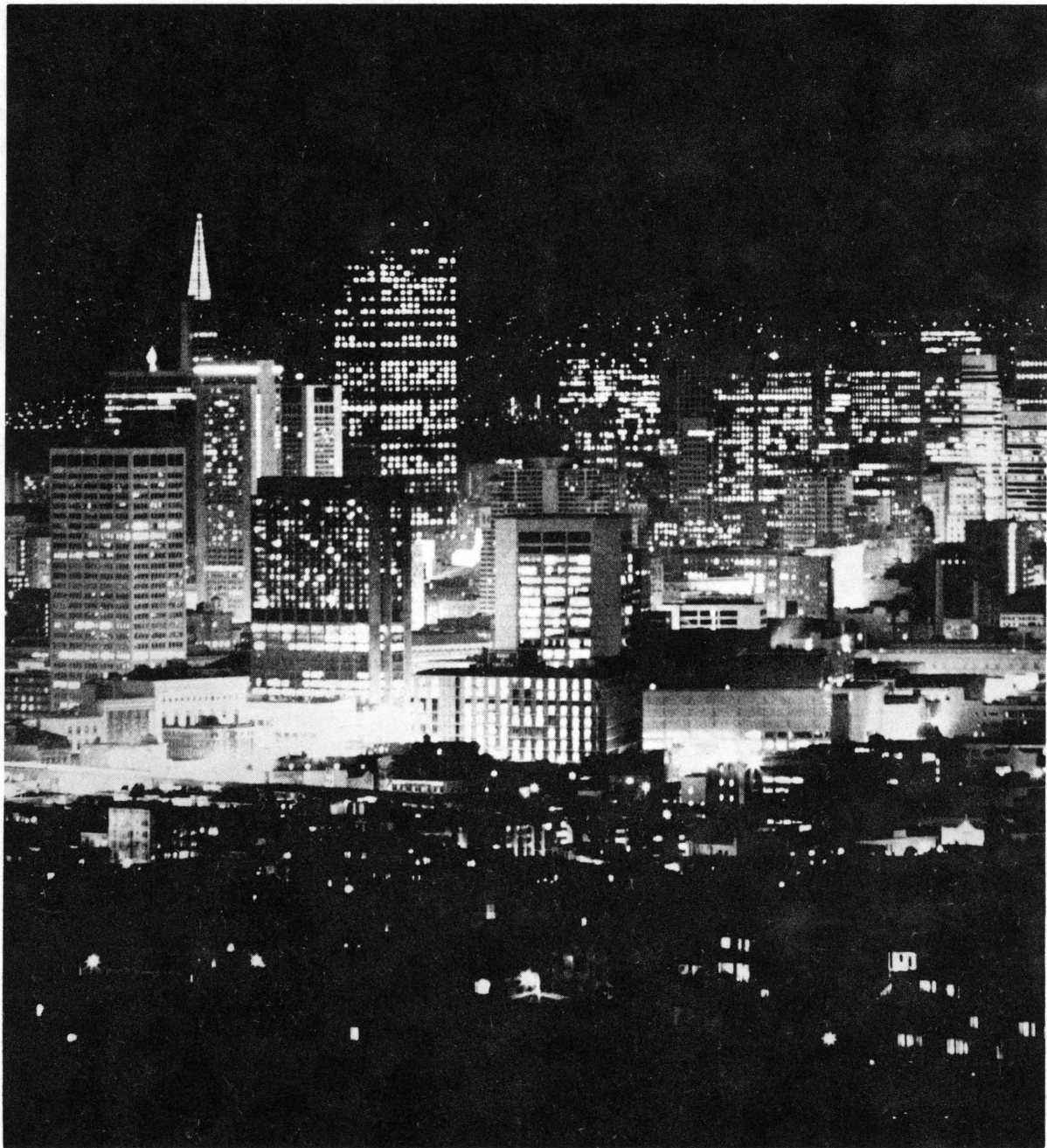


URBAN ACTION

1985



CONTENTS

STAFF

Co-editors
Maureen Daly
Jeanette David
Jim DuPont
Ken Garner
Jill Jarkovsky
Michael Kelly
Stephanie Mischak
Walid Saba

Faculty Advisor
Deborah LeVeen

Printing/Typesetting
University Printing

Cover Photograph
Walid Saba

Development Politics

- Berkeley's Development Battle 3
by DAVID PARKE
- "SOM: Getting a Piece of the Action 7
by BILL WATT
- Mission Bay: Power Politics and the Neighborhoods 11
by STEPHANIE MISCHAK
- Not in My Neighborhood 17
by MARY SUE PLANCK

Employment

- Labor-Management Productivity Councils:
Guidelines for Success 21
by ALEAIN SCOTTY HODGES
- "First Source" 26
by JEANETTE DAVID
- Comparable Worth 29
by MARLA ATHENS

Photo Essay

- The Homeless in the City 33
by WALID SABA

Consumer Action

- Nestle vs. Mother's Milk: The Boycott,
a Model for Consumer Participation 43
by SUE RYBURN
- Food Irradiation: Is This Our Only Choice? 46
by PHILIP VINCE
- Responsible Legal Consumerism
and the Cost of Litigation 49
by REBECCA WESTMORE
- Let Your Conscience Be Your Financial Advisor 52
by KEN GARNER
- Under the Rug: The Problem of Urban Waste 55
by SHARON RANALS

Transportation

- Rescuing Pedestrians' Rights
at 19th and Holloway Avenues 60
by SILVIA M. MENJIVAR
- The Politics of LRT: A Study of Santa Clara County's
Transit Decision 63
by MAUREEN DALY

Book Review

- The Post Keynesian Economy,
a book review essay 68
by ED FOX

FROM THE EDITORS...

The editors of the 1985 URBAN ACTION are proud to present this superb collection of articles. Within these pages, we deal with mounting piles of garbage, the politics of downtown development, the ramifications of changing economic thought on policy makers, the inequalities of pay, and many other issues of the day. These issues aren't glamorous or exciting, but every minute of every day they effect the way we live.

To keep from being overwhelmed by these problems, big and small, the urban dweller must create change. URBAN ACTION is based on the idea of change. Each of these articles emphasizes the need for action and offers a possible solution of a problem facing those of us living in an urban environment.

Being idealist we editors hope you find these articles not only informative and interesting, but we also hope you are moved to action by one of these articles.

But before you move on let us thank those people who have made the 1985 Urban Action a reality. First, we would like to thank Debbie LeVeen, our faculty advisor. When ever any of us need a word of encouragement, a thoughtful insight or a little prodding, Professor LeVeen provided it.

A special recognition to the authors who rewrote and rewrote these articles until they reached the high quality found in the journal.

Thanks to all the faculty members who have assisted, to University Printing and to anybody we have forgotten.

Finally we would like to thank the Associated Students for their generous funding without which these ideas and dreams would never have been published.

The editors of URBAN ACTION 1985

URBAN ACTION is published annually by the Forum of Urban Studies Students, San Francisco State University, with partial funding from Associated Students. Views expressed are those of the authors only and do not necessarily reflect those of the University, the Urban Studies Program, or Associated Students

Correspondence and requests for additional copies should be sent to: URBAN ACTION, Forum of Urban Studies Students, HLL 382, San Francisco State University, 1600 Holloway Avenue, San Francisco, California 94132.

For each additional copy please enclose a check or money order for \$2.25 (includes postage and handling) made out to FUSS.

SPECIAL THANKS TO: Martha Sullivan, Robert Muelbaur, Bank of America, for contributing \$25 or more to help keep Urban Action growing and changing.

Development Politics

Berkeley's Development Battle

by David Parke

David Parke is an undergraduate student at San Francisco State, majoring in both Urban Studies and History. He is a resident of Berkeley.

The future of the waterfront in Berkeley has recently become a much debated issue in that community. This resurgence of interest has been generated by a proposal for development of the waterfront by Santa Fe Land Improvement Co., a development corporation which owns over half of Berkeley's waterfront lands. The issue of waterfront development in Berkeley is not a new one. Proposals for various waterfront uses have been promoted by Santa Fe and city planners for decades.

In the 1970's, Santa Fe tried to interest Berkeley residents in the development of a regional shopping center on the waterfront. Strong opposition from environmentalists and downtown businesses fearing competition culminated in the city's refusal of these plans. Santa Fe responded by bringing suit against the city for undue interference in the rights of private land ownership. Litigation continued until 1982, and while no clear winner came out of the battle, the process held up waterfront planning for years.

In November of 1983, Santa Fe offered a comprehensive development proposal to the city. The plan calls for a substantial amount of development along the waterfront, as well as a large amount of acreage set aside for open space and public use. This proposal has been accompanied by a well orchestrated public relations campaign, designed to enlist the support of Berkeley's citizens. Early in 1984, a 12 page mailer was sent out to many residents, and an exhibition of the proposal's design, replete with video presentations, was placed in the city center for months. Santa Fe has sought both

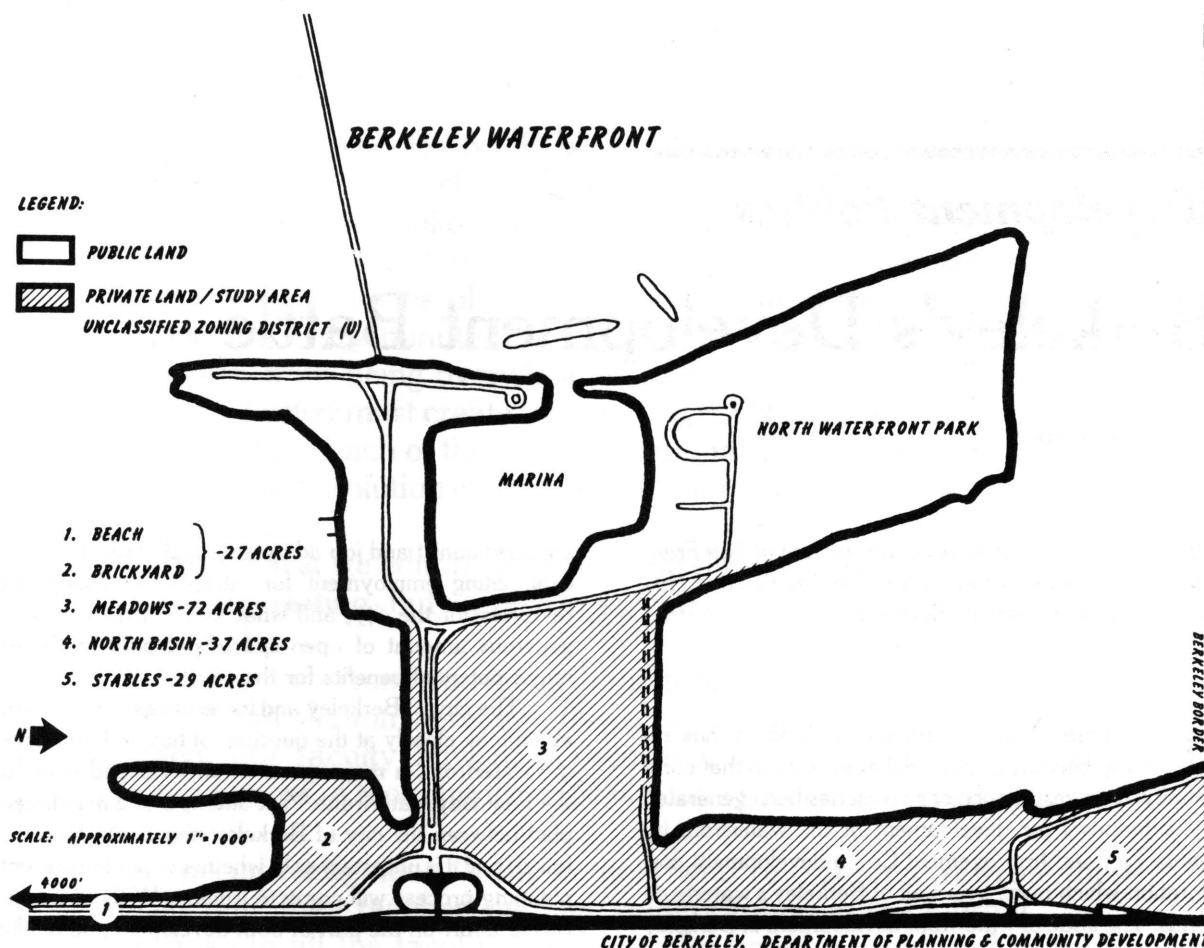
conservationist and job advocate support for the proposal, citing employment for citizens, increased tax revenues for the city, and what they consider to be a generous amount of open space and park lands, as major potential benefits for the city.

The city of Berkeley and its residents now have to again look closely at the question of how to best utilize the waterfront, a major piece of undeveloped land on the East Bay waterfront. Past attempts at a negotiated plan between the city of Berkeley and Santa Fe have failed, and it is uncertain as to whether or not the present planning process will come to fruition. Without a concerted effort on the part of both developers and public

*'the Santa Fe proposal uses
open space as scenery
for office workers . . .'*

planners to find a workable solution, waterfront planning will once again come to a standstill, primarily at the expense of Berkeley residents. This article outlines the current planning and project negotiation process between Santa Fe and the city of Berkeley, and points out some past barriers to a waterfront plan and how they might now be avoided.

Santa Fe submitted a comprehensive waterfront development proposal to the city in November of 1983. Of the 332 acres of waterfront lands in Berkeley, Santa Fe owns 174 acres of property. They propose that 110 acres of land on the waterfront be earmarked for development, with 3,000,000 square feet of office, R&D, light industry, and retail space, to be built over a 20 year span. Santa Fe claims that 12,000 permanent new jobs



would be created by this development, 40% of which would be entry level, prime for Berkeley's unemployed. Santa Fe identifies 3,800 jobs that would be targeted for Berkeley residents.

Another claim made by Santa Fe is that the proposed development would provide the city with \$5,000,000 a year in additional tax revenues, above and over what the city would have to outlay for additional services. Santa Fe has proposed that waterfront development be incorporated into a comprehensive redevelopment project of South Berkeley, citing the direct targeting of tax revenues to economically depressed areas as good reason for such a plan. Santa Fe and other developers in the targeted area would then be eligible for federal urban aid programs. In addition, Santa Fe has offered to contribute up to \$3,000,000 to such a redevelopment project, matching 1 dollar to each square foot of waterfront land development, as it is built.

Land left for open space and public use would constitute 110 acres, including a continuous stretch of shoreline parks, that could eventually be linked to other shoreline properties to create a regional shoreline park.

State and federal money is already available to the city of Berkeley for the development of such a park. A continuous shoreline park in the East Bay has been sought by conservationists for years, and Santa Fe is hoping that their proposal will attract this interest group.

In January of 1984, the Berkeley city council approved a 22 month planning process, whereby several alternatives to the Santa Fe proposals would be researched. Each alternative would be considered in an environmental impact report. Once the alternative scenarios were presented, a choice would be made by the planning commission and the city council, as to the preferred plan. After considerable haggling, Santa Fe agreed to provide \$115,000 for the planning process, which would be supplemented by \$100,000 of city money, and another \$150,000 provided by the State Dept. of Parks and Recreation. A private planning and urban design consultant firm, ROMA, was chosen to undertake the task of formulating alternatives to the Santa Fe proposal.

During the first phase of the planning process, community generated alternative proposals were received by the City Planning Department. Any inter-

ested party could submit proposals for waterfront planning, and the underlying concepts embodied in these proposals would then be incorporated into the alternative development scenarios. ROMA proposed that a series of public workshops be held throughout the design process, in order to facilitate input of community desires. ROMA unveiled its alternative scenarios in December. The scenarios ranged from 200,000 square feet of development to over 4,000,000 square feet.

The Santa Fe plan was initially received with a guarded interest by the former Berkeley city council. The development plan was released when the city council was controlled by a moderate leaning majority. Since that time, however, the newly elected council has come to be overwhelmingly dominated by Berkeley's far left. The 1984 elections gave 8 of the 9 council seats to an avowedly socialist minded slate, whose platform included stricter regulation of development interests in Berkeley. The current council is much less likely to accept the Santa Fe plan without substantial modifications. In addition, elements of Berkeley's traditionally vocal citizenry have congealed behind opposition to the proposal.

Many also question whether or not new jobs on the waterfront would go to any significant amount of Berkeley residents. A worst case scenario might see the vast majority of workers on the waterfront commuting from other Bay Area cities, or, perhaps even worse, a migration of more "yuppies" to Berkeley, exacerbating an already critical housing shortage. It is also uncertain whether or not Santa Fe's figures on tax revenue returns to the city are as favorable as stated. Another contentious point is the layout of open space. As one planner put it, the Santa Fe proposal uses open space as scenery for office workers, rather than well designed parklands and open space.

It is clear that Santa Fe has attempted to design a development plan that is acceptable to Berkeley residents. Their mailings and presentations present their proposal as a plan that is sensitive and responsive to Berkeley's needs, both in terms of environmental concerns and economic needs.

It is also clear that virtually any proposal put forth by Santa Fe, given the company's underlying profit motivations and subsequent priorities, will be very different from a city initiated proposal. While Santa Fe lauds its offer of half of its holdings for open space, its proposal does include a substantial amount of profit motivated development. There is considerable support in Berkeley for uses of the waterfront such as low income housing, and/or reserving the land as an open space preserve. And many job advocates don't view new office construction, and the jobs that are thereby created, as beneficial to Berkeley's unemployed.

At present, the waterfront is underutilized for any purpose. It provides poor service even as an open space, having no planned design or developed trail network. Past proposals for its use have been hindered by Santa Fe's inability to come up with a plan acceptable to the city, and by the city's lack of clarity in its waterfront goals. The Berkeley Master Plan, adopted in 1977, makes only brief and sketchy references to the future of the waterfront.

It seems unlikely that the Santa Fe plan will be chosen as the preferred alternative. The current make up of the city council is such that an alternative with less profit making space use, and more space dedicated to open space and/or low income housing, will probably be chosen. The acceptance of this preferred alternative by Santa Fe will rely heavily upon whether or not Santa Fe still can profit from the venture.

*'... elements of Berkeley's traditionally
vocal citizenry have congealed
behind opposition to the proposal.'*

But it is questionable that the city council will ascertain that level of development at which Santa Fe will still perceive a good return on investment, or whether the council is particularly interested in Santa Fe's needs. However, if accord cannot be reached between the city and Santa Fe on a waterfront plan, then the entire process will once again come to a halt. Barring the allocation of funding for the city to buy Santa Fe's waterfront properties (which seem unlikely in the near future), a plan encompassing all the waterfront lands will be impossible without cooperation and compromise between the city and Santa Fe.

The survivability of the current bid for waterfront development will rely heavily on the Santa Fe's ability to respond to community perceptions of good design, and absorb significant changes in their plan. It will also depend on whether or not the city council will be able to effectively negotiate with Santa Fe.

While the city will undoubtedly pursue planning avenues of self interest, it is important for the city government to realize that this too is the nature of Santa Fe's intentions. It is difficult for many Berkeley residents to perceive Santa Fe as anything but an exploitive group of uncaring capitalists. While this perception may carry with it certain historical realities, it has little value when a negotiated and cooperative plan of action is attempted.

One avenue that could be explored during the current planning process would be communication of minimum expectations, by both the city and Santa Fe, of desired goals of the waterfront plan. If Santa Fe could give the city an accurate representation of how much developed acreage, real or perceived, they would need to fulfill their expectations, then the city could respond and negotiate to overall ratios of developed vs. other uses of land. By freeing the planning process of comparison between Santa Fe's proposal and alternatives to the proposal, the city and Santa Fe could concentrate on core issues (i.e. how much development). This approach would not require an abandonment of the current planning process. It would require that Santa Fe relegate its initial proposal to the status of being simply another proposal.

Conversely, the city representatives should attempt to work towards a point where an accurate description of community goals are expressed. To date, this has not been accomplished. While the present planning process is an attempt at this, it must be taken into consideration during the process that Santa Fe has the ability to veto the final product.

Past inaction on use of the waterfront has led to a sorrowful condition of nothing being done to realize the potential of this large and intriguing parcel of land. Santa Fe has again brought to the fore the waterfront issue in Berkeley. Inability to reach an accord would be a poor reason for continuing the underutilization of this land. By focusing on fundamental goals early in the planning process, the city of Berkeley and Santa Fe could assess the chances of agreement being reached, and possibly avoid misspent time and money. If the city of Berkeley cannot accept the development requirements of Santa Fe, then every effort should be made to relieve Santa Fe of the property.

Both parties have been unable to communicate, in exact terms, what they would be willing to accept. The alleviation of this discrepancy would go a long way towards realizing a workable solution. The City of Berkeley government must face the reality that compromise will be necessary to effect waterfront usage, and that some concessions to Santa Fe will have to come about.

"SOM: Getting a Piece of the Action

by Bill Watt

These days it seems everybody wants a piece of the South of Market. From office developers to new age entrepreneurs, the neighborhood has been targeted for investment and speculation. As space for development in San Francisco continues to shrink, attention is increasingly focused on existing residential and business stock South of Market. While there is no doubt that the area is experiencing change, it remains to be determined just how radical the transformation of the neighborhood will be.

In December of 1983, the San Francisco Board of Supervisors established the *Interim South of Market Industrial and Housing Conservation Special Use District*. The Board's action consisted of an 18 month moratorium on new office construction within the Special Use District, and provided funding for a rezoning Study of the South of Market area. According to the project objective, the goal is the development of zoning controls that will "better protect existing housing and business activities which are found to be vulnerable to displacement, as well as to better accommodate business and employment expansion and expansion of housing." Currently, the South of Market is one of the most liberally zoned areas in the City. Aside from aircraft landing facilities, any type and intensity of development is allowed, and housing is considered a 'conditional use' requiring special permission from the Planning Commission.

By establishing the South of Market Special Use District and supporting the rezoning study, the Supervisors recognized that increased public concern is not merely "the ravings of no growth zealots." According to Gerald Adams, who writes about land use planning and architecture for the San Francisco *Examiner*, "San Francisco's newest skyscrapers generate more serious socio-economic-environmental waves than anything short of a petrochemical complex draining into the Bay."

Nowhere in the City are the pressures and effects of office development as intense as South of Market. Ongoing and proposed development in and around the

South of Market has produced economic pressures that could eventually force out the people who live and work in the neighborhood. For years the South of Market has been an affordable area providing much of the City's less expensive residential and commercial property. Home to more than 10,000 people and 300 businesses, the South of Market is now facing a transformation which could lead to the loss of a neighborhood that has as its primary resource affordability.

The Board of Supervisors' action was not the first time that the need for comprehensive rezoning and land use planning South of Market has been recognized. Since 1968, the San Francisco Planning and Urban Research Association (SPUR) has called for an examination of the area and for the development of zoning that would accurately guide land use. In 1981, SPUR published a report which presented their plan for the South of Market: "San Francisco's Last Frontier." At that time, SPUR concluded that the need for comprehensive study and rezoning was immediate:

Offices and office services are spreading throughout the area displacing less competitive industrial, manufacturing and distribution uses. Housing costs in South of Market are escalating at a remarkable rate with buildings doubling in price in five years or less. Time is short. The large number of development proposals, the amount of conversion space, the amount of displacement of non-office oriented businesses, the rapid escalation in land and housing costs, the imminent opening of a new convention center--all of these things are more underscore the need for a clearly defined vision of the future and for timely action. (SPUR Report, pp. 8-9)

Not long after the SPUR report was released, Dean Macris, the City's Planning Director, approached the Board of Supervisors with a request for funding to carry out a rezoning study. Despite the recognized need for such action, opposition from developers was strong and the idea failed to gain the support of the Board. Only recently have electoral pressures and development trends reached the point where rezoning the South of Market is both a political and planning necessity. In late 1983, when Supervisor Bill Maher initiated the

current interim controls and rezoning study, the legislation was supported by a majority of the Board and the only opposition came from Supervisors Kopp and Molinari who called for a reduced study, limited to an increment of the overall South of Market area.

To understand the transformation the South of Market has undergone during the last several years it is necessary to recognize the tremendous development the area had experienced. According to the 1981 SPUR report, during the ten year period between 1970 and 1980, two-thirds (10 million square feet) of the office space constructed in the City took place South of Market. In addition to this new development, since 1970 almost 2 million square feet of industrial space has been converted to office use.

Examination of the South of Market must also be carried out in the context of projected future development. While most office development to date has occurred to the east of the Moscone Center and along the Mission/Market corridor, future projects are planned for areas directly in and adjacent to the Special Use District. These projects will only heighten the economic pressures that lead to displacement. Once the Yerba Buena Center is completed it will add 1.25 million square feet of office space and 2 million square feet of retail space. To the south of the Special Use District, the proposed Mission Bay new "town" will have over 4 million square feet of office space in addition to 2.5 million square feet of back office and support service space. In short, any rezoning study would be unrealistic if it dealt with only a portion of the South of Market, and ignored major projects that are planned for nearby areas.

*'Nowhere in the City
are the pressures and effects
of office development as
intense as South of Market.'*

During the period that the South of Market has undergone third dramatic increase in development and conversion to office space activity, it has also seen the loss of over 2,000 units of housing. Since 1980 alone, more than 200 units have been lost due to conversion to retail or office use. As office buildings sprawl South of Market, the 'frontier' of existing industrial and residential space has been consumed and the people who live and work there displaced. The cost of office development and conversion in the area has been the loss of a

vibrant and complex neighborhood that fulfills a variety of purposes for the City as a whole.

According to the 1980 Census, 10,072 people live in the South of Market. However, this data is misleading because it fails to account for the large number of artists living in converted warehouses, squatters occupying unused buildings and street people who consider the neighborhood home.

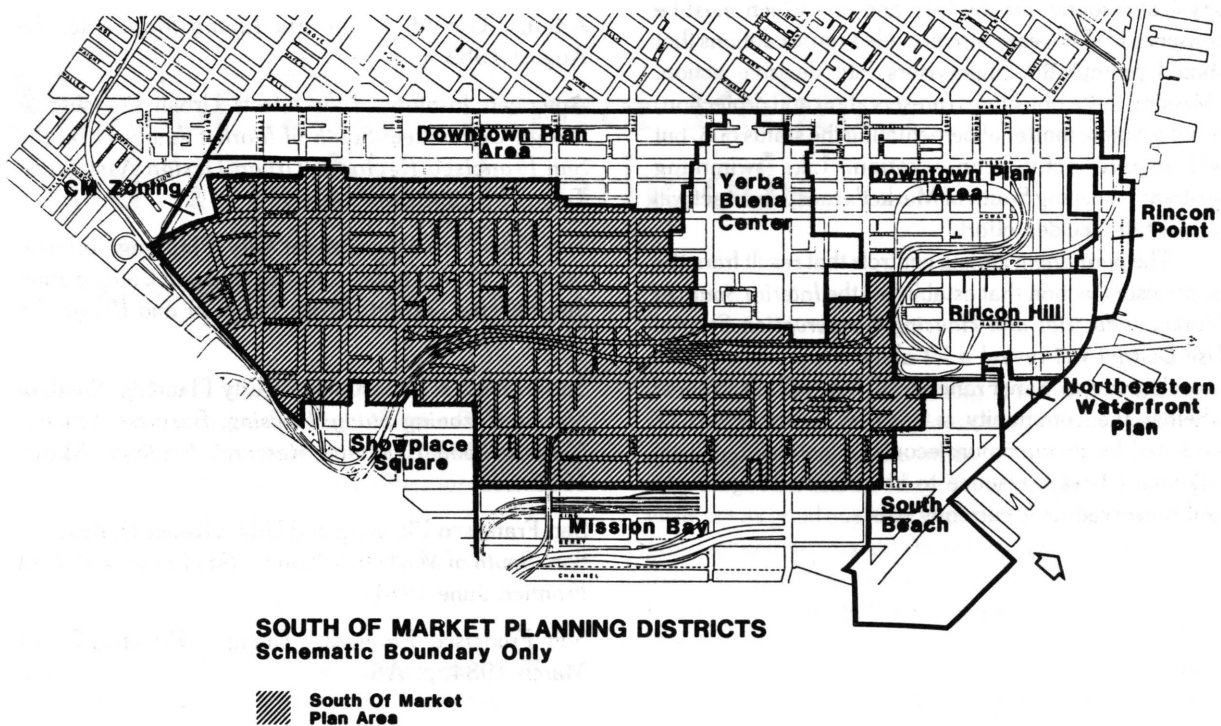
By almost all accounts, the people who live in the area are poor. Judging by U.S. Dept. of Housing and Urban Development guidelines, only 3% of the population would be considered at or above the officially established "moderate" income level and 70% live below the "very low" income level. Excluding the artists, squatters and street people, who would no doubt lower these figures even further, the average household income level South of Market is less than half the citywide average. While the average for the City as a whole is \$20,546 per year, the South of Market averages only \$8,984 per household.

The South of Market population consists of a diverse collection of ethnic groups. There is a large community of Filipinos (39% of total population) as well as many Latinos and Asians. While most of the Chinese residents are senior citizens, the Southeast Asian population generally consists of families with small children. Most of the white (33%) and black (10.6%) people who reside in the area are single and live in either residential hotels or senior citizen housing. Almost 30% of the people living South of Market are elderly.

Home ownership South of Market is as rare as wealth. Almost all (96%) of the people who live there rent. Seventy percent of the residents live alone, most in residential hotels, studios, or one bedroom units. Many of these units lack complete facilities such as bathrooms and kitchens. There are few yards or porches and it is not uncommon for housing to be adjacent to industrial and manufacturing activity.

Many of the businesses located South of Market are there for the same reason as residents: Affordability. Ranging from the Hall of Justice to leather bars, the area includes many different businesses employing over 27,000 people and offering a wide variety of products and services. With its central location near the financial district and civic center, as well as major transportation routes, the South of Market is readily accessible to both customers and related business activity.

The single largest form of employment South of Market involves business activity taking place in office space, which makes up 46.5% of the total employment. Almost 25% of the people working South of Market are involved in sales of distribution, 18.8% in service oriented businesses, and 10% in manufacturing.



SOUTH OF MARKET PLAN

As the inventory of office space has increased in San Francisco, manufacturing and industrial activities have declined. During the same ten year period (1970-80) that the South of Market experienced rapid office space development, the City lost 6,200 manufacturing jobs, many of them South of Market. Like the residents of the area, if forced to move, few businesses could afford to locate elsewhere in the City.

As population and employment characteristics demonstrate the South of Market is not a frontier. Home for many and a place of employment for many more, the community is a vital resource as it currently exists. In the near future the 18-month moratorium will expire and public hearings will be held before the Planning Commission and Board of Supervisors to determine the nature of permanent controls.

Having recognized the compromises involved with office development South of Market, the Board of Supervisors must now fashion permanent zoning controls that will protect the people who live and work there from displacement. The final zoning outcome will be a measure of how serious the Supervisors are about preserving and protecting this diverse and affordable community. New zoning controls will also reveal whether or not the Board is capable of responding to growing popular concern that the transformation of the

City carries with it serious social costs that need to be addressed and mitigated.

Fortunately, the Supervisors will have access to the information and recommendations developed through the Department of City Planning land use inventory, sample survey, and analysis of present and anticipated residential and business/industrial space needs. This data is the most current available and was gathered during the last eight months, following rigid methodological standards. This information, along with the input generated from an active public participation program, represents the most accurate picture of the South of Market neighborhood that is available.

Another study which should provide both information and direction for the Supervisors is the American Institute of Architects' *South of Market Analysis*. As an addition to the Department of City Planning effort to study the area, the San Francisco chapter of AIA was requested to assemble a Regional/Urban Design Assistance Team (R/UDAT). The importance of the R/UDAT analysis is its impartiality. Team members do not come from the City, but are drawn from across the country and represent a broad range of experience in urban design and planning.

The AIA team examined the South of Market within the context of both existing and ongoing develop-

ment and found it to be "a critical human, business and physical resource for the City and one which must be conserved." The team also provided some cautions that should prompt the Supervisors into decisive action. "Meeting these objectives (preservation and protection) is not a simple matter of perpetuating the status quo, but will require active conservation. Like swimming upstream, keeping South of Market's function intact will necessitate decided effort."

The permanent zoning controls that result from the Supervisors' action that establishes the *Interim South of Market Industrial and Housing Conservation Special Use District* will reveal a lot about the politics of land use planning in San Francisco. They will also reveal whether the community is seen as a frontier to be exploited for its maximum economic potential, or as a valuable citywide resource to be protected vigorously and preserved as it currently exists.

REFERENCES

- Adams, Gerald. *California Living Magazine*. 28 August 1983. p.5.
- American Institute of Architects Urban Planning & Design Committee. *South of Market Analysis By the San Francisco Regional/Urban Design Assistance Team*. 11-15 October 1984.
- San Francisco Department City Planning. *Interim South of Market Industrial And Housing Conservation Special Use District: Work Program and Budget*. 28 March 1984.
- San Francisco Department of City Planning. *South of Market Rezoning Study: Housing, Business Activity, Neighborhood Livability Research Findings*. March 1985.
- San Francisco Planning and Urban Research Association. *South of Market: A Plan for San Francisco's Last Frontier*. June 1981.
- San Francisco Progress. "Doing It Piecemeal". 14 March 1984. p. A8.

Mission Bay: Power Politics And The Neighborhoods

by Stephanie Mischak

Stephanie Mischak is working towards a Master's in Political Science, in the Practical Politics Program at SF State. She is an aide to Supervisor Bill Maher, and has been active in San Francisco politics for seventeen years.

What makes this a 'historic agreement', as Mayor Dianne Feinstein exultingly described it, is that it reveals on a far larger scale than in any previous project that when developers are forced to the wall, they will go ahead with a smaller package. City officials stood their ground, and that is precisely what happened.

SF Chronicle, August 3, 1984

A dramatic shift in the negotiation of public policy concerning proposed large scale construction projects in San Francisco occurred recently. The effects of this change will significantly alter the face of San Francisco.

Before, the relationships between developers, the City's Planning Department, the Mayor, the Board of Supervisors and the public was an adversarial one—the developer proposed a project; the Planning Commission voted aye or nay; the public sometimes sued (as in the case of Yerba Buena)—now there is a negotiation model that allows for partnership among all the interested parties on a major development project. These new roles are delineated in the recent negotiations between the City and Santa Fe/Southern Pacific Land Company over the Mission Bay development.

The subject of this article will be the negotiation process itself. How the railroad company turned land developer was persuaded to scale down forty-five story highrises to eight-story townhouses illustrates a specific type of negotiating strategy. This is named "good cop/bad cop" because of its use in law enforcement to gain confessions from alleged criminals. One party will act as the reasonable and friendly, while the other party

will be hardnosed and unyielding. If the individual being squeezed between the two doesn't respond to one tactic, s/he may respond to the other.

Now, how did the Mayor and the freshman Supervisor act as good cop/bad cop? How was this particular group of negotiators able to reach an agreement which they are assuming will be accepted by others, both appointed and elected, who represent the people of San Francisco?

Among the small army of negotiators who settled the parameters for the development of Mission Bay there were only two individuals elected by the people of San Francisco: Mayor Dianne Feinstein and Supervisor Bill Maher.

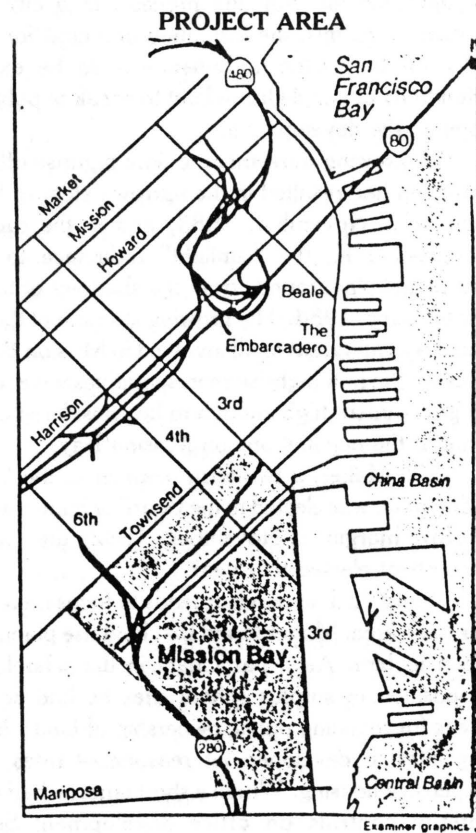


TABLE 1. GOOD COP/BAD COP

"DIANNE THE GOOD"

Creates a committee of downtowners to negotiate with Santa Fe/SP.

Uses her office and staff for meetings.

Keeps negotiations secret until one frustrated comment.

Uses her housing staff to develop financing package.

Gives up her choice of stadium site so more housing can be built with less density.

Urges Santa Fe/Southern Pacific to downscale the project and add more housing.

Opposes anti-growth measures O and M, so "progress" can be made and SF can be a "headquarters city."

"BILLY THE BAD"

Creates a committee of Potrero Hill neighbors and anti-growth activists.

Meets at labor union hall.

Proposes eminent domain and generates negative publicity about tax assessment appeal of Southern Pacific.

Drafts initiative language for November 1984 ballot.

Prints endorsement cards for initiative.

Mails cards to relevant people to force open the negotiations.

Holds out until last possible day for proposing ballot measures to force SF/SP to downscale proposal.

Generates support of anti-growth forces by proposing and passing Prop. K, the "sunshine ordinance."

From the day that Southern Pacific announced its plans for the development of the property, numerous neighborhood organizations had expressed their desire to influence the planning process. In a city as well organized as this, the formation of a coalition like the Mission Bay Clearinghouse was to be expected. Hundreds of people turned out to speak at public hearings on the development.

A growing movement to limit highrise office construction had resulted in the narrow defeat of Proposition M in November, 1983, and in the success of Proposition K, the "sunlight" ordinance to protect parks and playgrounds from the shadows of tall buildings in June, 1984. The growing strength of this movement was apparent to all involved in Mission Bay. Yet, none of the anti-highrise representatives were at a level of government high enough to be considered a participant in the negotiations on Mission Bay.

Bill Maher, a two-term member of the Board of Education, was elected to the Board of Supervisors by a narrow margin in November, 1982, the only non-incumbent elected that year.

Since each supervisor tends to focus on a particular issue area, Maher found that land use planning was open to him. As a participant in the school board's disposition of surplus school sites he had developed ideas for retaining public ownership of land while leasing sites to developers at reasonable rates for less expensive housing. Within a short time, he had initiated interim controls on office development South of

Market, proposed and passed legislation limiting building on sites if they shaded parks or playgrounds, preserved open space on Bernal Heights, and a number of other programs. He had established a reputation as a moderate on most issues, while becoming a significant force in the slow-growth movement.

When Southern Pacific succeeded in appealing its property tax assessment for the Mission Bay property, which cut it in half, it was only a short leap of the imagination for Maher to declare that if \$60 million was all the property was worth, the City out to take it by eminent domain (using part of the City budget surplus to pay for the land) and develop housing on the site, instead of the highrise office/condo complexes designed by SP's architects. Suddenly, Bill Maher became the voice of the Mission Bay Clearinghouse and of San Francisco Tomorrow on the Board of Supervisors.

The bold move of proposing eminent domain shook up the polite negotiations over a broader range of issues, which had heretofore taken place in the confines of the planning department, whose director is appointed by the mayor. Shortly after the Maher announcement, Southern Pacific unveiled a new, "reduced-scale" project—35 stories instead of 42.

The Mission Bay Clearinghouse folks were unimpressed, and the Mayor declared that this was not the design she was looking for. Santa Fe Corporation, which had by then acquired Southern Pacific, sent its representatives to San Francisco to iron out the

TABLE 2. BARGAINING CHIPS

SANTA FE/SOUTHERN PACIFIC

Knowledge of level of profitability of Mission Bay development.

Property taxes they will pay City when development is completed.

Payroll/gross receipts taxes the development will generate. More office space = more revenue.

Jobs/housing which the City needs.

Esthetics of design over vacant lots.

New recreational/open space for City.

Land for stadium.

Time—the project will take 20 years to build anyway, so what's a few years of planning?

Enhancement of city's image as a modern, attractive headquarters city.

Agreement to build infrastructure.

CITY OF SAN FRANCISCO

Knowledge of SP's need to build to make land profitable.

Assessment appeal.

Time—City's in no hurry.

Control of planning process.

Tax/bonding possibilities to lower cost of building housing.

Ability to marshal citizen support or opposition.

Eminent domain—could take the land altogether.

Provision of city services to new area.

Ability to generate funding for transportation, sewers, etc.

problems.

Feinstein is a skillful negotiator, and is advised by people who have vast experience in this area, particularly her husband, developer Richard Blum. Feinstein and Maher combined efforts, without ever discussing strategy, or in any other way "conspiring," to produce the "good cop/bad cop" strategy.

In negotiations where there are two members on one side of the team, it is possible to use this tactic effectively. One of the parties comes across as sweetly reasonable, sympathetic, compromising, flexible, while the other projects a hard-line, rigid, unyielding point of view. Between them, the opponent is squeezed in a pincers which is difficult to squirm out of. Compromise is usually the result. How the Mayor and Supervisor Maher filled those roles is outlined in Table 1.

This strategy implies several things: that each side of the negotiation wants to settle the matter, whether equitable or otherwise; that there is a "bottom line" for each side. In this particular instance, the breakdown is shown in Table 2.

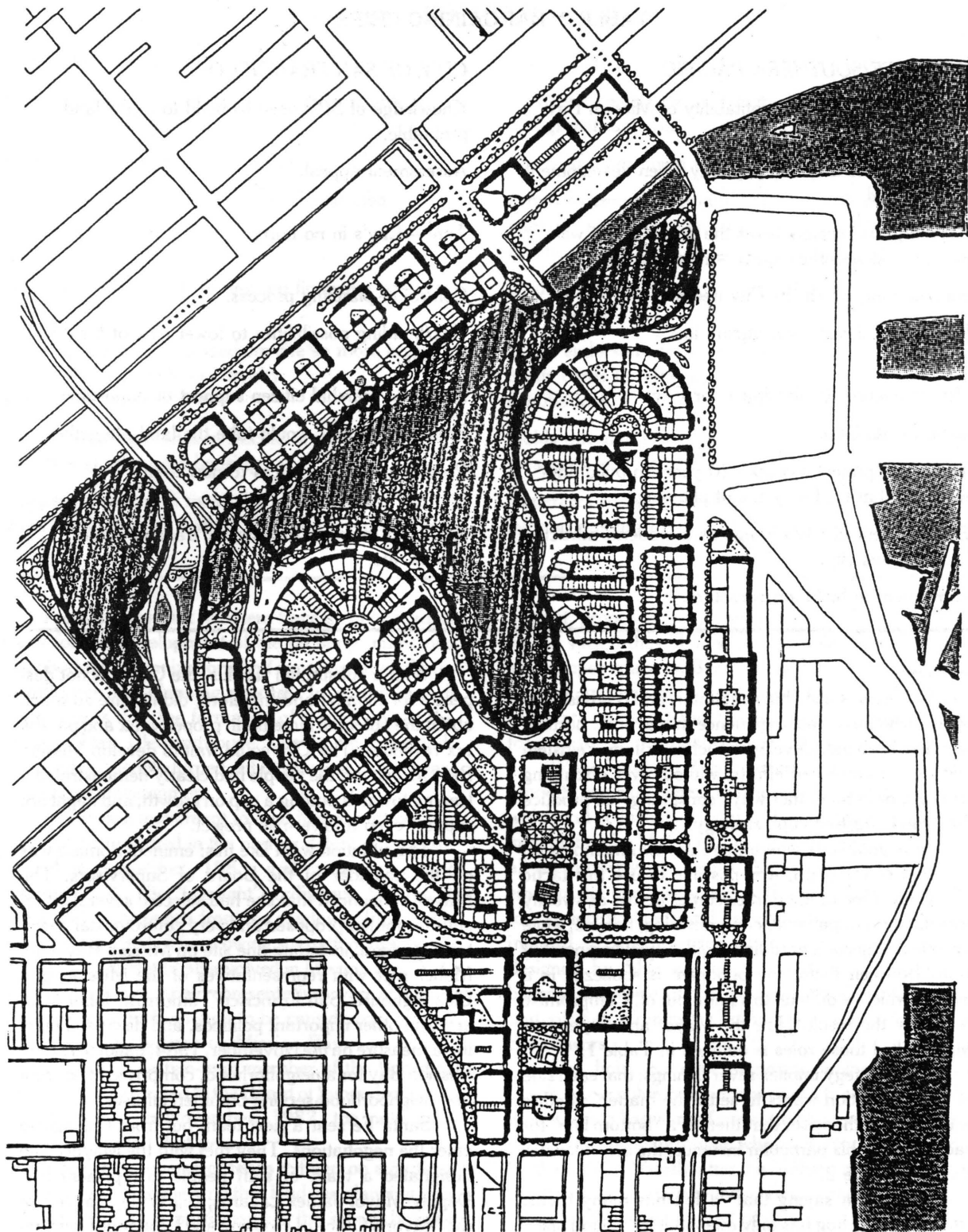
There is a saying that "a fox has many tricks, while the hedgehog has only one—but it's a good one." In this case, the bargaining chip held by the City which surpassed all others was its control over the zoning and permit process. If the railroad never came up with a design which pleased the Mayor and the Board, the project would never be built.

With a substantial surplus, the City was not desperate for money, and therefore, didn't care so much about the potential increase in property tax and payroll tax revenues. The City could wait to develop Mission Bay. Moreover, the people had clearly demonstrated a leaning towards putting a cap on growth, and might not support even a lower-rise project.

The situation went like this: eminent domain was on the calendar of the Board of Supervisors. The Mayor announced that she had selected several different sites for her proposed and very controversial downtown stadium, including one site on Mission Bay land. Maher met with representatives of the Mission Bay Clearinghouse, San Francisco Tomorrow, labor leaders, and other important politicians, and discussed placing a measure on the November, 1984, ballot to rezone Mission Bay for a neighborhood, comprised of housing and neighborhood-serving commercial uses.

Santa Fe sent a new team out from Chicago to enter the negotiations. They met with the Mayor, who designated a team of staff people to represent her: Deputy Mayor James Lazarus; Bill Witte, Director of the Mayor's Office of Housing and Economic Development; Dean Macris, Planning Director; John Jacobs, Director of the Chamber of Commerce; and Michael McGill, Director of SPUR, San Francisco Planning and Urban Research Association.

At this point, the rumor that Maher was not only



MISSION BAY NEIGHBORHOOD PROPOSAL
San Francisco Tomorrow



TABLE 3. THE AGREEMENT

<i>PROPOSED BY SF/SP</i>	<i>FINAL BUILDING ENVELOPE</i>
\$3.5 billion cost	\$2 billion
11.7 million sq. ft. of office space	4.12 million sq. ft.
4.3 million sq. ft. of R & D space	2.6 million sq. ft.
500,000 sq. ft. of retail space	201,000 sq. ft.
58,000 jobs	21,409 jobs
7000 housing units	7577 housing units, 1/3 "affordable"
42 stories max. height	8 stories maximum height

suggesting eminent domain, but was also thinking about a November ballot initiative, on the heels of his substantial victory with the "sunlight" ordinance (Prop.K), drove all the Mayor's players into frequent meetings. Maher was not a participant in these meetings. Neither was any representative of the Mission Bay Clearinghouse.

With just weeks before the August 8th deadline for ballot measures to be submitted to the Registrar of Voters, Maher designed a postcard for people to mail in, to indicate their endorsement of a policy statement, to wit:

Resolved: It shall be the policy of the City and County of San Francisco that the area known as Mission Bay shall be zoned and developed as a low-rise, low and medium density residential neighborhood, with neighborhood related commercial, light industrial and research and development uses.

Besides circulating these endorsement cards to his supporters, Maher showed them to Santa Fe's representatives, the Mayor, the Planning Director, the Chamber and SPUR.

Maher was invited to the next few negotiating meetings, at which he made his bottom line clear—no building over eight stories tall, a net increase of at least 1500 housing units (that is, more housing than would be needed by the new workers attracted by the jobs at Mission Bay), and 30% of the units to be "affordable". Santa Fe maintained that it was not economically feasible to build Mission Bay with those limits. However, as public support grew for a November initiative, as evidenced by cards, letters and phone calls to the Board of Supervisors and the Mayor, Santa Fe began to give in.

The August 8 deadline for the ballot measure was a clear target for a settlement. Finally, sides agreed that a piece of Port of San Francisco land along the waterfront was a gift to Mission Bay for open space and while the Mayor gave up her proposed stadium site so that

Santa Fe could build additional housing. When that land was thrown in for development, suddenly the deal became feasible to Santa Fe/Southern Pacific.

On July 31, it was announced that the Mayor and Santa Fe had reached an agreement on the building envelope for Mission Bay. What had been agreed to was a tremendous modification of the original design. It was precisely what Maher had outlined as his bottom line and it met the Mayor's requirements for less height and more housing. As such, Mission Bay will be a new neighborhood, not a highrise development. It will be a mixed development of residential and secondary offices, not exceeding eight stories, with mixed architecture to avoid the "project" look, with significant open space and public recreational uses. In sum, it is hoped that it will resemble a modern-day Marina district.

The Mayor and her negotiators have set a precedent of public and private partnership in a long-term development agreement. The ripple effect from this project into the South of Market, Potrero Hill, and Bayview-Hunters Point cannot be measured now except to say that the southeastern quadrant of the City will be radically different from its current heterogeneous use.

Without the threat of a ballot measure which would have rezoned the property in such a way as to make it unprofitable to develop, and without the "good cop/bad cop" strategy employed by the Mayor and the Supervisor, Santa Fe might not have been forced to bargain so effectively in so short a time. The initiative combined three principles for winning such a measure: simplicity of wording, no cost to the taxpayers, and moral force. The recent success of Prop. K and near-success of Prop. M, sent a clear message to Santa Fe that they would not make the profit they had envisioned for that project, and should settle for a reasonable margin of profitability over maximum profitability and no development.

The San Francisco *Examiner's* editorial of August

5, 1984, summarizes the process of negotiations well: "The new plan, worked out in negotiations with key city officials, and with an eye to city requirements and political realities, has a chance of realization... The improvement of the Mission Bay prospect is a result of the developer's willingness to adapt to constructive criticism, and the determination of Mayor Dianne Feinstein and Supervisor Bill Maher to press for a plan more in keeping with the City's interests and sensitivities."

There is much more to be negotiated on Mission Bay. The specifics of design, developers, the definition of "affordability" of housing, are yet to be decided. Still,

the public policy implications of these negotiations are very important.

The representatives of the people of San Francisco have taken a bold step towards a partnership in any major development. No longer will a developer simply present plans to the Planning Commission and receive minor modifications of design. Now, developers will have to provide open space, housing, and services, such as transit and infrastructure. The City has exercised a right to demand that developments serve the City as well as the profit motive.

Not in My Neighborhood

by Mary Sue Planck

Mary Sue Planck has lived in San Francisco's Haight Ashbury district for 22 years. She has worked as a counselor and administrative assistant with heroin users at the Haight Ashbury Free Clinic and with Viet Nam veterans and their families at the Vet Center, and now works for the San Francisco Mental Health Advisory Board.

The Mayor was said to favor San Bruno. Some citizens wanted it handy—walking distance from downtown. Others thought it would be too costly or thought it wasn't needed at all; and still others didn't care, as long as it wasn't in their neighborhood.

A new domed stadium? The U.S.S. Missouri? No, the subject of this particular controversy is a 99-bed subacute, locked psychiatric facility (L-facility), and the arguments have been going on for at least 20 years.

Supposedly, San Francisco has a reputation for progressive and humane treatment of its mentally ill as well as a tolerance of—and a touch of pride in—its “eccentrics”. The state's first mental hospital was on a ship docked in San Francisco, and Market Street is often termed an “open air asylum”.

Closer examination casts doubt on that reputation—then as well as now. In 1849, the hospital and prison ship Euphemia was loaded up with patients and towed north to Pt. Reyes and eventually berthed near Stockton.

Today, Market Street's colorful and confused inhabitants are periodically picked up by the police. They end up in the hospital, or in jail, or shipped out of town.

Theoretically, the procedure is to take a person who is clearly dangerous to him/her self, to others, or gravely mentally disabled to Psychiatric Emergency Services at SF General Hospital for admission. At PES a patient would receive acute emergency care including food, medication, diagnostic testing, and be “stabilized” over a period lasting from a few days to several weeks. At this point, the patient would be ready for more long-term, treatment-intensive care with an emphasis on rehabilitation and working towards reintegration into

the community.

Typically, this period of “subacute” treatment should last for about six months to be effective, especially if followed up with a gradual progression through a halfway house and day treatment. This progress would lead to eventual return to independent living and possible employment with continued support, including drop-in centers to help the patient over the rough spots. All of these components are necessary, for without appropriate treatment at each stage or level of care, those rough spots can turn into new crises that start the cycle all over again.

This cycling from crisis to crisis is known as the “revolving door syndrome”, and it is what happens now in San Francisco, resulting in tremendous cost to the City in money, wasted hours of work and often tragic personal damage and disruption of lives for individuals and society.

‘... the real need—adequate and appropriate care for all the City's mentally ill.’

A key place where San Francisco's system breaks down is at the subacute level. No such facility exists in San Francisco, so what happens to the “stabilized” patient who is ready to move on in treatment? In October, 1984, 100 of them were in L-facilities located in San Jose, Vallejo, Sacramento, Modesto and other cities, 100 were in skilled nursing facilities with minimum treatment levels and no rehabilitation program, and 130 were in “overflow” acute beds in the City and around the Bay Area. An additional 235 with more serious problems and with less potential for rehabilitation were in Napa State Hospital.

All of these alternatives are expensive and some are clinically questionable. Other counties need their space for their own residents and are not happy with San Francisco's buying up those beds. San Francisco must pay up to \$100 a day over what MediCal pays for

their use. The isolation caused by being sent far away can be an insurmountable barrier to getting better. Patients at that level of treatment need contact with families and access to their support systems, local therapists, etc.

Keeping subacute patients in acute wards is even more expensive and less conducive to therapeutic progress, and causes a bottleneck back at the entry, or P.E.S. level. Voluntary patients and those previously picked up by the police continue to overflow into acute beds, frequently filling them to capacity and causing emergency services to temporarily close for up to 8 hours at a time. When this happens, as it did *several times a month* during the latter part of 1984 and early 1985, voluntary patients are turned away and police are faced with a dilemma. Called to deal with a disturbed individual, they have no place to take him or her. On occasion they have simply driven around with that person in the car for hours. If a law has been broken, they take the person to City Prison; in fact, according to Sheriff Michael Hennessey, "The County Jail system is one of San Francisco's largest mental facilities."

Clearly, a well planned system with resources allocated where they are needed to provide a full continuum of mental health care would do much to alleviate this situation. What then, stands in the way?

Plans to proceed have continually stalled over the issue of *location*. Sites have been proposed adjacent to San Francisco General Hospital, Laguna Honda Hos-

pital and the San Bruno Jail, on land owned by San Francisco.

Consumers and providers of mental health services object strongly to the San Bruno site because of its distance from the City and the stigma attached to the jail site. Some even feel that the suggestion of putting this facility as far away as possible was intentional—that city officials do not want mental patients anywhere in San Francisco.

Added to those objections is the fact that the San Bruno site is less than a mile from the San Andreas Fault, arousing concerns about safety, problems with licensing, and meeting stringent state earthquake proofing requirements.

The Laguna Honda site was thought by many to be the most desirable for its convenience and campus-like setting.

However, there was reported opposition in the form of letters to the Mayor's office from residents in the Laguna Honda area, apparently alarmed at the mistaken prospect of having acute and supposedly dangerous mental patients as neighbors.

The San Francisco General Hospital site was seen as a tolerable compromise by many community groups, though the need for additional parking complicated the proposition and made it more expensive than the Laguna Honda site.

(See Table 1 regarding these three possible sites.)

A "Technical Advisory Group" was formed in

Table 1

	SF GENERAL HOSPITAL	LAGUNA HONDA HOSPITAL	SAN BRUNO SITE
DISTANCE FROM SFGH	—	4 miles	15 miles
INTEGRATION INTO CMHS PROGRAM	highest	good	none
PUBLIC TRANSPOR- TATION FOR FAMILIES	best	good	none
COMPLETION DATE AFTER SITE CHOSEN	3-4 years	same	same
COST OF BUILDING	highest because of parking garage	average	average
REIMBURSEMENT AT HIGH RATE	certain	already approved	requires negotiation
COMMUNITY CONCERNS	recommended by Mayor's Mental Health Task Force	some concerns raised	considerable opposition
CITY HALL SUPPORT	appears likely	appears unlikely	

used with permission of Alan Leavitt

1983 by then Health Director Mervyn Silverman, to "investigate the feasibility of establishing . . . a subacute . . . facility in San Francisco". They found that such a facility was a "much needed component" in San Francisco's mental health system, and recommended that it be located in San Francisco and be integrated with other levels of service. Fully eighteen months later, in January, 1985, the Mayor's Mental Health Task Force made a similar report. The Task Force recommended that a 99-bed subacute facility be developed, probably at San Francisco General.

Also in January, 1985, San Francisco's Mental Health Advisory Board held a public forum to provide information and hear the views of citizens on the subject of an L-facility. After hearing testimony, the MHAB found, and recommended to the Mayor, that a subacute facility should be established on the grounds of Laguna Honda; and that it be part of a full range of services including alternatives to hospitalization. The MHAB also went on record as opposing the creation of an L-facility outside of San Francisco city limits, particularly at the San Bruno Jail site.

Mayor Dianne Feinstein has indicated that \$5 million is being held aside for the creation of an L-facility, but no plans to proceed have been announced. This is at least partially due to the many changes at all levels of the Health Department over the past year.

Dr. Mervyn Silverman resigned effective January 15 and is being temporarily replaced by Dr. David Werdegard, named Interim Health Director by the Mayor. At the same time, voters, in November 1984, created a seven member Health Commission to replace the Chief Administrative Officer as the overseer of the Health Department.

Meanwhile, Community Mental Health Services has been completely reorganized from a district-based to a city-wide service system.

The Health Commission, seated in January of 1985, has mental health as one of four priorities, along with AIDS, SF General Hospital and Emergency Services. However, Commissioner Richard Sanchez reports that his calls from the public have been running 10-1 on Mental Health compared to other health issues. Still, the Commission will undoubtedly have to act on finding a permanent replacement for Dr. Silverman before going ahead with plans for new facilities.

While we are waiting, there are things that can be done. These next few months could be pivotal in terms of finally seeing some action. At the March meeting of the Mental Health Advisory Board, Dr. Philip Lee, Chair of the Health Commission, named as a priority having facilities for the care of the mentally ill. Interim Health Director Werdegard said at the same meeting that he felt a decision point is near.

To review what has happened so far: the need for a subacute facility has been well documented, sites are available and the money is there. Problems still exist in each area, though, and now that this issue has the attention of the powers-that-be, it is important to keep that attention and keep it focused on the real need—adequate and *appropriate* care for all the City's mentally ill.

Furthermore, the matter of the site has not yet been settled. The Task Force's recommendation has been made public and several of the City's advisory groups have responded—most glad to see some movement but urging careful consideration of the site. The San Francisco General site, for example, presents other questions. Will the hospital's periodic problems with licensing and accreditation have an adverse effect on the ease and speed with which the plans can be implemented?

Table 2

Steps to Begin Program

1. Select site
 2. Obtain site approval from Board of Supervisors, if required
 3. Obtain funding for necessary plans.
 4. Obtaining Certificate of Need and other required approval from State staff
 5. Complete geological, architectural, environmental impact, and other required reports and plans
 6. Obtaining funding for building itself, with final approval from Board of Supervisors
 7. Select building contractor by RFP
 8. Monitor construction and contract compliance
 9. Hire and train staff after the building is completed
 10. Admit clients
-

What about neighbors in *that* area? One Mission District resident complained that City officials would bow to pressures from their more well-to-do constituents in the Laguna Honda area while ignoring the concerns of the poor and working-class neighbors of San Francisco General. While this would be clearly unfair, it is unfortunate that the choice is seen as "Whose throats can this be most easily shoved down?"

It appears that public education will have to be done, wherever the City decides to build the L-facility. People need to know that: the facility is desperately needed; that it will be locked but not used to house acute, unstabilized patients; and that it will not solve all the City's mental health problems. To that end, we can expect to see a number of public forums sponsored by a

variety of community groups and advisory bodies. Concerned citizens can attend some of these as well as the meetings of the Health Commission, (first and third Tuesdays, 2 P.M., at 101 Grove, Room 300).

It should be noted that the Commissioners and Drs. Werdegard and Peters are new in their positions, so this is an excellent opportunity for citizens to be part of their "orientation" process and to help shape their impressions of what San Franciscans want and need. Points to emphasize in letters or phone calls are: the money "set aside" for the L-facility must be firmly committed, i.e., appear as a line item in this year's budget; our mentally ill citizens have the right to decent care and must no longer be shipped out of sight and forgotten; and other mental health services including less costly alternatives to hospitalization must be supported and funded.

In addition to the Commission and the Health Department officials, the other important people to contact are Mayor Feinstein and the Board of Supervisors—particularly the members of the Supervisors' Health Committee (Nancy Walker, Harry Britt and Doris Ward) and the Finance Committee (Louise Renne,

Nancy Walker and Richard Hongisto). The MHAB was told that a mere 10 letters objecting to the Laguna Honda site caused the Mayor to shy away from that location, so it would appear that San Francisco's elected officials do read their mail and keep a careful count of the opinions that mail reflects.

Another way to become involved is to join one of the Community Advisory Boards, (CAB's), or other organizations such as the Mental Health Association, the Alliance for the Mentally Ill, the Coalition for Community-based Services, the Council on Children or the Network of Mental Health Clients, as appropriate. All of the above groups have public meetings and all provide input on mental health needs and services through the Mental Health Advisory Board and other reporting and advisory mechanism.

The important thing is to move quickly, while mental health crises are still a "hot" media item. Next year the problem will not have gone away, but the public's attention, and by extension, that of the Mayor and the other public servants, may have returned to more "glamorous" issues like the domed stadium or the U.S.S. Missouri.

Employment

Labor/Management Productivity Councils-Guidelines for Success

by Asleain Scotty Hodges

The idea of labor/management cooperation is not a new or recent development. In the past, labor and management have devised cooperative means to overcome common problems in order for each to survive and prosper in their enterprises and relationships. Today, problems like the divestiture of AT&T, shrinking resources and increasing demands for effective delivery of services in the public sector, and trouble in industries such as auto manufacturing, textiles, and airlines, demand the joint cooperation of labor and management to devise solutions for their mutual survival.

An effective way to facilitate cooperation between labor and management is the use of Labor/Management Productivity Councils. A productivity council is a voluntary group that is usually composed of an equal number of representatives from both labor and management. The representatives are generally elected or agreed upon by the units they represent, although initially they may be appointed. The council acts as a formal advisory body through which proposals for improving productivity and work related issues may be evaluated and implemented.

It also functions as a coalition to facilitate interaction of employees and management in reaching solutions. This is accomplished primarily by the council's use of a mutual problem-solving process; and a team approach which allows input from all parties, but stresses group consensus on solutions.

While productivity councils do not replace collective bargaining, they are an effective means for involving employees in a more participative work environment. It has been shown that utilizing the expertise of those who actually do not work is also one of the best ways of improving productivity. During the

1970's, a great deal of attention was focused on joint cooperative programs and organizations began to recognize such advantages.

Many organizations have installed and are still establishing these councils. The National Association of Area Labor-Management Committees estimates there are over forty (40) Area Committees in the United States. Also according to the *Resource Guide to Labor-Management Cooperation*, which lists organizations who have voluntarily shared information, there are over seventy-two (72) joint councils or committees in the private sector and over twenty-nine (29) in the public sector.

'That sabotage ranged from management deliberately withholding essential information to its rendering of minimal cooperation.'

Although some organizations declined to provide information for the *Resource Guide*, The Department of Labor indicates that more and more organizations are electing to utilize Labor-Management Councils. For example, in the summer of 1984, the City of Oakland, a public employer with approximately 4,000 employees represented by five unions (including fire and police), recognized the advantages of greater employee-management cooperation. The city also wanted to provide a means of receiving and using employee suggestions for solutions to work related

FIGURE 1
CHARACTERISTICS OF SURVEY SAMPLE

Category	Public/ Private	Type Organiz.	Workforce	Labor Units	Year Estab.	# Council** Members	% of Sample
A	1. pvt	food prod.	100-300	2	1980	7	46.15 (6)
	2. pub	city govt	2400	20	1977	12	
	3. pvt	paper prod.	305	1	1981	8	
	4. pub	dept. sanitatn.	1405	18	1979	10	
	5. pob	city govt	180,000	50+	1978	8	
	6. pub	city govt	575	4	1978	12	
B	1. pub	schl sys	6115	2	1977	8	23.08 (3)
	2. pvt	machinry (excpt elec.)	250	1	1973	4	
	3. pub	city govt	1650	6	1981	10	
C	1. pvt	food prod.	17,000	37	1981	11	23.08 (3)
	2. pvt	chem.	380	1	1980	10	
	3. pub	health care	476	1	1980	6	
D	1. pvt	glass, concrete prod.	280	2	1972	10	7.69 (1)
							100% (N=13)

**Primary team only

problems. Therefore during contract negotiations with the Service Employees International Union (SEIU), Local 390, a mutual decision was made to establish a Joint Council. The major impetus for the decision was the need for a forum in which important issues such as how to increase workforce productivity; how to devise a fair attendance program, and other work issues that required far more time and consideration than was available at the negotiating table could be resolved to the mutual satisfaction of both sides. The expectation was that the council would be a viable means of increasing productivity and contributing to greater employee job satisfaction.

While most Councils are successful, the task of building a successful one is often slow and tedious. Organizing, setting up, and successful operating Labor-Management councils is hampered because, to date, there has been little research to provide such information. Hence, the objective of this article is to provide insight on what elements are necessary for success; illustrate the advantages private and public sector organizations may derive from such ventures; and point out some of the pitfalls that may lead to

failure.

To achieve this objective, a 16 question survey was designed to obtain information on, and evaluate existing productivity councils as well as develop a framework and guidelines relating to the following:

1. Initial organizing strategies;
2. Factors necessary for success;
3. Pitfalls to avoid;
4. Implementation strategies;
5. Positive changes in employees and the organization.

Questionnaires were mailed to twenty-five respondents selected by the following criteria:

1. Council was at least one year in existence;
2. Council stated one goal minimum was to address productivity problems;
3. Council was composed of both labor and management;
4. The workforce exceeded 100 employees.

Respondents were selected from the *Resource Guide to Labor Management Cooperation*, and both private and public sector cases were chosen. Questionnaires were sent to Directors of Personnel, Human

Resources, Employee Relations, and Program Coordinators of other designated management professionals.

The evaluation of the survey is based on the return rate of 52%. Thirteen of twenty-five respondents answered. An additional three were returned unanswered. The thirteen were analyzed by dividing respondents into four categories based on the success rating they received. Ratings were derived subjectively by the responding personnel professional. The goal, however, was to stimulate a response based upon the variables evaluated in the survey. The success rating was placed last in an effort to achieve this. The success rating was based on a possible 10 points, ten being the top rating. The four categories are as follows:

	Success Rating	% of Sample
A Most Successful	10	46.15 (6)
B Successful	9, 8	23.08 (3)
C Less Successful	7.5, 7	23.08 (3)
D Least Successful	5	7.79 (1)
		100% (N-13)

For ease of reference, categories will be designated by A (Most Successful), B (Successful), C (Less Successful), and D (Least Successful).

Of the thirteen, seven respondents represented the public sector, and the remaining six the private sector. The workforce ranged from over 100 to 180,000. The mean for the workforce was skewed by two excessively large examples therefore the median was chosen because it was more representative of the sample. The median was approximately 900 employees. The number of Council members ranged from 2 to 12, with an average of 9 (Figure 1 provides a profile of the responding organizations).

In nine (9) cases, the Council or Committee was composed of an equal number of union and management representatives. In the remaining cases, union members outnumbered management representatives by as much as 9 to 1. Still, in most of those cases, the Personnel professional gave those councils a successful rating. It can therefore be assumed that a union majority was not detrimental to the success of those Councils.

To determine what steps these organizations have taken to successfully organize and install their Councils, each category was analyzed according to factors relating to the following variables:

1. Organizing and implementation strategies;
2. Success factors;
3. Pitfalls;
4. Positive changes in employees and the organization.

The factors were then ranked from top to lowest rated, in order of importance. In the case of pitfalls, the

top rated items relate to the greatest obstacles. The categories were then compared for agreement and noted for differences.

Groups A, B, and D agree that a successful organizing campaign and implementation strategy required both the support of top management and the cooperation of the union and its members. They also indicated that the following four factors are also important:

1. Selling the idea to line supervisors;
2. Training managers;
3. Training the Labor-Management Productivity Council;
4. Emphasizing voluntary participation.

Group C indicated their Council was negotiated during contract talks so it was uncertain as to how they organized.

Success factors cited by B, C, and D in order of importance were 1) support of management; 2) support of union and its membership, and 3) use of a mutual problem-solving process. Group A cited (1) and (2) also but listed (3) as second most important.

The major pitfall indicated by A and D was sabotage from upper and mid level management. That sabotage ranged from management deliberately withholding essential information to its rendering of minimal cooperation. The major pitfall cited by B was no model on how to proceed, and C cited the lack of a problem-solving process. In the case of A, the problem of sabotage was apparently resolved as the success of its Councils was not impaired.

As a result of Council activities, positive changes were noted by all groups. Groups A, B, and C listed the greatest organizational change as the development of new performance demands for employees. Group D cited employee decision on a new plant layout. Groups A, B, and C also indicated improved employee morale, improved communication between labor and management, and increased productivity as the top three positive changes among its employees. Group D noted greater employee interest in their jobs and in the organization. It is assumed that these changes were due to the fact that joint labor-management councils encourage employee contributions and contribute to employee sense of worth. Some Councils also noted that they provide incentives for employee suggestions that solve or contribute to the solution of productivity problems.

In addition, these changes and improvements were pointed up in supplemental information provided by the N.Y.C. Department of Sanitation' Bureau of Motor Equipment. The following appeared in the article entitled "Productivity Gains Through Labor Management Cooperation" published by *The Work Life Review* in November of 1982. The quote is by John

Venios, President of Local 246, SEIU, N.Y.C. Department of Sanitation. He stated:

"In early 1979, a Labor-Management Program was stated ... The timing couldn't have been better. Management's callous treatment ... had cut off most lines of communication ... The program reversed this ... by creating a team-work atmosphere ... by formally involving the membership in an ongoing dialogue with top management ... the job satisfaction ... substantially improved. My only regret ... is not seeing it flourish elsewhere!"

Although it is obvious that Labor-Management Productivity Councils are a positive force, it is also clear that in order to establish successfully maintain these, some guidelines and a basic frame work are essential. Figure 2 is presented to provide this framework. As the figure illustrates the formation process should take place within a mutual problem-solving atmosphere and is composed of several phases. These phases include an Initial Organization Phase; a Formation Phase, and an Operation Phase. Councils usually progress slowly through these phases, therefore, patience is required from all parties. However, once council has proven its ability to solve problems, its tenure is almost certainly assured.

As was indicated by the survey, the initial organizing strategies must include obtaining support of both top management and the union. While sabotage from upper and mid-level managers was cited as a pitfall, sabotage from union leaders can also contribute to failure. Also required is a team concept and group consensus attitude towards problem solving.

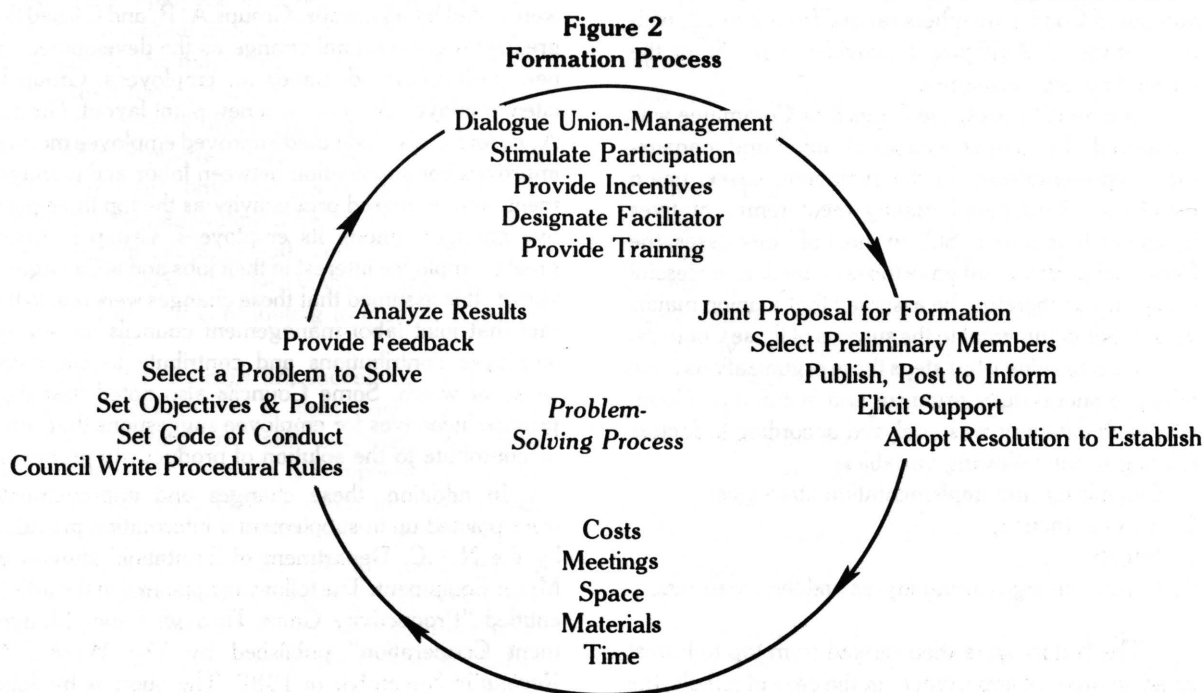
Because Oakland's council is still new, it is too early to assess its success. It was organized with the support of management and the union. Initially, representatives from various units were selected on the basis of expertise and willingness to participate. The Council was composed of approximately 8 members with the expectation that more representatives would be added as other units became involved. Since the response from both labor and management has been very positive, the indications are that Oakland's council will be successful.

Although more research is needed on Labor-Management Productivity Councils, available research indicates that Councils are an effective means of creating a more participative work environment. They act change agents and by doing so contribute to greater employee productivity, and job satisfaction through a mutual problem-solving process fueled by employee contributions.

BIBLIOGRAPHY

Beckham, Margaret. "If Labor-Management Panels Actually Meet, There's Progress." *Nations' Cities Weekly*, Volume 4, Number 32 (August 10, 1981), p. 8.

Contino, Ronald, Deputy Commissioner for Support Operations, Department of Sanitation, New York City. "Report on Productivity Gains Through Labor/Man-



agement Cooperation New York City, Department of Sanitation, Bureau of Motor Equipment." April, 1982 and July, 1984 (Updated).

Damachi, Nicholas A., Richard L. Shell, and Hr. Ray Sauder. "Managerial Propensity to Use Participative Strategies for Productivity Measurement and Improvement." *Industrial Management*, Volume 26, Number 3 (May-June 1984), pp. 23-27.

Leone, Richard D. Editor. *The Operation of Area Labor-Management Committees*. Report to the Secretary of Labor, U.S. Department of Labor, 1982, p. 222.

Schuster, Michael. "The Impact of Union-Management Cooperation on Productivity and

Employment." *Industrial and Labor Relations Review*, Volume 36, Number 3 (April 1983), pp. 415-430.

U.S. Department of Labor, Labor-Management Services Administration. *Report on the Secretary of Labor's Symposium on Cooperative Labor-Management Programs*, Washington, D.C., 1982.

U.S. Department of Labor, Office of Labor-Management Relations Services, Studies and Reports, Computer Data File, General Information Printout.

U.S. Department of Labor. *Resource Guide to Labor-Management Cooperation*. Labor Management Services Administration, Washington, D.C., October, 1983.

"First Source"

by Jeanette David

Jeanette David is a senior, majoring in Urban Studies. When not on campus, she works as a Fair Housing Counselor, in the City of Alameda—across the Estuary from Oakland. Many of Jeanette's clients are low-income, unskilled and unemployed.

In Oakland, employment policies have been hotly debated for decades because of the City's chronically high rate of unemployment (9.4% at the time of the 1980 census) and even higher rate of commutism.

Most recently, the Oakland Employment Coalition (OEC), an umbrella grassroots committee, joined the debate. In 1983, they brought demands for an employment policy mandating local hiring to city hall. They called it "FIRST SOURCE."

The focus of OEC's proposal is private developers and employers who are using city development loans made possible by Community Development Block Grants (CDBGs). It is their contention that when development costs are decreased by the use of public monies, the employers who occupy those new buildings should be required to hire a percentage of local workers.

OEC has reminded their city government that those grants were intended to produce jobs and improve the quality of life for Oaklanders. Yet, 47 percent of working Oakland residents hold jobs outside their city.

Some members of the city council have been resistant to adopting a mandatory hiring policy. They argue that neighboring suburbs might respond with similar policies, thereby reducing job opportunities for Oakland residents. They are also concerned that it might act as a disincentive to local development.

Neither opponents nor proponents have produced evidence that Oakland residents are or are not equipped with the skills needed to fill the new Oakland jobs.

The emphasis has been on office construction. The "City Center Project" has long been touted as the development project which will give impetus to all other central city development. The City's largest renewal project is located between Broadway and Grove Streets, from Eleventh to Fourteenth where fourteen

buildings and two underground garages are proposed. At present, three office buildings and a garage are operating and a new office tower is under construction. After twenty-three years of planning and re-planning, most of the twelve square blocks remain vacant (Jefferson).

Public Revenue Bonds, loans backed by CDBG'S, and other such incentives have been used in the City Center Project Area to "prime the development pump."

"First Source" advocates contend that employers who have the economic advantage of those low interest loans should be required to "hire Oakland first." Proponents argue that voluntary local hiring policies have produced many jobs for residents.

Yet, a survey of the employees in the buildings at the City Center Project site released at the height of the "First Source" controversy, reveals that only 24.1 percent of the workers live in Oakland. Most others live in Eastbay suburbs, with the greatest number coming from central Contra Costa and south Alameda counties. Those same areas are involved in their own employment development. (Jefferson).

The suburban build-up threatens to pull Oakland employees into jobs closer to their homes. Although Oakland is expecting San Francisco spillover, the suburbs seem to be catching most of it, even where previous commitments were made to Oakland.

Contra Costa County is expected to add 100,000 new jobs by the turn of the century, and the Pleasanton-Livermore area, is the fastest growing region in Alameda County.

Walnut Creek's 10-year central city plan forecasts the construction of more than 3.7 million square feet of new office space and retail square footage in excess of 3 million. There, Tishman, Dillingham, Caldwell-Banker and others, are erecting buildings in clusters near the BART Station and I-680.

The promise of 1,500 new jobs to Contra Costa County came with the Chevron/Gulf merger. Most of those will go to the new Chevron administrative offices in Concord, while others will locate at new offices in San Ramon's Bishop Ranch.

Concord and San Ramon have each been chosen

by major firms who are looking for room for expansion and / or consolidation. In Concord, the Bank of America's new operations center will open in 1988 and employ 3,500.

San Ramon's Bishop Ranch is the site of PacBell's new administrative center. That facility will house 6,300 jobs from ten facilities that are scattered throughout the state.

Pleasanton's Hacienda Business Park is also favored by many. It will be the home of A T & T, Viacom Cablevision, and others. When completed, that project is expected to provide more than 24,000 new (or re-located) jobs.

Bechtel Corporation built and employed 500 in Walnut Creek, while it backed out of a commitment to build at Oakland's City Center Project site.

The lure of the suburbs is simple—they have room for growth. Oakland has little. Business firms are looking for room, for the eventual expansion of their facilities and for potential residential growth.

'... public agencies have made Eastbay commuterism the subject of recent studies.'

Employers may be moving to the communities in which their workers live. Unless their perceptions of the Oakland workforce change, they may leave Oakland. A jobs bank, once proposed by City Manager Henry Gardner, as part of "First Source" package, could provide the data needed to dispell the belief that needed skills don't reside there. The handwriting is on the wall. They can't continue to rely so heavily on commuters. Employers know it. Oakland's city government should know it too.

In June, 1983, the Association of Bay Area Governments (ABAG) published forecasts which parallel today's activity. They based their projections on given local zoning policies and other factors. ABAG's researchers expect that 290,000 new households and 280,000 new jobs will be created in Alameda and Contra Costa Counties by the turn of the century. Of those, less than 14 percent of the jobs and 3 percent of the households are expected to locate in Oakland. (Projections '83).

Expecting few residential additions, Oakland must rely on its current workforce to fill the jobs it hopes to create.

With an eye on the rapid development of Eastbay suburbs, regional planners are encouraging balanced

land use in the hope that the commuter problems Silicon Valley is experiencing can be avoided in the Eastbay. But, traffic congestion is an ever-present problem.

A variety of public agencies have made Eastbay commuterism the subject of recent studies.

One such study, commissioned by the City of Walnut Creek, has warned of bad times to come. The study was conducted by CalTrans and various city and county agencies. The Metropolitan Transportation Commission (MTC) was the lead agency. They predict that more than 324,000 commuters will be fighting for freeway space in Contra Costa County and the Pleasanton-Livermore area by the turn of the century. That is a 79 percent increase over 1980.

Of those commuters, about 84 per cent will be residents traveling to jobs within the area. The Highway 24 link to Oakland through the Caldecott Tunnel is expected to experience the least amount of impact. Most of the new commuters will come from residential developments in east Contra Costa to office projects in central county and big developments in San Ramon, Livermore and Pleasanton, according to the report.

Meanwhile, San Francisco's Planning Department concluded that their city's increased employment development will bring 39,600 more commuters across the Bay Bridge, exceeding that bridge's peak hour capacity by 40 per cent. (Downtown).

The CalTrans/MTC study concluded that the Nimitz Freeway will have to be widened to fourteen lanes to accommodate the commuters, if transportation habits don't chnge. Many of *those* commuters are traveling, in record numbers, across the San Mateo Bridge to Silicon Valley.

Oakland's accessibility advantage has been lost. Commuters to San Francisco, Silicon Valley, and now, the Eastbay suburbs, crowd her freeways. Increasing numbers of vehicles queue at toll plazas, and AC Transit has added more BART Feeder Buses to make it easier for workers to get to their jobs outside Oakland. Throughout the Bay Area, peak hour commuters are subjected to bottlenecks, bridges at capacity and overcrowded busses and trains. Commuters moving from and through Oakland slow traffic and crowd access to the City Center.

"First Source" proposes to remove Oakland residents from commuter statistics and place them in jobs close to home.

Regional development trends indicate an end to commuterism as we now know it. The disbursement is placing jobs closer to suburban homes. Oakland's heavy dependence on suburban workers has become a distinct disadvantage. That dependence must be replaced by policies that emphasize (and implement) jobs development for residents. If that isn't done, that

city may see a retraction of more commitments to build. Many more may build in the suburbs where the workers are.

On January 29, 1985, Phase I of a study of Oakland's Central District Development Program was presented to the City Council. In his presentation, Mr. James Jefferson of Jefferson Associates, an urban planning consultant firm, described a "schism between the workforce requirements of the economy and the employability of the population. The economic and demographic changes of the last decade and a half, have widened the gulf between the kind of employees the city's businesses need and the kind of residents it has." (JA/WRT).

The study points to statistics to support the claim that the existing inequities will not be reversed without an aggressive effort from the city.

Mr. Jefferson's greatest concern is with the 14,700 unemployed. A very large number of those are young minorities. Many are undereducated.

OEC, on the other hand, seems most concerned with the 68,000 residents who work outside their city. They contend that many of those people are forced to take jobs outside Oakland because local employers will not hire them. Both are telling their city that Oakland must employ its own.

RECOMMENDATIONS

Oakland's need for revitalization hardly seems arguable. But with current regional trends, they need local workers to support that effort. They need to look for ways to develop a city that will employ greater numbers of residents.

First the city must develop a comprehensive skills profile which contains census data training and unemployment information.

The data developed from such a survey can serve more than one purpose. First, it will enable them to determine the kinds of jobs that will best serve their residents, thereby enabling them to create a realistic development plan.

Second, it will provide them with a tool with which they can sell Oakland to prospective tenants of commercial buildings. Oakland needs to demonstrate its ability to supply a workforce. If they do not, they may be unable to attract development to their city. Availability of workers seems to be a priority item with developers. A skills profile would help dispell the preception that skills don't exist there.

At a January 29 meeting, consultants recom-

mended that Oakland de-emphasize future office development and concentrate on housing, new infrastructure, new retail and entertainment. A skills survey might convince the city that there is wisdom in that advice.

Contra Costa's office boom has resulted in a 25 per cent vacancy factor, while Oakland's is at a comfortable 10.8 percent. That could be easily reversed as Contra Costans now working in Oakland, find jobs closer to home. If there aren't Oaklanders to fill those local positions, employers may move to Contra Costa.

The result of such a reversal could be catastrophic. Employer movement from Oakland to the suburbs would take some Oakland residents with them. With affordable housing available, they might even move there. That would negatively impact Oakland's demographics even before they have been positively altered to a sufficient degree.

It is essential that Oakland look for ways to avoid that. It seems that the emphasis should be on employment development for residents rather than development for its own sake.

Oakland has a rare opportunity to become unique. The recipe for that uniqueness might be found in their city-wide study, but the essential ingredient will be creativity. That city need not and probably should not, duplicate regional development trends.

Perhaps the GRASSROOTS demand for a mandatory hiring policy is slightly misdirected. Although the principle seems sound, while demanding such a policy, they should also be demanding that local worker skills be given more consideration when development decisions are made. They should also demand that their Office of Economic Development and Employment survey their residents to learn what their skills and skills potentials are. If they take that stance and win the point, they may avoid a future decline, thereby doing their city—and themselves—a big favor.

BIBLIOGRAPHY

Jefferson Associates, Inc., Oakland City Center DEIR, December, 1983

Association of Bay Area Governments, Projections '83, June, 1983

San Francisco Department of City Planning, Downtown, August, 1983

JA/WRT associated, Phase I, Initial Planning and Management Concepts, October, 1984

Comparable Worth

by Marla Athens

Marla Athens is a graduate student at San Francisco State University in the Masters in Public Administration program with an emphasis on personnel.

Comparable worth, equal pay for work of comparable value to an employer, became a national concern ten years ago. California was among the first states to respond to the injustice of a wage gap by adopting a comparable worth statute. On September 24, 1981, Governor Brown signed into law Senate Bill 459, the bill that established the policy of setting the wages of state employees on the basis of comparable worth. Three years later, the salaries of the 37,000 state workers in clerical, nursing and other female dominated jobs still do not reflect the principles of comparable worth (SOR, p.1).

Why is it that the salaries of California workers still do not reflect the principles of comparable worth? One simplistic explanation is that Governor Deukmejian, taking the stance that comparable worth is better addressed through collective bargaining than legislative action, has vetoed the comparable worth implementation legislation and the legislature has not overridden the Governor's vetoes.

Vetoes have not killed the issue of comparable worth, however. Already, a comparable worth bill has been introduced in the legislature in the 1985 session. Should the legislature enact comparable worth legislation and voluntarily remedy sex based wage discrimination among state employees? This article will attempt to help you to make an informed opinion.

FACTS: The facts that legitimize demands for implementation of comparable worth standards are reasonable straightforward.

WOMEN ARE SYSTEMATICALLY UNDER-PAID. Bureau of Labor statistics for 1982 show that women are paid less than men in almost every field. Female public administrators and college teachers earn less than 80 percent of what male public administrators and college teachers earn. Female accountants, real estate agents, scientists and retail buyers earn less than

70 percent of what their male counterparts earn. Female bank managers and health administrators earn less than 60 percent of what male managers and health administrators earn (Rubin, p. 61).

The wage differential between "traditionally women's jobs" and "traditionally male jobs" is even larger. For example, while the median income for secretaries is \$12,636 and for female librarians with advanced degrees \$17,992, the median income for railroad switch operators is \$22,828 and for mail carriers \$21,840 (Mann, 1984). Among California state employees women earn 40 percent less than men (SOR, p. 1.)

WOMEN ARE SYSTEMATICALLY UNDER-PAID BECAUSE THEY ARE WOMEN. In 1982 women earned sixty-two cents for each one dollar earned by men (McGill, 1984). In a landmark four year study of working women, the prestigious National Academy of Sciences found that over one half of that thirty-eight cent gap between the wages of men and women could be attributed to nothing else but sexual discrimination (BNA, p. 121).

'Why is it that the salaries of California workers still do not reflect the principles of comparable worth?'

To be more specific, studies indicate that at most only 40 percent of the wage gap can be attributed to differences in human capital such as women's lesser educational attainment, women's lack of job related skills, training and experience and women's minimal career commitment. The remaining 60 percent of the gap between the earnings of men and women reflects a market disfunction, discrimination against working women (Corcoran & Duncan, 1982; O'Kelley, 1979; Treiman, et al in Remick).

DISCRIMINATION AGAINST WORKING WOMEN IS SYSTEMIC. Discrimination against

working women stems from the historical perception of women's sphere of responsibility, the home, as inferior to men's sphere of responsibility, all the world outside the home (Chafe, 1972). When women began to work for wages outside the home, public perception of women's work as less valuable than men's followed women into the workplace. There this perception was expressed in the form of lower wages for women performing the same jobs as men and the depression of wages for jobs performed primarily by women.

In spite of the short supply and high demand for the services of nurses and secretaries, women and men who work in these female dominated occupations are still underpaid. Noting this, the National Academy of Sciences study reported that the traditions of discrimination that have been built into our wage structure continue to influence it (BNA, p. 121).

THE WAGE GAP HAS PERSISTED IN SPITE OF FEDERAL LEGISLATION. The Equal Pay Amendment to the Fair Labor Standards Act, Title VII of the Civil Rights Act, Executive Order 11246 and the Revenue Sharing Act of 1972, all address the problem of women being paid lower wages than men for performing the same job. The benefits to women from this legislation in the form of increased wages and increased opportunities for job training and advancement have been significant.

However, within the narrow constraints of equal pay for the same job, existing federal legislation has not narrowed the gap between the earnings of men and women. The wage gap has remained around the 40 percent mark for the last thirty years (Steinberg in Remick, p. 4).

COMPARABLE WORTH ADDRESSES THE SOURCE OF THE WAGE GAP, OCCUPATIONAL SEGREGATION. The failure of the 1960's legislation, based on the principles of equal pay for the same job, to close or even narrow the wage gap, focused attention on the fact that wages for jobs held by four fifths of all working women have been systemically depressed (occupational segregation) (Mann, 1982). On the basis of the National Academy of Science findings, the Equal Employment Opportunity Council (EEOC) in 1980, suggested that comparable worth be used to address the problem of undervaluation of "women's work" (BNA, p. 122).

JOB EVALUATION IS WORKABLE. Job evaluation, a technique for comparing the worth of different jobs in an organization, involves several steps: (1) jobs in an organization are described and analyzed, (2) jobs are given points according to compensable factors (e.g. education, skill, responsibility, risk), and (3) the points are added and wages are assigned based on the ranking of the job in relation to other jobs in the organization

(SOR, p 9.). This system of evaluation is not a radical or even new concept. Steadily increasing numbers of employers have used job evaluation systems to set wages since the turn of the century. The Hay Company for example, well known job evaluation consultants, listed as clients over 40 percent of the Fortune 500 companies in 1981 (BNA, p. 45).

It was only after the EEOC began to champion comparable worth as a solution for sex based wage discrimination that employers began to challenge the effectiveness of job evaluation. Feminist groups also have challenged job evaluation systems on the grounds of built-in sexual bias.

The concern expressed, by both proponents and opponents, about the reliability of comparable worth for determining the true value of a job to an employer aroused the interest of social scientists. They have designed three guidelines to ensure that job evaluation systems are effective measuring tools and free of bias. The guidelines are : (1) all jobs within the same organization must be measured by the same criteria, (2) the compensable factors must be free of sex bias, and (3) the job evaluation system must set wages based on relationships within one organization, not the market (Newman, p. 386).

Although job evaluation is still not perfect, when employers, employees and outside consultants work together to analyze jobs and determine the weights of compensable factors the result is a reliable, workable tool for identifying and eliminating any sex based wage inequities within individual organizations.

COMPARABLE WORTH IS WORKABLE. Comparable worth is working already in Minnesota, the first state to include a comparable worth implementation plan. Comparable worth is also working already in Colorado Springs, the first city to implement comparable worth. Closer to home, in California cities where the salaries of municipal employees already are being adjusted to reflect comparable worth standards, both employers and employees seem to agree that comparable worth is working.

In San Jose, where four years ago city employees staged a strike to win a comparable worth contract, the city managers and union officials agree that contrary to the doomsday prediction of comparable worth critics, San Jose has neither gone bankrupt nor lost its skilled blue collar workers (Savage, p. 3). In Berkeley, now in the second year of a two and one half year program phasing in salary adjustments based on comparable worth, employees have enthusiastically compared comparable worth with Christmas (Hamilton, p. B9). In Pismo Beach, the first California city to voluntarily adjust city employee salaries, the former Mayor Bill Richardson has proudly pointed out "you don't need to

negotiate something that was unjust in the first place. You just change it." (Simross, p. 11).

EFFECTS: Comparable worth is viewed as desirable when the primary effect of implementation is remedying a historical injustice. Other expected effects of the implementation of comparable worth standards for state employment do merit discussion.

EFFECTS ON WAGES OF STATE WORKERS.

The wages of about 37,000 women (and men) who work in female dominated jobs will be increased when discriminatory pay practices are eliminated and salaries are adjusted to reflect comparable worth. The female dominated jobs most likely first targeted for wage adjustment are registered nurses, medical and social services support, education and library and office. The wages for these jobs could be increased anywhere from 1 percent the adjustment negotiated in Los Angeles, to 40 percent, a figure taken from the 1982 Department of Personnel findings.

THE 40 PER CENT FIGURE IS THE WAGE DIFFERENTIAL BETWEEN FEMALE AND MALE STATE WORKERS (SOR, p. 13). Typically, comparable worth adjustments have been phased in over several years (e.g. 2 years in San Jose, 3 years in Connecticut, and 4 years in Colorado Springs). Even if phased in, the effects of wage adjustments on the quality of life enjoyed by state employees would be significant. For example, a licensed vocational nurse who now earns \$16,512 annually, with a 20 percent comparable worth adjustment, would earn \$3,302 more annually, or almost \$133,000 more over a forty year career.

EFFECTS ON WAGES IN THE PRIVATE SECTOR. The adoption and implementation of comparable worth standards in the public sector can be expected to have a positive influence on the wages paid to women who work in female dominated jobs in the private sector within two to ten years (SOR, p. 6). Hopefully, this will lead to the eventual passage of laws to eliminate discriminatory pay practices that are attributable to occupational segregation in the private sector. When the wages of all working wives and working female heads of household are adjusted to reflect comparable worth, the number of families who are now living at the poverty level is reduced by one half. (Comparable Worth Project, p. 2).

EFFECTS ON THE WAGES OF MEN IN MALE DOMINATED STATE JOBS. Since the state has only so much money to spend on salaries, male dominated jobs will be hurt, but only in relative terms. The goal of comparable worth is to bring the wages of women up to the levels paid to men. Research by the Senate Subcommittee on Women in the Workforce found no jurisdictions where the salaries of "over-valued" jobs were reduced (SOR, p. 9). Since such

practices are expressly prohibited by the federal Equal Pay Act, it seems unlikely that California comparable worth legislation would incorporate or permit the reduction of wages in male dominated jobs.

'There is no reason to believe comparable worth will have any adverse effect on the free market.'

EFFECTS ON UNEMPLOYMENT. Adoption of comparable worth standards in the public sector should cause only a very slight increase in unemployment. This is because the state civil service is characterized by well developed internal job markets and the total number of jobs is fairly resistant to change (Doeringer and Piore in Steinberg in Remick, p. 292). Unemployment could be expected to increase more in labor markets that are more competitive (e. g. unskilled blue collar jobs, agricultural workers) when comparable worth standards spread to the private sector, however, because employers may substitute technology for higher priced labor (Ratner in Steinberg in Remick, p. 292).

EFFECTS OF THE MONETARY COSTS ON EMPLOYERS. Monetary costs of adopting comparable worth standards will undeniably be high. The California Senate Subcommittee on Women in the Workforce has roughly estimated that it will cost \$134.9 million (a 3.2% increase over the current state salary budget) to adjust 20 percent the salaries of the four female dominated job categories tentatively targeted for the first increases (SOR, p. 13). In a state beset by financial problems since the enactment of Proposition 13, comparable worth adjustments will require some budget adjustments; however, a 3.2 percent increase spread over several years, as has been the typical practice in other states where comparable worth standards have been adopted, should not have a serious adverse effect on the state's financial condition.

The American Society of Personnel Administrators has estimated it would cost as much as \$150 billion to adjust wages in the private sector (Day, 1983). Although the Supreme Court has ruled that costs are no justification for violation of Title VII (Cook in Remick, p. 282), there is no historical basis for believing that comparable worth would be implemented overnight and bankrupt hordes of innocent businessmen across the country. Enforcement of comparable worth standards will probably be similar to the enforcement of the Equal Pay Act and Title VII. Individual employers will be

allowed to set goals and timetables for reaching full compliance. It has been estimated that full compliance could take as long as twenty years (Remick, p. 291). Therefore, costs of compliance will be borne over an extended period and not be destructive.

EFFECTS ON THE FREE MARKET. There is no reason to believe comparable worth will have any adverse effect on the free market. Neither minimum wage laws nor the child labor acts, both examples of government intervention to affect social reform, destroyed market mechanisms (Steinberg in Remick, p. 290). In fact, it has been suggested by economists that by eliminating discriminatory pay practices, a market imperfection, comparable worth will cause the market to function more efficiently (Remick, p. 289).

THE ANSWER. The California legislature should enact comparable worth legislation and voluntarily remedy sex-based wage discrimination among state employees. By any ethical criteria, the benefits of adjusting the salaries of 37,000 state workers to reflect productivity instead of sex far outweigh any expected costs. Admittedly, comparable worth may not be a cure for all the ills associated with the feminization of poverty; however, it is a giant step in the right direction. To borrow from Bill Richardson, the former Mayor of Pismo Beach, comparable worth is the only "honorable thing to do."

Bibliography

Bureau of National Affairs (BNA), Levin-Epstein, Michael (editor), *The Comparable Worth Issue*, Washington D.C., 1981.

Chafe, William, *The American Woman*, Oxford University Press, New York, 1972.

Comparable Worth Project, Dean, Virginia (editor) published by The Comparable Worth Project, Oakland, California, 1983.

Corcoran, Mary E., and Greg Duncan, *Why Do Women Earn Less?*, *ISR Newsletter*, University of Michigan, Institute for Social Research, 1982.

Day, Charles, Jr., *Comparable Worth*, *Modern Office Procedures*, July, 1983, Vol. 28, #7.

Eyde, Lorraine, *Evaluating Job Evaluation*, Special Issue, *Public Personnel Management*, November, 1983, p. 425.

Hamilton, Mildred, *Pay Equity Around the Bay*, *San Francisco Examiner*, April 24, 1984, p. B9.

Mann, Judy, *Pay Equity*, *Washington Post*, April 4, 1984.

McGill, Marcia and Catherine England, *Comparable Worth Legislation: Will the Remedy Help or Hurt Women?*, *Los Angeles Times*, June 10, 1984, Section 5, p. 3.

Newman, Winn, *Statement—The Equal Pay Joint Committee*, Iowa, Special Issue, *Public Personnel Management*, November, 1983, p. 382.

O'Kelly, Charlotte, *The Impact of Equal Employment Legislation on Women's Earnings*, *American Journal of Economics and Sociology*, October, 1979.

Remick, Helen (editor), *Comparable Worth and Wage Discrimination*, Temple University Press, Philadelphia, Pennsylvania, 1984.

Rubin, Debra Kaplan, *Fifth Annual Salary Survey, Working Women*, January, 1984, p. 59.

Savage, David, *San Jose's Equal Pay Plan Survives*, *Los Angeles Times*, September 12, 1983, p.3.

Senate Office of Research (SOR), *Comparable Worth Issue Update*, A special Report to the Subcommittee on Women in the Workforce, California, March, 1984.

Simross, Lynn, *In Liberated Pismo Beach the Pay is Equal*, *Los Angeles Times*, August, 19, 1984, p. 12.

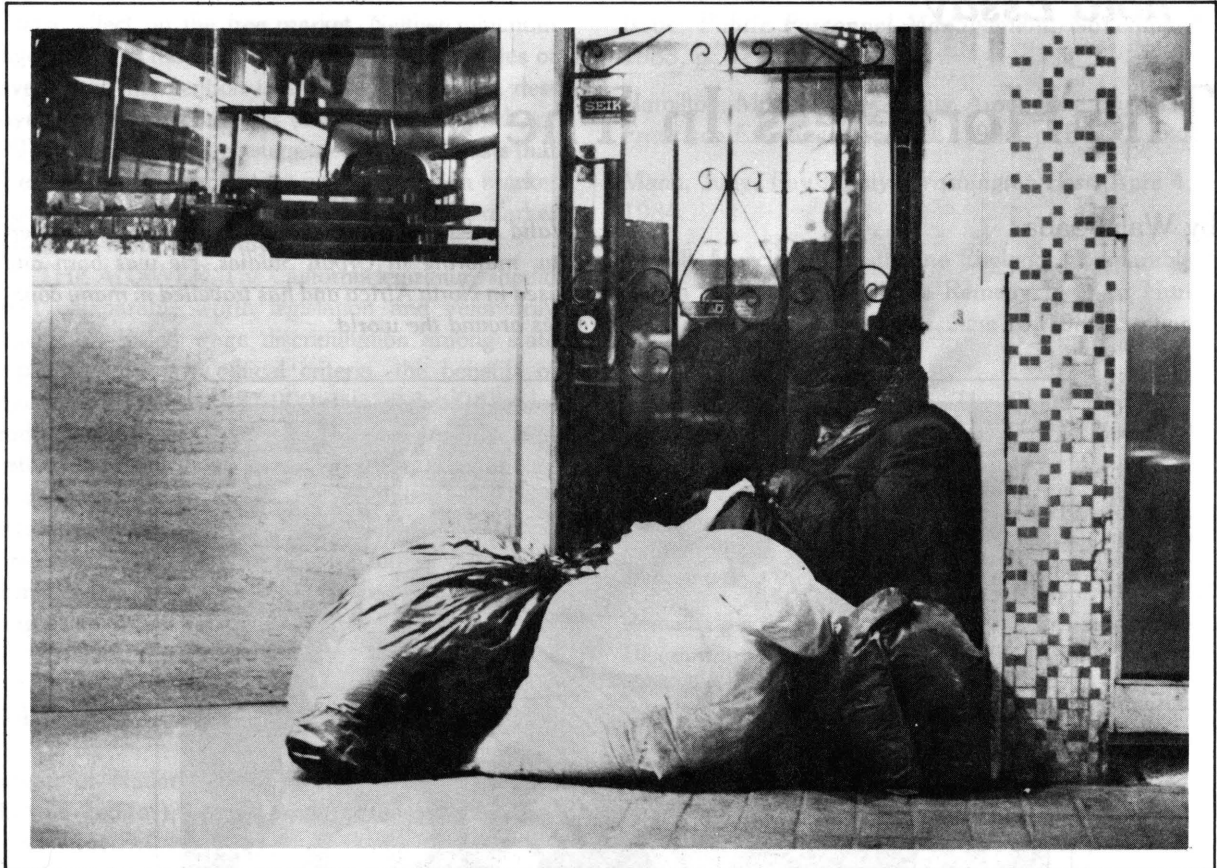
Photo Essay

The Homeless In The City

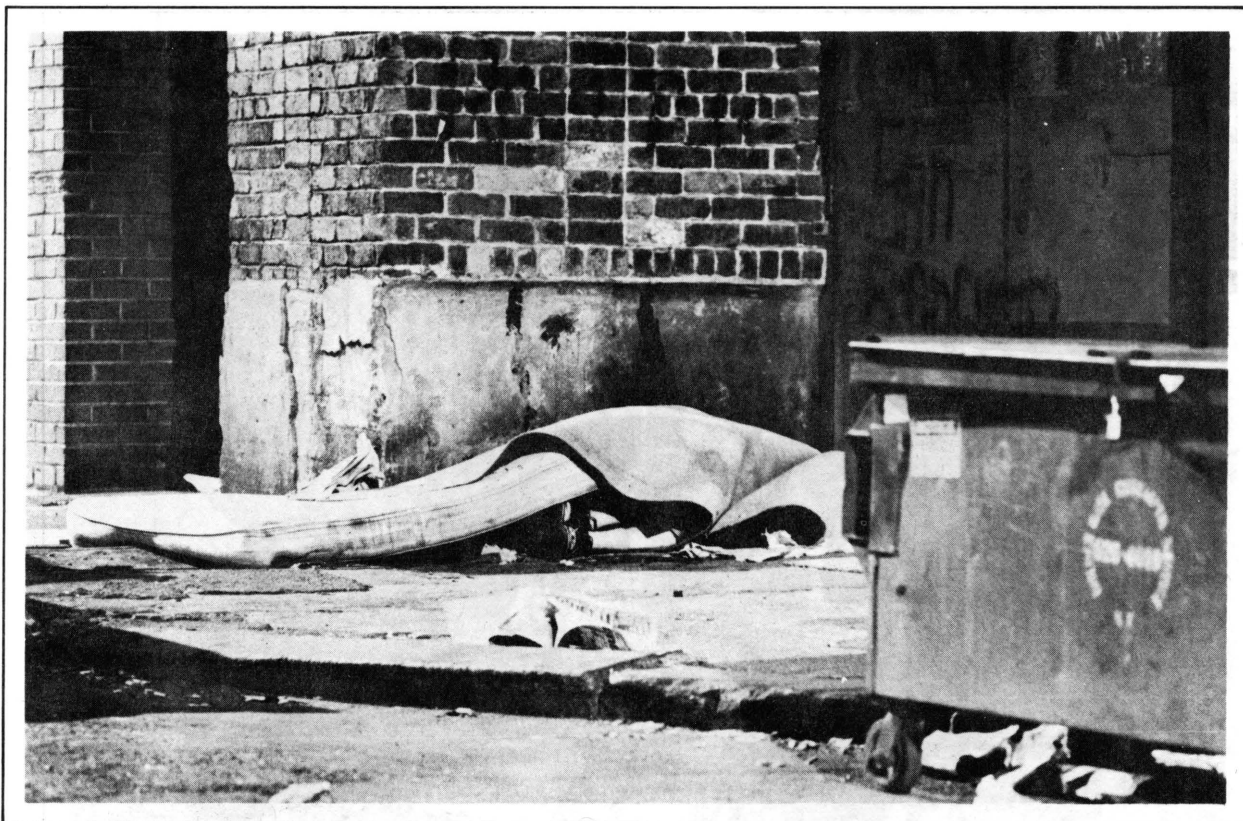
by Walid Saba

Walid Saba is a senior at San Francisco State University, majoring in Urban Studies. He was born and raised in North Africa and has travelled in many countries around the world.

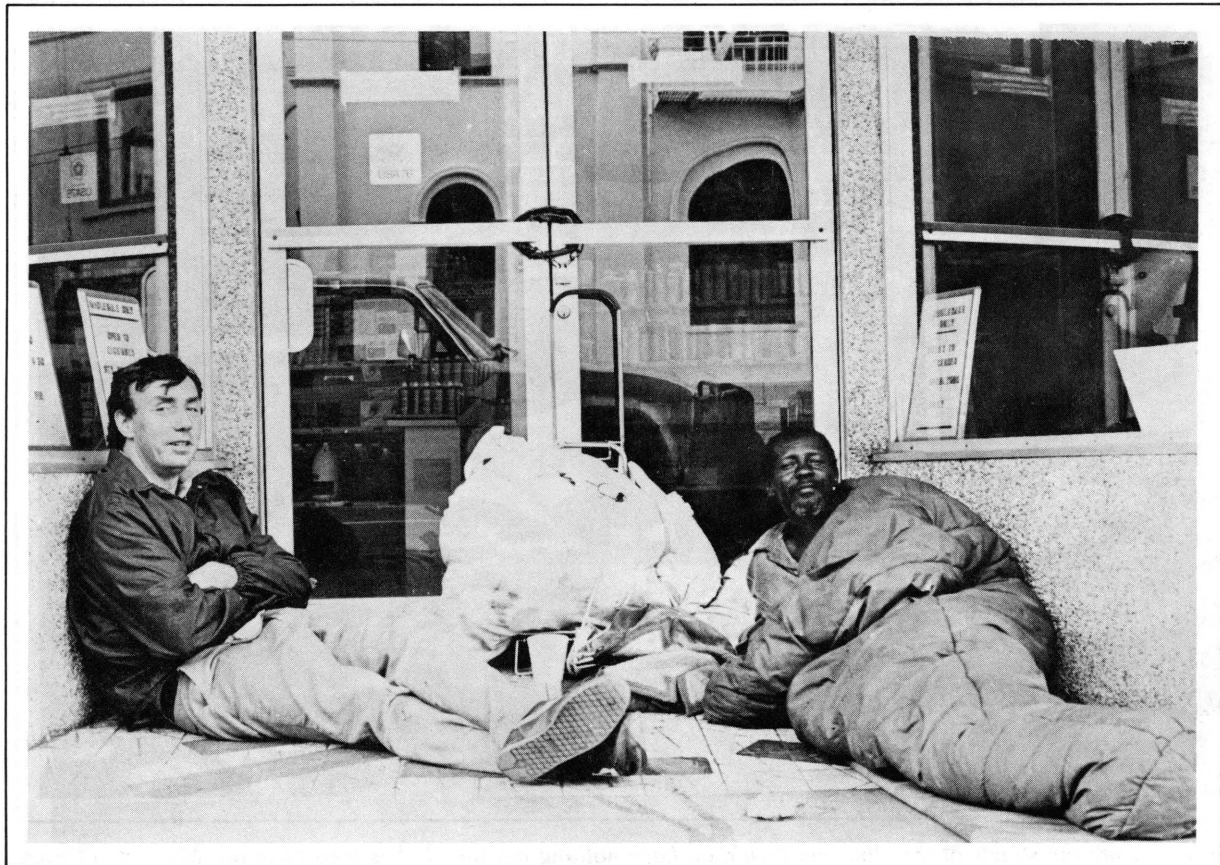




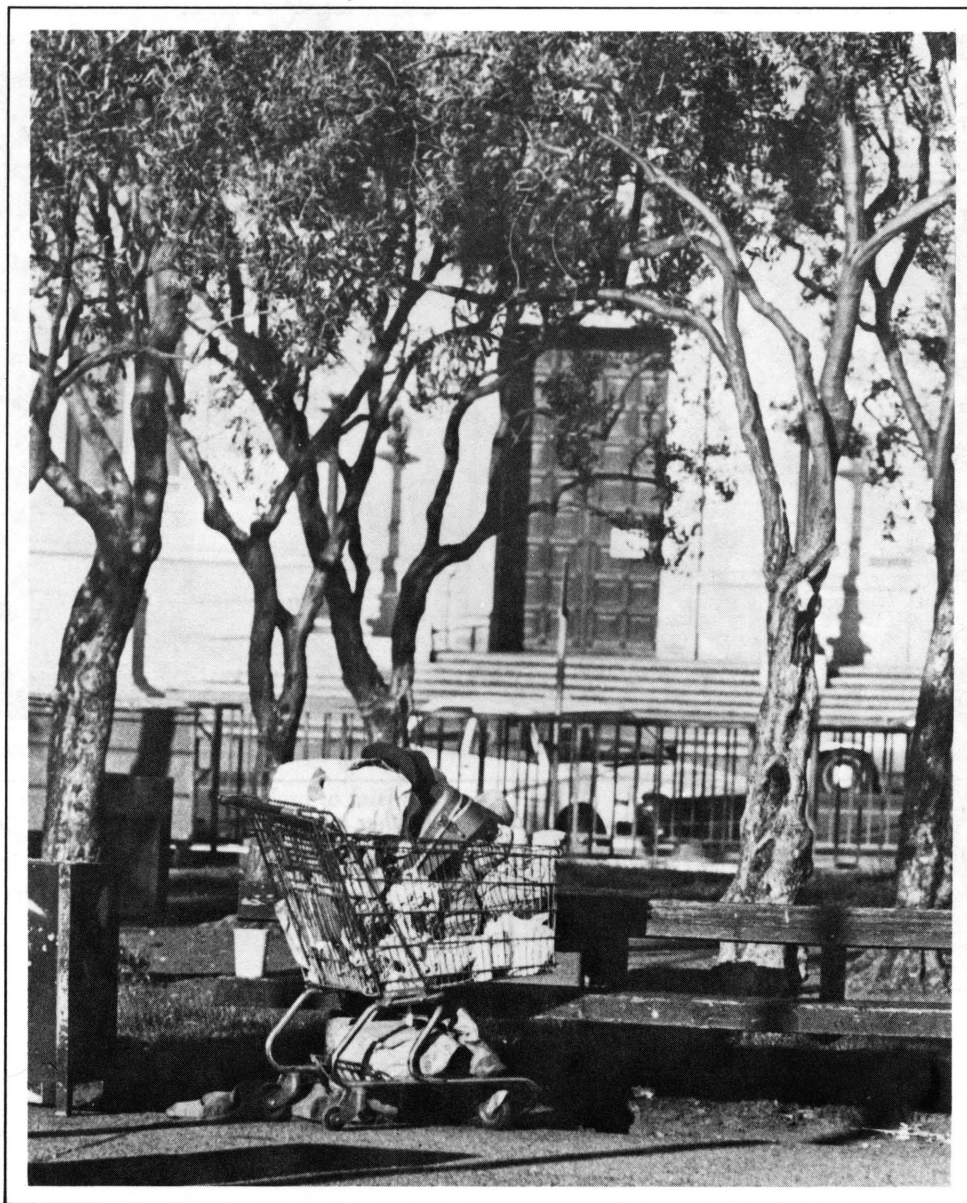
Often called bums or winos, homeless people are probably neither, at least not until they became homeless.



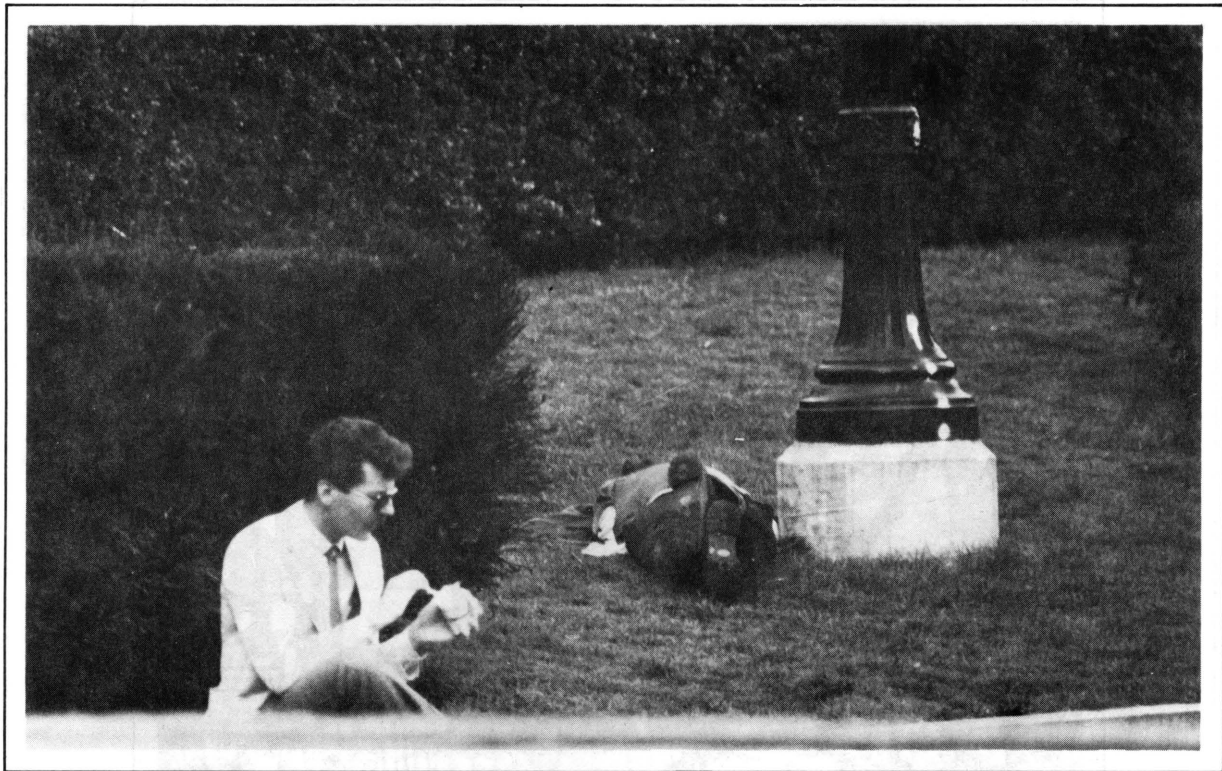
Their homes are the streets of the city, and they may have nothing but the clothes they have on. Many don't even have blankets or sleeping bags hence they make use of whatever they may find to keep warm during cold nights.



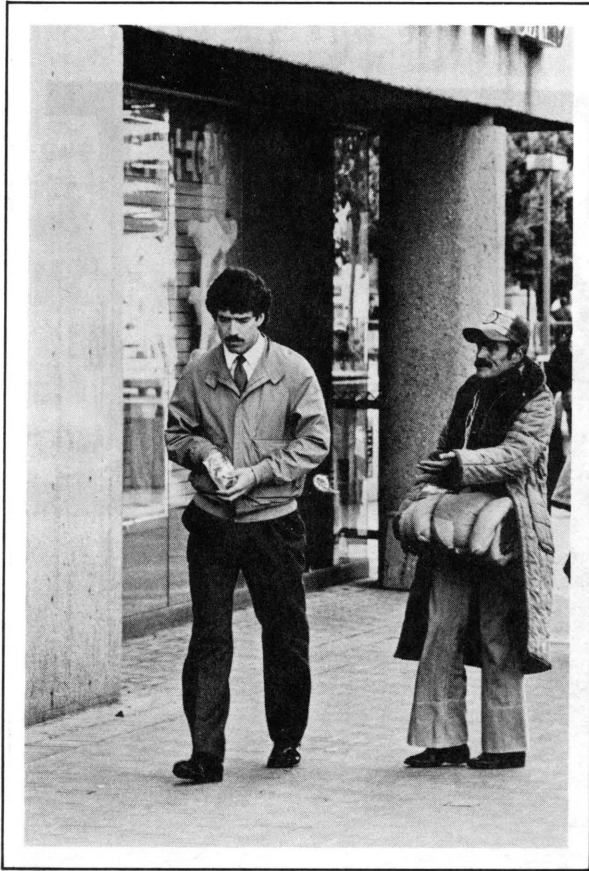
Since they all share a common "home," the homeless people know each other. They're often found in small groups, keeping one another company.



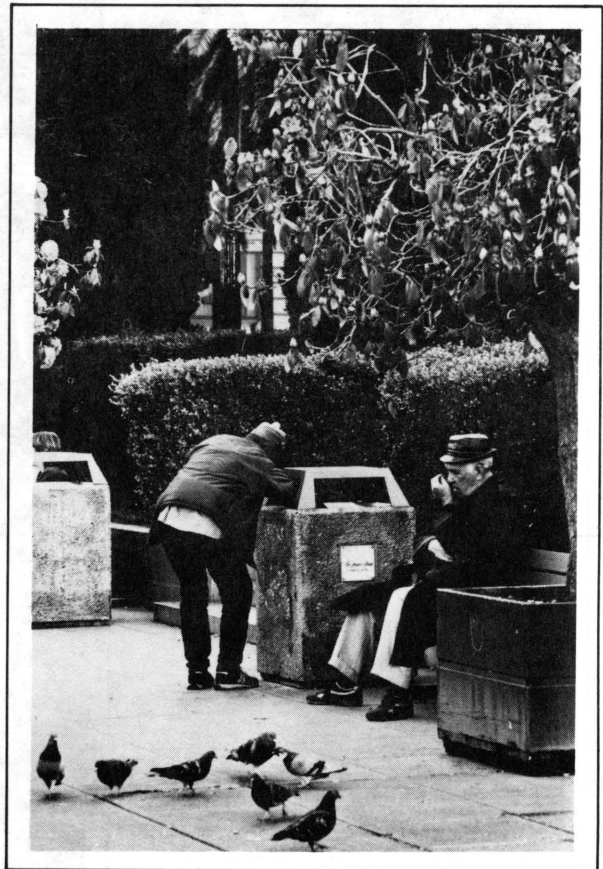
There is no place for them to keep their personal belongings, so they must drag them along wherever they go.



Their "home" is not all theirs, for they must share it with "the other people," such as the daytime "yuppies," who use it for a different purpose.

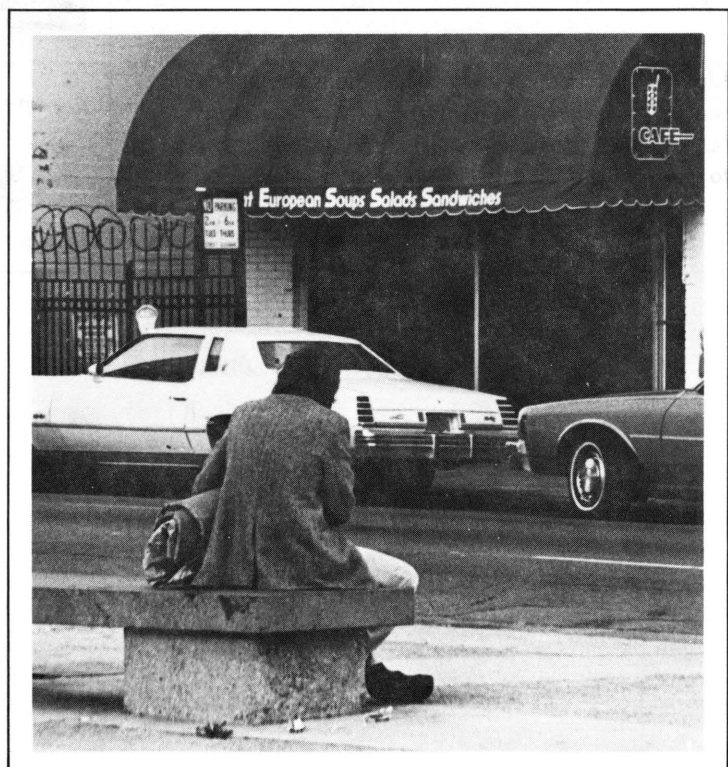


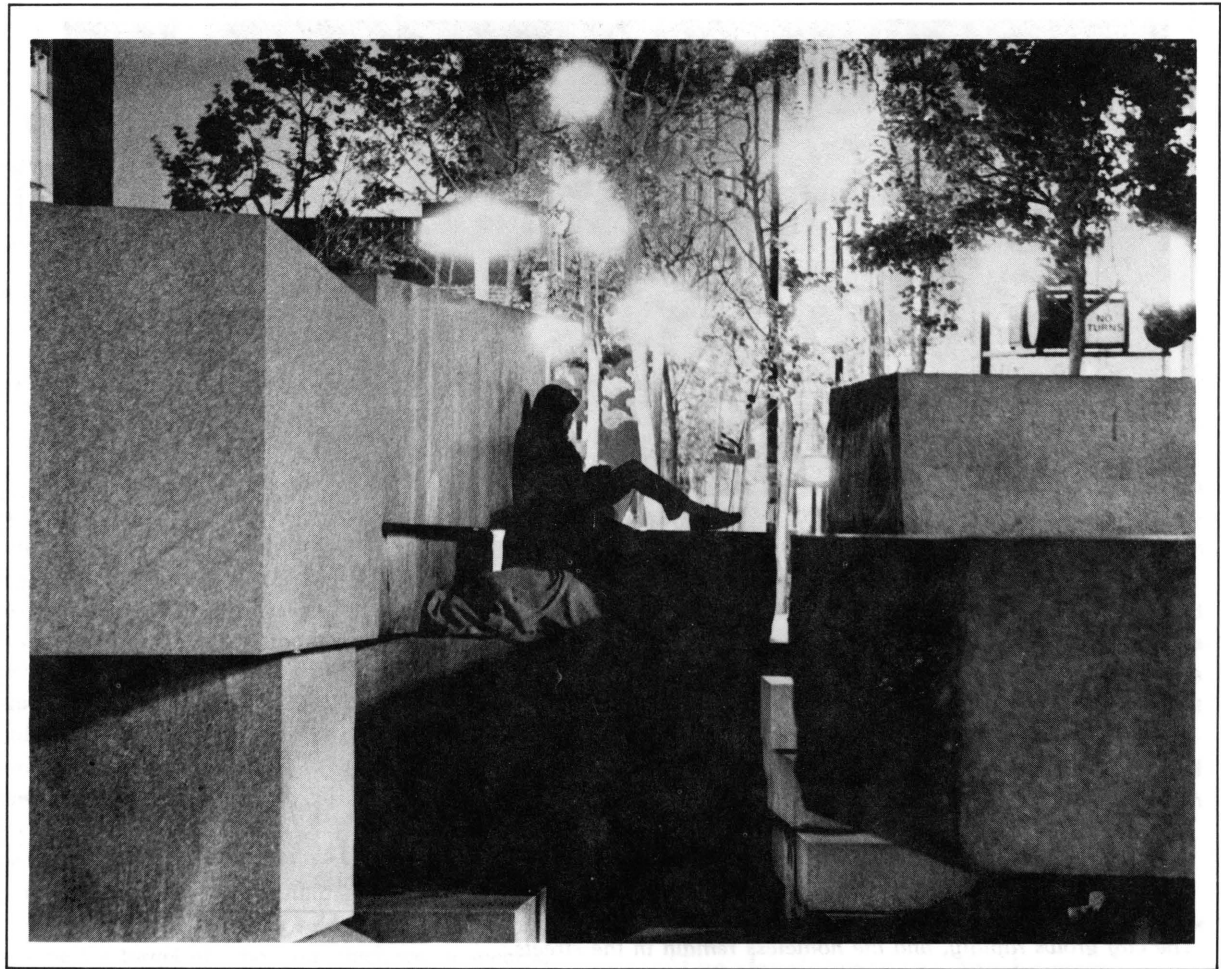
Living day by day, most cannot afford to feed themselves. Many desperately beg for some spare change, but are often frustrated and ignored. Others manage to sustain on what other people throw away.



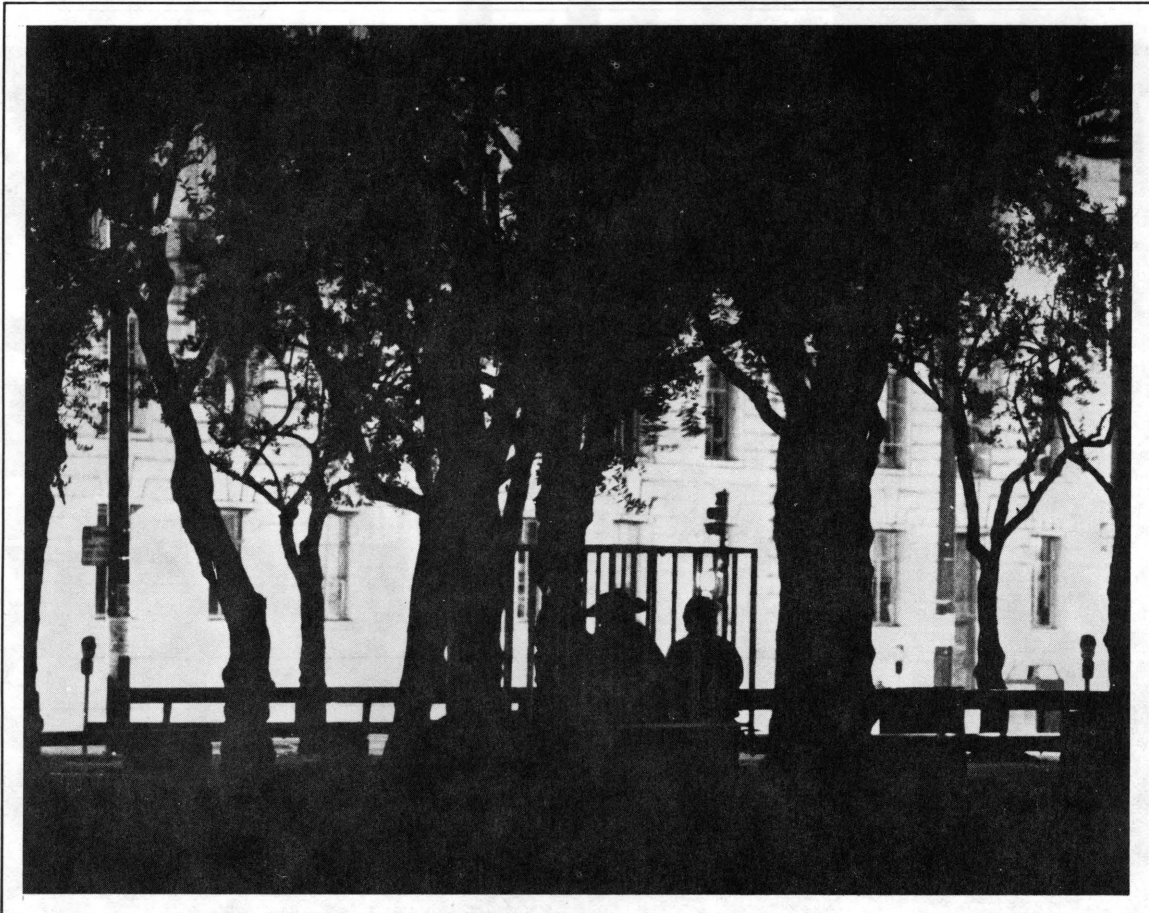


Just as they would at home, they make themselves comfortable in the streets. Sitting on sidewalks or benches, they spend most of the day watching people pass by.





Cold as the night falls, the homeless must do everything to retain their bodies warmth.



The city grows rapidly, and the homeless remain in the streets.

Consumer Action

Nestle vs. Mother's Milk: The Boycott, a Model for Consumer Participation

by Sue Ryburn

On January 26, 1984, the six and one half year boycott against the world's largest food corporation, Nestle, ended with a huge victory for the boycott coalition. It was a historical even which could have far reaching implications for the legal responsibilities of corporations that market their goods in less developed countries. The development of the boycott which began from a relatively small organization in the midwestern United States and grew into an international coalition provides an excellent case study of the power of consumers to shape corporate policy.

Central to the boycott was estimates that bottle feeding contributed to at least one million infant deaths annually in less developed countries. Nestle, the largest producer of infant formulas sold in the Third World, became the target of a boycott which was to incorporate nearly 100 organizations in 65 countries, 10 national organizations and 3 international consumer activist coalitions (Clarkson, p. 14).

Of particular importance was the World Health Organization's (WHO) role in providing a public forum for discussing some of the detrimental effects of marketing powdered infant formulas in poorer nations. Despite a conspicuous lack of support from the United States, WHO along with the consumer activist organizations, succeeded in gaining the adoption of a product code for infant formulas. The first international marketing cope in history (Thornton, p. 60). It was the first time that an international health organization with such strong political backing as the United Nations attempted to regulate private industry in the interest of public health. The result was a mustering of political, technical

and medical expertise by the infant formula industry to make the case that they were innocent of any detrimental effects associated with the use of powdered formulas (U.S. House Hearings WHO Code. 6/81, p.38).

The underlying reason for the boycott was that less developed countries (LDC's) were being used as dumping grounds for inferior or inappropriate products were manufactured by Western countries. Low cost powdered formulas were promoted by aggressive marketing techniques and contributed to the expansion of the Third World market representing \$1.4 billion in annual sales (Thornton, p. 60).

*'The development of the boycott . . .
provides and excellent case study
of the power of consumers
to shape corporate policy.'*

Water was necessary to prepare the powdered formula for infants, however, the water was often impure. This contaminated food resulted in diarrhea, vomiting, and gastroenteritis which infants could not always fight off and often led to death (Business Week, 4/79 p. 140). Dr. Derrick Jelliffe of the UCLA School of Public Health estimated that 10 million children per year suffer from malnutrition related to bottle feeding (Margulies, p. 44).

There have been two major lines of argument accounting for the increase in numbers of children bottle fed in poorer nations, despite the obvious health and economic advantages of breast-feeding. The first argument cites socio-economic factors such as urbanization, deterioration of the extended family and the changing role of women in the labor force. As women have taken jobs in the cities and away from home for extended hours of the day it has become more strategically difficult to breast-feed children. Doctors are in scarce supply in poorer nations and could not create adequate formulas for infants therefore, private industry filled the gap by marketing powdered formulas (McCallough, p. 129).

The second view is that the infant formula industry created a market through various promotion techniques that played upon the appeal of modern products. Increasing numbers of hospital births in LDC's set the scene for the discouragement by health care workers of breast-feeding. The separation of mother and child for 12 to 48 hours after birth required children to be bottle fed at least part of the time, and thus contributed to a dependency on formula feeding (Margulies, p. 45).

Free samples of formulas and bottles were given upon leaving the hospital and this proved to be a very effective marketing ploy. A study in Barbados shows that 82 percent of the mothers who were given free samples later purchased the same items. Home visits by infant formula industry employees, usually wearing white nursing uniforms and known as "milk nurses" followed after mothers left the hospital. The milk nurse's duty was to instruct new mothers about bottle feeding. The lack of criticism of bottle feeding by the medical profession along with sanctioned hospital visits by the milk nurses legitimized the use of infant formulas as superior to mothers milk. In return the companies provided free formula and sorely needed nursery equipment to hospitals which were often lacking in funds (Margulies, p. 46).

Marketing of infant formulas in LDC's began in earnest during the late 1950's as the post-war birth rate began to decline in the United States. The infant formula industry sought alternative sources for sales. The new sales strategy was to satisfy newly created needs by promoting the concept that bottle fed infants were somehow superior to breast-fed infants. The hard sell tactic of the industry was extremely successful. For example, a 1972 report from Brazil found that infant formulas had a 72 percent profit margin while most other food items had a much lower margin of 15 percent to 25 percent (Margulies, p.44).

The decision to boycott Nestle was initiated by the Minnesota based Third World Institute in 1978 together with several church groups at the vanguard.

The boycott spread to the general public and gained support from "people who just couldn't imagine that corporations would lie or do anything wrong" (Clarkson, p.15).

In 1979, the International Nestle's Boycott Commission (INBC) was formed to promote solidarity among boycotting groups. Publicity increased with the May 1978 Senate hearings sponsored by Edward Kennedy which included testimony from church activists, medical experts, students, health care workers and company representatives. Kennedy and the infant formula industry asked WHO to act as an outside interest and examine the facts of the controversy as to who was responsible for detrimental health effects from the use of powdered infant formula. Ultimately, WHO outlined a product code which called for the protection of mothers and children in developing and developed nations. The code required curtailment of sales tactics, banning of mass media advertising, promotion of breast-feeding in hospitals by health care workers and elimination of health professionals as agents for the industry (Economist, 5/9/81, p.50).

In 1981, the World Health Assembly passed the WHO Code on Infant Formula Marketing Practices. Out of the 119 representatives from throughout the world, the United States cast the only dissenting vote. Gerald Helman, the United States WHO representative, cited legal and constitutional reasons for the United State's objections. Other Reagan officials claimed that it "set a dangerous precedent for the international health organization to tell private industry how to conduct business" (Thornton, p. 60). Clearly, the logic is that business knows best and will act in the interests of all. The tendency is for those private interests that are the subject of regulation to lobby for as little government intervention as possible (Ripley and Franklin, p. 139). In this case, government simply refused what many have argued is a moral obligation. In the end, it also appears that the lack of support by the Reagan administration proved only symbolic. The boycott prevailed: corporate policy was changed.

In 1983, the International Nestle's Boycott Commission decided to add four more demands to the boycott issues: limit free supplies of formulas to those who could not breast-feed, eliminate personal gifts to health workers, revise misleading literature about the effectiveness of bottle feeding versus breast-feeding and add warning labels on formula cans (Clarkson, p. 15-16).

The decision for the INBC to extend the terms of the boycott proved to be a key move. The possibility that Nestle would be required to make even further changes in their sales strategies before a boycott settlement quickly brought the corporation to the bargaining

table. Six weeks of secret meetings between Johnson of the Infant Formula Action Coalition, an important part of the boycott movement, and Christensen of Nestle followed. As a result, Nestle finally agreed to comply with the WHO code.

The ability to effect change came from the well organized coalitions. The real force lay in the number of individuals who voted with their wallets. Nestle's food products were easily recognizable and the boycott represented an alternative to the problems of using legal actions against a Swiss based corporation. The power of consumers and international publicity is even more remarkable when considering that the Infant Formula Action Coalition's annual operating budget was only \$29,000 (*Business Week*, 4/79, p. 137).

Nestle's Christensen claimed that the loss of sales had nothing to do with their decision to settle. However, sales figures indicate otherwise. In 1978, *Fortune* magazine reported Nestle's sales in the United States at \$2 billion with a projection of doubling that figure to \$4 billion by 1982. In 1981 *Business Week* cited Nestle's sales slightly down with a revised schedule of attaining \$4 billion in U.S. sales by 1985. In 1984 *The Wall Street Journal* showed U.S. sales at a weak \$2.4 billion and credited the boycott as a factor (Clarkson, p. 17). It was clear that Nestle's profits had not reached the anticipated level and in the eyes of at least part of the business community the consumer boycott had proven quite effective.

The controversy surrounding the Nestle boycott is only the tip of a very large iceberg and symbolic of a changing world in which technology and westernization do not always represent the best path for poorer nations. More legal standards to make corporations responsible for their actions in the future is necessary. Corporate policies which undermine food production, cultural integrity, local economies and the general health of a population should be areas of concern. Suing corporation is a complex process which has not been fully tested but is an idea that is not without merit. Law suits may be a way of making responsible corporate policy more cost-effective.

The success of the Nestle's boycott represents a method that is both legal and effective. Individual consumers have experienced the power they have in the market place by acting consciously in large numbers. Public opinion is critical to companies who are trying to

sell their products against competing producers. consumer activism holds out a very strong hope for future action against industries that have harmful or exploitative policies. Boycotts on an international scale are certainly difficult to manage successfully, but the organization infrastructure is in place and coalitions have garnered considerable political savvy in the process. Hopefully, the World Health Organization and other consumer groups can play a stronger regulatory role in the future to develop what truly could be a public health policy.

BIBLIOGRAPHY

Business Week, "American Church Groups Charge Bottle Feeding is Contributing to Infant Mortality in Less Developed Nations," April 23, 1979, p.137.

Clarkson, Fred, "The Taming of Nestle: A Boycott Success Story," *Multinational Monitor Journal*, 5:14-17, April 1984.

Economicist, "Killer In A Bottle," 279:50, May 9, 1981.

Margulies, Leah, "Bottle Babies: Death and Business Get Their Market," *Business and Society Review*, Spring 1978, pp 43-49.

McCollogh, Tom, "A Perspective on the Impact of Infant Formula in Developing Nations: Future Goals and Policies," in *Breast Feeding and Food Policy In A Hungry World*, ed. Dana Raphael, Academic Press, New York, 1979.

Ripley and Franklin, *Congress, The Bureaucracy and Public Policy*, The Dorsey Press, Homewood Illinois, 1984, pp137-140.

Thronton, Jeannye and Alfred Zander, "A U.S. Vote on Baby Formula That Stirred A Storm," *U.S. News*, 90:60-61, June 1, 1981.

U.S. House Committee on Foreign Affairs, "Implementation of the WHO Code on Infant Formula Marketing Practices" hearings June 16 and 17, 1981 before the subcommittee on International Economic Policy and Trade and the Human Rights International Organizations. '82 iv+175p, 97th Congress 1st Session.

Food Irradiation: Is This Our Only Choice?

by Philip Vince

Philip Vince is an MPA student who will graduate in 1985. His concentration is on public-sector management and human resources development.

The Jones family sits down to a traditional Sunday dinner of all their favorite dishes: baked chicken, mashed potatoes, steamed broccoli, topped off with fresh fruit for dessert. Unbeknownst to the Joneses, their food has been bombarded with gamma radiation. In factories operating around the clock citrus fruits, vegetables and meat are irradiated by kilorads of invisible energy judged safe by the Food and Drug Administration (FDA). For some people, the prospect of ingesting irradiated food on a daily basis is of little consequence; however, for others it is a nutritional nightmare. Some people value the freedom to choose between what is good or bad for their bodies, and many of them cringe at the thought of living on a daily diet of irradiated food.

This scenario has yet to become reality, but there is a good possibility that we could become an irradiated society. Once private producers figure out a way to irradiate mass quantities of food at competitive prices, the food processing industry will undergo a revolutionary change.

Ethylene dibromide (EDB), until September 1984, was recognized as an effective fumigant against insects and bacteria in fruits and vegetables. A few years ago, FDA scientists discovered that EDB was carcinogenic and hazardous to the human body. When the EDB controversy was brought to the attention of food producers and consumers across the country, it created an urgent need to find alternative forms of food preservation.

John McLaughlin, a staff spokesman for the Health and Environment subcommittee, confirmed that the number of chemical alternatives for food producers is constantly becoming smaller; most alternatives are now considered as hazardous as EDB. Though food

irradiation experimentation has been going on since the late thirties, only now is this process beginning to be regarded as an important alternative to EDB. However, there are many unanswered questions concerning the long-term effects of irradiated food.

Molecular interaction from low-dose irradiation causes the chemical structure of different foods to change and produce a group of substances known as radiolytic products. Army scientists have explained that radiolytic products can be produced by common preservation methods such as canning, freezing or vaporizing. But the interesting finding that puzzled the Army scientists and still plagues modern-day researchers is the development of unique radiolytic products (URPs) that appear exclusively in all irradiated foods. Nobody knows what these URPs do to the human body.

These mysterious URPs and other related issues have led to many public hearings in the United States over the past few years. One such hearing took place in San Francisco on April 27, 1984. The main issues discussed at the public hearing: nutritional loss from absorbed radiation (rads); chemical structural change in irradiated food (URPs); retail labelling, and by-product utilization programs designed for recycling radioactive wastes from nuclear weapons production and nuclear power plants.

The prevailing mood among the lay people at the public hearing was one of skepticism as to the truth of some experts' statements that irradiation is not damaging to the body. Mr. Reinhardt, a pathologist affiliated with San Francisco Medical Center, spoke as an independent scientist. He was critical of the long-term feeding studies done on the effects of food irradiation. Reinhardt alluded to amateur scientists from the Army and FDA who were often deficient in the way some experiments were designed and conducted. Many of the studies "were either inconclusive or inadequate to demonstrate either safety or toxicity." Another panel member, Barry Goldner, cited a study in India "where children in India were fed irradiated wheat and suffered

polyploidy, which is an increase in abnormal blood cells."

Concerned consumers from Marin County and other outlying areas delivered a signed petition to the Commissioner of the USFDA. The statements in the petition stressed freedom of choice regarding the irradiated food program that is being put into effect. They wanted the advantage of having all foods labeled, indicating the date that the contents had been irradiated. Mr. Reinhardt said that irradiation affects characteristics of food and thus should be considered an additive. The FDA requires all additives to be labeled as specified in Section 201 (s) of the 1958 Food, Drug and Cosmetic Act.

Spokespersons for Friends of the Earth and Earth First reminded the audience of past crises over different products such as DDT, Bendectin prescribed for pregnant women, and Dalkon shields—all of which were considered "reasonable safe" by the FDA at one time, but were subsequently found to be deleterious to the body. The spokespersons recalled the time lag involved in removing previously determined safe products from the shelf. They asked if it would take as long to remove irradiated products if they were later determined unsafe.

'... there are many unanswered questions concerning the long-term effects of irradiated food.'

Ms. Hart, from Bolinas People's Store, expressed her concern. "We don't believe this food irradiation process is aimed at improving the health of the American public. We're concerned that long shelf life and profitability are key requirements being filled by the process."

By-product utilization is the single most threatening aspect of food irradiation. It seems that the government has developed a method of getting rid of by-product waste from the production of nuclear weapons. The Department of Energy (DOE), previously known as the Atomic Energy Commission, would like to see by-products such as Cesium powder and Cobalt utilized to irradiate food. Technology has already been developed to convert nuclear weapon waste into irradiation energy.

The government is faced with a dilemma. The FDA is responsible for monitoring the safety of new products and insuring that these products are reason-

bly safe for public use while the DOE and the Department of Defense are trying to persuade them that by-product utilization is a rational way of disposing of nuclear wastes. This way, the federal government could maintain nuclear weapon production while monitoring and controlling the emerging food irradiation industry.

Dr. Watson, a panel member who runs an electronic food processing firm, was somewhat in agreement with the Coalition to Stop Food Irradiation (CSFI) on the topic of by-product utilization. Dr. Watson felt it was in the best interest of the American public to let private enterprise, not the government, monitor and control the emerging food industry. Private industry control would remove conflict of interest accusations presently directed towards agencies of the federal government.

Margaret Heckler, Secretary of Health and Human Services (HHS), said "there are no dangers to the consumer" who eats food at approved FDA doses. Heckler referred to the commissioned studies done by the FDA as proof of the appropriate safety considerations being carried out.

It might interest the reader to know that Heckler was, at one time, the Congressperson representing the district of Natick in Massachusetts, where the U.S. Army carried out a lot of its research on food irradiation. About 9,000 of Heckler's constituents worked at Natick; therefore, it comes as no surprise that Heckler continues to be a supporter of FDA food irradiation policy.

Interestingly enough, various legislative and bureaucratic actors have intervened during the last 40 years to keep food irradiation research alive, even though Thomas Downey, a 1977 Congressman (D, N.Y.), once called the ongoing irradiation program "a total and unequivocal failure." The major reason for this bold statement was the cost ineffectiveness of the program.

Yet DOE research and development money has continually been contracted out to private firms interested in keeping the food irradiation industry alive. It is important to note the influence that corporations and electronic food processing firms have had in shaping food irradiation policy. Members from the food processing industry have combined resources to distribute their brand of propaganda through conventions and slick publications. Neil Nielsen, of Emergent Technologies, is eagerly awaiting new regulations presently being deliberated by the FDA.

The FDA is presently left with the task of sorting out thousands of pages of testimony from public hearings held all over the country. Scientists and activists have questioned the reliability of FDA sponsored tests

and lately these concerned citizens have begun to alert the public to some of the negative effects of URPs. In addition, they point out the destruction of essential nutrients and vitamins through ionizing radiation.

Currently a pro-nuclear, apple-growing Congressman named Sid Morrison from nuclear dependent Yakima, Washington is attempting to pass new legislation (H.R. 696) which changes the intent and definitions written into the existing Food Additives Amendment of 1958 to the U.S. Food, Drugs and Cosmetic Act. This Food Additives Amendment now protects consumers from both food additives and food irradiation which can contaminate food and make it unsafe to eat. Spokespersons from CSFI state that Congressman Morrison's bill and its Senate companion (S.B. 288), introduced by Senator Slade Gordon (R, Washington), must be killed in committee to prevent legalization of the widespread use of gamma radiation in our food supply.

Local California cities can begin to adopt local legislation requiring retail labelling for any irradiated products sold to consumers. The City and County of San Francisco is presently proposing a bill (35) resolving that any foods adulterated with food irradiation should be labeled. The CSFI is also advocating the introduction and passage of a local labelling legislation. Concerned citizens may not have the power to regulate the number of rads that food is zapped with, but they can protect their rights by demanding explicit labelling at the local level. In the end, the entire industry is dependent on economics and consumer acceptance.

Citizen signed petitions demanding retail labelling on the outside of all cans and packages is a reasonable request by consumers. But the FDA has to consider factors like a 30 percent perishability rate for fruits and

vegetables all over the world amounting to large economic losses. The FDA has the final decision in proposing regulations and it realizes the urgency of finding a safe alternative to EDB. Whatever rules and regulations are proposed in the 1985 Federal register, it will cause a wave of repercussions among those people who are inside and outside the parameters of politics and economics. Countless families like the hypothetical Joneses will have to live with the final decisions made by the FDA.

Bibliography

Coalition to Stop Food Irradiation (CSFI), *Gamma Rays and Food*. Local Labelling Association, San Francisco, Ca. (1984).

Federal Register. Vol. 49, No. 31, Feb. 14, 1984.

Federal Register. Vol. 49, No. 61, Mar. 28, 1984.

Federal Register. Vol. 49, No. 188, Sept. 26, 1984.

Hunter, Beatrice, "Irradiation of Food," *Consumer Research Magazine*. June 1982.

Irradiation in the Production, Processing and Handling of Food; Proposed Rule. Docket No. 81N-004 S.F., Ca (April 27, 1984). Before the Department of Health and Human Services and Food and Drug Administration.

Soiffer, Bill, *HHS Secretary proposes Radiation for Food Preservation*, S.F. Chronicle, Feb. 14, 1984.

Soiffer, Bill, *FDA to Reveal Rules on Food Irradiation*. S.F. Chronicle, Feb. 15, 1984.

Responsible Legal Consumerism and the Cost of Litigation

by Rebecca Westmoore

Rebecca Westmore is a graduate student from the Political Science Program at San Francisco State University. She is currently working for a small civil litigation law firm in San Francisco, and is pursuing a career in the legal field.

We live in a service society and we're all consumers of the service sector. But how many of us are willing to be responsible consumers? The legal profession is a prevailing service profession and you'll probably have to seek legal advice at some point in your life. So you should be aware of what you're paying for. This means getting actively involved in the issues at hand, while at the same time becoming informed about the litigation process. It's advantageous to both you and your attorney when you are willing to take the time and make the effort to get involved. It helps you to understand what your attorney can do for you, and gives you a better value for your hard earned dollar.

The consumers' fear of lawyers originates from the feeling that attorneys are experts in a mysterious field. That is because we've allowed them carte blanche authority instead of getting involved and becoming informed. We're dissatisfied with attorneys because of the pressure and uncertainty that we feel when we don't know what's going on. Furthermore, we're angry because we feel that attorneys are too expensive and the decisions are being taken away from us as legal consumers. This article will help you to be better organized so you'll be better able to understand what a lawyer can do for you, and why.

The most common complaint about lawyers is their cost. Today partners are charged from \$90 to \$250 an hour, while associated attorneys are billing their clients at the rate of \$65 to \$125 per hour. At these rates it's obvious how quickly your attorney's bill can increase, often times beyond the value of the case.

Lawyers will charge you for their services either by the hour, a flat fee or on a contingency basis. The hourly

fee is the most common while the flat fee, used for most common matters such as wills and divorces, is a one-time predetermined charge. The contingency fee is paid only if your attorney wins your case, and depending on the stage at which the case is settled, can range anywhere from 33 1/3% up to 50%. This form of payment is most common in personal injury or negligence cases. It's important to note, however, that much of the routine legal work is handled either by an associate attorney, a paralegal or secretary, so you should request a lower billing rate for services performed by those individuals.

In addition, communication is also crucial if you want to ensure that the relationship between you and your lawyer is a productive one, and is essential to getting your money's worth. When you are confronted with a legal problem and you choose to hire an attorney, prepare the groundwork for your initial consultation. Bring whatever documents you have that are related to your particular problem and organize your personal concerns so that you'll be able to separate the facts from your feelings. After all, the lawyer is there to protect you from your own emotional involvement. You'll also have a better ideal of what you're seeking in terms of results, and be better able to provide your attorney with the necessary information to evaluate your problems.

Of even greater value is your willingness to be actively involved in what's at issue, whether it's a labor management dispute, housing dispute or a personal dispute, so that you can ensure a compatible, productive and professionally competent relationship. The initial consultation and the discovery process are the only steps in the litigation process that you announce during the initial consultation meeting your intentions of participating in as much of the discovery process as possible. When your attorney agrees, you're on the road to saving money while at the same time educating yourself for the next time you become involved in the legal process.

Most attorneys will outline the steps to be taken and the possible results of the dispute during your initial interview. This is where you will gain comprehensive

understanding of the litigation treadmill. Most legal consumers are unaware that it is this aspect of the legal process that eats up their financial resources.

Discovery is the most essential ingredient of the civil litigation process and consists of prescribed legal procedures by which your attorney can attempt to find out, before trial, all she can about the case; i.e., the facts, the issues, the evidence, and the remedies. While it's extensive and costly, the discovery process enables your attorney to become better educated as to the strengths and weaknesses of your case, and will assist her in presenting the most effective case as possible should you ultimately go to trial. The tools that an attorney will utilize to secure the most fruitful discovery, consists of interrogatories, depositions, requests for production of documents, and requests for admission.

Interrogatories

As the initial stage of discovery, interrogatories are carefully tailored written questions which litigants may present to the opposing side. They are prepared either by the attorney or the legal assistants, and consist of questions concerning the responding person's status and circumstances surrounding her involvement in the lawsuit. These interrogatories are used to find out whether the responding individual has any factual or legal contentions, and whether or not these contentions need to be explored to a greater degree. For example, in a wrongful termination case against your previous employer, your attorney may want to ask about other such terminations by asking the opposition "Did you present any other employees with notices of termination, and if so, how many and for what reasons?"

For purposes of your involvement, however, it's your responsibility to assist your attorney in answering the interrogatories that the opposing side will in turn propound to you. This will require you to recollect certain facts surrounding the incident which is the subject of the lawsuit, and also to locate relevant documents which will be used as evidence to support those facts. An outline of all important names, dates and issues before discovery begins will prepare you for this step.

Depositions

Depositions are sworn statements by a witness, in response to oral questions asked by the opposing attorney. It is an oral examination based on the written interrogatories. The witness only answers the questions on the advice of her attorney and the answers are recorded verbatim by a court reporter. The deposition is transcribed later by the court reporter and distributed to all the litigants connected with the case. This transcript can then be used by your attorney, as well as the opposing counsel, to evaluate the testimony of a hostile witness and to expose insidious claims or defenses.

Your attorney will be concerned with the consistency of the statement made and whether the testimony coincides with the objective findings in the case. For example, in an automobile accident case involving injuries you may want to know at what speed the opposing litigant was travelling prior to the accident; whether she altered her speed at any time; and at what speed she was travelling as she approached the scene of the accident.

*'... with well over ten thousand
lawyers in San Francisco,
there's no reason to work with
one you don't like.'*

These oral questions can then be evaluated to determine whether the witness's testimony coincides with the objective findings in the case and whether any of the statements are contradictory. Moreover, these sworn statements, in the absence of the witness, can later be used in court during the trial and also for impeaching the credibility of a witness.

This is the first time during the discovery process that you'll be required to make an appearance. Your performance and physical appearance will be official, and you'll be tested on your memory. So if you should forget or change your statements, the opposing counsel can tarnish your credibility. Moreover, it's the sole responsibility of your attorney to coach you for this stage as if it were a dress rehearsal, because the quality of your performance throughout the deposition will make the difference between a strong or a weak case.

Request for Production of Documents

The request for production of documents is simply a request of the opposing side to produce the documents that the requesting individual feels would be important for the judge to review. For example, photographs of the scene and/or victim of the accident, medical records relating to treatment and expenses incurred, and any contracts, invoices and bills that will help to establish your claim. If these documents are in the possession of the opposing side, then this request will require her to produce those documents in enough time so that the requesting attorney may have an opportunity to incorporate those documents into her evaluation of the case, prior to trial. The importance of this request is that the documents your attorney is able to obtain will be the information to support the facts and arguments that you will be contending during trial. Or for that matter, the

evidence that will be used to strengthen your bargaining power.

While there is minimal involvement on your part during this stage, you can assist your attorney in evaluating the transactions that constituted your filing a lawsuit, and determining what documents are available to substantiate your claim. This will then give your attorney a lead when he ultimately decides which of those documents will be the most relevant to establish your case.

Request for Admission

The purpose of the requests for admission is to settle conflicts by admitting to the genuineness of relevant matters of fact and/or relevant documents. If both sides stipulate to the genuineness of facts or documents, they waive their rights to further contest those facts or documents during trial.

This request is an instrument for your attorney to use to compel the opposing side to admit to the truth or relevant facts and documents. It's up to the discretion of your attorney however, to decide which facts and/or documents he will request the opposing attorney to admit to. There is no client involvement at this stage of the discovery process because it requires professional judgment from a trained attorney and serves as a sort of "trump card" for your attorney to play during the trial.

If utilized properly, these discovery tools will allow your attorney to define and eliminate the issues surrounding the incident in question, and will give both sides a better idea as all parties involved in the case can decide, based on what has been discovered, whether they should settle the case out of court or proceed to trial. The discovery devices are primarily used to explore the issues of the case, gather the necessary evidence to support those issues, and to litigate the issues that have been explored. It's during this stage of

the litigation process that your attorney has her widest latitude to obtain the necessary information and evidence that will ultimately be used at the trial level.

As a legal consumer you have the opportunity to participate when you can, and if you choose to. The obvious drawback, of course, is that excessive involvement and communication may distract your attorney from other clients and even from *your* case. Nevertheless, client involvement is on the increase because it does save the clients' money. Though it's not taking effect in the larger law firms because they attract the kind of clients who choose to leave their matters exclusively in the hands of their attorney, it is on the upswing with the clients who have limited resources and who want to get the results they're paying for.

So the next time you find yourself involved in a legal dispute, just remember that you're not going to see your attorney for a "check up" so there's no reason to feel intimidated. Once you've organized your thoughts, check around. Find yourself an attorney, either through a personal referral such as a friend or neighbor, or through the local bar association, consult several, and select the one who you feel will best represent your concerns, and one with whom you are compatible. Bear in mind that with well over ten thousand lawyers in San Francisco (one for every 71 of us), there's no reason to work with one you don't like. At the outset, this will take some extra effort on your part, but with a little patience and a lot of willingness to get involve, you can overcome the fear that lawyers are experts in a mysterious field. A responsible legal consumer need not fear attorneys. Keep in mind that the attorney is working with you, to help you. She's not there to make you feel better, but to help you to keep your feelings from getting in the way of legal matters. So go ahead, get involved, and start getting your money's worth.

Let Your Conscience Be Your Financial Advisor

by Ken Garner

The impossible happens. You are notified that you are the lucky winner of \$30,000 from a magazine's latest sweepstakes. What to do with this sudden windfall? After you suppress the fantasies of a new BMW or the party of the decade, you decide to invest the money. But as a social activist working towards a peaceful and just society, you cannot bear the thought of turning your money over to an investment counselor who would most likely invest in a 'safe' company that has defense contracts, is involved with nuclear power, has a poor environmental record, and/or actively deals with South Africa. Yet you want to invest your money with hopes of high returns. Can you do well and do good at the same time? The answer to this dilemma is the subject of this article.

Economist Milton Friedman has said "there is one and only one social responsibility of business — to use its resources and engage in activities designated to increase its profits." Friedman's concepts of social responsibility, however, is not shared by everyone. That attitude has left many potential investors cold. Many people have money sitting in ordinary passbook accounts that could be invested for a higher return but are alienated by the callousness of corporate America. This feeling of alienation has given rise to the increasingly visible movement of socially responsible investment.

The definition of socially responsible investment is a little nebulous; there are no set rules or criteria. Generally, an investor that considers him/herself socially responsible looks for companies that have good records of protecting the environment, treat their employees fairly, have good relations with the communities in which they do business, and have minimal contracts with the Pentagon or South Africa. The basic guideline is that the processes used to make the profit are considered along with the results. This lack of a solid definition leaves the final decision of what is 'socially responsible' squarely on the shoulders of the prospective investor.

The rise of the social conscience as an investment

guide demonstrates an important shift in the attitude of American investment strategists. An increasing number of investors are asking questions about the source of their profit and not just the extent of it. Newspapers from the Wall Street Journal to the San Francisco Chronicle have written stories about this new phenomenon. Although socially responsible investing is just beginning to attract media attention, it is by no means a new concept. There have always been people who have recognized the importance of considering all risks before investing their money. A war, for instance, is a social and political problem that has obvious economic repercussions and will eventually have adverse effects on some investments. It is therefore self-defeating to invest in corporations whose major business is providing arms to potential antagonists. Unfortunately, the relatively few people who have recognized the importance of this have traditionally been ignored by Wall Street.

With its creation in 1962, Foursquare Mutual Fund gave a voice to the conscientious investor. This fund was established by a group of Boston Christian Scientists who did not want their investment dollars to support pharmaceutical, liquor, or tobacco companies. For the first time, there was an organized avenue for investment for those with a social conscience.

The advent of the Vietnam War and the Watergate scandal were catalysts for the expansion of ethical investment options. Two mutual funds, Pax World (established on 1969) and Dreyfuss Third Century (founded in 1972), were started in response to the disillusionment many investors felt regarding America's political and economic institutions. Both of these funds determined to invest in industries that sought to improve the quality of life (through health care, food production, construction, education, etc.) and to avoid companies doing business with the Pentagon as well as those which were involved with tobacco, alcohol, and gambling. The Third Century Fund is the most significant of the two. It was organized by Dreyfuss Investment Group, a well-known and respected investment

firm. For the first time, investors with a social conscience had an ally in the Establishment.

Until recently, all three of these funds brought impressive returns to their investors. In 1980, the Dreyfuss Third Century Fund was ranked 50th in Lipper's Index of the 500 top performing funds (Foursquare was 146th and Pax World 154th). Unfortunately, all three funds fell dramatically in the succeeding three years. By 1983, all three were in the bottom third of the ten year performance rating of mutual funds. The major cause for these dismal showings can be traced primarily to the severe recession from 1979-1982. While this recession admittedly hurt all sectors of the American economy, it was especially hard on new, small businesses that were more likely to fall into the socially responsible category. Failures of these types of businesses probed catastrophic for socially responsible investment funds.

Despite these dismal showings, the mutual fund is still the favored tool for socially conscientious investors. It requires a minimal amount of attention and is a relatively safely investment. When the Calvert Group introduced a mutual fund based on similar principles of social responsibility, a spokesman said that the poor ratings exhibited by other funds were not due to the concept itself, but to a bad economy and poor management and investment decisions. Calvert is more performance-oriented than the other mutual funds and has a proven record in more traditional funds. Besides a mutual fund (which primarily invests in stocks and bonds), they offer a money market portfolio (a safer investment which generally purchases loan agreements) which was not offered by their predecessors. The claim that Calvert is performance oriented is supported by the fact that their money market fund was the top rated American fund in 1983, according to Donoghue's Money Fund Report. Contrary to traditional Wall Street wisdom, Calvert has shown that it is possible to invest responsibly and do not just as well but better than more conventional investments.

The superior performance of this type of investment is not, however, unprecedented. Between 1980 and 1983, US Trust, one of the leading advisors to the alternative investor and the screening sub-advisor to the Calvert Fund, showed a 19.2 percent return on their socially responsible accounts. In contrast, their pooled pension accounts, invested in a traditional manner, returned 18.7 percent. The success of both Calvert and US Trust prompted Shearson American Express in 1983 to introduce a mutual fund, the Trust for Balanced Investment, based on social criteria. This fund, however, requires a minimum investment of \$100,000, placing it beyond the reach of all but a few potential investors. It is primarily designed for union and progressive institution funds.

Another money market fund, Working Assets (based in San Francisco), was organized in 1983 and has experienced impressive growth. In slightly more than a year, it amassed over \$45 million in deposits. The fund consistently exceeds the Donoghue average of all money market funds. In addition, Working Assets is the only fund whose advisor is assigned exclusively to socially responsible investments. Its board of advisors consists of members of the financial community and leaders of the women's and environmental movements, labor union representatives, consumer advocates, and other community leaders. This combination is unique in the investment world; so far they have been financially successful without compromising their guidelines. Working Assets principally purchases loan agreements backed by the U.S. government (a minimum of 50 per cent of assets according to the prospectus), primarily in student and small business loans. The remainder is invested in those companies that are top rated by either Moody's or Standard and Poor's. Although Working Assets may not show the impressive returns of the Calvert Fund, it is an extremely safe investment.

While the mutual funds have received the most attention, they are by no means the only avenue open to socially conscientious investors. The stock market is another popular outlet. Many major brokerage firms have realized the interest in this type of investment and now have one or more specialized brokers. The leader is clearly Shearson American Express. Robert J. Schwarz, president of the Trust for Balanced Investment and a vice president of Shearson American

'The basic guideline is that the processes used to make the profit are considered along with the results.'

Express, is sometimes referred to as the Godfather of socially responsible investment. He has been advising concerned investors since the early 1960s when he divested his personal stocks in companies involved in Vietnam. As his lofty position in the firm indicates, he has done quite well even with the self-imposed limitations, and in 1982, Schwarz was listed in the Directory of Exceptional Stockbrokers. He does not dictate to his clients what is responsible; rather, he lets them discuss their ideas and then proceeds to fill their needs. Schwarz states that he is in the business of making money for his clients; although his philosophy differs from that of most of his colleagues, his superiors will not interfere as long

as he acts in his clients' best interests. "It's been my experience that a management that is aware of its community responsibilities, aware of its responsibilities to its employees, is also a management that is progressive in its thinking, and this cannot help but carry over into its overall business acumen," said Schwarz. Investing in responsible companies is just plain good business.

Theodore Brown, Shearson American Express' specialist in San Francisco, sees growing concern for the way companies do business. The idea that businesses have a responsibility not only to shareholders but to the society in which they operate is increasing in popularity with every plant closure or toxic waste leak. He said that the common misconception that the return rate on an investment is inversely proportional to a business' degree of social responsibility is definitely false. The major factor for a high return is the diligence and instincts of the person investing. One reason that brokers in this type of investment have such good records is that they must constantly exceed their peers to disprove the misconception and to receive any recognition. Brown claims that his clients (who consist mostly of young professionals, especially lawyers and engineers) have for the most part done well and that many brokers' records are poor no matter what they invest in. Unlike many brokers who will accept only those clients who have large sums to invest, some of Brown's clients have only a few thousand dollars. Although it limits his commissions, he is committed to the idea of investing responsibly.

This article has shown that investing money and receiving a healthy return without violating personal convictions is possible. This does, however, leave one important question unanswered: how effective is this as a vehicle for social change? Although the business community is beginning to notice the movement, selective ethical investing has had little effect on the way a company conducts business. Most stocks and securities that are purchased or boycotted have been in circulation for a long time. The capital gained by the sale of those securities is already in the hands of the company in question. Well organized boycotts of product lines (witness the international pressure placed on Nestle) are

a much more effective way to influence corporate policy and bring about social change.

While the responsible mutual funds have had impressive returns, they are just a few in a sea of thousands of funds and financial resources available to business. The fact that a few sources of capital are closed to them will not cause a corporation to stop conducting business with South Africa. There are still numerous other options for them to obtain cash without restrictions, though this may begin to change with the constant growth of the social investment movement. As the resources of available cash continue to shrink, companies may be forced to become good corporate citizens.

It has been said that one of the first requirements of a social activist is a proven inability to balance a checkbook. This basic mistrust of money generally and the financial community specifically was the classic liberal response to the belief that the bottom line is all that really matters. This behavior is fatal in today's society. The rise of ethical investment has given those with social concerns a chance to prove that social responsibility and profit making are not mutually exclusive; perhaps the business community will follow the lead of its investors in learning this lesson.

References

- Brand, Stewart and Joe Kane. "Investments With A Social Conscience." *San Francisco Chronicle*, March 25, 1983.
- Funding Exchange. *Directory of Socially Responsible Investments*. New York: Ragged Edge Press, 1983.
- Lindorff, Dave. "Making A Killing On Peace." *Mother Jones* December, 1982. p.60.
- Lowry Ritchie. "Social Investing: Doing Good While Doing Well." *The Futurist*. April, 1982. p 22-28.
- Nelson, Kris. "Investing in the Community." *Rain*. February/March 1983, p. 18-19.

Under the Rug: The Problem of Urban Waste

by Sharon Ranals

Soor-smelling dust rises from the concrete "pit" at the Brisbane transfer station, and hovers under the giant tin roof. A sprinkling system mounted to the ceiling responds with a brief shower wetting down the dust and relieving the overworked noses of the visitors. A steady stream of garbage trucks from San Francisco drive into the station, deafeningly dumping mountains of fresh trash down into the pit. Riding on a deep cushion of garbage, two bulldozers level the new piles. One cascade of garbage barely misses burying a bulldozer, a mischievous joke by the truck driver, who honks and waves as he pulls out of the station.

The pit is repelling yet fascinating. The observer is tempted to scrutinize its contents in a curious effort to identify his or her own garbage, like trying to pick ones own house from a cityscape. The old shoe, flattened lawn chair, paint can or wine bottle might have come from any home in town. The bulldozers mix the items into an homogenized mass.

It is shocking to learn that this is just a fraction of the 2500 tons of garbage produced in San Francisco each day. Since early morning the bulldozers and hydraulic clam buckets have been herding and loading the trash into huge transfer trucks, which carry 26 tons. Every day 95 loads are driven to the Altamont landfill 60 miles away, 11,400 miles in all, not including the trips made by collection trucks between stops or enroute to the transfer station.

When asked about the fortitude of the garbage handlers, the supervisor answers that, "The job is steady and they never have to worry about being laid off." Waste management is a process as ongoing as daily life.

Although usually out of sight and out of mind, waste is an ever-present by-product of life. All populations create waste, but human civilization has brought with it a waste problem. The Industrial Revolution and the large-scale manufacture of goods intensified the production of waste to staggering proportions; contemporary affluent societies are effluent societies (11). The advent of the technological revolution is changing the

production of waste in ways that have yet to be fully understood, creating new problems as well as the potential for new solutions. While much attention has recently been focused on the consequences of hazardous waste dumping, ordinary garbage presents a related and increasingly difficult dilemma for urban management.

DIMENSIONS OF THE PROBLEM

Each American produces an average of eight pounds of garbage per day. This compounds to one and a half tons annually for the typical family (Clark, 2). Five to six billion metric tons are discarded in the United States each year (EPA). This presents not only an expensive disposal problem, but an enormous drain on the world's supply of non-renewable resources. The United States consumes six billion tons of fuel and raw materials annually; only 1 percent of these resources are re-used. (Powley, 24).

The 46 million tons of solid waste generated in California each year are enough to fill a two lane freeway ten feet deep from Oregon to Mexico (Waste Management Board). California has 600 sanitary landfills, operated at an annual cost of \$600 million for the collection, transfer, hauling, and burying of wastes (Office of Appropriate Technology). These costs are paid by the garbage customer and taxpayers in a waste management process in which public and private sectors share responsibility. It is important to note that these estimated costs do not include the costs of coping with the negative impacts of landfills.

A recent study by the Association of Bay Area Governments (Chronicle, 9/5/84), reports that 6.2 million tons of garbage are collected in the Bay Area annually.

San Francisco alone produces 770,000 tons of trash per year, up 17 percent from five years ago (S.F. Solid Waste Management Program), despite the fact that the city's population has decreased slightly. Not only has the per capita weight of trash increased, but the volume of our waste is increasing at an even faster

rate. There have been massive increases in the content of non-biodegradable materials, and increased quantities of paper. This reflects the growing affluence and consumer orientation of the United States and points to the consequences of the planned obsolescence inherent in our throw-away culture.

LANDFILL DILEMMAS

The most commonly used method of disposing of solid waste is the sanitary landfill, a large pit or canyon into which garbage is dumped and layered with dirt. Generally considered the safest and cheapest method of disposal, there are a number of problems and external costs associated with landfills.

Over the past century, population density and affluence have increased, land values have risen, and the cost of labor and resources have grown. The massive volume of waste created in urban areas, the scarcity of available landfill sites, and the high cost of transporting waste make landfills a more costly operation than in the past. The ABAG study previously cited notes that, "... cities and counties can no longer handle the volume by themselves. Half the dumping space used today will be filled by the end of the century ... Many cities will have to do what San Francisco has done for years because of its compact size: take its garbage outside the city." (SF Chronicle, 9/5/84).

In many situations potential new dumpsites near urban areas are also candidates for commercial and residential development, and land use choices must be made. The decision to use a location nearby may lower the transportation costs for waste management, but carry a high opportunity cost for foregone commercial or residential development.

'... evidence has pointed to a link between organized crime and the 'doctoring' of hazardous wastes to dodge regulation.'

A factor that further complicates the operation of landfills is that serious environmental impacts result. Formerly thought to have substantial containment ability, toxic and non-toxic substances ferment or "percolate" in the heap and may leach through the soil to contaminate ground water and aquifers that may supply the water for millions of people.

The dumping of hazardous wastes—those classified as toxic, corrosive, ignitable, or reactive—is regulated by the Environmental Protection Agency. But billions of tons of hazardous materials have in the past

been dumped in or on the land, and continue to find their way to municipal landfills because of loopholes in regulations, corruption, and lax enforcement. The "Superfund" established by Congress in 1980 has 786 waste sites on its list to be purged. The EPA estimates that 2,500 hazardous sites may eventually be identified.

Not regulated by the EPA are "small quantity generators," small businesses and homeowners who are allowed to send to landfills up to one ton a month of hazardous materials. An estimated four million tons of hazardous wastes slip into municipal landfills from these sources. Even ordinary garbage can be highly toxic, including bleach, used motor oil, pesticides, antifreeze, paint thinners, mercury, and PCBs found in old television sets. These substances are washed by rain through the soil and can easily wind up in the ground water. Florida has initiated a collection program staffed by chemists who set up temporary collection stations in different cities to allow homeowners to safely dispose of such dangerous chemicals rather than sending them out with the daily garbage.

In addition to the legal mixing of and non-hazardous materials that occurs at municipal landfills, evidence has pointed to a link between organized crime and the "doctoring" of hazardous wastes to dodge regulation. (National Geographic, 332). Toxic chemicals can be sprayed on ordinary garbage or blended into fuels to avoid costly safe disposal regulations.

Landfills can be constructed to protect against the steady leaking of chemicals. Craters can be dug in areas that have deep chalk deposits, or pits can be lined with impenetrable materials. Drainage systems, now required in new landfills, can collect and divert toxic chemicals. In Germany, safe disposal has been achieved by storing solid waste in abandoned salt-mine tunnels 2,300 feet below the ground.

The organic materials in landfills also cause problems. Methane gas, which is produced by rotting garbage, does have potential as an energy source, but it can also seep into ground water and into the air creating noxious fumes and possible illnesses (LA Time, "Silent Threat"). Methane is also explosive, as seen at the BKK site in West Covina, California in July of 1984 (LA Times, "Where to Dump?"). Nineteen families were evacuated due to the threat of explosion caused by gas released from a nearby landfill. Vinyl chlorides, attributable to the toxics dumped at the site, were also found in their homes.

Bacteria-infested wastes from hospitals also wind up in "sanitary" landfills, despite regulations which require infected materials to be sterilized or incinerated.

Microorganisms sometimes survive treatments and profit-minded handlers have been known to irresponsibly dump untreated materials in city landfills (LA Times, "Germ War").

Once filled, landfills can be covered over with topsoil and landscaped. Parking lots or golf courses are frequently developed on such sites because of the high costs and risks of putting buildings up, which demand that piles be driven through the fill and anchored in solid land below. Regardless of how these areas are developed, escaping gas, land shifts, and contaminated ground water potential pose difficult land-use problems.

WASTE-TO-ENERGY PLANTS

High technology treatments for waste include "waste-to-energy" plants, which are designed to generate energy by burning wastes at high temperatures. Such plants have stimulated controversy, with proponents arguing that this is the ultimate solution, and opponents who argue that the costs far outweigh benefits.

Proponents point to the 50 cities in the United States which already have incineration systems, and the 120 other cities which are exploring or developing such plants (Arizona Republic, "A Burning Issue"). Benefits include a reduced reliance upon landfills and the production of steam energy with resource savings gained from conserving other energy sources (SF Chronicle, 12/5/84).

Such plants are enormous and risky projects, involving huge capital investment, environmental impact studies, permits, sophisticated engineering, and accurate estimates of waste flow, composition, and plant capacity. Because plants must operate for some time before the investment is paid off, short-term economic incentives tend to sway industry and municipal governments toward the cheaper landfill alternative.

A study by the Office of Appropriate Technology (SWMB, 5) notes that large-scale plants have not performed up to expectations. Some European-designed systems are sensitive to the composition of the waste stream, which varies dramatically in different locations, and may operate less efficiently in the United States than in Europe. Air pollution emissions from the plants have been higher than those allowed by the EPA, and plants have overrun estimated start-up and operation costs. The actual location of plants is always controversial, as business and residential neighbors usually oppose plant sites nearby.

Critics of the plants argue that due to economies of scale, the operation of waste-to-energy systems is more profitable when more wastes are processed. Cities and plant operators may have incentives to increase the amount of garbage generated to insure a projected level of profit. Small recycling operations fear "flow-control

ordinances" negotiated between some cities and plant contractors, which require that all municipal waste be incinerated. Recyclers believe such contracts undermine their efforts to change consumption patterns and will consequently put them out of business by denying them access to materials (Lacaze, 3).

Incinerators operate most efficiently when the wastes are separated into like materials. Because little technology is available to do this by mechanical means, incineration plants burn mixed wastes and operate at less than maximum efficiency.

RECYCLING

Recyclers argue that the funds spent on high technology incineration systems would be better spent on educating the public to reduce their waste output and to change discard and purchasing habits. A National Academy of Science committee on waste found that "it must be cheaper in energy (and energy costs money) to collect waste before it has undergone a long series of changes and dispersals . . ." Most used materials can be recycled with great energy savings once they are collected, and it is estimated that 30 - 40% of municipal solid waste could be readily recycled, depending upon location (Wilson, 275).

The use of scrap iron can mean an 86% reduction in air pollution, 40% less water used, and savings in coal and gasoline. Steel and aluminum can be recycled indefinitely, using only 30% and 5% respectively of the energy required to extract the ores and manufacture products (Clark, 161).

A 1983 study by the Worldwatch Institute reports that "throwing away an aluminum can is as wasteful as filling it half full of gasoline and then dumping it on the ground." (SF Examiner, 2/5/85). In addition to aluminum and ferrous materials, office, computer and newspaper, motor oil, cardboard, and glass can be reprocessed or manufactured into secondary products such as building materials.

Recycling requires minimal financial investment or risk, with low operating costs and the flexibility to adapt to changing conditions. Public opinion surveys indicate public support for recycling programs runs as high as 97% of the population (Options, 6). Although the national level of recycling in the United States is at the lowest level in history—which correlates with the highest standard of living in history—(Wilson, 275), many California cities have active, well-developed programs. The Solid Waste Management Program in San Francisco estimates that San Francisco recycles 23% of its solid waste, making it the leading recycling city in the nation (Examiner, "Who's Number 1"). Other nations recycle up to half of their paper waste, indicating that there is much potential for expanding recycling efforts.

Existing recycling methods, curbside collection, buy-back and drop-off centers, salvaging, and composting, are estimated to enable most communities to dispose of between 40 and 75% of their discarded materials (NCRA).

Several variables make the generation of profit difficult for recycling operations. Consumers perceive recycled products to be inferior, even though they may not be. Industry finds small quantities of impurities in recycled materials unacceptable, and they benefit from a tax structure and depletion allowances that lower the cost of extracting, transporting, and using virgin materials. Also, market instability causes prices for recycled materials to dramatically fluctuate. Under these conditions, investors have little incentive to put capital into recycling operations.

City-run recycling centers may have a better chance of surviving than privately-run centers because of a number of advantages—lower rent, taxes and insurance, internal availability of maintenance and vehicles, management and promotional assests, and subsidies provided by local government. An examination of current Bay Area recycling operations shows that all required either seed monies or subsidies to establish their programs. Local governments which opt to be involved in a recycling program may operate the program themselves, or fund private operations. San Francisco budgets \$350,000 annually for grants to private programs to promote coordination and participation. Other local cities, such as El Cerrito, operate full service, comprehensive recycling centers and curbside collection programs.

The location and availability of markets for recycled materials is a critical factor for a viable operation. If the costs of transporting materials is higher than their value, the effort will have to be subsidized if recycling is to be achieved. Once established, and with capable management, programs have been able to operate on a self-supporting or profit generating basis, and have proven to be an efficient alternative to paying the high costs of landfill.

Recycling of materials requires that they be sorted into such categories as white paper, newspaper, glass, aluminum, and cardboard. Costs of separating waste can be high enough to prohibit a profitable operation unless items can be sorted at the source. This inconvenience to the consumer, who is spoiled by the ease of discard, contributes to the waste problem. Legal, cultural, behavioural, and economic factors all must be addressed to develop an effective waste management program.

ECONOMIC ISSUES

The economic reality of waste management is that

any potential profit that exists in the waste stream is extracted by the private sector. The remainder of the stream falls on the public sector to handle. Consequently, responsibility for waste management is fragmented between these two sectors. The individual urban resident assumes little responsibility for his or her own waste, in part because the individual has no economic incentives to reduce the quantity of garbage he or she produces, because the consumer pays per can of garbage rather than per pound. In addition, the full cost of garbage disposal is not felt by the consumer because the cost of coping with landfill hazards is not included in the cost of garbage service.

Product manufacturers incur neither the cost of disposing of the packagings they use, or for disposing of products designed to have a short and disposable life. Consumers pay for the product and its packaging, pay to have the packaging taken to the landfill, and as taxpayers will pay the cost of environmental clean-up, and suffer the consequences of contaminated air and water.

Although safe waste management is clearly a public good, maximum provision of public safety will not be provided by the free market as long as neither consumers nor producers face the full cost of disposal. Similarly, as long as the cost of landfill is relatively low, high levels of recycling will not occur in the private sector. That higher levels of recycling should be supported by government is a conclusion that takes into account the fact that to do so is at the expense of other services. The long-range savings of resources, which will have a higher value in the future will offset present costs. If fewer landfills are needed, landfill costs will be lower. Fewer sites can be more effectively monitored and controlled, and better designed sites can save the costs of contaminated ground water.

LEGISLATIVE ISSUES

As recently as a decade ago, there was no national regulation of waste management. The Resource Conservation and Recovery Act of 1976 (RCRA), gave the EPA regulatory power over hazardous and non-hazardous wastes. Although RCRA also established a cabinet-level committee to study incentives and disincentives to materials use and discard, the thrust of RCRA has been regulatory. Because of the limited funding provided and the urgency of the most hazardous waste sites, most efforts have been concentrated on purging "Superfund" sites.

RCRA regulations have raised the disposal costs for companies with hazardous wastes, and many have been able to reduce or recycle wastes in order to reduce their costs. A similar result could be predicted if the true costs of landfills were charged nationwide, encouraging

higher levels of recycling of ordinary garbage, and a reduction in the waste generated. The EPA has proposed that producers be charged a type of externality tax in proportion to the cost and impact of disposing of the packaging they use for their products. Those packaged in plastic containers might be taxed at a higher rate than those packaged in a more readily recyclable container. As seen in the case of hazardous wastes, industry can be stimulated to change their waste production when enticed by a savings or given the disincentive of a penalty.

In California, the California Solid Waste Management and Resource Recovery Act (Nejeldy-Z'Berg-Dills Act) established the Solid Waste Management Board in Sacramento, which is charged "to investigate changes in current product characteristics and packaging characteristics which would reduce the amount of solid waste generated at its source." (Clark, 9). The Board has administered grant funding to recycling operations, and provided a number of educational publications to the public, as well as undertaking research and regulation of waste management.

ACTIONS FOR CHANGE

Waste reduction and recycling are only part of the solution to waste management problems. The issues are of such complexity, variability, and magnitude that no one method will solve all of the short or long-range problems. A combination of methods which include improved landfill, incineration, and recycling will be needed, depending on local conditions and demands. What is possible in El Cerrito may not be viable in Denver. The feasibility of an operation depends on 1) the control the city has over the waste stream; 2) how well the operation is staffed and managed; 3) the level of participation and enthusiasm in the community; 4) the price of materials and 5) the availability and distance of buyers of secondary materials. By considering all options and limitations, local governments can devise effective solutions to the current waste management problem.

Bibliography

(Papers, Public Information Announcements, Articles)
California Waste Management Board. "Business Operations and Sources of Technical and Financial Assistance for Recycling Efforts. Bulletin #9, December 12, 1978.

California Solid Waste Management Board. "Curbside Recycling Programs," September, 1982.

"Office Paper Recycling Program," May, 1983, Appendix 15.

"Flow Control: The Emerging Threat to Recycling," paper presented to NCRA, October 4, 1982.

E.C.ology, "Recycling" brochure printed by City of El Cerrito, 1980.

Office of Appropriate Technology. "Sorting it Out; Recycling Options in California," Sacramento, August, 1982.

San Mateo Public Works Department. Report to Regional Planning Committee: "Status of Recycling in San Mateo County," March, 1981.

Waste Age, journal of the Solid Waste Management Association. "Akron RES: Once trouble-ridden, now trouble-free," November, 1983.

(Newspaper Articles)

Oakland, Tribune, "No Place to Dump," September 21, 1984.

Los Angeles Times, "Where to Dump?" August 27, 1984.

New York Times, "Big Test Ahead for EPA Superfund," August 26, 1984.

San Francisco Chronicle, "Dow Chemical Faces Double Hurdle," December 12, 1984. "Marin Considers Ban on Drinks in Plastic Bottles," 11/30/84

San Francisco Examiner, "Dow Chemical Proposes Alternative," December 6, 1984.

(Books)

Clark, Robert, *Resource Recovery Planning and Management*. Ann Arbor, Mich: Ann Arbor Science, 1981.

Goldstein, Jerome, *Recycling: How to Reuse Wastes in Home, Industry and Society*. New York: Schocken Books, 1979.

Martin, *Small Scale Resource Recovery Systems*. Park Ridge, New Jersey, Noyes Data Corp., 1982

Melosi, Martin, *Garbage in the Cities: Refuse, Reform, and the Environment*, College Station: Texas A & M, 1981.

Pearce and Walter, *Resource Conservation: Social and Economic Dimensions*. New York: New York University Press, 1972.

Transportation

Rescuing Pedestrians' Rights at 19th and Holloway Avenues

by Silvia M. Menjivar

Silvia M. Menjivar is a Salvadoran undergraduate student at San Francisco State University, majoring in Urban Studies with a minor in Geography. She is interested in Urban Transportation Planning and is currently doing her internship with BARTD.

To those pedestrians venturing to San Francisco State every day, the intersection of 19th and Holloway Avenues near the campus is a transportation planner's nightmare. Several thousand students compete for the right of way with thousands of commuters bound for speeding glory on 19th Avenue.

Ironically, there is only a 30-second WALK signal at the intersection to allow these pedestrians safe passage across this avalanche of cars. Adding to the traffic mess are also the 13 bus stops clustered within this limited area and, of course, the omnipresence of parked cars near pedestrian flow lanes. Needless to say, the sight of a car-struck student being loaded into an ambulance is common.

Making this intersection a safe area for pedestrians requires that somebody take responsibility for this mass of confusion. But the jurisdictions which control the intersection are so numerous that effectively nobody is responsible. Cal-Trans claims the roadway; MUNI claims the bus stops; the City claims the traffic signals; but nobody claims to have an effective and low-cost solution to the safety problem.

This article summarizes the findings of a study which sought to discover and understand the patterns of traffic that make this intersection highly congested and dangerous. A close investigation of the activity at this intersection during the morning and afternoon peak

periods and afternoon off-peak hours reveals several possible solutions. Some cost a lot, others don't. The Board of Supervisors and Cal-Trans, working together, could implement some of these solutions if they choose.

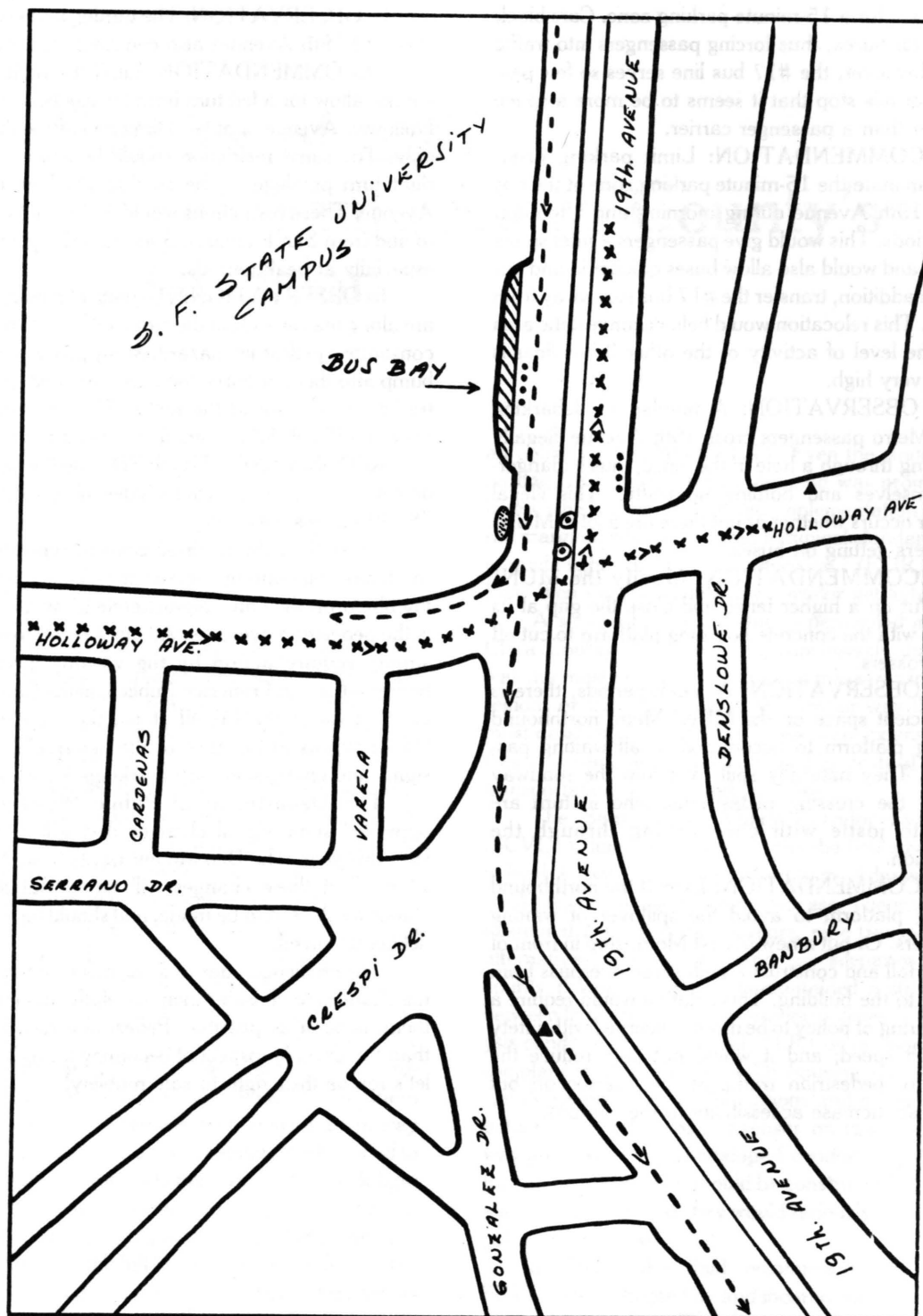
Following is a list of trouble spots observed and the recommendation to solve each individual problem, thus making the whole area safer.

1) OBSERVATION: MUNI passengers on the #26 Valencia must cross two congested streets to board or leave the bus. Furthermore, bus stops more than a block away from campus are significantly underutilized. This is the case with the #26 Valencia stop on 19th Avenue. It seems that people will walk farther to their cars than they will to a bus stop.

RECOMMENDATION: Redistribute the bus stops. Consolidate the two #26 Valencia stops into one, and transfer it to Holloway Avenue in front of the library. This would alleviate the congestion at 19th and Holloway Avenues by reducing the number of crossers. The reduction of parking spaces on Holloway Avenue would be made up for by the increase in spaces at the stops' old locations.

'At peak period, there is not sufficient space on the MUNI Metro northbound boarding platform to accommodate all waiting passengers.'

2) OBSERVATION: The MUNI bus bay along the campus sidewalk on 19th Avenue serves 4 bus lines. Its size would be adequate if cars didn't use most

LEGEND:

- BUS STOP
- ⊙ MUNI METRO STOP
- ▲ #26-VALENCIA STOP
- ⊙ NEWSRACKS
- ▨ 15-MINUTE PARKING ZONE

xxx EASTBOUND LANE WITH LEFT TURN

--- SOUTHBOUND LANE WITH RIGHT TURN

MAP #1

SCALE

0 180 360 ft

of the space for a 15-minute parking zone. Cars block the way for buses, thus forcing passengers into traffic lanes. Moreover, the #17 bus line serves so few passengers at this stop that it seems to be more a space consumer than a passenger carrier.

RECOMMENDATION: Limit parking privileges. Eliminate the 15-minute parking zone at the bus bay on 19th Avenue during morning and afternoon peak periods. This would give passengers a safer space to board and would also allow buses quicker in and out times. In addition, transfer the #17 bus stop away from this bay. This relocation would help decongest the area where the level of activity of the other 3 bus lines is already very high.

3) **OBSERVATION:** A number of debarking MUNI Metro passengers cross 19th Avenue illegally by passing through a hole in the fence, thus endangering themselves and bottling up traffic. This illegal behavior occurs whether or not there are a lot of MUNI passengers getting off buses.

RECOMMENDATION: Modify the MUNI fence. Put up a higher fence and close the gap at its juncture with the concrete boarding platform to cut off illegal crossers.

4) **OBSERVATION:** At peak periods, there is not sufficient space on the MUNI Metro northbound boarding platform to accommodate all waiting passengers. They naturally spill over into the roadway blocking the crossing pedestrians, who in turn are forced to jostle with cars getting through the intersection.

RECOMMENDATION: Extend the northbound boarding platform to avoid the spillover of waiting passengers. Or put a new MUNI Metro stop in front of Hensill Hall and construct a pedestrian overpass from the stop to the building. This solution would require a restructuring of policy to be more concerned with safety than with speed; and it would not only reduce the volume of pedestrian traffic at the intersection but would also increase accessibility to the campus.

5) **OBSERVATION:** The turning lanes on Holloway and 19th Avenues also contribute to congestion.

RECOMMENDATION: Limit the right of way. Do not allow for a left turn from the eastbound lane on Holloway Avenue or at least limit it to off-peak periods only. The same restriction should be imposed on the right turn privilege of the southbound lane on 19th Avenue. These restrictions would make both crossings to and from San Francisco State safer for pedestrians, especially at peak periods.

6) **OBSERVATION:** The bank of newsracks that are along the curbside at the crosswalk on 19th Avenue constitute a pedestrian hazard. Many pedestrians either bump into them or leave the crosswalk and go into the traffic lanes to avoid the racks. The newsracks also make it difficult for drivers to see pedestrians.

RECOMMENDATION: Relocate the newsracks on a less congested area of the sidewalk. (Note: on May 28, 1985, this was done.)

Other than the minimal costs of repainting curb markings and pouring concrete for an extended boarding platform, the only "big-ticket item" suggested here is the pedestrian overpass. All other recommendations simply require action by the various government bodies—the San Francisco Public Utilities Commission in the case of the MUNI stops; the Department of Public Works in the case of the newsracks, the turn signs, and changes in curb markings for parking.

The Department of Public Works recently approved some signal changes that will be installed later this year. The Department wants to wait and see what effect these changes will have. But the other changes still need to be made, and should be made with deliberate speed.

The challenge goes to those in a position to make the changes to consider them carefully and implement them as soon as possible. Pedestrians deserve better than the dismal prospect of becoming a tragic statistic; let's rescue their right to safe mobility!

The Politics of LRT

A Study of Santa Clara County's Transit Decision

by Maureen Daly

Maureen Daly graduated from SFSU's Geography Department with an emphasis on Land Use Planning and a minor in Urban Studies. She is now in the Coro Foundation's Fellows Program in Public Affairs.

Santa Clara County is home to electronics industry, housing shortages, and some of the worst traffic jams in the Bay Area. A recent plan to ease the traffic jams includes the construction of an LRT system (Light Rail Transit—a system similar to the Muni Metro) in the Guadalupe Corridor. This decision marks a major departure from the area's auto-oriented past. This article explores how strong leadership, governmental structure, the availability of state and federal funding, and the glamour appeal of light rail were together more powerful than feasibility studies in achieving approval of LRT.

The transportation plan approved in November 1981—the preferred alternative—is composed of several facets, including widening of Highway 101 between Great America Parkway and First Street, tripling the number of buses, upgrading the Southern Pacific commuter rail service, and building a highway between Curtner Avenue and Interstate 280. Added to this basic package were 20 miles of double track light rail transit (now under construction), approximately 12 miles of new expressway parallel to the LRT line, and bike lanes through the full length of the corridor. Cost of the expressway component is currently estimated as \$159 million; LRT alone will cost \$372 million.

High density residential areas and employment centers are the primary criteria for successful implementation of LRT (Pushkarev and Zupan, in Lee). The City of San Jose with its weak central business district, low density housing, and historically low demand for public transit (less than 5% of all commuters in Santa Clara County currently use public transit) would normally be

an unlikely candidate for LRT. Even the studies supporting LRT stated "transit demand was projected at levels which would make the implementation of light rail marginal when compared to typical standards used to guide light rail investment decision." (FEIR, p. 33). How then did the Guadalupe corridor get light rail?

A series of technical studies performed in Santa Clara County failed to prove conclusively that LRT was the most cost-effective form of mass transit for the region, or that the Guadalupe corridor was the area most deserving of attention. These were extensive studies of existing and potential ridership, costs of various transportation modes, and land use.

The Santa Clara Valley Corridor Evaluation (SCVCE), initiated in 1978, was the first step of the federal Urban Mass Transportation Administration (UMTA) two phase planning process. The evaluation examined a number of corridors, nine transportation alternatives, and several land use scenarios for the county through 1990, and maintained a strong link between land use and transportation policies. This analysis conditioned its approval of LRT on revision of land use plans to allow higher density housing and commercial development near rail stations and noted that the potential for achieving consensus on land use policy was greatest in the Guadalupe Corridor. It also stated that no new highways should be constructed parallel to a mass transit line, as they would seriously detract from potential ridership.

In 1979, the final recommendations of the SCVCE were adopted by and incorporated in the plans of the Metropolitan Transportation Commission, the Association of Bay Area Governments, the county, the countywide transit district, and twelve of the cities of Santa Clara County including San Jose. The recommendations made two statements about the criteria for successful implementation of LRT. "In order to achieve significant probability for success, local policy will need to be actively pursued to intensify development and to

Diridon never doubted the feasibility of LRT or that it was the best choice.

The structure of the local and regional governments gave Diridon the opportunity to sit on nearly every important policy making body involved in the Guadalupe Corridor project. Since the county Supervisors serve also as the Transit District Board of Directors, he exercised influence in both arenas at once and chaired the county Transit District in 1979 and 1982. The ABAG and MTC boards are composed of locally elected officials; Diridon sat on both simultaneously. He was president of ABAG in 1977 and 1978, and a commissioner on MTC since 1978. The practice of appointing elected officials to the local and regional agencies with power over funding, transportation planning and land use planning has allowed him to be involved in nearly every review or policy process regarding Santa Clara County transit.

Diridon's efforts to gain support for LRT from local cities and residents met with success at the expense of compromising the recommendations of the SCVCE. Sacrificed for the sake of consensus were the recommendations against parallel highways and requirements for higher density land use. Parallel expressways were included in the plan to satisfy highway advocates, a group Diridon described as lacking influential leaders but able to generate a lot of noise. The addition of bicycle lanes appeased hardcore environmentalists. The attendant land use changes recommended by the SCVCE have not been enacted, and Diridon isn't pushing for them, although he sees a denser urban pattern as the ultimate goal: "This (LRT) is a means to an end, not an end itself." Diridon has also lobbied for LRT at the federal level, and established an LRT advocacy group in Washington under the aegis of the Santa Clara County Manufacturing Group.

In contrast to Diridon's united front, opposition to the LRT option in the corridor has been mostly unorganized and on an individual basis. One important opponent, Roy Lave, is a professional transportation consultant and former Los Altos city council member. He has served on MTC, ABAG, the advisory County Transportation Commission, and the Guadalupe Corridor Board of Control. Diridon's political skills and enduring passion for the project have earned Lave's admiration, but Lave criticizes Diridon. He says Diridon is closed-minded, decided on LRT a long time ago, went through the Alternatives Analysis just to satisfy UMTA, and gives low priority to cost effectiveness criteria. Lave considers LRT to be infeasible and a poor choice for meeting the county's transit needs. He sees busways and carpools as the superior alternative and believes that the planning studies demonstrate that; in his opinion, LRT would have been selected even if the

technical studies had explicitly shown it to be infeasible, due to political influence and non-technical considerations.

Besides leadership, another major political advantage of the Guadalupe Corridor over other corridors is that it is situated almost entirely within the city limits of San Jose (the northernmost portion is in the city of Santa Clara), thus subject to the jurisdiction of a limited number of governments. The SCVCE had concluded that the Fremont-Milpitas-San Jose corridor was the best candidate for transit development but, according to Roy Lave, was rejected because it involved two counties and three cities. The Guadalupe Corridor was chosen in part because of this advantage, even though its transit development potential was the lesser of the two. The Guadalupe Corridor also contained two undeveloped freeway rights of way that could be used for the project, substantially lowering costs for land acquisition.

The availability of outside funding and the likelihood of allocation were major factors in the choice of LRT. Since maintenance and operation are financed primarily by local taxes, the local governments had a strong incentive to seek a transit system with low operating costs. LRT requires fewer personnel per passengers, and can achieve a higher rate of farebox return than could buses.

Capital development funding had an even stronger impact on the decision. While support for freeway development was strong and vocal, it was also unorganized and without a great deal of influence. A more important factor was that the prospects for funding freeway construction were dim. The federal government had no programs that could finance a freeway project, and any proposal for state funding would face stiff competition from all other highway projects in the state. Consequently, an exclusively freeway or highway system was out of the question.

In Diridon's words, "the freeway people *had* to compromise" due to lack of funding. The compromise was to build expressways parallel to the LRT line despite the warnings in the SCVCE against doing just that. In order to get any kind of road in the corridor, the highway advocates had to give support to LRT and provide funding for road construction. For example, the City of San Jose, having insisted on road building from the beginning of planning process, committed \$43 million for construction of an expressway from Curtner Avenue south to 101, and may provide funding for another expressway section near downtown.

Funding for busways or LRT is heavily dependent on outside sources. Lave commented that if the county were limited to using only its own funds, LRT would have had no chance; the availability of state and federal

funding for capital development skews decisions towards capital intensive projects.

In addition, LRT had an advantage over busways in that there were greater possibilities for state funding. State funding for rail projects has increased in recent years and \$7 million of state money had already been programmed for the Guadalupe Corridor at the time the preferred alternative was selected.

The prospects for federal funding for LRT dimmed when the Reagan Administration took office and deferred funding for new rail starts. But LRT advocates were encouraged by the Secretary of Transportation's favorable view of the Guadalupe Corridor project due to its relatively low cost compared to other LRT proposals in the nation and its potential benefits to a leading sector of the economy—the defense, aerospace, and electronics industries. Supporters were also optimistic about federal funding because of a smaller than average federal share being requested (50 - 70 percent versus the normal 80 percent) and unified community support.

When comparing rail with buses and other transit systems, LRT has another advantage that can't be expressed in terms of dollars and cents, estimated rider-

Jose is trying to change its image and LRT is a fundamental part of that effort.

At the heart of the LRT controversies is land use policy. There is considerable dissent over whether higher densities are a vital necessary precondition to the success of LRT or if the land use changes will be a result of rail development. Despite the goals stated in city, county and regional plans, critics argue that residential and commercial density criteria for LRT are not now and likely will not be met by 1990 in the Guadalupe corridor (Lee). Lave stated that the City of San Jose has no intentions of implementing, nor would the citizens accept, the land use changes necessary to make LRT truly successful. Diridon contends that planning and zoning changes are not necessary nor would they be effective; the desired land use changes will occur, in his opinion, as the inevitable result of the economic pressures imposed by rail development.

More specific effects on San Jose are being anticipated as a result of the LRT line. Higher density housing and commercial development near stations are cited as among the primary beneficial impacts of LRT, another reason LRT was preferred over busways. Yet the lone dissenting vote on the San Jose city council was based on the prospect of disrupting existing residential neighborhoods due to changes in land use caused by LRT.

This lack of commitment to land use changes indicates a reluctance on the part of planners and politicians to support a controversial subject. The issue, used as an asset in the planning stages, has become a political liability in the implementation stage.

*'Included in the vision of LRT is
the expectation that it will
improve the image of San Jose . . .'*

ship or environmental impact. Lave called it the "romanticism of rail." This intangible attraction of LRT has affected other leaders; the publisher of the San Jose *Mercury* shares this romantic vision, and Rod Diridon is clearly a victim as well.

The innovativeness, high technology, and glamour of LRT are also factors. Diridon included among its selling points the fact that LRT is employed in some of the "prestige cities of the world", and even Lave acknowledged that LRT is more attractive and comfortable to ride than buses, and would have greater appeal to middle class commuters.

Included in the vision of LRT is the expectation that it will improve the image of San Jose as a city. A New York Times article of December 21, 1983 called San Jose "a national symbol of the excesses of uncontrolled urban growth in the 1960's and 1970's . . . (attempting) to ameliorate some of the sins of its past with an old fashioned solution: a streetcar line." San

CONCLUSION

The implications of the San Jose experience are significant. If LRT is successful in San Jose, transportation planners may find it necessary to revise the criteria for LRT selection. If it fails, the taxpayers may learn an expensive lesson about compromising already marginal plans. Planners also need to recognize the power of political force against inconclusive technical studies, that ambiguity can be used to gain approval for a project as well as to defeat a proposal.

The critical question of cause and effect between land use and mass transit remains unanswered. If higher intensity development does occur as a result of LRT, and is not a necessary precondition for choosing LRT, then rail development could become a powerful force in shaping future urban form. The time lag involved in waiting for market forces to act may, however, prove government imposed land use controls and incentives to be more effective.

The factors that led to the selection of the preferred alternative, including LRT, in San Jose were not

entirely technical. In another community, with the same predictions and studies about demand, ridership, need for mass transit, cost effectiveness, and all the other technical considerations, an entirely different conclusion may have been reached. The strong leadership and concerted advocacy which LRT enjoyed certainly made a difference. The opportunity for leaders to simultaneously sit on more than one policy making body enhanced the influence of those leaders and increased their access to decision makers. The prospect of outside funding for capital developments made a capital intensive project more attractive since it meant less local money would be spent. And San Jose's desire to

change its image and the pattern of development caused it to seek a transit system characteristic of dense urban centers in the hope that it too might be perceived as a major city.

The improbable selection of LRT in San Jose should not be equated with the predictable success of LRT in a low density city without strong employment or housing centers. But, strangely enough, this story does offer some hope. Technical studies need not be the last word or ultimate authority in planning decisions; and even in the most unlikely cities, mass transit can be made available.

Book Review

The Post Keynesian Economy

Book Review Essay

by Ed Fox

Ed Fox is a graduate of the University of Minnesota's Urban Studies Program. He is currently enrolled at San Francisco State, working on a Master's Degree in Public Administration with an emphasis on Public Policy Analysis.

The world economic order is in an intense period of crisis and change. As the unbridled growth of the post-war years waned during the 1970s, the Keynesian economic theory credited with assisting this growth came under increasing criticism for its willingness to use fiscal policies, like deficit spending, to fine tune the economy during business cycle fluctuations. The appearance of stagflation—inflation combined with economic decline—has seen as a direct result of Keynesian policies. With increasing criticism of Keynesian economic policies has come a host of new economic philosophies. Some have received the blessing of the current administration, while others remain at the fringe of both rightist and leftist political and economic thought. An understanding of these philosophies is essential to current debates on the economy and the federal budget. The six books reviewed here present a diverse sampling of the remedies for our economic crises and a broad range of interpretations of the nature and cause of our discontent.

Silver's *Affluence, Altruism, and Atrophy* contends that the fall of Rome, Athens, Sung China, the decline of modern Britain, and Sweden's troubles present a menacing analogy for the United States and all modern welfare states. He theorizes that the pursuit of altruism, or taste for helping others, initiates a cycle of decline he calls retro-development. This process is des-

cribed as follows:

"... affluence increases the demand for altruistic but perverse reform; lower class impatience with the rate of progress leads to social strife; simultaneously, the precedents set by the reforms unleash demands for new reforms to benefit left out groups. . . . temporary compulsive measures are extended until they become permanent; repetition of feedbacks until equilibrium with a low-level economy and society that is traditional, localistic, and other-world oriented" (Silver, pp. 159-160).

The key concept here is 'perverse reform', restated in the books by Gilder and the Friedmans. It occurs whenever there is a net loss (in psychic or real income) for the donor and/or the recipient as a result of an act of altruism. An example cited in all three books is high marginal tax rates that "reduce labor supply and production (so) that the amount transferred to recipients is reduced" (Silver, p. 37). Why do people act in ways that cause them net harm? Two reasons are proffered by Silver: first, sheer ignorance, and second, the "counterintuitivity of complex systems"—a concept only superficially posited. How can these dysfunctions be remedied and the 'affluence-altruism-atrophy' cycle be broken? Silver answers only by an "increased and more widely diffused understanding of the way markets and societies operate" (Silver, p. 160).

The application of this idea is apparent in cutbacks and elimination of social welfare programs and in the concept that aid to the disadvantaged in the end only hurts society as a whole. The withdrawal of aid, however, has done little to increase understanding of market operations, especially among those who are no longer able to participate.

Free To Choose presents the Friedmans' well

ISSUES / POLICIES	AUTHORS					
	SILVER	FRIEDMANS	GILDER	MISHRA	CARNOY ET AL	COCHRAN
HYPOTHESIS OR KEY THEORY	Affluence leads to altruism and then atrophy. Gov't must allow the market to operate freely.	High gov't expenditures are intrinsically harmful. The free market can provide growth and protect freedom.	Gov't aid to the poor is a failure. A supply-side economic policy will allow entrepreneurs to restore growth.	An integrated welfare state can provide individual and social freedom as well as economic growth.	Reaganomics is failing. Neo-liberal 'technocratic fixes' will too. Democracy must be included in economic programs.	Past attempts at state intervention in the economy were half-hearted. A strong state planning body would succeed.
KEY CONCEPT	Retro-Development	Monetarism	Supply-side Economics	Integrated Welfare State	Economic Democracy	Ascendent State
Assessment of present Economy	History tells us that we are moving toward economic ruin.	Economies are in trouble if gov't interference in the market continues.	Traditional answers will only leave the economy and society as it is.	Economies are still performing but adjustments are needed.	Many citizens are being neglected by the economic remedies tried so far.	Economies are in trouble. Bold new programs are needed.
Villains	University liberals, bureaucrats, affluents.	Big government's bureaucracy. Special interests.	"Progressives", Scientific Economists.	Increased complexity of the world economy, 'interdependency'.	New Right Corporate America. Neo-liberals. Technocrats.	Multinationals, corporate interests. Liberals, Neo-Conservatives.
Saviors	Someone who can teach society about the free market.	Monetarists	Entrepreneurs	Same institutions but working together.	Left/liberal populist movement, some of the 60's activists.	"Revolution from above" guided by Professionals/Bureaucrats.
Theoretical Inspiration	Herbert Spencer Adam Smith F. Hayek	Adam Smith F. Hayek Milton Friedman	Adam Smith Charles Pierce Arthur Laffer	J. M. Keynes Austrian corporatists.	The New Deal. The not so "New Left"	Socialist Thought
Catch phrase	Altruism leads to Atrophy.	Unfettered Free Market.	Creativity and Chance.	Integrated Welfare State.	New Social Contract.	Great Transformation.
How do you decide who produces what for whom?	The free market economy alone.	The free market guided by monetarist principles.	The free market lead by entrepreneurs freed of gov't restraint.	A mixed economy with institutional interaction and cooperation.	Mixed economy with democratic "grass roots" planning	"Statist" economy with central planning.
Critique	Improbable hypothesis. Poor scholarship. Vitriolic.	Theory and its critics are well known, not addressed here. Monetarists excused from consideration of equity issues.	Many insights, but too mystical in praise of entrepreneurs. Loose with facts when criticizing gov't policies.	Good grasp of the realm of the possible. An accurate description of present economic situation and possible remedies.	Good ideas, and recognition of role of democracy in economics and market failures. Overstates its political ideas.	Scenario of the Great Transformation suggests that this book is a thought piece, good analysis of planning efforts
Title	<u>Affluence, Altruism, Atrophy.</u>	<u>Free to choose</u>	<u>Wealth and Poverty</u>	<u>The Welfare State in Crisis</u>	<u>The New Social Contract ...</u>	<u>Welfare Capitalism and After</u>
Published	1980	1980	1981	1984	1983	1984
FREE MARKET ECONOMY			Mixed Economy		Collectivist Economy	

known and often restated belief that a free market economy together with a strict monetary policy, fixing the growth of money supply to steady increases in productivity, will return the American economy to non-inflationary growth. That the American economy has in fact been experiencing growth without high inflation and without implementing their recommendations has

caused the Friedmans' theories to fall into disrepute.

The Friedmans' book also documents the failure of government attempts to achieve security and equality, to protect the consumer and the worker, to avoid inflation and to promote employment. Big government, self-serving bureaucracies, and special interests (e.g. unions) are depicted as the real beneficiaries of govern-

ment largesse. They cite the free trade issue as one where the real interests of the American people are sacrificed for the benefit of both unions and the protected industries.

The Friedmans view the political and economic systems as symmetrical. "Both are regarded as markets in which the outcome is determined by the interaction among persons pursuing their own self interests" (Friedman. This free market of goods and ideas is seen as both the promoter of economic health and the protector of freedom. Its nemesis is the collectivist state. The Friedmans feel that "the combination of economic and political power in the same hands is a sure recipe for tyranny" (Friedman, p.3). This stands in sharp contrast to the mixed economy proposals of Mishra and Carnoy, et al.

Gilder's *Wealth and Poverty* suggests that only a free market allows for the creativity of the entrepreneur, the basis of America's wealth. Economic and social laissez-faire is seen as good not just for the rich or the enterprising, but good also for the poor. Having rejected the 'closing circle' arguments of those who predict limits to growth, Gilder counters that with sustained growth regulated only by the invisible hand of the free market, the economy can push out its limits, and provide for greater opportunities for all, including the poor. The 'perverse' social reforms would no longer be necessary in a robust and growing economy.

While the Friedmans call for strict monetary policies and a balanced-budget amendment to fight inflation, Gilder discounts the problem of inflation and deficits. Instead he proposes the 'supply side economics' tax cut policies that would put more money into the hands of potential entrepreneurs. He goes beyond traditional conservative economics when he states, "public spending may well go up even if the gargantuan waste and perversity of leftist giveaways decline. . . . If deficits arise as an initial result, no one should panic . . . deficit spending is decidedly preferable to tax increases" (Gilder, p. 225), an important statement in light of contemporary budget battles.

Gilder presents a lucid analysis of many of America's economic problems, attacking the practices of the free market economy, but placing the blame for those practices on government. He states:

"The fundamental problem of the U.S. economy is not inflation. It is collapsing productivity caused by declines in innovation and research, by a diversion of resources to real estate and collectibles, by steady expansion of the burden of government on every productive worker, by stagnant and misdirected business investment, by a booming tax-free underground economy of little long-run ability to generate technical progress, by the increasing age and obsolescence of plants

and equipment, and by a 40 percent slowdown since 1973 in the rate of growth of capital stock per unit of labor. All these problems are either caused or made much worse by a perverse and destructive pattern of taxation" (Gilder, p. 218).

This analysis is backed up by a good deal of empirical evidence. While the arguments of Silver and the Friedmans seem dogmatic, Gilder seems in touch with American society in all its complexity. His empirical rigor falters, however, as he describes government as the bugbear of the free market. The "ideals of 'progressive' government and culture, namely, equality, bureaucratic rationality, predictability, sexual liberation, political 'populism', and the pursuit of pleasure . . . are quite simply inconsistent with the disciplines and investments of economic and technical advance" (Gilder, p. 259). He goes on to assail logical positivism and a host of 'scientific' economic theories (p. 263). The range of economic challenges of today "are themselves the mandate for capitalism. To overcome it is necessary to have faith, to recover the belief in chance and providence, in the ingenuity of free and God-fearing men" (Gilder, p. 268). Such hyperbole and mysticism detract from the analysis found in these pages.

*' . . . corporations [are] 'no less
bureaucratized than government'
and therefore subject to the
same dysfunctions.'*

A more contrary view could scarcely be imagined than those of Cochran, Mishra, and Carnoy, et al. Like the Friedmans, Silver, and Gilder, these authors cite the exhaustion of Keynesianism. In *Welfare Capitalism—And After*, Cochran details "the evident disintegration of the Welfare State, (where) familiar . . . remedies are increasingly irrelevant, and monetarist and fiscal neo-conservative therapies are part of the problem, not the solution" (Cochran, p. ix). Carnoy, et al, would add neo-liberal or technocratic fix remedies to this list of problems. They contend that government should take a greater responsibility in the economy. Both books hold that mixed economies up to the present have served corporate interests more than the common weal, and Cochran gives a very plausible description of corporations as "no less or more bureaucratized than government" and therefore susceptible to the same dysfunctions (Cochran, pp. 136-137).

Cochran draws a scenario of a "Great Transformation" where a "revivified bureaucracy and executive organization" reacting to the breakdown of the economy would institute a program of central planning and social ownership that would allow decentralized fields of action. Final authority would be with the professionals at 'central planning' (Cochran, pp. 193-194).

The authors of *The New Social Contract* would heartily accept Cochran's statement that the sum of private corporations' plans do not add up to a national plan. They are not opposed to government as "entrepreneur and planner" (Carnoy, et al, p. 209) and call for an end to the separation between politics and economics. They counter the claim that government is inherently evil because it restricts freedom by saying "government—when it is participative, just, and extended to people's economic activities—not only makes society possible but increases the quality of life. The idea is not to get government off people's backs; rather it is to put government in people's hands" (Carnoy, et al, p. 214). Their program would be a mixed economy, allowing for active government participation in the market.

Mishra favors a strengthened dialogue between contending institutions. His 'corporatist' approach maintains that "in order to integrate the institutional level successfully (social welfare and market economy), it is necessary to harmonize group relationships (some degree of consensus between workers and employers)." His suggestions, unlike those of Cochran (and to a lesser degree Carnoy et al) seem within the realm of the possible. His call for a "Systematic approach to the analysis of the welfare state . . . that straddles(s) the institutional and group perspective" (Mishra, pp. 176-177) implies the continuing evolution of economic policy. He calls for other paradigms to join his, "to win back the ideological initiative from the Right by pointing to the model of an advanced welfare capitalism as a realistic and evolutionary alternative" (Mishra, p. 174). This philosophy is based on continued faith in the ability of welfare capitalism, and the belief that it will evolve into a more plausible and popular ideal.

Reviewing these books in the context of the Reagan presidency emphasizes the importance of consider-

ing the range of possible economic policies. When a President adopts the neo-conservative ideas, he rejects traditional conservative evolutionary tendencies. In the midst of economic growth fueled by a Keynesian-like deficit, an informed public must carefully analyze the claims of his neo-conservative theorists. Do we see altruism and history as Silver does? Do we accept the largely discredited monetarism of Milton Friedman? Can George Gilder's entrepreneurs create enough growth to overcome the deficits he advises us to ignore? Each has a simple program—return the economy to the free market. The other authors have presented alternative paradigms, suggesting that more than entrepreneurship, capital, land and labor comprise our national resources. They contend that both public and private organizational and managerial capital are also a part of any nation's wealth, and that an enlightened welfare state remains possible.

Comparing and understanding the economic philosophies behind current political events is essential to informed debate. Knowing the opposition as well as we know the alternatives is a vital step to a transformed economy.

BIBLIOGRAPHY

- Carnoy, Martin, Derek Shearer, and Russell Rumberger. *The New Social Contract: The Economy and Government After Reagan*. New York: Harper and Row, 1983. 235 pp.
- Cochran, Bert. *Welfare Capitalism—And After*. New York: Schocken Books, 1984. 198 pp.
- Friedman, Milton and Rose Friedman. *Free to Choose*. New York: Harcourt Brace Jovanovich, 1980. 314 pp.
- Gilder, George. *Wealth and Poverty*. New York: Basic Books, 1981. 269 pp.
- Mishra, Ramesh. *The Welfare State in Crisis*. New York: St Martin's Press, 1984. 178 pp.
- Silver, Morris. *Affluence, Altruism, and Atrophy*. New York: New York University Press, 1980. 171 pp.

