



International Brotherhood of Electrical Workers Local 234

IBEW Local 234

Newsletter

July 2010

Local 234 Officers:

Ken Scherpinski
Business Manager

Andy Hartmann
President

Chris Kiner
Vice President

Mike Ihnot
Treasurer

Stephen Slovacek
**Recording Secretary/
Registrar**

Anthony Davis
Andy Gattis
Rick Keaton
Richard Smith
Executive Board

**The Electrical Workers Union for Monterey,
San Benito, and Santa Cruz County**

Business Manager's Report by Ken Scherpinski

Greetings Brothers and Sisters,

Congratulations to our newly elected Local 234 Officers. I was pleased with the voter response for our Executive Board election. Thank you for showing your confidence in these brothers who continue

to represent your best interests.

The election cycle continues and I need your help in taking the next steps to get out and vote for union friendly candidates. Luis Alejo and John Laird will need all the support we can muster to get them elected and start to change the face of California politics and increase our voice in Sacramento.

The summer months have arrived with jobs still moving slowly. Redwood City Electric at UCSC Biomedical building said they will start manning up this month and the new buildings for CHOMP at Fort Ord should be starting the underground soon. It is important that you check the job line everyday to ensure the best opportunity to get out to work. Remember to resign once a month, at anytime that month that is convenient for you. You can call, fax or come by in person to resign and keep your place on the books. There are 43 on Book I, 64 on Book II, 6 on Book IV. Sound & Communications have 4 on Book I and 1 on Book IV.

On June 16th IBEW representatives from across the country visited job sites to communicate with union carpenters about a serious jurisdictional issue happening in the Midwest (more specifically with IBEW Local 1 St. Louis and the carpenters local from the same area). The carpenters have been organizing electrical contractors under their union banner in an effort to undermine the electrical work traditionally done by IBEW. This action is already spreading to adjunct counties with the goal being

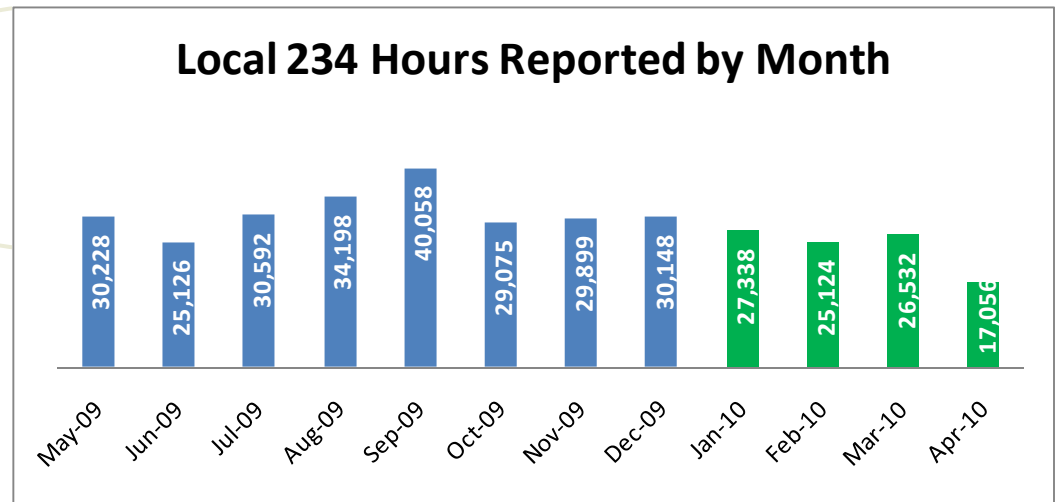
to have all construction workers represented by the carpenters. In our jurisdiction, we have a good working relationship with our carpenter brothers. I have talked with representatives from Local 505 (Santa Cruz County) and Local 605 (Monterey County). Our collective objective is to educate all unions and to ask that we respect each other's craft, stop the division among unions, and focus on working toward the common goal of becoming stronger together. There is strength in solidarity.

There is still time to sign up for the retirement workshop to be held in late August. Just call the office and get your name on the list. It is never too early to plan for your future.

I have some unfortunate news to share, Brother Paul Gutierrez tendered his resignation recently as Organizer. I would like to take this opportunity to thank Brother Gutierrez for his service and dedication to Local 234. Paul did a lot of wonderful work for the local, especially with solar and the "green" movement. I enjoyed working with him these past few years. I wish him the best of luck and success in his future endeavors.

I recently received news that the Division of Labor Standards Enforcement (DLSE) has issued fines and penalties against two electrical contractors based upon complaints we filed. Interstate Construction of Rancho Cordova was fined \$34,538 for misclassification of workers on the UC Santa Cruz 21kV Replacement project. Tim Brown Electric of Santa Cruz was fined \$11,804.51 for underpayment of workers on the Santa Cruz High School Pool Replacement project. Although these fines have been imposed well after the projects are complete, they help make the workers whole and level the playing field for contractors.

As always I wish you and your families well. I hope you can spend some of these summer days enjoying special moments together.



Health & Welfare Retiree Information

SECTION 2.02 - ELIGIBILITY (Early Retired Employees) - Employees are eligible during early retirement for benefits under this Plan provided that (a) the Employee timely pays a self contribution in the amount determined by the Board of Trustees, (b) the Employee is at least 55 years of age, and (c) the Employee meets all of the requirements specified below for Retired Employees, except for age.

The effective date of early retirement coverage shall be the date of retirement as an eligible Early Retired Employee. To maintain continuous coverage, the monthly payment required by the Board of Trustees must be received in the Trust Fund Office before the 15th day of the preceding month for which coverage is to be provided. If an Employee fails to make a required payment when due, the early retirement coverage shall terminate permanently. An Employee may become covered again only if the Employee requalifies under the Eligibility rules that apply to Active Employees.

The early retirement coverage shall consist of the benefits for an Employee and his or her Dependents in force while the Employee was an Active Employee; however, the Board of Trustees reserves the right to change or discontinue the early retirement coverage to those covered at any time.

If continuous early retirement coverage is maintained until an Employee reaches age 62, and if the Employee meets the requirements of Section 2.03 below, the Employee shall become covered under the coverage provided at that time for Retired Employees.

An Employee shall not be eligible for early retirement coverage or, if covered, coverage shall automatically terminate if an Employee becomes eligible for coverage under another plan of group coverage which is provided through active employment.

SECTION 2.03 - ELIGIBILITY (Retired Employees) - To be eligible for coverage, a Retired Employee must:

1. Have attained at least 62 years of age.
2. Had continuous coverage under the Plan for the last 96 months (**8 years**) or for at least 180 of the last 216 months (**15 of the last 18 years**) immediately before retirement date and had continuous coverage under the Plan for the 12 months immediately preceding the date of retirement.
3. Provide satisfactory evidence of employment in covered employment or available and actively seeking such employment immediately before retirement date.
4. Months of coverage resulting from COBRA payments made by the Participant pursuant to Article IV, or payments or coverage granted by the Trust pursuant to Section 2.09 (**coverage during disability**) shall not be considered or counted in calculating the months of coverage required by paragraph 2 above (**although subsidized COBRA will now be counted**).

The effective date of retirement coverage shall be the date of retirement as an eligible Retired Employee.

Local 234 Election Results

July 2010

The results are in. An election was conducted by mail ballot. The ballots were collected and counted on June 19th by Election Judge Bob Cole and Election Teller Dave Butters. The election results are as follows:

Financial Secretary/Business Manager and Delegate to International Convention—Ken Scherpinski (unopposed)

President—Andy Hartmann (unopposed)

Vice President—Chris Kiner (unopposed)

Recording Secretary—Stephen Slovacek (unopposed)

Treasurer—Dennis “Mike” Ihnot (unopposed)

Executive Board (top 4 positions elected):

1. Anthony Davis (84)
2. Rick Keaton (82)
3. Andy Gattis (77)
4. Richard “Rip” Smith (72)
5. Juan Dominguez (53)



Alternate Delegate to International Convention—Dennis “Mike” Ihnot (unopposed)

Examining Board (no nominations accepted, contact the Hall if you are interested in serving on this board)

(343) ballots were mailed to all Local 234 “A” and “BA” members. 31% (108) of the ballots were returned.

All new officers will be installed and begin their three (3) year terms at the general membership meeting of the Local on July 14, 2010.

Any member who believes a protest of the election is warranted during the conduct of the election is urged to contact the election judge. Further protests of the election may be filed in writing with the International Vice President of the district within thirty (30) days following the election. The decision of the International Vice President shall conclude the processing of a protest within the IBEW. In the event the protesting member is not satisfied with the decision of the International Vice President, the member may submit his/her protest to the U.S. Department of Labor.

BBQ Volunteers Needed!

Local 234’s annual BBQ is just around the corner. It’s scheduled for Saturday, September 25th, at Toro Regional Park. Our fantastic cooking crew, led by Executive Board member, Rick Keaton, is requesting your help. Volunteers are needed to assist with preparation, cooking, and cleanup. If you would like to help make the BBQ a great time for all, contact Business Manager Ken Scherpinski at (831) 594-0860 or (831) 633-2311.



Monterey Bay Electric Vehicle Alliance

Local 234 has been hosting meetings for the Monterey Bay Electric Vehicle Alliance (MBEVA), of which we are also a founding member. There is a meeting scheduled for Thursday, July 22nd from 10am to 12 noon. Members and others are welcome to attend. **THINK CITY** is going to be the featured presenter. They have made special arrangements to bring one of their electric vehicles to the meeting. More information on **THINK CITY** can be found at www.thinkev.com. More information on MBEVA at groups.google.com/group/MBEVA.



JATC Training News

By Ed Sudyka

Joint Apprenticeship and Training Center

Ed Sudyka, Training Director
Debra Frame, Admin. Asst.
831.633.3063 office
831.633.3068 fax
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The Electrical Workers Union for Monterey, San Benito, and Santa Cruz County

IBEW California Solar Certification Test Class

LAST CHANCE!!!!!!! Saturday, July 17, 8 am to noon!

Did you attend one of L.A. Local 11 Solar PV traveling roadshow training events, either here last Nov. 7 + 8, or in San Luis Obispo in the summer of 2008, or in San Jose? If you haven't taken your certification test yet, perhaps your last opportunity to do so locally will be here at the Training Center on Saturday, July 17 starting at 8 a.m.

The morning starts with a three hour PV refresher class first, followed by the certification test. Class should be out by no later than noon. The JATC office will get you a copy of the Solar PV Study Guide so you can read up on the PV concepts you'll need to know before the class. Call 633-3063 today to save your spot, and

become IBEW California Solar Certified!

California Advanced Lighting Controls Training Program class (CALCTP)

The JATC now has a teacher trained to present the CALCTP curriculum, and has ordered two of the two-sided trainer boards. This class will be scheduled as soon as the trainer boards arrive here at the Training Center.



CALCTP Trainer Board

The CALCTP curriculum requires a total of 50 hours of classroom instruction and lab work. If you are serious about taking this CALCTP class and want to do the required on-line homework that needs to be done before the start of class, point your browser to:

<http://bit.ly/IBEW234CALCTP>

National Electrical Code Question of the month:

Are fuel cell systems equipment and conductors that are connected to more than one electrical source required to be provided with overcurrent protection?

Answer:

Yes Article 692.9(A) 2008 NEC

Upcoming classes:

IBEW Solar Certification Class:
Saturday, July 17, 8 to noon; see info on opposite page

Wiring Motor Starters: a hands on training class taught by Jimmie Moore. One night only, Wednesday, July 21 starting at 5:30 p.m.

Protective Clothing and Electrical Safety Equipment according to NFPA-70E (sponsored by Salisbury); Aug. 19, 2010, Thursday at 5:30 p.m. to 7:30 p.m.

Foreman's Class! Electrical Project Supervision (EPS) Level 1: Saturday, Sept. 18 8 a.m. to 4 p.m.

CPR recertification: taking signups now! If we get 10 signed up, we can hold the class in August.

California Advanced Lighting Controls Training Program (CALCTP): see info on opposite page.

APPRENTICES!

Call the JATC office if you did not receive a copy of the 2010-2011 school calendar. There has been a change to the class nights. Classes for the Fall semester will be held **Monday** and **Thursday** evenings.

The first night of class will be Thursday, September 9.
(ENJOY YOUR SUMMER!)

JATC Lending Library is OPEN!

Over the years, a significant amount of reference books on electrical topics have been donated to the JATC. We have cataloged these books and you can come in and check them out... literally!

Our collection includes books such as these:

The Electricians Troubleshooting Pocket Guide (John E. Traister; 1996)

Maintaining and Troubleshooting Electrical Equipment (Parks/Wireman; 1987)

Electrical Machinery (Croft; 1917 !)

Library is open whenever the JATC office is open... usually to 5 p.m. during the summer!

Comprehensive Facility Energy Audit Class

Class Objective: To position contractors at the forefront of the **rapidly expanding green energy sector** by educating and training electrical contractors, staff, and **electricians** to **Conduct Comprehensive Facility Energy Audits**. Why?

- New construction has declined and green energy projects create new work
- Energy auditing positions NECA contractors as leaders in green energy skills, and is a **key gateway** to procuring energy efficiency and renewable energy projects
- **Energy efficiency** is projected to become a **\$2-4 Trillion industry**

Class Content: Attendees learn **Electrical, Mechanical and Building Envelope system audit skills**, and how to apply them.

Sound interesting? The JATC would like to know how many of you **are** interested in learning this new skill! We may be sponsoring this class if enough of you express interest. Call 633-3063 or email me to let me know!

Union Plus AT&T Wireless Discounts

Unionized AT&T wireless service for less

With the Union Plus AT&T Wireless Discount, labor union members save 15% off the regular monthly rate for individual and family wireless cell phone plans* on the nation's largest wireless network.

Savings on AT&T cell phone plans, data plans, phones and accessories

Not only do you save 15% off the regular wireless service costs including phone and data plans, but labor union members also receive additional savings on cell phones and accessories. Union families typically save \$71.88 a year with the Union Plus AT&T Wireless Discount based on 15% savings on a \$39.99 plan. Higher minute plans save even more.

Solidarity

Not only will you be saving - you'll be supporting union workers and their families. AT&T is the only wireless company that is completely unionized. Some 40,000 AT&T Mobility employees are represented by the Communications Workers of America (CWA).

For more information and the forms goto <http://bit.ly/9dkQ5F>

Go Green with e-Edition!

Sign up today to receive this newsletter as a PDF email attachment. Go Green! Help us reduce our production costs and be "green." Our webpage is located at www.ibew234.org. There is a link under **Downloads, Newsletter** to the subscribe form.

Also, if you would like to electronically receive your **birthday card** or a **notice that your dues are late**, let us know by calling the Hall and talking with either Mira or Sallie.



Manage Your 9th District Pension Plan

Get the help of a Financial Representative

Wednesday, July 14th, 3-6pm

James Boisse, a Financial Representative with Principal, will be at the Hall to assist with your 9th District Pension plan account. Contact him if you would like to set up an appointment; however, no appointment is necessary.



Call Toll-Free
(800) 654-1485

James Boisse
Development Director
(510) 409-2886

boisse.james@principal.com
www.principal.com/centralcalifornia

Happy July Birthday to:



Johnny Baker
Ivan Barcinas
Vern Beck
Helmut Buse
Ken Cardoza
Ronald Carpenter
Nicholas Castillo
Mateo Ceralde
Bradley Conger
L. Earl Davis
Harry Deupser
Seth Dietz
Philip DiGirolamo
Matthew Evans

Stevan Gamez
Fred Geiger
Scott Harris
Randy Hill
Richard Hoerger
Dennis Ihnot
James Keen
Stan Klasa
Matthew Kulich
Douglas Landis
Enrique Lara
Greg Maggini
Robert McClung
Jose Melgarejo

Adalberto Padilla
Jose Recio, Jr.
Trey Replogle
Michael Rippey
John Rodriguez
Charles Sanchez
Willis Shepard
Michael Stevenson
Josh Stockton
Murray Temple
Ezequiel Torres
Carlos Vargas
Vernon Walker

This Month's Local 234 Winners!

Here are the winners from the **June** union meeting:

C.O.P.E. (Committee on Political Education):

Richard "Rip" Smith won \$22 and donated it back.

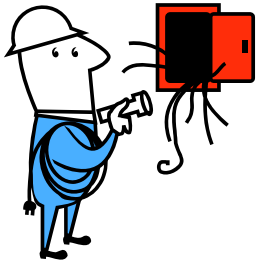
Apprentice Give-Away:

Manuel Valdez won \$23.40.

Give-Away Winners:

Raymond Sykes II won a t-shirt donated by Mike Dempsey.
Chris Burditt won a Klein screwdriver.

The next general membership meeting will be:



Wednesday, July 14th, 2010
@ 6:30 pm

July 2010



Everything that is really great and inspiring is created by the individual who can labor in freedom.

- Albert Einstein (1879-1955)

July 2010

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4 Independence Day	5 Holiday Independence Day observed	6	7	8	9	10
11	12	13 LMCC @ 4pm	14 Union Meeting @ 6:30pm	15	16	17 Solar Certification 8am-12pm
18	19	20 JATC @ 5pm	21 Wiring Motor Starters @ 5:30pm	22 MBEVA @ 10am-12pm	23	24
25 End of Pay Period	26	27	28 Executive Board @ 6pm	29	30	31

Supreme Court Rules on the NLRB

The U.S. Supreme Court recently ruled that the National Labor Relations Board (NLRB) was not authorized to issue decisions during a 27-month period when three of its five seats were vacant.

The 5-4 decision authored by Justice Stevens concluded, "We are not insensitive to the Board's understandable desire to keep its doors open despite vacancies. Nor are we unaware of the costs that delay imposes on the litigants. If Congress wishes to allow the Board to decide cases with only two members, it can easily do so. But until it does, Congress' decision to require that the Board's full power be delegated to no fewer than three members, and to provide for a Board quorum of three, must be given practical effect rather than be swept aside in the face of admittedly difficult circumstances."

The Board operated with two members from January 2008 to late March 2010, when President Obama recess-appointed two additional members. In continuing to issue decisions during that period, the two remaining members—current Chairman Wilma B. Liebman, a Democrat, and Member Peter C. Schaumber, a Republican—relied on Section 3(b) of the National Labor Relations Act as well as an opinion issued by the U.S.

Department of Justice's Office of Legal Counsel, which concluded that "if the Board delegated all of its powers to a group of three members, that group could continue to issue decisions and orders as long as a quorum of two members remained." The Board made such a delegation in December 2007 to a group of three members, which included Liebman and Schaumber, who, acting under that delegation, issued about 600 decisions.

The US Senate recently confirmed two of three of President Obama's nominees to the NLRB, Brian Hayes and Mark Pearce, bringing the total number of NLRB members to the full complement of five for the first time in more than two years. However, the full membership may not last long as Peter Schaumber's term expires in August and Craig Becker's recess appointment will expire in 2011, unless confirmed by the Senate.

The National Labor Relations Board is an independent federal agency vested with the power to safeguard employees' rights to organize and to determine whether to have unions as their bargaining representative. The agency also acts to prevent and remedy unfair labor practices committed by private sector employers and unions.



International Brotherhood of Electrical Workers Local 234



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