electric Co. (N. California)	Marine Engineers	Utilities	1700	12/01/02	BNA
Kaiser Permanente CA Northern	CAN	8062	8300	12/31/02	7962

Pacific Gas & Electric Co. (engrs and scntists) CA	ESC 20	4911	1527	12/31/02	6073
Pacific Gas & Electric Co. (office & clerical) CA	IBEW 1245	4911	2300	12/31/02	6072
Pacific Gas & Electric Co. (prod, maint & cnstruc) CA	IBEW 1245	4911	9200	12/31/02	6071
2003					
Rohr Inc., Div. of BFGoodrich Aerospace CA Chula Vista	IAM Lodge 755	3721	1200	2/16/03	4088
Bay Area Maintenance Contractors CA	SEIU 1877	7349	5000	4/30/03	8025
Maintenance Contractors Agreement CA Los Angeles	SEIU 1877	7349	8500	4/30/03	7983
Maintenance Contractors Orange County CA Los Angeles	SEIU 1877	7349	3000	4/30/03	7979
Campbell Soup Co. CA Sacramento	IBT 228	2032	1700	5/8/03	254
Industrial Employers and Distributors Assn. CA Northern	VARIOUS	5100	1100	5/31/03	6331
Natl Elect Cntrctrs Assn (inside wiremen) CA San Diego	IBEW 569	1731	1450	5/31/03	8105
Natl Elect Cntrctrs Assn (inside wiremen) CA Santa Clara	IBEW 332	1731	1600	5/31/03	8109
Natl Elect Cntrctrs Assn (inside) CA Oakland	IBEW 595	1731	1000	5/31/03	8778
San Francisco Electrical Cntrctrs Assn (inside) CA San Fran	IBEW 6	1731	1150	5/31/03	8538
AGC, CA & BIA, & SCCA CA Southern	IBT 87 & JC 42	1540	2500	6/30/03	8411
AGC, CA & BIASC & SCCA CA Southern	OPCM 500, 600	1611	5500	6/30/03	8402
AGC, CA - Los Angeles (industl & genl pipefitters) CA Southern	PPF DC.16	1711	9000	6/30/03	8504
California Plumbing & Mechanical Cntrctrs Assn CA Los Angeles	PPF DC.16	1711	1800	6/30/03	8505
California Processors Inc. CA	IBT 601,746 et. al.	2033	21500	6/30/03	253
California Processors Inc. (was Tri-Valley Grwrs) CA	IBT 748,857,601	2033	11000	6/30/03	422
Kern, Inyo & Mono Counties Sheet Metal & AC Contr CA Bakersfield	SMW 108	1711	2200	6/30/03	8586
Mason Contractors Exchange of So CA (brck mndrs) CA Southern	LIUNA SC DC	1741	1200	6/30/03	8553
Northern CA Mechanical Cntrctrs Assn et.al. CA Northern	PPF 342	1711	2100	6/30/03	8115
Northern CA Painters Employers' Barg Cncl-5 cty's CA San Fran	PAT DC 16	1721	1000	6/30/03	8706
Southern CA Painters, Decorators & Allied Trades CA Southern	PAT DC.36	1721	3000	6/30/03	8527
Southern California General Contractors CA Southern	LIUNA SC DC	1540	35000	6/30/03	8403
Northern CA Drywall Cntrctrs Assn-38 counties CA San Fran	PAT DC 16	1721	2700	7/31/03	8144
San Francisco Maint Cntrctrs Assn (evergreen) CA San Fran	SEIU 87	7349	4000	7/31/03	7426
Leland Stanford Junior University (tech & maint) CA Palo Alto	SEIU 715	8221	1300	8/31/03	8007
Southern CA Drywall Finishers CA Fullerton	PAT DC.36	1742	1000	9/30/03	8523
Pacific Rim Drywall Assn CA Southern	UBC SCCC	1520	1000	12/31/03	8140
Southern California Edison Co CA	UWU 246	4910	1468	12/31/03	6094

APPENDIX 6A (continued)

<i>Employer and Location</i>	<i>Union</i>	<i>SIC or BNA Industry</i>	<i>Workers</i>	<i>Expiration Date</i>	<i>Source: BLS ID or BNA</i>
Southern California Edison Co. CA	IBEW 47	4910	4244	12/31/03	6030
<i>2004</i>					
Disneyland Hotel, Div of Walt Disney World CA Anaheim	HERE 681	7011	1200	01/31/04	7517
IBT Conventional Dairy Agmt (office workers) CA Southern	IBT 63,166,186, et.	2026	1800	2/28/04	365
IBT Conventional Dairy Agmt (plant & drivers) CA Southern	IBT 630	2026	1800	2/28/04	228
Hotel Restaurant Employers' Council of So. CA Inc. CA Southern	HERE 11	5812	5000	4/15/04	7117
Boeing Co. (was McDonnell Douglas) CA Long Beach	UAW 148	3721	4976	4/25/04	4066
Macy's California Department Stores CA San Fran	UFCW 101	5311	2000	5/31/04	6513
AGC, CA - northern 46 counties CA Northern	UBC Conf Board	1611	5000	6/30/04	8561
AGC, CA - San Diego County CA San Diego	LIUNA 89	1540	3000	6/30/04	8417
Associated Produce Dealers of Los Angeles CA Los Angeles	IBT 630	5148	1400	6/30/04	6310
Carpenters Master Agreement for No. CA CA Northern	UBC 46 NCCCCB	1751	17000	6/30/04	8920
Hotels, The (multiemployer) CA San Fran	HERE 2	7011	6500	8/14/04	7511
<i>2005</i>					
Solar Turbines Inc. CA San Diego	IAM 389	3724	1300	5/29/05	4091
AGC, CA CA No Central	OPCM No. DC	1540	1600	6/30/05	8543
Santa Clara Valley Contractors, et. al. CA Santa Clara	PPF 393	1711	1500	6/30/05	8833
San Francisco Newspaper Publishers Assn. CA San Fran	TNG 52	2711	2000	7/1/05	1457
<i>2006</i>					
Sheet Metal & Air Conditioning Cntrctrs Assn CA Bay Area	SMW 104	1711	3000	6/30/06	8503
<i>2007</i>					
Mechanical Cntrctrs & Master Plumbers Assns CA San Fran	PPF 38	1711	1800	6/30/07	8654

Selected Private National Contracts Affecting California by Expiration Date (BLS)

<i>Employer and Location</i>	<i>Union</i>	<i>SIC</i>	<i>Workers</i>	<i>Date</i>	<i>BLS ID</i>
<i>Pre-2000</i>					
Natl Elect Cntrctrs Assn (sound & commun- No. CA) CA NV Northern	IBEW 9th Dist-12 loc	1731	1250	2/28/01	8110
AMPTP (Basic Theatrical and TV) National	WGA	7812	7800	5/1/01	7950
AMPTP (Basic K and TV) National	SAG	7810	34500	6/30/01	7912
AMPTP (Basic TV Film) National	AFM	7814	3000	10/16/01	7921
Major League Baseball Teams National	MLBPA	7941	1050	11/7/01	8022
<i>2002</i>					
Lockheed Martin Missiles & Space Co. CA FL	IAM Dist 725	3721	1635	3/1/02	9
AMPTP (Basic K and TV) National	DGA	7811	3350	6/30/02	7914
Pacific Maritime Assn. Pacific	ILWU	4491	11200	7/1/02	5424
United Parcel Service (national master agmt) National	IBT	4212	180000	7/31/02	5255
Boeing Co. (technical unit) CA FL OR WA	SPEEA	3721	8427	12/1/02	4177
<i>2003</i>					
National Master Freight Agreement (MCLAC) National	IBT	4212	4000	3/31/03	5202
National Master Freight Agreement (TMI) National	IBT	4212	90000	3/31/03	5201
Natl Elect Cntrctrs Assn W'strn Line Cnstructs (outs) CA Nrthrn & NV	IBEW 1245	1731	1600	5/31/03	8191
National Master Automobile Transporters Agmt National	IBT	4213	10000	5/31/03	5209
General Electric Co. (hourly & cler salaried) CT NY PA OH CA	UE 13 Locals	3600	5000	6/15/03	3618
General Electric Co. (hourly & salaried) PA NY OH MA CA	IUE 51 Locals	3600	23000	6/15/03	3617
AMPTP (Basic K and Video) National	IATSE	7812	29000	7/31/03	7915
<i>2004</i>					
CBS Inc. CA DC IL MO NY	IBEW 4,45,1200,1212	4833	2500	7/31/03	5780
<i>2005</i>					
Iron Worker Employers Council CA NV	BSOIW DC	1791	11000	6/30/04	8582

APPENDIX 6B. Public-Sector California Contracts by Expiration Date (BLS and BNA information)

<i>Employer and Location</i>	<i>Union</i>	<i>Workers</i>	<i>Expiration Date</i>	<i>Source: BLS ID or BNA</i>
<i>Pre-2002</i>				
San Bernardino County (general unit) CA San Bernard	SBPEA-I	12000	1/1/99	820584
Orange CA Unified Schools (teachers) CA Santa Ana	NEA OUEA	1100	6/30/99	811859
Poway CA Unified School District (teachers) CA Poway	AFT PFT	1500	6/30/99	820868
Orange County CA (general unit) CA Santa Ana	OCEA-I	3150	6/29/00	820255
Orange County CA (office service) CA Santa Ana	OCEA	2700	6/29/00	820792
Orange County CA (supervisors unit) CA Santa Ana	OCEA-I	1550	6/29/00	830725
Los Angeles Unified Schl Distr (administrs) CA Los Angeles	AALA-I	2000	6/30/00	820848
Los Angeles Unified Schl Distr (instrctnl aides-Unit B) CA Los Angeles	SEIU 99	9600	6/30/00	820852
Los Angeles Unified Schl Distr (ofc, tech, & bus svc) CA Los Angeles	SEIU/CSEA CSEA	4500	6/30/00	820850
Los Angeles Unified Schl Distr (opns & supt-Unit C) CA Los Angeles	SEIU 99	7900	6/30/00	820851
Los Angeles Unified Schl Distr (sklld craft- Unit E) CA Los Angeles	LACBCTC	1250	6/30/00	840113
Los Angeles Unified Schl Distr (tchr assts-Unit F) CA Los Angeles	LACCSEU 99	13000	6/30/00	830775
Los Angeles Unified Schl Distr (teachers) CA Los Angeles	NEA/UTLA NEA/AFT	30000	6/30/00	830748
Merced County CA (units 4, 5, 6 & 8) CA Merced Cnty	AFSCME 2703	900	12/31/00	820607
San Diego Unified School District (paraeducators) CA San Diego	NEA	2700	4/27/01	830756
California, University of (patient care tech, Unit 13) CA	AFSCME	7750	4/30/01	830843
Ventura County CA (general unit) CA Ventura	SEIU 998	4100	6/27/01	820537
ABC Unified School District (teachers) CA Cerritos	AFT ABCFT 2317	1100	6/30/01	800119
California State (atrys & hearing officers, Unit 2) CA	ACSA-I	3002	6/30/01	800361
California State (ed. scientific research, Unit 10) CA	CAPS-I	2266	6/30/01	800362
California State University (faculty & librat, Unit 3) CA	SEIU CFA 1983	18500	6/30/01	830758
California State University (opns.supt, Units 2,5,7,9) CA	SEIU CSEA 1000	11900	6/30/01	830752
California, University of (service, Unit 11) CA	AFSCME	6750	6/30/01	830842
Fontana CA Unified Schools (classified) CA Fontana	USA 8597	1100	6/30/01	800240
Fontana CA Unified Schools (tchrs, counslrs) CA Fontana	NEA FTA	1200	6/30/01	800279
Fremont CA Board of Education (teachers) CA Fremont	NEA	1700	6/30/01	830831

Glendale City CA (general) CA Glendale	GCEA-I	1200	6/30/01	811425
Irvine Unified School District (teachers) CA Irvine	AFT ITA	1200	6/30/01	800261
Los Angeles City (administrative unit) CA Los Angeles	EAA	1450	6/30/01	820044
Los Angeles City (clerical & support svcs) CA Los Angeles	AFSCME 3090	4300	6/30/01	811827
Los Angeles City (equipt oprtrs & laborers) CA Los Angeles	SEIU 347	3300	6/30/01	811829
Los Angeles City (prof, engr, & scientific unit) CA Los Angeles	EAA-I	1500	6/30/01	820223
Los Angeles City (safety, security, & nonsworn) CA Los Angeles	SEIU 347	1050	6/30/01	811821
Los Angeles City (service and crafts) CA Los Angeles	SEIU 347	1300	6/30/01	811828
Los Angeles City (technical unit) CA Los Angeles	EAA-I	1150	6/30/01	811825
Marin County CA (units 1-5 & 16) CA San Rafael	SEIU MAPE 949	1500	6/30/01	820078
Mt. Diablo CA Unified School District (teachers) CA Concord	NEA/MDEA MDEA	1750	6/30/01	830598
Oakland Unified Schools (white collar paraprof) CA Oakland	UPE OSEA 790	1800	6/30/01	820822
Sacramento City Unified School District (teachers) CA Sacramento	NEA SCTA	2500	6/30/01	830759
San Diego Community College District (faculty) CA San Diego	AFT SDCCG 1931	1250	6/30/01	830790
San Diego County (multidepartment) CA San Diego	SEIU 2028	10000	6/30/01	820210
San Diego County (welfare unit) CA San Diego	SEIU SSU 535	2500	6/30/01	820311
San Diego Unified School District (teachers) CA San Diego	NEA STDA	7300	6/30/01	830796
San Francisco (firefighters) CA San Francis	IAFF 798	1500	6/30/01	800428
San Francisco Unified School District (support) CA San Francis	AFT	2000	6/30/01	830817
San Francisco Unified School District (teachers) CA San Francis	AFT	5200	6/30/01	830816
San Juan Unified School District (teachers) CA Carmichael	NEA STJA	1400	6/30/01	830803
Ventura County Comm College District (faculty) CA Ventura	AFT VCFCT 1828	1000	6/30/01	840021
West Contra Costa Unified School District (tchrs) CA Richmond	NEA UTR	1400	6/30/01	820856
California State (crafts & maint, Unit 12) CA	IUOE 3,12,39,501	11109	7/2/01	830840
California State (crctnl peace officers, Unit 6) CA	CCPOA- I	26256	7/2/01	800368
California State (custodial, Unit 15) CA	SEIU CSEA 1000	4500	7/2/01	830838
California State (engr & scientific techs, Unit 11) CA	SEIU CSEA 1000	3344	7/2/01	800352
California State (firefighters, Unit 8) CA	IAFF 2881	2677	7/2/01	800357
California State (highway patrol, Unit 5) CA	CAHP-I	5651	7/2/01	800363
California State (institut educ & librarians, Unit 3) CA	SEIU CSEA 1000	2854	7/2/01	800356
California State (med & soc serv specs, Unit 20) CA	SEIU CSEA 1000	2326	7/2/01	800353
California State (office & allied, Unit 4) CA	SEIU CSEA 1000	32877	7/2/01	830839

APPENDIX 6B (continued)

<i>Employer and Location</i>	<i>Union</i>	<i>Workers</i>	<i>Expiration Date</i>	<i>Source: BLS ID or BNA</i>
California State (phys, dentists, & podiat, Unit 16) CA	UAPD-I	1409	7/2/01	800355
California State (prof admini & staff, Unit 1) CA	SEIU CSEA 1000	35437	7/2/01	800369
California State (prof engineers, Unit 9) CA	PECG-I	8935	7/2/01	800365
California State (prof health & soc serv, Unit 19) CA	AFSCME 2620	3726	7/2/01	800295
California State (protective & safety, Unit 7) CA	CAUSE	6341	7/2/01	800364
California State (psychiatric technicians, Unit 18) CA	CAPT	5931	7/2/01	830837
California State (registered nurses, Unit 17) CA	SEIU CSEA 1000	3321	7/2/01	800354
Garden Grove CA Unified School Distr (teachers) CA Garden Grv	NEA GGEA	2400	8/31/01	830798
Los Angeles City (building trades) CA Los Angeles	LABCTC	1000	8/31/01	811822
Stockton Unified School District (teachers) CA Stockton	NEA STA	1550	8/31/01	811292
Fresno County (clerical, paramedical-unit12) CA Fresno	SEIU 752	1400	9/16/01	820722
California, University of (cler & allied svc, Unit 12) CA	CUE-I	18250	9/30/01	830841
Los Angeles City Dept of Pwr & Wtr (prof) CA Los Angeles	EAA-I	1100	9/30/01	811820
San Jose (clerical and support staff) CA San Jose	AFSCME MEF 101	2300	9/30/01	810012
San Juan Unified School District (classified) CA Carmichael	SEIU CSEA 127	2200	11/15/01	830797
San Bernardino County (safety unit) CA San Bernard	SBPEA-I	1100	12/28/01	800220
<i>2002</i>				
Santa Clara Valley Trans Auth (ops & maint) CA Santa Clara	ATU 265	1500	2/11/02	820834
San Joaquin County (office, technical, & cleric) CA Stockton	SEIU 790	1100	3/31/02	820698
California, University of (RNs, Unit 7) CA	CNA-I	6500	4/30/02	830844
Santa Clara County (general unit) CA Santa Clara	SEIU 715	8000	6/23/02	811294
Sonoma County CA (general unit) CA Sonoma Cnty	SEIU/SCOPE 707	2000	6/24/02	820578
California, University of (research support) CA	CWA UPTE	3800	6/30/02	800265
Fresno Unified School District (teachers) CA Fresno	NEA FTA	3500	6/30/02	830746
Los Angeles Community College (cler & tech) CA Los Angeles	AFT CSG 1521	1050	6/30/02	830754
Los Angeles Community College (faculty) CA Los Angeles	AFT	3000	6/30/02	830747

Los Rios CA Community College (faculty) CA Sacramento	AFT/LRFCT LRFCT	1950	6/30/02	800106
Monterey County CA (general unit) CA Monterey	SEIU 817	2000	6/30/02	820635
Oakland (units B-D) CA Oakland	SEIU UPE 790	1300	6/30/02	810655
Sacramento City Unified School District (classified) CA Sacramento	SEIU 790	2300	6/30/02	830764
Sacramento County (law enforcement) CA Sacramento	SCDSA-1	1250	6/30/02	820840
Sacramento County (welfare unit) CA Sacramento	UPE PEU 1	1300	6/30/02	811635
San Diego City (blue collar) CA San Diego	AFSCME 127	2000	6/30/02	820236
San Diego City (firefighters) CA San Diego	IAFF 145	900	6/30/02	820237
San Diego City (police) CA San Diego	POA-I	2000	6/30/02	820238
San Diego City (white collar) CA San Diego	MEA-I	4000	6/30/02	820239
San Diego Unified School District (office) CA San Diego	SEIU CSEA	1450	6/30/02	830730
San Diego Unified School District (opns, supt) CA San Diego	SEIU/CSEA Chpt 724	1250	6/30/02	830755
San Jose Unified School District (teachers) CA San Jose	NEA	1500	6/30/02	830745
Stockton Unified School District (classified) CA Stockton	SEIU/CSEA Chpt 318	1400	6/30/02	811290
Sweetwater Union HS District Teachers CA Chula Vista	NEA	1800	6/30/02	820836
Vallejo City Unified School District (teachers) CA Vallejo	NEA	1100	6/30/02	840026
West Contra Costa Unified School District (clas) CA Richmond	PEU 1	1400	6/30/02	830832
Berkeley, City of	SEIU	950	July 2002	BNA
California, University of (health care profs) CA	CWA UTPE 9119	1750	8/31/02	800266
California, University of (residual health care profes CA	CWA UPTE 9119	1000	8/31/02	800263
Long Beach Unified School Distr (teachers) CA Long Beach	NEA/TALB TALB	3400	8/31/02	830835
California, University of (technical unit) CA	CWA UPTE	4000	9/4/02	820804
Santa Cruz County CA (general unit) CA Santa Cruz	SEIU 415	1600	9/13/02	820586
Contra Costa County CA (clerical & office) CA Contra Cost	AFSCME/UCTS 2700	1500	9/30/02	820527
Contra Costa County CA (multiunit) CA Contra Cost	CCCEA 1	3009	9/30/02	820528
Long Beach (nonsupervisory) CA Long Beach	IAM Lodge 1930	4000	9/30/02	830830
Los Angeles City Dept of Pwr & Wtr (clerical) CA Los Angeles	IBEW 18	1600	9/30/02	811843
Los Angeles City Dept of Pwr & Wtr (opn, maint, svc) CA Los Angeles	IBEW 18	4000	9/30/02	811846
MTA (mechanics and maintenance) CA Los Angeles	ATU	2000	9/30/02	840009
Orange CA Unified Schools (classified) CA Santa Ana	SEIU/CSEA Chpt 37	1100	9/30/02	811858
Orange County CA (peace officers) CA Santa Ana	AOCDS-1	1300	10/17/02	800104
San Mateo County (clerical and technical) CA Redwood	SEIU 715	1400	11/9/02	820609

APPENDIX 6B (continued)

<i>Employer and Location</i>	<i>Union</i>	<i>Workers</i>	<i>Expiration Date</i>	<i>Source: BLS ID or BNA</i>
San Mateo County (general unit) CA Redwood	AFSCME 829	1200	11/9/02	820610
Los Angeles County (firefighters-unit 601) CA Los Angeles	IAFF	1950	12/31/02	820220
Shasta County CA (trades & crafts) CA Redding	LIUNA UPE	1000	12/31/02	830473
<i>2003</i>				
Los Angeles County (dep prbrn officers-unit 701) CA Los Angeles	AFSCME	2650	1/31/03	820152
Los Angeles County (peace officers-unit 611) CA Los Angeles	ALADS-I	6750	1/31/03	820297
Los Angeles County (supv peace officers-unit 612) CA Los Angeles	IUPA/PPOA PPOA	1250	1/31/03	820298
Los Angeles County (child socl wrkrs-unit 723) CA Los Angeles	SEIU 535	2650	2/28/03	820325
Los Angeles County (social workers-unit 711) CA Los Angeles	SEIU 535	1150	2/28/03	800221
San Diego County (deputy sheriffs) CA San Diego	SDCDSA-I	2000	6/26/03	820232
Alameda Contra Costa CA Transit Authority (drivers) CA Oakland	ATU 192	1500	6/30/03	840002
California State University (acad supt., Unit 4) CA	AFT	1500	6/30/03	830753
Fresno Unified School District (white collar) CA Fresno	SEIU/CSEA Chpt 125	3100	6/30/03	830202
Garden Grove CA Unified School Distr (classified) CA Garden Grv	SEIU CSEA Chp 121	2500	6/30/03	830783
Kern County CA (general unit) CA Kern County	SEIU KCPEU 700	5000	6/30/03	820469
Lodi CA Unified School District (teachers) CA Lodi	NEA LEA	1200	6/30/03	830474
Los Angeles City (fire dept.) CA Los Angeles	IAFF 112	3000	6/30/03	811826
Los Angeles City (police officers) CA Los Angeles	LAPPL-I	7900	6/30/03	811830
MTA (bus drivers & operators) CA Los Angeles	UTU	4200	6/30/03	840003
Newport-Mesa Unified School District (teachers) CA Newport	AFT MFTU	1000	6/30/03	800336
Riverside County CA (prof, crafts & b-c) CA Riverside	LIUNA UPE 777	2000	6/30/03	820211
Riverside County CA (supporting services) CA Riverside	SEIU UPEC 1997	5200	6/30/03	820670
Sacramento CN In-House Supportive Services P. Authority CA Sacramento	SEIU 250	6350	6/30/03	800284
Sacramento County (office-technical) CA Sacramento	SCEO-I	2200	6/30/03	820795
San Francisco (nurses) CA San Francis	SEIU 790	1200	6/30/03	800430
San Francisco (police) CA San Francis	SEIU/SFPOA 911	1800	6/30/03	800424

San Francisco (professional & technical) CA San Francis	PTE	1800	6/30/03	800429
San Francisco City and County (multiunit) CA San Francis	SEIU 250,535,790	10000	6/30/03	800427
San Francisco Community College District (faculty) CA San Francis	AFT 2121	1000	6/30/03	800105
San Francisco Unified School District (b/c, w/c) CA San Francisco	SEIU 790	1000	6/30/03	820155
San Joaquin County (paraprofessionals & tech.) CA Stockton	SEIU 790	1050	6/30/03	820696
San Jose (peace officers) CA San Jose	SJPOA-I	1200	6/30/03	811138
Alameda County CA (multidepartment unit) CA Oakland	SEIU 250,535,616	6500	7/5/03	820793
Los Angeles County (bldg, trades-unit 411) CA Los Angeles	BCTC,AFL-CI	1300	8/31/03	820222
Los Angeles County (admin & tech-unit 121) CA Los Angeles	SEIU 660	3400	9/30/03	820024
Los Angeles County (artisan & bl collar-unit 431) CA Los Angeles	SEIU 660	2050	9/30/03	820215
Los Angeles County (clerical supvrs-unit 112) CA Los Angeles	SEIU 660	1250	9/30/03	820496
Los Angeles County (cust asst & crctns-unit 621) CA Los Angeles	PPOA	1000	9/30/03	800205
Los Angeles County (custodians-unit 201) CA Los Angeles	SEIU 660	950	9/30/03	820216
Los Angeles County (hlth sci prof-unit 341) CA Los Angeles	SEIU 660	1000	9/30/03	820219
Los Angeles County (Interns & residents-unit 323) CA Los Angeles	JCIR	1508	9/30/03	820436
Los Angeles County (office & clerical-unit 111) CA Los Angeles	SEIU 660	13550	9/30/03	820486
Los Angeles County (paramed tech-unit 221) CA Los Angeles	SEIU 660	4100	9/30/03	820175
Los Angeles County (RNs-unit 311) CA Los Angeles	SEIU	5000	9/30/03	820218
Los Angeles County (soc svc invstgrs-unit 731) CA Los Angeles	SEIU 660	4600	9/30/03	820191
Long Beach Unified School Distr (cler & supt) CA Long Beach	SEIU/CSEA Chpr 2	1900	10/31/03	830200

2004

Bay Area Rapid Transit (bus drivers & operators) CA San Francisco	ATU Div 1555	900	6/30/04	840089
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2005

Bay Area Rapid Transit (maint, clerical, & profess) CA San Francisco	SEIU 790	1600	6/30/05	840088
Sacramento, City of (ops & maint, office & tech, prof) CA Sacramento	IUOE 39	1700	6/30/05	810051