

Page 26

1 A Yeah.
2 Q What were you told?
3 A It was pretty brief. One of the
4 supervisors had a sheet that showed you -- the
5 way they pay is, it's \$7 an hour. Then you get
6 piecework after that. And it's for the first 50
7 that you do in a day, you get \$1.15, or something
8 like that. And then for the next 10, you get
9 \$1.25. And that might be wrong. And then
10 anything above that, you got a little bit more.
11 Q Okay. So the numbers of the piecework
12 are approximate because you don't recall exactly?
13 A I don't recall exactly, but those are
14 very close.
15 Q All right. And you said one of the
16 supervisors said this. Was this not Wilma?
17 A Right. She wasn't in the room at the
18 time. And he had brought that sheet out, and
19 then showed it to us. And then was -- I believe,
20 had to return the sheet, because I think he
21 realized he had made a mistake by showing it to
22 us in the first place.
23 Q Okay. And the sheet you are referring
24 to now is the sheet with the criteria for being
25 hired at three months?

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1 A No. No. This was the sheet that had
2 the pay scale on it.
3 Q Okay. So you never had a piece of
4 paper with the pay schedule. You -- but you saw
5 him hold one?
6 A Right.
7 Q In your approximately three months
8 with Honeywell, were you actually paid in
9 accordance with what he told you that day?
10 A I believe I was, but I didn't keep
11 track of it.
12 Q All right.
13 A You know. Just trusted that they were
14 calculating it right.
15 Q And do you remember this male
16 supervisor's name?
17 A I sure don't.
18 Q All right. Can you tell me how many
19 supervisors were in the room that day?
20 A Probably three.
21 Q Okay. And was your supervisor Wilma
22 one of those three at some point during the day?
23 A At some point, yeah, but she wasn't
24 there for quite a bit of it.
25 Q So, was it three plus her, or --

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1 A Well, it was -- you know, they were in
2 and out. They would all have some reason to have
3 to leave and go do something else. And, you
4 know, sometimes it would just be one person
5 there, and sometimes none, if we were taking a
6 meter reading test or something like that, you
7 know.
8 Q Okay. And this room was a room that
9 had the other 11 to 12 other people in it with
10 you, and was that it?
11 A Right. Yes.
12 Q All right. What happened after the
13 supervisor gave you guys the pay scale?
14 A Well, that was, like I say, very
15 early. And then we spent the rest -- quite a bit
16 of the day reading meters. Which, what that
17 entailed was they would -- they had a slide show.
18 It would show you a picture of a meter index, and
19 we would read it and write it down. And they
20 would go correct it to see how close we were, and
21 then we would do it again.
22 Q And how long did that take?
23 A I think that was quite a bit of the
24 day.
25 Q And were you told what the purpose was

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1 for you learning how to read a meter?
2 A Well, you have to program the AMR when
3 you install it, so putting the right meter
4 reading in is crucial.
5 Q All right. Tell me what you mean by
6 programming the AMR.
7 A Well, the AMR broadcasts the meter
8 reading. So you're telling the AMR what its
9 starting point is. And -- because since it's
10 broadcasting this signal out, it has to tell the
11 gas company what the correct reading is.
12 Q All right. And you have been using
13 this term, and I think I have, too. AMR. What
14 is an AMR?
15 A That's, I think, automatic meter
16 reader.
17 Q All right. I just wanted to make sure
18 we were on the same page about that.
19 A Sure.
20 Q Okay. Were the other supervisors in
21 the room on this day in December, were they
22 Honeywell employees, or were they Cellnet
23 employees? Do you know?
24 A I believe they were all Honeywell
25 employees.

8 (Pages 26 to 29)

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1 A That's correct.
 2 Q Okay. Do you put the cover back on?
 3 A You put the cover for the AMR device,
 4 not the original cover. The original one goes to
 5 the garbage.
 6 Q Because the original cover is not
 7 going to fit?
 8 A No. Not even close.
 9 Q Okay. So when you put this new cover
 10 on for the AMR device, it now -- does that cover
 11 go all the way back to the meter and seal it?
 12 A No. The AMR device has a seal
 13 separately on the backside that makes contact to
 14 the meter. And then the AMR cover just seals
 15 itself. I mean, it is sealed, but the seal for
 16 the AMR -- between the -- there's a seal between
 17 the AMR and the gas, the gas meter.
 18 Q And then there's another seal between
 19 the cover and the index?
 20 A Yeah. It's not really quite a seal,
 21 but it's -- because it's plastic and it's -- it
 22 seems to me that it would seal pretty well. But
 23 I don't -- it wasn't -- there wasn't something
 24 that's specifically called a seal, like, you
 25 know, a gasket.

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1 Q Right.
 2 A Like, on the backside of it.
 3 Q Okay. And I just want to get a
 4 picture of this in my mind. And I'm sorry I'm --
 5 I'm going through this in so much detail. But I
 6 just want to make sure I understand. So then the
 7 cover, the AMR cover, doesn't go all the way back
 8 to the gas meter, but goes -- does it cover the
 9 entire index?
 10 A Oh, yes.
 11 Q Okay.
 12 A Yeah.
 13 Q But it doesn't try -- does it try to
 14 cover the AMR device as well?
 15 A The AMR device is completely sealed
 16 when the cover is on, or -- or, I should say, air
 17 tight, or whatever. It's going to stay dry, you
 18 know.
 19 Q Okay. Okay. So back to this training
 20 that you received on your first day there. You
 21 had these three devices that -- or these three
 22 meters that you could take the AMR device on and
 23 off of. Were you guys just turned loose on them?
 24 Did somebody show you how to take them on and off
 25 first? Did they show you diagrams so you at

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1 least knew what the AMR device was and --
 2 A No.
 3 Q What -- how did that happen? What
 4 kind of training did you get?
 5 A It was just, here's a screwdriver; you
 6 know, have at it. It's -- they're very simple.
 7 Q But did somebody even point out which
 8 was the device that you wanted to be taking on
 9 and off?
 10 A Well, it would have been obvious, but
 11 somebody may have said take this off. But it was
 12 clearly -- it was -- you know, any reasonably
 13 intelligent person would have known what they
 14 needed to do.
 15 Q You're talking to attorneys here, who
 16 are not necessarily very good with their hands.
 17 Okay. Were the meters that -- the three meters
 18 that the 12 to 13 of you were given to practice
 19 on, were they brand new meters? Were they older
 20 meters?
 21 A I think they were probably older
 22 meters. I don't remember them being, you know,
 23 very clean or anything like that.
 24 Q Okay. Did they -- were they in good
 25 shape?

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1 A As far as I know. I --
 2 Q Did the screws come in and out easily?
 3 A Oh, yeah. Yeah.
 4 Q Okay. Were there -- did you have any
 5 problems installing, re-installing, installing
 6 and removing, I guess, that device on those three
 7 meters that day?
 8 A It wasn't -- if it had been a problem
 9 doing it, you wouldn't -- no one would tell you.
 10 It was just, you know, take a look at these and
 11 see how they work. You could have had a problem
 12 in whether the cog in the -- in the meter is
 13 matching up with the -- whatever device is
 14 supposed to be picking that up, to, you know,
 15 transfer it to --
 16 Q Did that happen to anybody while you
 17 guys were practicing that day?
 18 A I don't know of anybody with a
 19 problem.
 20 Q Okay. So, were the supervisors there
 21 to watch you guys install and remove this AMR
 22 device?
 23 A There might have been a supervisor in
 24 the room, but they weren't involved in this.
 25 This was just the new hires kind of taking a look

13 (Pages 46 to 49)

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1 A Only that if you smelled gas, and it
2 was a pretty strong smell, then you should call
3 your supervisor.
4 Q And who told you that?
5 A I think it was probably mentioned by
6 my supervisor.
7 Q And you were to call the supervisor;
8 is that what you said?
9 A Yeah. If it was a -- the way it was
10 explained to me, if it was just a small -- not a
11 really strong smell, you called her in and let
12 her know that -- that you could smell gas. But
13 it was understood that at some times you would
14 just smell gas anyway. So if it was very weak,
15 you might not worry about it. If it seemed more
16 significant, then you would call her and she
17 would call Laclede Gas, and they would send
18 somebody out to check it. If it was a very
19 strong smell, then often they would ask you to
20 wait there, especially if it was indoors, you
21 know.
22 Q All right.
23 A Then you would wait for Laclede Gas to
24 show up.
25 Q Were you given any kind of gas leak

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1 concerned about that. But you are just concerned
2 about how many you are going to do, and if you
3 don't have to knock on somebody's door, you are
4 just motoring down the street and getting them
5 put in. If you have to wait for somebody to
6 answer the door, then it takes longer.
7 Q Okay.
8 A And usually you have to unpack their
9 basement to try to get to the meter and all of
10 that.
11 Q Okay. Did you get any feedback about
12 the number of mistakes you were making?
13 A That was a promise to us that we
14 would. But I never did.
15 Q All right. So, do you think you were
16 perfect?
17 A I would like to think so, but I doubt
18 it. I think you are going to make -- at least on
19 programming, you know, that's where you were
20 going to get your feedback, because that's what
21 they were going to want to talk to you about.
22 And, you know, I'm just certain that there's just
23 no way anybody's going to get them all right.
24 Q All right. And by programming, I
25 mean, you didn't describe any training on the

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1 detection device?
2 A No.
3 Q All right. All right. You mentioned
4 indoor and outdoor meters. Were you doing more
5 of one than the other?
6 A If you were lucky, then you got
7 outdoor meters. But I was told that about
8 40 percent of the area was indoor. And
9 generally, if you -- it seemed to be random, but
10 if you got an indoor route, generally you were
11 going to be indoors all day. Because that
12 neighborhood was indoors, then it was basically
13 all indoor.
14 Q Right.
15 A So basically, if you're in an older
16 neighborhood they were indoor, and if you were in
17 a newer suburb, then they were all outside.
18 Q Okay. You said that you were told
19 that 40 percent was indoor. Who told you that?
20 A I think that was from the supervisors.
21 Q Okay. And, again, you said the
22 outdoor meters were easier. Is this because the
23 indoor ones had these trace devices on them and
24 other things?
25 A Well, there was that. But you are not

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1 actual programming of the AMR device, other than
2 learning to read the meters. Is that what the
3 programming is, is setting the meter to the
4 number that the old meter had?
5 A There's that, what rate that it clocks
6 at. You have to tell the device whether this
7 meter reads at quarter foot at a time, or a half
8 a foot, or two feet, or whatever. You know,
9 that's the base. You have to set the base right.
10 Because all it knows is that it's being turned.
11 And it needs to know what each turn is. And
12 there was other things there. You know, what
13 type of meter. You had to check the meter ID
14 number. Of course, all the -- you know, the
15 address. You were basically double-checking to
16 make sure that this house is going to get the gas
17 bill that's correct and theirs. You know, not
18 their neighbor's.
19 Q Okay. And when were you taught to do
20 all of this?
21 A On the second day when -- when I was
22 out working with Dan.
23 Q All right. This was the on-the-job
24 training?
25 A Yeah.

20 (Pages 74 to 77)

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1 employee through Manpower, did you have any
2 benefits?

3 A No. No. You could get -- you
4 could -- allowed to buy into their health plan,
5 or -- I don't know if they had -- they probably
6 had some kind of a retirement thing. They
7 were -- you know, the general rip-off stuff. You
8 pay a lot for very little.

9 Q Did you get any vacation time?

10 A I think Manpower might have something
11 like that. But I wouldn't have been there long
12 enough to see it.

13 Q Okay. So for the three months that
14 you were there, you did not receive any
15 compensation from Manpower or Honeywell, other
16 than the \$7 an hour and the \$1.15 per meter up to
17 50, et cetera?

18 A Right. That -- but I actually did buy
19 into the cheapest health thing for the last
20 month.

21 Q Okay. Did you receive -- at any of
22 these times when you were having the general
23 meetings, or in your first day of training, did
24 you receive any kind of safety training about
25 driving?

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1 A No. Other than that they told us that
2 we were supposed to wear our seatbelts as we
3 worked for them.

4 Q All right.

5 A I believe that was it.

6 Q And did you receive safety training
7 about dogs?

8 A Nothing -- no. You are just told that
9 if you were uncomfortable going into somebody's
10 backyard with -- that had a dog, that you didn't
11 have to do it. Oh, you were given a -- they gave
12 you that spray, mace stuff, or whatever.

13 Q Given mace for the dogs?

14 A Yeah.

15 Q Okay.

16 A I don't know if anybody -- well, I'm
17 sure some people used it. I don't remember
18 having mine. I'm sure I wouldn't have taken it
19 with me.

20 Q Okay. And you mentioned that there
21 was a fair amount of equipment. I mean, how much
22 did the -- all the -- the tool box and the
23 devices itself, how much was all that -- how much
24 weight was that to carry into somebody's house or
25 yard?

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1 A Well, I don't know. It would have
2 been, I suppose, maybe 30, 40 pounds, maybe. I
3 don't really know. It's up to you how many
4 you're going to carry. Some people had, like,
5 rolling -- you know, this luggage situation where
6 they would carry, you know, 60 devices with them,
7 or 40, or whatever.

8 Q Dollies?

9 A Yeah. You see them in the, you know,
10 Sears hardware section or something.

11 Q All right.

12 MS. SCHRODER: I have no further
13 questions. I don't know what order you guys want
14 to do this in, if anybody wants to ask any
15 questions.

16 MR. ZUCKER: Okay. I'll go ahead.

17 CROSS EXAMINATION

18 QUESTIONS BY MR. ZUCKER:

19 Q This is Rick Zucker. I'm an attorney
20 with Laclede Gas Company. Do you have any idea
21 what this case is about?

22 A I suppose it's about the union and
23 being upset about losing jobs. But I don't know
24 that. I just suspect it.

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1 Q How did you get contacted to do this
2 deposition, do you know?

3 A I believe I was contacted because I
4 was trying to unionize all my boys out there when
5 I was completely disgusted with the job. So
6 after visiting four different unions and not
7 getting one bit of support from any of them, one
8 of them contacted, I believe, this law firm and
9 said that I was probably a disgruntled employee.
10 That's how I suspect I did.

11 Q Okay. And then, how did you actually
12 get contacted? Who contacted you?

13 A Did you -- was it Sherrie?

14 MS. SCHRODER: Yes.

15 THE WITNESS: Did you call me?

16 MS. SCHRODER: I mean, you just
17 have -- I'm the attorney, but, yes.

18 A Yeah.

19 Q (By Mr. Zucker) So Sherrie called
20 you, and your suspicion is that the contacts came
21 to her from another source?

22 MS. SCHRODER: I'm sorry. I just want
23 to object on the grounds that he has already said
24 that he is speculating. So you are now calling
25 for speculation. You're specifically asking what

26 (Pages 98 to 101)

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1 he's speculated about.

2 MR. ZUCKER: I'm just establishing
3 that he's speculating. But I think you're right.
4 He already said that.

5 Q (By Mr. Zucker) Okay. And what were
6 you actually doing to try to unionize the people
7 that worked on the AMR installations?

8 A Yeah. I'm just a hothead and I don't
9 like temp agencies. And I particularly didn't
10 like the way they spoke and -- to us, and the way
11 they treated us. And I particularly couldn't
12 stand the way they paid. I mean, you could
13 actually go out and make \$8 an hour on a
14 particular day. Not because you weren't doing
15 nothing, but because you were working hard and
16 you just couldn't find anybody home.

17 So when I got my fill of disgust, I
18 decided to go visit some unions and see if I
19 could get somebody to take an interest in maybe
20 coming out and taking a look at us.

21 Q Which unions did you talk to?

22 A I went to the Carpenters, Gas Workers,
23 Teamsters, and Steelworkers, maybe? One of them
24 was by phone that I talked to, and not being in
25 their office --

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1 is a management style that was going on there.

2 Q Okay. And so you said that your
3 supervisor would both congratulate people for a
4 good day --

5 A This was the general manager.
6 Actually, the regional manager. She's somebody
7 who would not normally never be there. But one
8 of the last meetings I went to, it was a
9 particularly rainy day. And she had, the same
10 time, congratulated everybody because we had
11 gotten so many done, and then in the same
12 meeting, started threatening us about not getting
13 enough stuff done. I mean, it was all -- that
14 was all the same meeting. Oh, you guys did great
15 on Monday. You installed this many. That's just
16 exactly what we're looking for. And then, you
17 know, five minutes later using things like, well,
18 the ax is going to fall if you don't get so many
19 done.

20 Q Did you feel that applied to you,
21 personally, or to other people who might not have
22 been putting in much?

23 A I wouldn't have taken it personally.
24 It wouldn't have occurred to me.

25 Q Was the pay -- I wasn't quite clear on

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1 Q One by phone and the others were --

2 A Actually, two by phone. Gas Workers
3 was phone, too. And I went to visit the
4 Teamsters specifically and Carpenters
5 specifically.

6 Q Have you ever been a member of the
7 union?

8 A I used to be in the Carpenter's Union.

9 Q When was that?

10 A It was probably about -- well,
11 maybe '78, '79, right around in there.

12 Q Any other unions that you were in?

13 A No. Just that one.

14 Q Have you ever been in management?

15 A No, I don't think so.

16 Q Would it be fair that you did not like
17 your supervisor at this job?

18 A No. She was a decent person. I mean,
19 she was an all right person, but she was -- you
20 know, she just worked for a company that -- well,
21 let me rephrase. She was retired from the Army.
22 So, even though she's a nice person, she has her
23 head completely screwed up because she was in the
24 Army for so long. So, you know how you can do
25 something right, or you do it the Army way. This

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1 the pay. Is \$7 an hour a base, plus the
2 piecework?

3 A Yeah. And then plus the piecework.
4 If you went out and installed nothing, you would
5 get \$7 an hour.

6 Q And if you would install 50 in, let's
7 say, seven hours, you would get \$7 times seven,
8 plus 50 times \$1.15?

9 A That was really quick math. But what
10 you would get is the 1.15 times how many you
11 installed, up to 50, and then after that it went
12 up a dime or something.

13 Q Was there any adjustment for whether
14 you were to go indoor versus outdoors?

15 A No. No, there wasn't. So if you were
16 pulled indoors all the time, you were just told,
17 tough luck.

18 And you say, hey, I'm not making any
19 money, and half the places are abandoned, and I'm
20 only getting 11 or 10 or 7 done a day, the answer
21 was, tough luck.

22 Q So if you take the time to knock on a
23 door and -- if you took your time to knock on a
24 door and no one answered that door, after you
25 waited some period of time, you would then move

27 (Pages 102 to 105)

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1 on and not have anything done. Is that correct?
 2 A Exactly right.
 3 Q And did you feel like -- were you
 4 getting a -- a mix of outdoor and indoor?
 5 A Not -- I -- you did, occasionally. I
 6 would occasionally get an outdoor route. But for
 7 some reason -- maybe it's because I said
 8 something that I didn't mind working in North
 9 St. Louis -- I ended up in North St. Louis a lot.
 10 But I don't -- that could have been my
 11 imagination. But, no. I was indoors quite a
 12 bit.
 13 Q Was the assignment for whether you got
 14 an outdoor or indoor based on someone's
 15 discretion, or was it done by computer, or do you
 16 know?
 17 A I -- if you ask the people in the
 18 office, they would say it was random. And if you
 19 asked some of the guys who got outdoor routes a
 20 lot, they would tell you that it wasn't, that
 21 they were getting outdoor routes because they had
 22 an in with the boss or something.
 23 Q Okay.
 24 A That's what they would say. So I
 25 heard both. So, yeah. If you asked somebody in

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1 the office, they would say it was random.
 2 Q But you're not sure yourself exactly
 3 how it worked?
 4 A Not sure. But I highly suspect it
 5 wasn't random.
 6 Q What is your educational background?
 7 Did you finish high school?
 8 A I did, and went to graduate school at
 9 Wash U.
 10 Q Did you finish college, then, also?
 11 A Oh, yeah. I got my undergraduate
 12 degree from the University of Nebraska.
 13 Q Okay.
 14 A Although I left Wash U before getting
 15 a master's.
 16 Q So you had some postgraduate work, but
 17 not a postgraduate degree?
 18 A Exactly.
 19 Q And you said you worked as a
 20 librarian?
 21 A Yes.
 22 Q Was your major in that?
 23 A I didn't do library science. I did
 24 the classics. I did classics -- Latin, Ancient
 25 Greek literature, and instruments.

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1 Q And that was your major?
 2 A Yeah.
 3 Q Okay. And what was your postgraduate
 4 studies?
 5 A Same thing.
 6 Q Same thing. And did you put that on
 7 your application when you applied?
 8 A I might have, but I doubt it.
 9 Q Did you find the job of installing the
 10 AMR devices particularly challenging?
 11 A No. I mean, no. The -- actually, to
 12 work, no, not at all.
 13 Q Was it difficult?
 14 A Most of the time, no, not at all.
 15 Q Did you -- I'm sorry.
 16 A Well, I would say, no. It's a
 17 no-brainer, easy job. It's just monotonous
 18 and --
 19 Q That was going to be my next question.
 20 Did you find it boring?
 21 A If you thought about what you were
 22 doing. But if you would take a Zen outlook and
 23 let your mind wander to something else, then I
 24 suppose not.
 25 Q Okay. Did you feel you were

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1 adequately trained for the job in the training
 2 you have described?
 3 A I suppose. That -- me, personally,
 4 sure. But I wouldn't have -- you know --
 5 Q Do you -- when you applied for the
 6 job, do you know what kind of background checking
 7 Manpower did? I mean, do you know?
 8 A No, I don't. And I suspect that since
 9 they told me that -- since -- because of the
 10 misunderstanding I had when I hired on, that I
 11 was apparently supposed to start the very first
 12 Tuesday after being there, that -- it made me
 13 question whether they -- the drug screening and
 14 stuff like that was actually occurring, or
 15 whether we were just going up and giving a vial
 16 of blood to somebody, and after we walked out,
 17 they just tossed it. I don't know. Because
 18 clearly, I had the job before they could have had
 19 any results.
 20 Q Okay. But you don't know how --
 21 whether or not they -- if they had tested it, or
 22 the blood -- you gave blood?
 23 A Yeah.
 24 Q Okay. You don't know whether --
 25 A No, wait. No. No. No. No, it was a

28 (Pages 106 to 109)

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1 urine test.
 2 Q Okay. So you don't know, had they
 3 tested the urine, if they would have come back
 4 and terminated your temporary employment?
 5 A Yeah. I don't know.
 6 Q And do you know whether Honeywell
 7 checked?
 8 A I don't think so.
 9 Q Do you know?
 10 A No.
 11 Q Okay. You referred at different times
 12 to the -- the unit that holds on the AMR device
 13 sometimes as a screw and sometimes as a bolt.
 14 A Right.
 15 Q Did -- was it something that you
 16 unscrewed and screwed in?
 17 A There -- well, there are different
 18 sizes, first of all. And it's just what people
 19 think of as a bolt or a screw, although a bolt
 20 doesn't usually have a slotted screw kind of head
 21 to it. You know, it usually has the hex, you
 22 know, bolt looking thing. Well, they just had
 23 the slot for a screwdriver. But some were good
 24 sized, big enough that you would never consider
 25 calling it a screw, just because it's a big thick

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1 bolt looking thing that happens to have a slot.
 2 Q Did it have threading on it?
 3 A Yeah, sure. But then, some of them
 4 were much more slender, and for most people that
 5 would easily fall into the category of a screw.
 6 Q Okay. So it looked more like a screw,
 7 the thinner ones?
 8 A The thinner ones, yeah.
 9 Q But all of them had --
 10 A They all had a slotted regular
 11 screwdriver type --
 12 Q And the threads?
 13 A Yeah. Yeah.
 14 Q Did you ever receive feedback that you
 15 were doing well or not well?
 16 A I don't think so. Now, as far as
 17 actually getting the job done?
 18 Q Uh-huh.
 19 A Actually, no. Me personally, nobody
 20 ever came to me and said, you're doing the job
 21 well, or, you're doing it efficiently, or, you're
 22 doing enough, or anything like that.
 23 Q Okay.
 24 A Any comments like that would have been
 25 made generally to everybody.

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1 Q Okay. Would you know if someone who
 2 was not doing well was --
 3 A That they talked -- whether they
 4 talked to them?
 5 Q Yes.
 6 A No. I wouldn't know.
 7 Q One thing I also want to clarify. You
 8 referred to an item -- or maybe Ms. Schroeder
 9 did -- as a hand drill. You are referring to,
 10 basically, a power screwdriver?
 11 A Right.
 12 Q Not the kind of drill that would bore
 13 a hole?
 14 A Well, it could, if you put --
 15 Q If you put a bit on it?
 16 A Yeah.
 17 Q But you used it as a screwdriver?
 18 A Yeah.
 19 Q And did you say that you were brought
 20 back every week or two to have a test on reading
 21 meters?
 22 A Yeah. About that.
 23 Q Did you find that useful?
 24 A Not particularly. Just because the
 25 only reason you are going to misread -- well, two

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1 reasons you are going to misread. One is, you
 2 are not paying attention. And the other is, is
 3 that it's one of those judgment calls where you
 4 have to decide whether it is a 6 or a 7 or
 5 whatever. And all the practice in the world
 6 isn't going to make your attention any better and
 7 not going to make it easier to make that call.
 8 And if you woke up feeling spaced out,
 9 you might do a terrible job on a test; whereas,
 10 if you are out in the field, you are going to do
 11 a good job, or vice versa.
 12 Q Okay. Did you have any fear that you
 13 were going to cause a gas leak?
 14 A No. Not me, no.
 15 Q And it is your assessment that when
 16 you change one of these devices and put on an AMR
 17 unit, that that does not affect the part of the
 18 meter that holds the gas, or through which the
 19 gas passes?
 20 A Yeah. No, it wouldn't -- I could see
 21 how it could. You know, somebody working on any
 22 meter like this, in the process of doing this,
 23 because these things have been hanging for -- you
 24 know, in some damp, ugly basement for so long,
 25 that, you know, maybe over time it has weakened

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1 the connection points and stuff like that. I
 2 could see where it happened. I wasn't
 3 particularly concerned that I would do that.
 4 Q All right. You said when you would
 5 work on a meter, I guess when you would remove
 6 the index, you would sometimes get a light whiff
 7 of gas?
 8 A Yeah.
 9 Q And that would dissipate?
 10 A Yeah. I suppose what you, you know,
 11 look for is that you just got that little puff
 12 because, over time, gas had accumulated behind
 13 the, you know, in the index part of the meter.
 14 The only -- you know, it's all steel in between
 15 the two, except for that little cog that has to
 16 come out from the mechanism inside. So the only
 17 gas leak you'd have would be just right around
 18 there, you know, as far as that part. So if you
 19 did get a little puff of it there, you would
 20 expect it to dissipate and go away.
 21 Q And generally, would it?
 22 A Yeah. It would usually -- well, it
 23 would usually be pretty light. And like I say,
 24 if it was really considered light, you don't --
 25 if it's something that's light, I think you

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1 sometimes grow accustomed to it. You know, so
 2 when you first get it, think, oh, that smells
 3 like gas, but after you have been working on it
 4 for four or five minutes, you just tend not to
 5 notice so much anymore. So whether -- yeah, I
 6 suppose it dissipated.
 7 Q Okay. And if it didn't go away and
 8 kept -- you kept smelling it --
 9 A Yeah --
 10 Q Would you call that in?
 11 A Yeah. Most of the time, if it was a
 12 light smell, you would call it in. I suppose
 13 most of the time. But I think at some point you
 14 just kind of got to accept that, because you are
 15 around a meter, you might get a light whiff of
 16 it. So it was explained to us that, you know,
 17 this -- you know, that there were varying
 18 degrees. You know. Because I -- I know that
 19 they didn't all get called in. You know, any --
 20 any smell of gas would not immediately result in
 21 somebody calling a supervisor. Because you would
 22 expect to run into it there, you know. So then
 23 it was just a judgment call. Is this strong
 24 enough to warrant me calling it in?
 25 Q And you said that the times you

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1 smelled gas were on outdoor meters?
 2 A The ones that I remember calling in,
 3 they were outdoor meters.
 4 Q And you said you didn't stay in those
 5 instances?
 6 A No.
 7 Q Is that related to the fact that they
 8 were outdoor meters?
 9 A It's related to -- the way it was told
 10 to me is that, if it was a strong smell, that you
 11 should hang out and wait. But in my case it
 12 probably had a lot more with me saying something
 13 to the effect of, I am really not going to sit
 14 here and wait. I'm going to keep doing the job.
 15 Q So you called it in and made sure that
 16 it had been communicated?
 17 A Yeah. I called my supervisor. And
 18 then it was on my supervisor to call Laclede Gas,
 19 give them the address, and then they would come
 20 out and check it.
 21 Q And then you moved on?
 22 A I moved on right after making the
 23 call, yeah.
 24 Q Okay. And you said you felt the pay
 25 for that job was terrible?

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1 A Terrible would be good, yeah. That's
 2 a good description.
 3 Q And what do you think would be a
 4 reasonable pay for that job?
 5 A Oh, I would think that a minimum of 22
 6 bucks an hour. How about that? You know.
 7 Q Interesting number that you pick. Why
 8 did you pick that number?
 9 A Because that's what they said the
 10 maximum was. So, I don't know. No. It was
 11 just -- it was pretty -- it was -- you know, you
 12 could end up making less than poverty level
 13 wages. You know. That's pretty pathetic.
 14 Q Did you have any -- and so when you
 15 visited the four unions, no one was interested
 16 in -- none of them were interested?
 17 A Oh, they were interested in talking
 18 about it, but not in actually doing it. Any
 19 union worker loves to hear about management
 20 behaving badly, you know.
 21 Q And did you also talk to your
 22 coworkers, the AMR installers?
 23 A Not all -- well, some of them, yeah.
 24 Some of them were very much excited about the
 25 idea that -- because they were, you know, like

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1 me, pretty disgusted with their paychecks. Not
2 all. You know, there's always going to be people
3 who don't like the idea of a union.

4 Q Okay.

5 MR. ZUCKER: I think that's all I
6 have.

7 MS. SCHRODER: Anything next,
8 Jennifer?

9 MS. HEINTZ: Did you want to redirect?

10 MS. SCHRODER: Well, I thought all of
11 you guys were probably going to.

12 MS. HEINTZ: Well, I don't have
13 anything, so, thank you.

14 MS. SCHRODER: Mark, do you want to
15 ask some questions, or do you want me to
16 redirect, or what?

17 MR. POSTON: I have no questions.

18 MS. SCHRODER: Okay. I do have a
19 couple of questions on redirect.

20

21 REDIRECT EXAMINATION

22 QUESTIONS BY MS. SCHRODER:

23 Q First of all, when you called in a gas
24 leak, how long is the least amount of time that
25 that's going to take, calling in the gas leak and

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1 you wouldn't get -- I couldn't get that many done
2 in a day. Not because I didn't finish the route,
3 but just because the fact of people not being
4 home or some not being able to be done. So out
5 of 85, I might get, my best day, maybe 70.

6 Q Okay.

7 A More often than not, I would be
8 indoors and I might get 10 done. You know, you
9 just keep knocking on doors all day long.

10 Q Okay. If you have to wait for Laclede
11 to come out and check a leak, you're going to get
12 paid as much money -- or are you going to get
13 paid as much money as if you were out there
14 working on -- putting in AMR devices?

15 A No. Well, I mean, you're getting paid
16 by how many you get done, so --

17 Q All right.

18 A If you eat lunch, you're not -- you
19 know, you're making \$7 an hour when you're not
20 installing. So everything you do that sidetracks
21 you from installing one is basically costing you
22 money.

23 Q Okay. Except by smelling the gas,
24 would you have known any other kind of gas
25 hazard?

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1 talking to your supervisor?

2 A For me to actually do that?

3 Q Yes.

4 A Well, I would just do it right then.

5 Q Okay.

6 A And it's a walkie-talkie situation.
7 I'm not waiting for the phone to ring.

8 Q So that's one more -- oh, it was the
9 Nextel?

10 A Yeah.

11 Q Okay.

12 A And so it's just direct.

13 Q And if you have to wait for Laclede to
14 come out, how long is that going to take?

15 A I wouldn't know. But I never waited,
16 so --

17 Q How -- if you are getting 80 done --
18 80 to 85 of these AMR devices installed in a day,
19 approximately how quickly are you doing them?
20 Let's see. You're working eight hours?

21 A Yeah.

22 Q Eight-hour shifts. Okay. So about 10
23 an hour?

24 A Yeah. That would be the route that
25 you would leave with was 80 to 85. I would. But

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1 A No.

2 Q All right. Was your training adequate
3 in that regard?

4 A Well, clearly not. Because I can't
5 give you a straight answer on whether we were --
6 you know, at what point we should call it in, you
7 know.

8 Q On the judgment call, you mean?

9 A On the judgment call. So nobody ever
10 took us out and said, do you see how that smells?
11 That's when you call. There was never that. It
12 was just, well, if it seems strong -- like I say,
13 just because I can't answer that should tell you
14 that it wasn't.

15 Q How much time was spent on the whole
16 discussion of, if you smell gas you need to call
17 in?

18 A Not much. Very little.

19 Q One minute?

20 A I mean, a mention -- yeah. I mean, it
21 was something that would have been mentioned,
22 and -- and that was it.

23 Q All right. Now, you said, in response
24 to Rick's question about what would be a good
25 rate, you said \$22 an hour, said that somebody

31 (Pages 118 to 121)