

Union may have lost fight over Capitol painters

KATHY ROBERTSON / STAFF WRITER

SACRAMENTO BUSINESS JOURNAL

The pickets are gone. Dual gates are in place to allow painting crews to enter and leave the Capitol grounds away from lawmakers and visitors. But there's no union contract.

Painters Union Local No. 487 has tried for months to organize the crew that's painting the Capitol. The 20 to 25 painters hired by River City Painting Inc. for the \$3 million job are nonunion. It appears likely they'll remain so, especially since they're being paid prevailing union wages of \$31 per hour without having to pay union dues.

While the crew was greeted by hundreds of pickets when it commenced work April 13, there's been no union election. The union demanded the company proceed directly into contract negotiations, but River City says it's up to the workers to decide by secret ballot election.

Work on the project will be done soon, rendering moot the high-profile union fight at the Capitol.

"We established dual gates and offered an election — and they stormed outta here," said **Bob Rediger, a Sacramento attorney who represents River City Painting**. "It looks like we beat them. They're stonewalling and we'll be done in September."

Blame it on the state budget. Lawmakers are bogged down by the debate over how to trim \$23.5 billion from the state spending plan next year. The union engaged both Assembly Speaker Herb Wesson and Democratic Assemblyman Marco Firebaugh in initial discussions over the contract, but lawmakers are now tied up by the budget deficit and haven't been involved for weeks.

"At this point, we're monitoring to make sure they are meeting the specifications of the contract," said Tom Caster, an organizer for Painters Union Local No. 487. "We feel that, as low as the contract was at the time of the bid, there's no way (River City) can paint the building and make a profit"

There were two bids on the project, according to River City president Glenn Brown. His was \$3 million, while the other bid came in at \$3.8 million and involved a subcontract to out-of-town painters.

"We're a local company that specializes in high-rise and commercial painting projects," Brown said. "We've painted 11 projects around the Capitol. This is what we do — and we're good at it."

Although the project was expected to run through mid-November, painters are ahead of schedule and will probably be done in September, Brown said.

The union tried a number of approaches to bring the company directly to the bargaining table, Brown said. State health and safety officials were called in. So was the state Labor Board. Letters were sent to employees to see if they were paid correctly and getting proper break times.

"They threw everything they could at us," said Brown, adding that the company spent "tens of thousands of dollars" on attorney fees to deal with the California Occupational Health and Safety Administration and other regulators.

River City's Capitol painters, like others on government jobs, are paid the prevailing wage.

"We said we'd go to our people and see if they wanted to vote. They said 'Yes.' but the union wants us to sign a contract without one," Brown said. "Our guys have been with us 10 to 15 years. If they want to do it, we are all for it. If not, we don't want to push it on them."

Union reps met with the employer this spring, Caster said, but "these discussions didn't really move forward, so we stopped all lines of communication."