

# The Montana Laborer

## *Representing Montana's Finest*

An official publication of Montana Laborers' Local 1686, LIUNA



December 2012

## BUSINESS MANAGER'S REPORT

By Kim Rickard

With the holiday season rapidly approaching, I have been experiencing melancholy when I reflect on the holidays past and the many sacrifices that my parents made to make sure that my brother and I never went without. For that I am extremely fortunate and thank them for the wonderful memories that they bestowed upon me. Hopefully you all have similar memories such as this.

I am also very fortunate to have been born and raised in the Rock of Gibraltar of Labor, Butte, Montana, where almost everyone worked in a union shop regardless of their craft or the work they performed. I remember that worker strikes were a common occurrence in Butte, against the Anaconda Company and other employers, regardless of what industry. My great grandfather, both of my grandpas and father worked for the company and my great grandmother, grandmas and mother worked in the unionized service industry. I was taught that crossing a picket line was unacceptable even if it was at the grocery store and your family needed milk and bread. You were to support the union cause even if it meant sacrifices for yourself because this is what gave us our standard of living that allowed for my brother and I to not go without.

2012 has been a turning point for organized labor, and not for the positive. Unfortunately there is a nationwide assault on worker rights and it is called "Right to Work". Many different variations have been passed in other states such as Michigan this past year. Probably one of the most memorable is the Wisconsin debacle, but other variations have been passed in Indiana and Ohio as well. In fact, full blown "Right to Work" exists in 24 states now.



**Kim Rickard**  
Business Manager

You have heard it before but I am going to say it again, this is an all out assault on you, our working families.

We, members of Laborers' Local #1686, embody working families and it seems likely that the Montana legislative session starting January 7, 2013 is going to develop into an assault on us. Currently there are several bill drafts in place that attack worker rights regardless if you are a public or private sector worker. It appears as though we are going to be attacked on several levels from changing collective bargaining rights of public employees, changes to the Public Employee Retirement System, unemployment benefits, a bill draft titled "Allow Right to Work" and now a referendum request to revise labor law.

Even though our newly elected Governor, Steve Bullock understands the importance of preserving the working class and workers rights it doesn't mean that you can ignore your call to duty when called upon by your union to participate in the legislative session. This can be done in many different venues such as telephone calls to your legislative representative, writing letters, and emails, and if need be coming to the capitol to testify in support or opposition of bills that effect your rights in the workplace.

Please don't take for granted that the rights that you have in your place of work are a given. These are due to the battles that were fought by our great grandparents, grandparents and our parents not just in Butte, but throughout Montana, and the United States of America. Your voice will be needed to protect our rights and voice in the work place.

**Yours in Solidarity!**

**God bless you and your families.**

**Merry Christmas and Happy New Year!**



# Season's Greetings





# FIELD REPRESENTATIVE REPORTS

## Butte Area

Brother's & Sister's let me start by saying that I hope that everyone is having a great holiday season filled with family and friends. Here at the Laborers corner, we're continuing negotiations, with our signatory contractors. Negotiations have not been easy the last few years, due to the economy. But with the positive results of the 2012 elections hopefully the economic conditions will continue to improve.

Construction work was steady this year and fortunately we still have some projects continuing through the winter. Swank Enterprises is still working in Butte and Dillon, Bentley Construction has two projects MT Tech and Rocker Town Pump. Tobiness Construction has almost completed the town pump on Continental Drive, and the heavy & highway contractors have completed most of their projects for the season.

Let's hope that next year is even better than this year. The monthly informational meetings are still the 2nd Thursday at 7 PM at the Butte union hall and could use the support of the members, we have some real issues that could affect all of us. Please attend the union meetings and ask questions, and learn as much as possible on every issue.

In closing, I want to wish all the members and their families a happy and safe holiday season. Call me anytime day or night with any questions or concerns you may have.

**Mick Wonnacott**  
406-498-2537 (cell phone)  
156 West Granite Street, Butte, Montana



**Mick Wonnacott**  
Field Rep

"The basic goal of labor will not change. It is as it has always been and I'm sure it will always be to better the standards of life for all those who work for wages and to seek decency and justice and dignity for all Americans".

**George Meany, Past President of the AFL-CIO**

## Great Falls Area

Laborers work on the Rainbow Dam Redevelopment Project was completed this summer. We poured, placed and finished approximately 50,000 cubic yards of concrete, drilled, blasted rock, cut and placed metal fabric, drilled and anchored rock bolts, performed excavation and clean up duties along with many other laborers tasks.

Sletten Construction building projects include: The Grandview Retirement Complex, Cascade Ridge Apartments, Animal Foundation of Great Falls, Pasta Montana maintenance and the Northern Montana Hospital MRI replacement and the Community Hospital project in Anaconda.

Sletten Bridge projects include: The Interstate Bridge Rehab Project at (34) locations in Montana, the Hughesville Bridge, the Dry Creek Bridge, Mildred Bridge, Maxwell Coulee Bridge, and the Yellowstone River Bridge in Livingston.

Sletten Construction Industrial projects include: The Ryan Dam Rehab Project, Cochran Dam silt removal and the Hebgen Dam intake.

Mortenson Construction started work on the Rim Rock Wind Project in October 2011 near Kevin. One hundred twenty - six turbine bases were excavated, formed, poured and finished. Turbines have been erected with (24) of them already on line.

Mortenson started work in early September this year to construct (14) turbines on the Shawmut Wind Project. Our members completed the concrete work in just about a week and a half. All turbines have been erected at this time with interior tower cleaning and demobilization in progress.

Falls Construction performed hot water heating line repair work at MAFB this construction season.

Ed Boland Construction found some horizontal boring work around the state this year.

Tamietti Construction built three new bridges in Checkerboard and resurface work on bridges in Windham, Moccasin, Glacier, Phillipsburg, Cushman, Butte and Three Forks.

Cooper Masonry completed their work on additions to the Choteau and Rocky Boy High Schools, masonry repair involving re-pointing and brick washing work at Ursuline Academy. New buildings included: Rocky Boy Medical Clinic, Kobe Steak house and the Animal Foundation facility.

Warren and his hard working staff are providing some excellent opportunities to achieve the necessary skills and certifications required by our good union contractors to gain employment. Please take the time to review the current training schedule.

Merry Christmas to all members of laborers Local 1686 and your families.

**Brian Boland**  
406-788-1107 (cell phone)  
1112 7th Street South, Great Falls, Montana



**Brian Boland**  
Field Rep

# FIELD REPRESENTATIVE REPORTS

## Billings Area

Winter is here and work has slowed down to a crawl, but it won't be long until the Billings area will be humming with work again.

The Cenex Refinery full plant shut down begins mid-March and should last approximately 12 weeks. However, there will be some call outs ahead of time to do prep work.

Sen. Max Baucus, joined North Dakota Sen. John Hoeven in leading a bipartisan group of 18 senators in calling for a meeting with Pres. Obama to urge action on the Keystone XL Pipeline project; Senator Jon Tester joined the call as well.



**Becky Riedl**  
Field Rep

LIUNA General President Terry O'Sullivan also called on President Obama to approve the Keystone and put Americans back to work. "This will be the safest pipeline ever built and its route has been revised to reflect environmental concerns.

Further delay is unnecessary. For men and women desperate for work, the Keystone XL is not just a pipeline – it's a lifeline." O'Sullivan said.

All indicators are pointing to the Keystone XL getting approval and starting in the near future.

The design-build contract for the Empire Parking Garage in Billings was awarded to Sletten Construction. This is a six-story parking garage, with retail stores on the ground floor. Construction costs are estimated at \$11.5 million. Construction should start early spring and the hope is to have the garage ready for occupancy by Dec. 2013.

Bailey Masonry has three Stockman Bank projects lined up to take them into the new year. Currently they are working on the Billings project, when that is complete they will do one in Miles City and the third one is in Helena.

Spring of 2013 will be also be a busy year for negotiations: COP Construction, Western Municiple, Knife River, Bailey Masonry, Oftedal Construction, Ostermiller Construction, and WeldTech Services will all have open contracts.

At the last building trades meeting it was announced that both Phillips 66 and Exxon/Mobile refineries have agreed to go with the two year C-STOP cards. This will finally end the confusion over when members need to do their next refresher.

A new training schedule is now available for class through March of 2013. Stop by the office to pick up a copy or go to [www.montanalaborerstrusts.com](http://www.montanalaborerstrusts.com). I always look forward to coming to the classes to visit with members; it is great to see so many members utilizing the training centers' classes and broadening their skill level.

I am optimistic that 2013 be a busy year work-wise for all members.

Wishing you and your families a Merry Christmas and a Happy New Year.

**Becky Riedl**

406-697-0309 (cell phone)

1111 Main Street #9, Billings, Montana

## Missoula Area

Hello sisters and brothers of Montana Laborers Local #1686, I cannot believe another year has come and is almost gone. Western Montana saw quite a little work this past season. Schellinger Construction worked projects in Helena, Three Forks, and started another in Libby just recently to name a few. Gordon Construction has been working to finish the parking garage on Front Street and also a remodel job at the Federal Courthouse both in Missoula. 4G Plumbing and Heating as well as Metal Works of Montana have had several projects and have used our members to get assistance with their completion.

Mountain West Holding, Highway Technologies and Poteet have also stayed busy on the traffic control, guardrail, piloting etc. on our highways and byways, not only across Western Montana but the entire State. Abatement Contractors of Montana had abatement and demo work at Smurfitt and also the demo and abatement work at the old Macy's downtown Missoula.

We have also had a crew working for FD Thomas Inc. at Rocky Mountain Lab in Hamilton conducting some rehabilitation work. Michels corp also worked on some pipeline river crossings for Conoco across the State.

Anderson Masonry has kept busy in Glacier National Park and at the Kalispell Medical Center... Chuck Jenne Masonry has worked on the Kia dealership in Missoula, the jail in Pablo, the Daly Hospital in Hamilton and several smaller projects. Dennis Monger Masonry has had work on a Quik Lube on South Ave. and a Columbarium at the Veterans Cemetery as well as work at the parking garage on Front Street.

Like you, I am glad that the election cycle for 2012 is finally over. Thank you to all that assisted with Get Out the Vote efforts and phone banking or house calling. We were able to get some Labor friendly candidates elected this year but as you know we could sure use more of them nationally as well as in the State. I am personally not all that politically driven, however with my current job and your current jobs we do have to realize how important it is to get registered to vote, and then to follow through with casting a ballot, no matter how disenfranchised we get with the process. IT IS OUR CIVIC DUTY and the reason we keep our democratic process alive, so please get involved wherever you may reside.

I also would like to thank individual members and their families for their assistance this past year, whether it was helping me run an informational meeting in my absence, being a delegate to the Missoula Central Labor Council (am always looking for another delegate) or the U of M homecoming parade. This list includes Allen Dauenhauer, Austin McCleary, Mike Curran, Sarah McNerney, Warren Smeltzer, Kaiya Andersen, Mia Andersen, Harper Andersen, Mark Hanson, Kim Rickard, Mick Wonnacott, Madalyn Wonnacott.

In closing I wish you all a Happy Holiday Season and a warm contented New Year.



**Mick Mulholland**  
Field Rep

**Mick Mulholland**

406-396-4435 (cell phone)

208 East Main Street, Missoula, Montana

# Legislature Prepares for Attack on PERS

Members' support and input needed on upcoming contract negotiations

By Jay Reardon, Field Rep

I would first like to take this opportunity to wish all of the members and their families a safe and joyous holiday season. It seems that it was just yesterday that we were looking at the beginning of 2012 and now it is nearly gone. Unfortunately the economic woes of our country have had an impact on all of us. Contract negotiations over the past year have been difficult, local governments and schools have been impacted by the poor economy which has led to lower revenues and therefore minimal increases in wages and benefits for our members.

I will be scheduling meetings in January and February and March of 2013 for those units that have collective bargaining agreements expiring in 2013. Please watch for notices for member proposal meetings and be prepared to bring your ideas for contract proposals to the meeting. With the current economic environment it appears that we will be facing another difficult year for negotiations. In order to insure that we can get the best possible agreements for our members we need your support and input before we go to the bargaining table.

2013 brings forth another session of the Montana Legislature and funding for necessary public service which you as public employees provide will be a focus of legislative

hearings and deliberations. There are those that want to blame all the state's economic woes on public employees and balance budgets on your backs, we cannot let that happen.

One of the biggest issues facing public employees in the upcoming legislature will be the attacks on PERS by those legislators that want to gut the defined benefit pension system and turn it into a 401K that provides employees with no guaranteed retirement income. We cannot let this happen! Your union will be working hard to make sure that any changes to the system do not penalize either current participants or future members and will be calling on you to contact your legislators and let them know to keep the defined benefit pension.

Once again I appreciate your efforts as public employees; your work is often overlooked and under appreciated. I want to personally convey to you my thanks for the work that you do.

In closing, best wishes for a safe holiday season and a successful 2012.



**Jay Reardon**  
Field Representative

## LIUNA President Terry O'Sullivan on the Keystone XL Pipeline

*While environmental groups decry oil sands development, it is clear that this valuable resource will be developed, regardless of whether Keystone XL is built. The only question is whether Americans will benefit from pipeline construction and refining of the oil. Keystone XL is a privately funded infrastructure project that will be built under a family-supporting project labor agreement voluntarily agreed to by TransCanada. To reject these good jobs in construction, manufacturing and energy production doesn't make sense.*

Clip and Save

### UNION MEETING SCHEDULE

#### Executive Board Meeting\* - Helena

1:00 PM First Sunday of each month

\* Executive Session

#### General Membership Meeting

3:00 PM First Sunday of each month

Local 1686 Headquarters

3100 Horseshoe Bend Rd., Helena, Montana

### Area Informational Meetings

Missoula – 2nd Wednesday of each month

Butte – 2nd Thursday of each month

Great Falls – 4th Wednesday of each month

Billings – 4th Thursday of each month

More Information: (800) 988-1686



# Member Address Update Form

*Help us keep your information current!*

Name \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

Home phone \_\_\_\_\_ Cell Phone \_\_\_\_\_

Email address \_\_\_\_\_

**Fill out and mail in to: Montana Laborers' Local 1686**  
**P.O. Box 1173**  
**Helena, MT 59601**



Laborers'  
International  
Union of  
North America

# LIUNA!

*Feel the Power*



## PROCEDURES FOR OBJECTING TO THE EXPENDITURE OF DUES FOR PURPOSES NOT GERMANE TO THE COLLECTIVE BARGAINING PROCESS

This Notice is for all employees working under a LIUNA Local 1686 Agreement that contains a union security clause. A union security clause requires, as a condition of employment, that an employee pay union membership dues and/or fees.

Section 8(a)(3) of the National Labor Relations Act, 29USC 158 (a)(3), grants employers and unions the right (except in "right-to-work" states) to enter into agreements requiring workers as a condition of employment, to join and maintain their membership in the union.

Over the years, the National Labor Relations Board (NLRB) and the federal courts have limited the enforcement of union security clauses. The U.S. Supreme Court has issued a ruling stating that the only thing that can be enforced under a union security clause, is the payment of the union dues and/or fees germane to the collective bargaining process.

Like most unions, the LIUNA Local 1686 spends a majority of their funds on activities directly related to the representation of its members. These expenditures are considered to be germane to the collective bargaining process and are required to be paid by all individuals working under Laborers agreement containing union security clause language. In addition, LIUNA Local 1686 has budgeted for funds to be spent on other activities such as legislative lobbying. We believe that money spent in these areas, advances Labor's fundamental mission – workers helping workers to better their lives. While these activities help to strengthen our union and create a more favorable setting for workers, they are not considered by the U.S. Supreme Court to be germane to the collective bargaining process.

Individuals employed under a union security agreement who choose not to join the Union or who resign their membership from the Union, lose all of the benefits, rights, and privileges to which they would have been or were entitled to as union members. They lose the right to attend, speak, and vote at union meetings, denying them voice in the policy making of the Union that could directly affect their jobs. These workers lose the right to vote on the acceptance of any agreements negotiated with their employer, losing the right to have a say in their wages, hours, and working conditions. These workers lose the right to vote on whether or not a strike will be called against

their employer. These workers lose the right to vote in the election of union officers who will represent their interests. These workers lose the right to transfer their union card, thus requiring them to possibly pay a new initiation fee, if they go to work for a different employer.

In short, these non-member workers lose important rights, benefits, and privileges. Moreover, it is illegal for an employer to compensate such workers in any way for the loss of these valuable unions rights and benefits. However, the Local Union and its officers will provide such members with the representation required by law.

Individuals working under a union security clause may file an objection with the Union to obtain a reduction in the amount of their dues, representative of the amount spent for purposes not germane to the collective bargaining process. New employees may make an objection and receive the reduction at the time of initiation or at the time the union requests an application for membership.

The percentage of nonchargeable expenses for LIUNA Local 1686 which will be effective for the months of February 2012 through January 2013, is 6.59%. The request for this reduction must be made during the period of January 2012 through February 1, 2012.

In addition to any other avenue of relief available under the law, an objector may challenge LIUNA Local 1686's classification or calculation of expenditures before a neutral arbitrator appointed by the American Arbitration Association pursuant to its Rules for Impartial Determination of Union Fees. Any objection a non-member makes may be coordinated or consolidated with other objections to the District Council and Local's determinations before a single arbitrator.

The Union shall bear the burden of justifying their calculations. If a hearing at which the parties or witnesses may be present is held by the arbitrator, it will be held at a location most convenient to the largest number of involved objectors. The cost of the arbitration proceedings will be paid for by the Union. However, an objector will have to pay his or her own lost time and travel expenses, and the fees, costs, and expenses of any persons they involve in the proceedings.

Once a written objection is received from an individual, the union will adhere to the rules established by the neutral arbitrator, until the arbitrator has issued a decision. Should the decision increase the percentage of non-chargeable expenditures, the appropriate portion of the fees will be refunded.

# SPECIAL BUSINESS MANAGER REPORT TO OUR RETIREES

By Kim Rickard

The Alliance for Retired Americans is a national retiree organization endorsed by the AFL-CIO that focuses their efforts on the preservation of Social Security, Medicare and Medicaid.

The ARA has various chapters throughout the United States and on August 16, 2012 the founding convention for the Montana Chapter was held in Helena, Montana with Executive Officers being elected and the executive board being formed. The Executive Officers elected are, John Forkan, President, Gene Fenderson, Vice President and Dave Wanzenried Secretary Treasurer. The Montana ARA currently has 4 sustaining memberships which include your Union Laborers' Local #1686, along with the Montana AFL-CIO, Montana Public Employees Association (MPEA), and the American Federation of State and Municipal Employees (AFSME). Some other Unions as well as Community based organizations are starting to become active in the organization as well as affiliated members. We all know the importance of

our voice being stronger on the collective front.

The Montana Chapter of the Alliance for Retired Americans is becoming extremely active in Montana and their focus and role is to protect the Social Security, Medicare and Medicaid benefits that you have earned. You know how important these benefits are to you as a retiree. Many in Washington DC refer to these benefits as entitlements and their goal is to rid you of the **benefits that you have worked so hard for in your working life**. We can't let that happen.

In the coming months you will be receiving more information from your Union about the Alliance for Retired Americans. They will be conducting a membership drive early in 2013, however If you are interested in becoming a individual member of the ARA or if you would like to receive more information on the Alliance for Retired Americans you don't have to wait until then to do so. Just fill out the form below and return it to Laborers' Local #1686, PO Box 1173, Helena, MT 59624

**Please send me more information on the Alliance for Retired Americans**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code

\_\_\_\_\_  
Phone number

\_\_\_\_\_  
Email Address

*Fill out and mail in to:*

**Montana Laborers' Local 1686**

**P.O. Box 1173**

**Helena, MT 59601**



## **2012 Wild Game Processing Event for Needy a Success**

2012 annual wild game processing event resulted in 7 elk, 3 deer and 2 black bears being processed into over 700 pounds of hamburger and breakfast sausage for various organizations for the needy throughout Montana. The game is donated to the union from the Fish, Wildlife and Parks for this event.

This event has been going on in the Helena area since 1993. A big "Thank You" to Ron Nelson, Marc Reehl, Warren Smeltzer, Trinka Michalson, Bob DeMontigny, Renee DeMontigny, Julie Delger, Ty Cato, Kelly Graham, Glen Gregor, Ron Champagne, Jon Easterwood, Mickey Mulholland and Jason Nelson for donating your time and expertise to this event.

## **ATTENTION MEMBERS**

**Effective January 1, 2013 Mountain West Holding Company will deduct your working dues from your check. MWHC will remit this deduction on your behalf to pay your working dues of \$.55 per hour.**

## *In Memory of Deceased Members 2012*

**Charles Lundberg - 01/13/2012**

**Gerald Pottratz - 02/21/2012**

**Kathie Burckhard - 03/09/2012**

**Gerald Knotte - 06/29/2012**

**Ray Burnside - 07/21/2012**

**Russell Ferguson - 1/15/2012**

**Billy Ullom -12/02/2012**

## **1st annual Billings area Holiday Get Together**

A great time was had by about 30 members from Laborers' Local #1686 when they got together on Saturday, December 15th in Billings at the Labor Temple. Members Rick Meyers and Patrick Ranger came up with the initial idea for a holiday potluck get together and Field Agent Becky Reidl helped to coordinate the event.

Door prizes were donated by Lee's Saloon, Cop Construction and Laborers' Local #1686. The group hopes to continue the tradition next year and include children's activities.

Many members received their membership pins from Laborers' Local #1686 President Mickey Mulholland and Business Manager Kim Rickard. Richard Kuhn was awarded his 45 year pin.



# MONTANA

**LABORERS**



Laborers' Local 1686  
P.O. Box 1173  
Helena, MT 59601

Kim Rickard, Business Manager

Call Us Toll Free: (800) 988-1686

**MontanaLaborers.com**

*Representing Montana's Finest*



***Season's Greetings***



*From Local 1686 Officers and Staff*

**Kim Rickard**

**Business Manager/Sec. Treasurer**

**President- Mickey Mulholland**

**Vice-president - Mick Wonnacott**

**Recording Secretary - Jay Reardon**

**Executive Board - Debbie Ball-Giop**

**Executive Board - Kelly Johnson**

**Executive Board - Brian Boland**

**Sgt-at-Arms - Warren Smeltzer**

**Auditor - Becky Riedl**

**Auditor - Glen Gregor**

**Auditor - Tylene Cato**



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**Sanna Czifro**

**Elaine Bauer and Jamie Laubach**  
**(Office Staff)**

