

ENGINEERS NEWS



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About the Front Cover

Brothers James Winfred (Chief Steward), Jordy Reha (Shift Steward) and Dan Stonehocker of Wellman Dynamics



Local 234 Members taking a break in the Ottumwa Generating Station break room



Wellman Dynamic Members attend a contract proposal meeting



Brothers Jason Pfister, Dennis Brockhaus, Craig Brockhaus and Justin French



Layoff Rules for All Layoffs, Including Seasonal

Referral Register Affects Unemployment Compensation and Insurance Self-Pay Rights.

If you are laid off, even if it is a seasonal layoff, you must check in with Local 234 by phone, mail or in person at least once every 30 days in order to remain on the Referral Register.

Iowa Workforce Development does random audits of unemployment claims. If you have not put yourself on the Referral Register, your claim will be denied by their office and you will NOT be eligible for unemployment compensation.

Additionally, the rules for eligibility to make self-pays for insurance through the Local 234 Health & Welfare Fund require you to be available for work. You are not considered as available for work unless you have placed yourself on the Referral Register.

PLEASE...Don't jeopardize your unemployment compensation! Don't jeopardize your health insurance!

Business Manager's Report

2013 is finished, and actually turned out to be a pretty good year. 2014 has started strong with more Members working through the winter than in years past.

The upcoming year seems to be shaping up nicely. The windmill work that started last fall should be back in full swing by General Membership meeting time. The powerhouse work looks to remain strong with the start of a project in Lansing and the Marshalltown powerhouse starting late summer/early fall. The local contractors have told me that they are looking at a good season. Hopefully our spring won't be as wet as last year.

The Legislative session has started for the year and our lobbyist, as well as lobbyists for other labor groups, have been pushing the gas tax and new language on how the apprenticeship sites received their money from the State. The Trades have also been working together to try and get approval from the Utilities Board for the Clean Line Energy project and to stop any bills that would put an end to the project.

At the International Winter meeting in January, Sean McGarvy from the National Building and Trades in Washington D.C., welcomed the Operating Engineers back into the National Building and Trades. Now that we are back involved in Washington we will look at getting more involved on the Local level also.

Even without a contribution increase to Health & Welfare, the Fund is holding its own. We are still sitting above the 24 month reserve mark. It looks like we should stay above that 24 month mark through the spring even taking into consideration that winter and early spring is the time when most Members visit the doctor, and the fact that work hours are down during this time of year.

Stationary negotiations have been tough again this year, with none of our groups looking at getting much more than the average wage increase for the state. Once you add in the changes from the Affordable Health Care act a lot of groups have been looking at small increases if any increase at all. With the constant date changes coming from the government on when the Affordable Care Act fees will take place its made it hard to come to agreements with some groups at all.

A few Members have taken advantage of the Apprenticeship/Training Site being open one Saturday per month. I think even more will seize the opportunity as time goes by. We did purchase a 12m blade over the winter and would encourage Members to take advantage of getting some seat time in it. It seems we are getting more and more calls for Operators for that type of blade each year.

Last fall at the General Membership meeting I said I was thinking about having Membership picnics around the state in the 3 Districts. Looking forward at the workload for this spring and summer, I'm thinking it would be better to do December Christmas parties where *ALL* Members can bring their families (Stationary, Hoisting & Portable and Retirees). We are working on plans to hold them somewhere other than the District halls where families can be involved, and everyone can have fun. Announcements will be made in the September Newsletter and beginning at the September meetings.

Another of the ideas I talked about last fall was using Stewards on more Hoisting & Portable jobs around the state. I have a class set up for Saturday, April 12th at the Des Moines hall. Please call 515-265-1657 to get registered if you have any interest in being considered for a Steward position in the future.

Please make sure you're on the out of work list and your qualifications are up to date so we can get everyone to work as soon as the weather allows.



*Jason Copple
Business Manager
Financial Secretary*

District I



*Chad Carter
Business
Representative*

It seems as if everyone is tired of the winter weather so I'm sure you will agree with me when I say...bring on spring! The good news, is that the workload is looking to be crazy busy once it begins to warm up. One of the biggest projects that Local 234 will have going in the spring will be the finish of the bag house project in Chillicothe. The final tie-in will start with a three month shutdown starting in September.

Another big project starting in the summer will be the long awaited powerhouse in Marshalltown. This project could get started as early as June. There will also be 13 miles of a 20" pipeline job that could start around fall of 2015. A few pipe-

line jobs that we still may see this year are 12 miles of a 12" pipeline in Story and Hamilton Counties. We might also have 24.8 miles of 8" pipeline and 11 miles of six inch pipeline in Worth and Mitchell counties.

On the Distribution side of things it is going to be very busy around the state. For the first time ever, Mid American split the work in Des Moines between two contractors; Q-3 and Infrasource.

A few other large projects taking place are the Big Creek Diversion Dam Gate Replacement and the Saylorville Lake Bridge. If more money is raised, we could also see the Red Rock Hydroelectric Project work begin.

It would be nice if they would wait until 2015 or 2016 to start this project so we can man it properly.

Around Des Moines the next phase at the Facebook project will be starting in early spring. We might also see a new motel/convention center project begin later this summer. Microsoft is also talking about another building in town and Wells Fargo is looking at a warehouse building outside of Pleasant Hill. There has also been talk of lots of new housing developments around town. I do see a big slow down in WRA work but hopes are high that all of the other work will make up for it. Have a safe and happy season.



Sun Concrete pumping concrete at the SE 4th Street and Shaw Streets Stormwater Pump Station in Des Moines



Premier Concrete Pumping getting ready to pump concrete for a new ride at Adventureland in Altoona

District II

It has been a long cold winter but we are starting to see the light at the end of the tunnel. We have several ongoing large building projects in Iowa City, with William Brothers at the new Hancher Auditorium and Midwest Steel looking to start the iron package in the next month. Miron has a couple sizable projects with the West Campus Residence Hall and the new art building. Calacci has three operators at the Children's Hospital running the tower cranes. We also have Portzen due to start a flood protection project in March.

In Cedar Rapids the work load is looking good for the spring with numerous site development and utility projects coming out to bid. A PLA for the proposed Cedar Crossing Casino in downtown Cedar Rapids has been signed. The Gaming Commission is set to make their decision on if it will license the casino in April.

Wind farms will continue the civil portions of work in O'Brien, Madison, Grundy, Carroll and Webster Counties as soon as Mother Nature lets them.

All in all, work in District 2 and around the state are looking very strong for 2014. Please keep your certifications up to date and remember to keep your name updated on the out of work list. This will ensure that Local 234 is able to man these jobs with qualified operators!



*Nick Norton
Business
Representative*



Brother Shawn Wilson operates a Tower Crane at the new University of Iowa Hancher Auditorium in Iowa City

Local 234 would like to express Congratulations!



District III



*Spencer Yockey
Business
Representative*

Work on the west side of the state has held steady over the winter months despite several frigid weeks. Several projects being: Rice Lake at the wastewater treatment plant in Lemars, Phillip Hardy at the bridge replacement over I29 at the Glenwood exit.

The Polaris expansion in Spirit Lake was shut down due to frost heaving the footings, however Sowles Construction plans to continue the project this spring. Gem Inc.'s work on the Poet Ethanol Plant continues, although it has been a battle due to the cold weather. Contractors on site include Truck Crane Services, Winbco Tank and Tri-State Crane.

Klinger has had a busy winter. Two schools and a church addition are ongoing, along with the Hard Rock Hotel and Casino. The expansion of the Bomgaar's warehouse will also begin in the spring. Goettle Inc. is on site at CF Industries. They are currently drilling auger cast piling and plan to bid on more work for this project. As of February 19th they have completed over 1500 pile out of 3600 total. Several contractors have contacted the Union regarding work on the CF Industries expansion. Hopefully we will get more work in the future on this project. Kiewit's scrubber project at Unit 4 was completed last fall, although there were a few set backs due to ID fan issues. The Unit 3 tie-in is scheduled to start March 22nd. Hayes Mechanical and Brand Energy Services will also be there for the shutdown.

Work continues at CBFS with Sachs Civil installing electrical gear and duct banks, Rodriguez Mechanical is performing the water and sewer work, Davis Erection is setting iron and precast and Berkel is drilling the piling. Upcoming work includes a cooling tower and potentially several more buildings.

Mortenson's wind turbine project will start back up this spring. There are over 400 turbines at four different sites around the state, which are in Macksburg, Wellburg, Highland and one near Carroll. Mountain Crane has recently begun maintenance work on the turbines near Adair. Crane Rental & Rigging wind turbine maintenance is continuing as well as can be expected through the winter. The smaller cranes have been steady except for delays due to weather conditions.

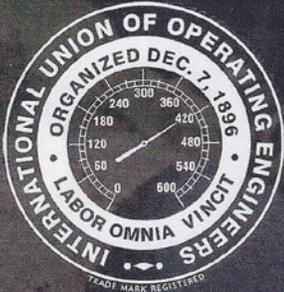
It has been a busy winter with stationary contracts as well. Nine contracts were opened this year in the area and three have been settled. The remaining contracts are still being negotiated, with several being delayed due to insurance costs that have not yet been finalized.

The workload looks good for the remainder of the year and continuing into 2015. I look forward to seeing you at the General Membership Meeting in Des Moines on March 29, 2014.



Brother Jordan Seals operates a 35 ton Grove RT for Klinger at the Morningside College addition.

Health Dynamics Physicals



For you to achieve and maintain your optimal health, knowing where you stand is only part of the equation. Once you know your health status, what are you going to do about it? How do you go about doing it? What changes should you make - and how?

At **Health Dynamics**, we follow our comprehensive testing with a counseling session to give you the information, skills and confidence to get healthy and stay that way. Let us empower you to take charge of your health.

Program components (covered at 100% for member & spouse - verify eligibility with the Health Fund Office)

- Extensive Physical Exam
- Comprehensive Health Screenings (Mammo, Pap, heart disease, diabetes, ortho conditions)
- Fitness Evaluation, Exercise & Diet Recommendations
- One call does it all!

This program is not intended to replace your family MD relationship. Recommended follow-up care & prescriptions will be handled by your personal doctor. A copy of your personal health report will be provided for your MD upon request.

For info or locations, call **Health Dynamics** at (414) 443 0200 or go to www.local234.com

The road to a healthier you begins with the Operating Engineers Local #234 Health & Welfare Fund. Introducing an exciting new benefit - with no out-of-pocket cost!

The **Health Dynamics** program with locations in:

- Ankeny, IA 515-964-9003
- Waterloo, IA 319-272-2112 #1
- Vinton, IA 319-472-6342
- Dubuque, IA 563-588-0011
- Sioux Falls, SD 605-328-9300
- Rochester, MN 507-218-3095
- Onalaska, WI 608-799-5356
- South Sioux City, NE 402-494-5173

*Please note...you must be a Health and Welfare participant and a member in good standing to partake in the Health Dynamics Physicals!



Congratulations Retirees

Kevin Schlicht
Kenneth Besler
Allan Fondell
Jackson Ritter

Dennis W. Six
Wayne Tucker
Gerald Chapman
Merlin Steffen

Nancy Welborn

October 18, 2013

Dear Local 234 Member:

Enclosed is a copy of the updated Referral Hall Rules & Procedures which will take effect November 1, 2013. This referral (out-of-work) list remains available to all members and non-member alike as approved by the National Labor Relations Board, July, 2000.

Please understand that the Local 234 Executive Board feels that the minor changes made to these Rules & Procedures were necessary and pertain only to the addition of the drug testing. They were created not only to protect the integrity of Local 234 Members, individually and as a whole, but to protect our relationship with each employer. These relationships must be healthy or they could affect future bargaining and/or market share.

If you have any questions, please do not hesitate to contact our office for clarification.

Fraternally,

IUOE Local 234 Executive Board

IUOE LOCAL 234

Referral Hall Rules & Procedures

Effective July 1, 2000, IUOE Local 234 has been designated by the National Labor Relations Board as a “referral hall” for the purpose of securing employment for Operating Engineers in the State of Iowa and to that extent Local 234 will maintain an “Out-of-Work List” and a “Qualifications Register” which shall provide information as to a person’s experience, qualifications and certifications, if any. It is further understood that an employer is free to hire any person of its choice and likewise any person may independently seek his or her own employment. These procedures have been adopted consistent with and in compliance with the National Labor Relations Act of 1947, as amended, 29 U.S.C. §151 et. seq., and consistent with past practice.

- I. Each person must check in (by phone, in-person, mail, email) at least once every 30 days. On the 31st day their name shall be removed from the list. Each person on the list must be ready, willing and able to go to work.
- II. It is the Operator’s responsibility to provide the name of their last employer and their own current telephone number(s). Each person is also responsible for honestly providing information regarding their separation from their last employer (i.e. laid off, drug-up, ran- off, etc).
- III. All dispatches, attempted dispatches, refusals, drag-ups, run-offs, etc will be documented by the Local in each Operator’s permanent record. Refusals and drag-ups may affect an Operator’s right to draw unemployment and/or Health & Welfare self-pays.
- IV. If an Employer requires drug tests (pre-employment, random, or at any other time), each person be able to pass. If an Operator does not pass based on information provided to the Local by the Employer, the following shall apply (the Operator has the right to challenge the validity of “this information” by filing a Notice of Appeal with the Local within 5 business days, and the Operator thereby waives confidentiality rights therefrom):
 - 1st offense – off Referral Register until proof of a clean drug screen** is provided to the Business Manager.
 - 2nd offense – off Referral Register for 30 days and until a clean drug screen** is provided to the Business Manager after the 30 day period, which commences from the date of the test.
 - 3rd offense – off Referral Register for 60 days and until a clean drug screen** is provided to the Business Manager after the 60 day period, which commences from the date of the test.
 - 4th offense – off Referral Register for 6 months and until a clean drug screen** is provided to the Business Manager after the 6 month period, which commences from the date of the test.

- 5th offense – Charges will be filed, possible expulsion

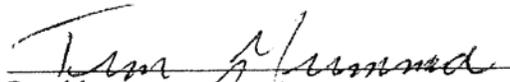
** Drug screen must be performed by a drug testing facility or physician's office. No home testing kits will be allowed. Drug screen shall be paid 100% by the Operator, not reimbursable by the Union and/or the Local 234 Health & Welfare Fund, unless under appeal it is proven the original test was inaccurate.

Being restricted from the Referral Register may also affect the Operator's right to draw unemployment and/or Health & Welfare self-pays.

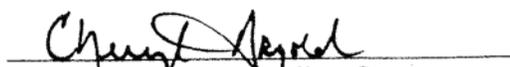
- V. It is the Operator's responsibility to keep their qualifications and/or certifications updated with the Union Hall and to accurately complete a Qualification Register. Furthermore, such Operator may be requested to perform an evaluation of their qualifications at the Training Program.
- VI. If an Operator is dispatched by the Union to an Employer for a short-term job, which is strictly defined as one work week or less, their name shall not be removed from the Referral Register.
- VII. When an Employer calls IUOE Local 234 for referrals, the Employer may:
- hire any person it wants
 - ask for several names of qualified persons from which to choose
 - ask the Union for its recommendations
- VIII. IUOE Local 234 will do its best to seek employment for all persons on the Out-of-Work List. Subject to the Employer's discretion, the Local shall seek – but cannot enforce – employment for those highly qualified that have been on the Out-of-Work List the longest period of time and who have complied with the requirements of the of the Out-of-Work List and Qualifications Register. By law, the final decisions rest with the Employer.
- IX. None of these Hiring Hall Rules and Procedures are meant to be interpreted as circumventing or avoiding the mandates of the International Union of Operating Engineers Constitution.

Effective November 1, 2013. Signed and dated this 28th day of September, 2013.


Business Manager Financial Secretary

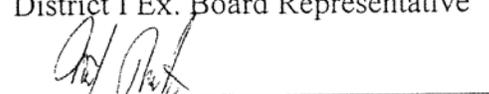

President

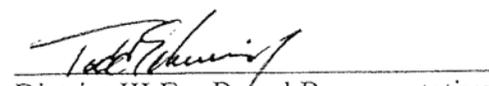

Vice President


Recording Corresponding Secretary


Treasurer


District I Ex. Board Representative


District II Ex. Board Representative


District III Ex. Board Representative

Stationary



*Cheryl Arnold
Stationary
Representative*

The Stationary contract negotiations throughout the state continue to be an on-going process. At the time of this writing, I have settled 9 contracts with an average wage increase of 2.1%.

Employers are continuing their efforts to impose health insurance changes on to the employees in response to the unknowns of the Affordable Health Care Act. Some are willing to concede higher wages and increasing employee benefits to achieve their goals, while others are not.

It is a constant point of contention at the bargaining table.

Another huge issue this season has been the number of Members and stewards that have had questions surrounding the filing of grievances. In referencing both the Labor Center of Iowa University as well as the Steward Update, I will attempt to answer some of the basic questions surrounding grievances:

How do you determine if the action or actions are “legitimate” grounds for a grievance?

The following 5 questions first need to be answered:

1. Does it violate the Collective Bargaining Agreement?
2. Does it violate past practice?
3. Does it violate Employer rules?
4. Does it violate the Law?
5. Does it violate Basic Rights?

Three types of evidence:

1. Direct Evidence- Solid physical evidence such as work records, contract language or eyewitness testimony. (The best and most preferred evidence.)
2. Circumstantial Evidence- Indirect evidence such as where a worker was at in a given time and what was said to whom. (Not as persuasive as Direct evidence, but may help to prove facts.)
3. Here-say Evidence- This is inferior evidence such as he said/she said, and can not be proven. (Most likely to be thrown out as evidence in any case.)

Regardless if you are certain or not if there is legitimate evidence that points to the filing of a grievance, EVERY employee's concern needs to be taken into consideration and listened to.

There are many issues that can be solved with the employee and the employer meeting to calmly discuss the issue and trying to come together for a common cause. The contract is a set of rules that BOTH groups have agreed to follow.

The best way for you as a member to know if the employer has violated any portion of the contract, is to **KNOW YOUR CONTRACT!**



Meeting Schedule

General Membership Meeting:

March 29, 2014 at 1:00 p.m.

4880 Hubbell Avenue, Des Moines

District Meetings:

(All Meetings Begin at 7:30 p.m.)

District I: Des Moines

4th Thursday of Each Month

District II: Cedar Rapids

3rd Thursday of Each Month

District III: Sioux City

2nd Thursday of Each Month

Area Meetings:

(All Meetings Begin at 7:30 p.m.)

Council Bluffs Area: 1st Wednesday
March, June, September, December

Dubuque Area: 3rd Wednesday
March, June, September, December

Waterloo Area: 2nd Thursday
March, June, September, December

Stationary Meetings:

Sioux City Schools: 3rd Tuesday of
Each Month September through May

All Others: As Scheduled

**Sincerest Sympathies go to the families of the Brother Members of Local 234
for the loss of their loved ones.**



Jack Viers

September 6, 2013

49 year Member

Harry McCarter

September 27, 2013

38 year Member

Richard Oxley

October 10, 2013

45 year Member

Danny Sheeder

October 18, 2013

8 year Member



Eldon Rose

December 6, 2013

52 year Member

Melford Zoubek

December 20, 2013

50 year Member

Lloyd Boers

December 22, 2013

14 year Member

Mosie Harold Bickford

December 29, 2013

51 year Member

Randy Orman

January 4, 2014

24 year Member

Francis Sheely

January 8, 2014

54 year Member

Ronald Woods

January 11, 2014

22 year Member

Merwin Kielmann

January 22, 2014

47 year Member





Brother Ryan Loomis operates a Kobelco Crane at the 350 E. Locust St.—Housing Development in Des Moines



Brother John Connolly operates a Tower Crane for Ryan Co. at the Kirkwood building in Coralville



Brother Dan Law operates an 11,000 lb. RT Forklift at the Hard Rock Hotel and Casino in Sioux City



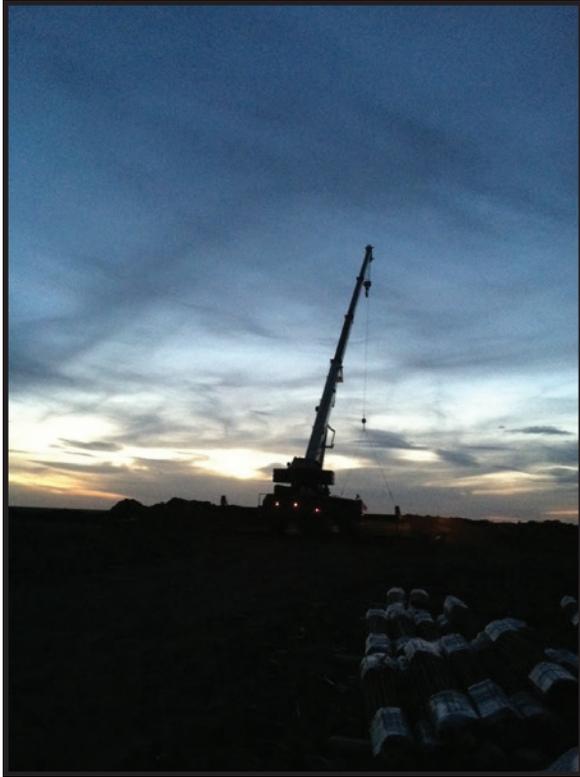
Brother Jordan Seals operates a 35 ton Grove RT for Klinger at the Morningside College addition in Sioux City

General Membership Meeting Notice

Saturday, March 29, 2014 @ 1:00 p.m.

4880 Hubbell Avenue

Des Moines, IA



Brother Tim Jensen operates a 90 ton RT Link-Belt for Mortenson at the wind turbine project near Primghar



Apprentice Brandon Black working for Brecke in Cedar Rapids on one of the numerous water issues this year



Brother Dale Shadlow operates a Terrex Crane on the new Principal Financial Group skywalk for AWS in Des Moines

Is your address, email address and phone number current with your Union?

**If not, drop us a note or call us at
515-265-1657**

Office & Finance



*Tracy Petersen
Office Manager*

It's appearing that 2013 is going to go down in Local 234's history books as a break-even year. The independent auditor will be in the Des Moines office reviewing all financial facets of the Local the first week in March, and final numbers will be made available at the General Membership meeting on March 29th.

I believe planning for retirement should happen as early as possible. There are a few links within the pension toolkit on the AFL-CIO website that I found to be of interest (AFL-CIO.org/issues/retirement-security). The first is a Retirement Planning Calculator. It asks you to enter your current and estimated costs at retirement, how many years away retirement is for you and the inflation rate. The calculator will then tell you how inflation, which has been 2% to 3% over the past 15+ years, will affect the amount of money you will need in retirement. It also encourages you to think of your retirement in three stages.

The first stage, and usually the most costly, is early retirement – more travel, education and recreation costs. You may be helping with the expenses of an elderly parent and should start estate planning if you haven't already done so. The middle stage, they say you are more likely to have your mortgage and other debts paid off, and higher medical costs start creep up on you. Being budget-conscious becomes more important. And in the third stage – late in retirement years, you may face higher medical bills. Sticking strictly to a budget may be more likely.

The second calculator that I find interesting is an estimator for Social Security earnings. Social Security, which may not be as big of portion in a person's retirement as it once was, is still a very important part of retirement.

For those of you that are a participant in the Central Pension Fund, I'm sure you will be glad to know that the Fund has continued to gain strength over the last year. At current time, the CPF is at approximately 94% funded. Although it has been announced that the accrual rate will not increase at this time, we are still be told that the Fund Trustees will continue to visit the possibility until such time that they are confident the Fund can afford an increase.



Truck For Sale – Sealed Bids Being Taken

2000 GMS Sierra, C-1500

97,242 miles

Sold by Local 234 as-is – bright green in color (all stickers will be removed)

Known information: interior in good shape, rockers are rusted, may need battery

Can be seen at the Apprenticeship site (call 641-942-7112 to see)

Taking sealed bids through April 15, 2014 – include your name and phone number on bid.

Highest bidder must make full payment within one week of notification. If payment is not made, the second highest bidder will then be declared winner.

Send bids to Local 234, 4880 Hubbell Avenue, Des Moines, IA 50317 – please mark on envelope that truck bid is enclosed.

Apprenticeship & Training



Our 12M Blade is here. This is a very nice piece of equipment. Come down and take her for a test drive.

Two 40-hour Hazmat classes were held at the site this year. Forty Members became certified as a result of these two classes.

After the completion of all classes, NCCCO will be out to perform an audit for the overhead

crane so we can begin testing on it.

We are excited to share with all of you that the Apprenticeship site will now be open the first Saturday of the month beginning in May. Due to the Fourth of July holiday, the site will be open the second Saturday. We ask that you call the site to sign up if you are interested in coming down on a Saturday. We will not be open if the demand is not there.

To all Qualified Signal and Rigger persons: Please check the date on your cards as some of you might need to update your cards soon. Don't wait until they expire!



*Bob Herndon
Apprenticeship
Coordinator*



International Union of Operating Engineers

**4880 Hubbell Avenue
Des Moines, IA 50317**

**Non-Profit Org.
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**Published by Local 234 of the
International Union of
Operating Engineers, 92
Counties—State of Iowa**

**Jason Copple—Business
Manager—Financial Secretary**

Portable & Hoisting:

District I—

**Chad Carter, Business
Representative—Ames, Des
Moines, Ft. Dodge, Mason City,
Ottumwa
Des Moines—515-265-1657**

District II—

**Nick Norton, Business
Representative—Cedar Rapids,
Iowa City, Dubuque,
Waterloo
Cedar Rapids—319-396-2050
Dubuque—563-583-2521**

District III—

**Spencer Yockey, Business
Representative—Sioux City,
Council Bluffs
Sioux City—712-255-1374**

Stationary—

**Cheryl Arnold, Stationary
Representative—Jurisdiction wide
Des Moines—515-265-1657**

Main Office—

**Tracy Petersen—Office Manager
Des Moines—515-265-1657**

Apprenticeship & Training

**Bob Herndon—Coordinator
Indianola—641-942-7112**

Health & Welfare

**Jessica Wardyn—Office Manager
Des Moines—515-265-0371**