



## A few facts to keep in mind...

### Public sector workers didn't create the economic crisis

- Wall Street and the big banks are responsible for crashing our economy yet the politicians that do their bidding are trying to place the blame on middle class families. It's time all workers reject these politically motivated attacks and work together to create jobs and rebuild our economy.
- The attacks on public workers' collective bargaining in Wisconsin, Indiana and Ohio will have an impact on every worker in America – including those in California.
- Gov. Scott Walker and other right-wing politicians have set their sights on public sector workers as part of a political agenda. These attacks are payback to their corporate campaign donors, and have nothing to do with balancing state budgets.
- In fact, teachers, nurses, firefighters and other public servants are already doing their part to help states in fiscal crisis. Here in California, public workers have already agreed to wage reductions and benefit cuts to help the state deal with its budget crisis.

### Workers are all in this together

- The politics of division playing out in Wisconsin and other states are intended to distract us from the real problems we're facing.
- Politicians should be focusing on creating jobs, instead of pushing divisive attacks on hard-working public servants
- The proposal to strip workers of collective bargaining does nothing to create jobs or improve the lives of workers, whether they're teachers or sales clerks. It's simply a political strategy to weaken unions and strip workers of their voice.
- If Gov. Walker and other politicians succeed in stripping workers of their rights, the result will be a lower standard of living for everyone.

## Across nation, union supporters rally for rights

# GOP governors attack union rights

Don't ever believe that elections don't matter. The November, 2010 elections not only swept in a wave of conservative congress members, but also moved 20 state legislatures and numerous governors to the far right. As soon as those newly-elected leaders took office, they acted quickly to reduce taxes on the rich and claim that the resulting deficit needed to be paid for by public sector workers. And more—in several states, they sought to end the collective bargaining rights of public sector unions.

The first, and nastiest battle was launched in Wisconsin. Here, Governor Scott Walker and his Republican legislature passed \$140 million in tax giveaways to corporations and the wealthy. Then they bemoaned a \$137 million deficit that required solving through a "Budget Repair Bill." That bill included two key components: first, cutting public workers' wages and pension contributions, and second, ending the rights of public sector unions, except for firefighters and police, to collectively bargain on all but cost-of-living wage increases.

In a remarkable act of civil disobedience and courage, the 14 Democratic Senators left the state to deny the Senate a quorum to vote on the bill. For three weeks, they made it impossible for the Senate to pass that particular legislation. At the same time, Wisconsin workers took over the state Capitol building as thousands rallied daily during a cold and snowy February. Numerous weekend rallies each brought out more than 100,000 demonstrators.

Unfortunately, the Republicans did a work-around; they removed the budget parts of the bill and were able to vote just on gutting union rights. Their action, done too quickly to comply with the state's open meetings law, is now tied up in court.

Similar fights were launched by Republicans in Ohio, Florida, Alaska, Indiana, Maine and Michigan. Ohio's legislature passed a bill that enacts sweeping changes to the state's existing collective-bargaining law, allowing only "wages, hours, and terms and conditions" to be subject to collective bargaining, while health care benefits, pensions, and other issues would not be. The governor of Maine had a mural depicting the history of Maine workers taken down from the state's Labor Department offices.

While Indiana beat back the union-busting challenge, the battles in Wisconsin and Ohio were lost—for now. But the anti-union forces have not won the war that they launched against workers who seek to join together in a union.

State budget deficits are real but cutting jobs and essential services isn't the answer and will only make it harder for states and communities to recover from the recession.

Many of the newly-elected Republican politicians are especially targeting public employee pensions—pensions these workers have paid into for years and earned at the bargaining table by foregoing pay increases.



The Joint Council 7 delegation joins more than 5,000 Teamsters to rally in Los Angeles on March 26, in solidarity with workers of Wisconsin and other states.

### Even more than union rights

What is really at stake isn't wages and benefits. It's labor's influence—not just in the American workplace but in American politics.

Unions play a role beyond fighting for their members—they want to make good middle-class jobs the norm. And the most important way to pursue this larger goal isn't by demanding concessions at the bargaining table, but by operating as a counterweight to the demands of corporations and Wall Street in the corridors of power.

That is precisely why opponents of organized labor are seizing upon state fiscal troubles to try to destroy labor's remaining clout.

### Wisconsin has arrived in California

On March 24, 2011, Roger Niello, a former Republican assemblyman from the Sacramento area, filed an initiative with the Attorney General, seeking to amend the California Constitution. The proposed initiative would invalidate all negotiated collective bargaining agreement provisions governing pensions, retirement benefits, or retiree health benefits, for active employees, after the initiative takes effect.

In Costa Mesa, the city council voted to lay off half of its public employees in the next six months, outsourcing services from firefighting to street cleaning in order to get out of paying pensions and benefits.

### What we can do

Across the country, people are rallying to stand up for workers' rights. In Los Angeles, about 30,000 workers—including about 5,000 Teamsters—marched and rallied on March 26 to show their solidarity with those union members whose rights have been stolen. Joint Council 7 sent four busses from across Northern California. Dozens of rallies also took place across the nation on April 4.

Here in California, we have a Governor and legislature who understand that workers are not the problem, and if we work together, may just provide solutions. But we'll need to stay vigilant so that the spark that started in Wisconsin does not become a fire here in California.

## Second Annual Joint Council 7 scholarship program – Applications due

Teamsters Joint Council 7 is pleased to announce the Second Annual the Teamsters Joint Council 7 Harry Pollard Scholarship Fund. This program will provide \$1,000 to the child of one member in each of the following affiliated Local Unions: 70, 87, 137, 150, 287, 315, 350, 386, 431, 439, 517, 533, 601, 624, 665, 853, 856, 890, 896, 912, 948, 2785.

### Eligibility

To be eligible to apply, you must be a member of one of the 22 Teamsters Locals affiliated with Joint Council 7 (see above) and the parent or legal guardian of a student who is or wishes to attend a college, university, or trade school. Elected officials and employees of Teamster Locals and the Joint Council, and their families, are not eligible.

### Criteria

Grade point average of 2.0 (based on a 4.0 system) upon high school graduation.

### How to Apply

Applicants must complete an application and return it to a Joint Council 7 office or to the office of any of the Local Unions affiliated with the Joint Council (see above) by no later than July 1, 2011, along with the following:

1. High school or college transcript through most recent semester.
2. Resume of school and/or community activities.
3. Two page handwritten or typed essay on the Importance of Labor Unions.
4. Recent photograph of applicant.

### Where to Get Applications

Applications may be obtained from any Joint Council 7 office or from any of the Teamster Local Unions affiliated with the Joint Council.



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## Teamsters must stand together for public employees, working class

Over the last two months, we have witnessed an unprecedented attack on workers. Many state legislatures are apparently feeling emboldened by the mid-term election success of ultra-conservative Republicans who were elected on a “no taxes, cut spending” platform. While this type of message resonates with many people, it is really just a way to continue the trend of making the

rich more wealthy and the poor poorer. The separation of wealth between the haves and the have-nots has never been larger in modern times.

This strategy to vilify working people by claiming that their wages, benefits, and especially their pensions are the root of all evil and is designed to make everyone believe that public sector workers are the reason for all of our problems. This simply is not true. All Teamsters and union members should realize that if these right-wing ultra-conservative Republicans are successful in destroying public sector unions, the private sector unions will be next!

Recently, former U.S. Secretary of Labor Robert Reich talked about the lies that the Republican Party uses to continue to fool and indoctrinate the American public. His theory is that the Republicans believe that if you repeat the lie enough, sooner or later it will become the truth. Here are a few of the whoppers being repeated daily:

**Lie #1** *Cutting taxes on the rich creates jobs.* Nope! Trickle-down economics has been tried for 30 years and hasn't worked. After President George W. Bush cut taxes on the rich, far fewer jobs were created than after Bill Clinton raised taxes in the 1990's. We are losing \$61 billion dollars annually by extending the tax cuts to the rich.

**Lie #2** *Cutting corporate income taxes creates jobs.* Baloney! American corporations don't need tax cuts. Many of them, like General Electric, manipulate the tax code so that they don't pay any taxes at all. In fact, big companies are sitting on more than \$1.5 trillion of cash right now. They won't invest it in additional capacity or jobs because they don't see enough customers out there with enough money in their pockets to buy what additional capacity would produce.

**Lie #3** *Cuts in wages and benefits create jobs.* Congressional Republicans and their state counterparts repeat this howler incessantly. The same untruth is used to justify state ballot measures against unions. But it's dead wrong. Meager wages and benefits



Aloise, in center, joins members of his local union in Los Angeles on March 26. More than 5,000 Teamsters and tens of thousands of union members from across the state came together in solidarity with public workers under attack in Wisconsin, Indiana, Ohio, Florida, and several other states.

are reducing the spending power of tens of millions of American workers, which is prolonging the recession.

Who benefits by the lies? Big business. Corporations are attempting to cut wages and benefits for all working people. By undermining unions, by making them weaker, all workers, both represented and unrepresented, suffer. When union members get raises, it means the non-union sector has to increase wages to compete or to prevent workers from finally waking up and joining a union. Without strong unions, all workers suffer. But of course, more profits for businesses and corporations are made off the backs of workers.

Many of our members identify with the cut taxes/cut spending rhetoric of the right wing Republicans. Some of our members have wages and benefits that have allowed them to move into a lifestyle that perhaps fogs their memory of how their wages came to grow. Without the union, the wages and benefits that our higher-paid members receive would simply not be there.

We need to do a better job of making sure that our members don't get fooled by the lies and rhetoric. We have to remind our highest-paid members that they are still working people. And as union members, they benefit by sticking together with their working class sisters and brothers toward a common goal—making sure that there is a middle class of hard working, family-minded Americans who can buy the products and services that drive our economy.

Without a strong, vibrant middle class, our economy and our way of life are doomed.

Across the country and here in California, working people have marched and demonstrated over the last few months to protest these blatant attacks on your livelihood. I am proud to say that many of our members from locals in Joint Council 7 volunteered their time to ride buses down to Los Angeles on March 26 to participate in one of the biggest and most impressive demonstrations in which I have ever participated. Five thousand Teamsters, proudly marching with thousands of other union members, protested what is happening around the country to workers and to show their solidarity. We need more of it!



## Welcome to Wisconsin, California

We don't need to travel all the way to Wisconsin to find the war against workers. We can go to our own Central Valley, where City and County politicians routinely vote against the rights of workers to organize and collectively bargain.

Take the City of Visalia, which recently imposed a contract on the Teamsters Local 856-affiliated Visalia Police Officers Association. Now the City wants to cancel retiree health care, breaking the promise they made to police, firefighters, and other public employees who served the people of Visalia.

Visalia also rolled out the red carpet for VWR International, giving this multi-billion dollar corporation millions in subsidies to relocate to Visalia with no strings attached. Hundreds of VWR employees and Teamsters Local 853 members will lose their jobs if the current Bay Area distribution center closes. The company won't even give them the right to transfer.

So here we have a cash-strapped city giving millions to a giant corporation while they take it out of the pockets of their current and former employees. Welcome to Wisconsin, California!

But Teamsters are fighting back!

Last month, more than 70 members and officers of Teamsters Locals 431, 517, 853, 856, and 948 met in Visalia to plan a long-term response. We also had allies from the Coalition for Clean Air, Tulare County Citizens for Responsible Growth, the California Labor Federation, the North Valley Labor Federation, GRAPE (Goshen Residents Against Polluting the Environment), IBEW Local 100, UFCW 8GS, and the Fresno-Madera-Tulare-Kings Central Labor Council.

### Fighting back at the ballot box

It takes less than 8,000 votes to win an election in Visalia. With more than 1,000 Teamsters in Visalia and thousands more union members, we can start to take back Visalia. Registering to vote, getting to the polls, and contributing to DRIVE (our political action committee) is how we do it.

Most importantly, Joint Council 7 President Rome Aloise engaged everybody on the big picture fight here, which is building power throughout the Central Valley to defend working families.

Looking at the census numbers from 2010, the population in the Central Valley is growing while it shrinks in the Bay Area. Political power is moving out



Top Left: Teamsters from Visalia meet with Local 853 members to learn about VWR's union busting tactics.



Top Right: David Gayton and John Thomas (speaking) from VWR in Brisbane tell their story to 600 trade unionists at Labor's Legislative Conference in Sacramento.



Bottom: Kevin Cole, Local 517 Recording Secretary and Visalia resident, talks to JC7 President Rome Aloise and JC7 Vice-President and Local 431 President Darrell Pratt.

to the Valley with it, and that's a threat to us if we don't get organized.

Joint Council 7 is working with other large unions and community allies to do a political power analysis of Central Valley cities and counties. Who is in office and when are they up for reelection? How many votes did they get? How much money did they spend to win? And how do we take out the bad ones?

Some other questions we will be asking include: What do they vote on in our jurisdiction? Do they contract out for solid waste, recycling, and trans-

port services with non-union companies? Do they give tax breaks to distribution centers, grocery stores, and other industries to open up non-union? Do they routinely side with employers during our contract fights? And what about agriculture?

With this research in hand, we can start to build a strategic program around organizing, contract campaigns, and politics so that we can win the best Teamsters contracts for current and future members!



## Member's son plays on Super Bowl-winning team

For 24 years, Harvey Bush has worked at the Anheuser-Busch facility in Fairfield as a lab analyst, making sure that the beers meet the standards for calories, alcohol levels and quality. Harvey has been a member of Local 896 all that time, and has, at times, served as a shop steward.

And Harvey is proud of his son. Why shouldn't he be? Jarrett Bush, 26, has been with the Green Bay Packers for five years, and this season, sporting the number 24, he was the cornerback on the winning 2011 Super Bowl Championship team.

Jarrett was a three-sport athlete at Will C. Wood High School in Vacaville, earning honors on the gridiron and on the track as a 110- and 300-meter hurdles champion. He earned All-WAC honors at Utah State after beginning his college career at American River College as a wide receiver, switching to defense as a sophomore.

Despite joining the Packers a week prior to the 2006 season opener, Jarrett was one of four rookies to play in every game. He has since tallied double digits in special teams tackles each of the past four seasons.

"As a young man, Jarrett always wanted to play for the Dallas Cowboys. He's kind of had his dream come true. He plays for a championship NFL team, they won the Super Bowl, and they did it on the Dallas Cowboys field."

Jarrett's whole life has been in small towns, and Harvey thinks that's been the key to his success. "He doesn't get caught up with the big city craziness and can focus on what he needs to do." Harvey is particularly proud that his

son is part of the Green Bay Packers because they're the only team that's owned by the fans. "It's a strong, family-oriented community out there."

But that's not all Harvey is proud of. Jarrett was recently recognized by Assemblywoman Mariko Yamada for what she called his "outstanding play on the field and for his off-the-field activism and commitment to his community." Jarrett sponsored his first football camp in Vacaville in 2010 and is gearing up for number two.

Harvey says that he's been busy trying to establish a non-profit corporation for Jarrett so he can give back to the community. "He's always had a big heart," Harvey adds.

Jarrett was elected by his teammates

to serve as one of six captains for the playoffs. "That was a big honor. He's got good work ethics and really wanted it. When your teammates elevate you to that level, that says a lot about your character."

Harvey tries to get to all of Jarrett's home games in Green Bay, and to other games close to California.

Unfortunately, the NFL players are currently being locked-out by the owners. "The players make a good salary, but they're always one play away from being injured for life. The owners have billions and sit in their luxury boxes," Harvey says.

"We'll stick to our guns and support the NFL Players Association." Harvey says he advised Jarrett to put some money aside. "We're not going back until the owners decide to open up their books."



Jarrett Bush, Green Bay Packer #24

# AROUND THE LOCALS



## LOCAL 386

### Union updates

2011 is proving to be another big year for negotiations, reports Secretary-Treasurer Gaylord Phillips.

Teamsters Local 386 has just wrapped up and ratified contracts with Olam International, Darling International, Merced Transportation, Berkeley Farms and Sara Lee. Contracts are open for Merced County Mosquito Abatement District, Ameripride, Aramark, TechTrans, Calaveras Materials, Versa-Cold/Americold, Organized Labor Credit Union, G.R. Clark, Mission Linen and Mission Industrial.

“We continue to negotiate with the newly organized CVS/Pharmacy distribution center in Patterson,” Phillips says. “When that contract is ratified, we will increase our membership by 625.”

Local 386’s First Annual Membership Appreciation Picnic will take place on August 20, 2011. Watch for further details, but be sure and circle the date on your calendar and plan on attending this event.

Tickets are available for purchase for the Local 386 Father’s Day at the Coliseum bus trip. The Giants and the A’s will do battle. Purchase price includes commemorative shirt, tail-gate party before the game, and premium seating at the game.

## LOCAL 948

### Contract updates

Local 948 Secretary-Treasurer Lupe Juarez reports on several contracts under negotiations. The Local is currently in talks with Ruan #309 and would like to thank Joint Councils 7 and 42 and Paul Kenny from the Food & Drug Council and for all their support.

The Teasdale Quality Foods contract was ratified in March, 2011. The Greif Brothers contract is going to ratification soon. We are still in talks with Kozy Shack about the economics of the new contract. And, talks with Ruan #504 and Silgan Containers in Modesto are getting ready to open.

Finally, the local is now holding orientations and registrations for the upcoming season at Del Monte Foods in the Kingsburg and Hanford plants.

## LOCAL 439

### Union members stand together

In solidarity with the workers in Wisconsin, Indiana, Ohio and across the nation who were standing up for their right to be union members, the California State Labor Federation called on all Labor Councils in Northern California to join together in a rally at the State Capitol on February 22. In one of the biggest Sacramento demonstrations in memory, thousands of union supporters and activists turned out, including a large contingent from Local 439.

“Unfortunately, many union members are sadly in the dark about what truly is at stake in this labor struggle,” said Local 439 Secretary-Treasurer Sam Rosas. “We have to become aggressive to protect what we have, especially in light of groups like the tea party movement that are saying that ‘unions ought to become non-existent’ and that ‘unions are the problem.’ I take those statements personally, and so should every union member. Our right to be union members is under attack and in some cases, we are attacking each other. This needs to come to an abrupt end. We need to embrace one another and fight this fight together.”

Rosas reports that during organizing campaigns and current negotiations such as with DBI (beer distribution for Corona, Heineken, Coors Light, and Blue Moon), companies are demanding language



Local 439 members came down to the Los Angeles rally on March 26 in force.

that would give workers the right not to join the union if they choose not to. “California is not a right to work (slave) state, but rather a state that allows for workers to have union representation and bargain collectively,” Rosas says.



Local 439 members turned out in force in Sacramento on February 26 to stand up for union rights.

## LOCAL 315

### First Student workers get first contract



The newest members of Local 315 work at First Student in Concord

On January 20, 62 workers at First Student in Concord ratified their first contract and became proud members of Local 315.

“The members really stood together in deter-

mined solidarity during the organizing campaign and throughout contract negotiations,” said Secretary Treasurer Dale Robbins. “I have to give credit to Local 315 Organizer/BA Jim Sveum and to First Student drivers Sylvester Williams and Rob Robberson for keeping the members informed and unified throughout the process.

The unity paid off as, in these tough economic times, the local was able to get wage increases, retroactive to August, 2010 and into the future as well as health and welfare improvements, job security provisions, and other significant guaranteed terms and conditions of employment that the members

demanded.

“This campaign was a solid victory and a successful way to begin the New Year,” Robbins said as he welcomed the newest members of Local 315.

## LOCAL 533

### Arbitration win: Punishment must fit crime

After five years of work at RTC First Transit in Reno, Elizabeth White had her first accident, hitting a pedestrian. “He basically got a bandaid on his knee,” says Local 533 Secretary-Treasurer Debbie Calkins. “But the company immediately fired Elizabeth because of ‘work rules.’”

The union didn’t think the punishment fit the incident, so they filed a grievance and ultimately went to arbitration. “We were able to cite the case of another driver who accidentally hit a pedestrian and the guy went flying for about 15 feet,” explains Calkins. “But ultimately, that pedestrian left the scene and didn’t file a claim. The company then claimed that there was no victim and therefore no accident, and the driver was neither fired nor disciplined.”

The arbitrator agreed that the punishment was too harsh and he ruled that Elizabeth should be ‘made whole.’

“We won all of her back pay (minus unemployment) and all back health and welfare. And she’s fully reinstated to her old position.”

The process took about nine months. The decision just came down at press-time and the check has not been cut yet, but the union and Elizabeth look forward to getting it soon.

“This is just a reminder to union members and others about why having a union in your corner is so important,” says Calkins. “You never know when you’ll need it, but we’re there when you do.”

## LOCAL 601

### Steward: What attending the LA rally meant to me



Local 601 members at Los Angeles workers' rights rally. Steward Victor Perez is holding sign in front.

Local 601 shop steward Victor Perez, who works at Escalon Premier Brands in Stockton, reflects on the March 26 rally for workers rights in Los Angeles.

“The Rally at Los Angeles was an unforgettable experience for me. I was truly excited to see what the rally brought to our communities. The support, enthusiasm and unity among of all the Teamsters and other union organizations was motivating. We were all marching for one single cause—the fight for worker’s rights in all of our states.

I am sure that united, we will accomplish our goals, because unity means power and also makes us stronger. Personally, I am willing to help in any way possible. I also would

like to invite our brothers and sisters to join us and show support for our union brothers and sisters from Wisconsin, who are going through difficult times.

“La Marcha en Los Angeles fue una experiencia inolvidable para mi.

Fue impresionante ver el apoyo y el entusiasmo de todos los Teamsters y otras uniones unidas por una sola causa—defender el derecho de los trabajadores de nuestros estados.”

Estoy seguro que todos unidos lograremos nuestros propósitos por que la union hace la fuerza. Personalmente, estoy dispuesto a apoyar y invito a todas las personas a que apoyen en esta causa. Es muy importante que apoyemos a nuestros hermanos de Union de Wisconsin, que hoy estan pasando por momentos dificiles.”

## LOCALS 856

### When you dial 911, you reach a Teamster

If you’ve been in the unfortunate position of having to call 911 in Daly City, Fremont, Burlingame, San Bruno, Atherton, Woodlake or Merced County, then you’ve relied on a fellow Teamster to get you the help you need.



Shirley Nicholas  
Dispatcher

Public Safety Dispatchers are the first ones people call when they are in crisis, but are the otherwise unsung heroes behind the scenes of both high profile and everyday emergencies.

When a gas line explosion destroyed a San Bruno neighborhood last September, City of Burlingame Dispatcher Shirley Nicholas was one of the first responders. “I was on my way to the movie theater in San Bruno, as soon as I found out what happened, I volunteered,” she said.

Nicholas stayed well into the night connecting family members with loved ones who lived in the neighborhood.

“It was horrible,” Nicholas says of the experience, which hit particularly close to home. Nicholas had previously worked for the City of San Bruno and knew people who were closely affected by the devastation.

Not everyone is cut out to be on the receiving end of frantic phone calls. “Dispatching is a knack,” said Ginny Powell, a 24-year public safety dispatcher with the Fremont Police Department. “You have to be adaptable to change your

game plan at a moment’s notice.”

Dealing with panicked callers takes a person who is calm, articulate, can maintain a clear head—and also be a coach at times. Powell said her job requires her to process information quickly and

be able to turn it around and put it back out so that the right emergency personnel get to the people in need.

Dispatchers are not only crucial to the general public, but are also a lifeline for police, fire and other emergency personnel. If emergency personnel need assistance or back up, it’s the dispatchers who connect them with the right people.

“There is not a lot of glory, but we take a lot of pride in doing a good job every day and being part of a team that does a good job,” Powell said.

Nicholas said the recent backlash against public employees is frustrating. “People seem to forget that we’re here for them 24/7,” she said. “We want to them to be OK – we want to keep everyone safe out there.”

“Most people only realize the vital importance of 911 and the public safety dispatcher’s job when they have an emergency,” said Local 856 Principal Officer Joseph Lanthier.

“We take pride in celebrating the job they do every day and thank them for their dedication to public safety,” he said.

## LOCAL 665

### CalTrain workers fight to keep benefits



Local 665 has 65 members who drive shuttle busses for Cal Train in San Mateo and Santa Clara counties. They work for a contractor called PCAM, LLC and earn about \$12-\$14/hour. With CalTrain’s budget in the red, PCAM is seeking to gut their medical coverage entirely. About 15 members attended the Cal Train Joint Powers Board meeting in San Mateo County on March 3, and several testified at that meeting about their need to retain their health insurance. “It’s important that these members spoke up for themselves. We’re working on ensuring that they have decent benefits in upcoming negotiations,” said Local 665 President Mark Gleason.

## Extra Check (13th Check) Reinstated for Good!

Teamster retirees have gotten used to getting a 13th check each year. However, that extra check has not yet been sent out in 2011 due to complications concerning the IRS interpretation of the newly legislated Pension Protection Act amendments. For the last few months, the trustees of the Western Conference of Teamsters Pension Trust Fund have been wrestling with how the Internal Revenue Service and the Department of Labor were interpreting rule changes that were designed to allow our plan to remain a "Green Zone" plan.

The Green Zone is the highest level that a pension plan can be qualified as. By accepting these Pension Protection Act amendments, the Trustees expect our Plan to stay Green well into the future.

After months of lobbying and negotiating over interpretations of the new rules, the Trustees can happily announce that, as part of an overall package agreement reached by the Employer and Teamster trustees of the Plan, we have confirmed that the pre-1985 retirees and their eligible survivors will indeed receive their Extra Check this year, and that it will be a permanent part of the Plan going forward. The amounts will be \$540.00 per retiree and \$450 per eligible survivor.

"I have received many calls from retirees who were understandably concerned over the lateness of the check, and then, whether or not the check would be continued at all," says Joint Council 7 President and Trustee Rome Aloise. "I explained that as a Union trustee I would fight along with the other trustees to make sure this benefit was not lost. I am happy to give you this good news now that the checks will be issued, and that it will not be a problem in the future."

The checks were issued at the end of April. The trustees realize that the delay and uncertainty has caused a much concern to those who wait for this check every year, but it is important to understand that in an era where many funds are having trouble paying the basic benefits, our fund is able to pay this extra check only because of our careful and diligent management of the fund itself.



### Local 15/853

HOLDREN, Dennis,

### Local 70

BAGLEY, Glen  
BAKER, John  
MENDEZ, Raul  
WALKER, Malaya Regina

### Local 78/853

NUNEZ, Norma,

### Local 216/853

TARANTINO, John

### Local 287

ALVAREZ, Lucy  
ANTON, Yvonne  
AZEVEDO, Anthony V.  
BERG, Richard E.  
BRADY, Michael P.  
BROGDON, Amon  
CARLSON, Albert E.  
CONNELLY, Thomas  
DOBBINS, Nathaniel, Jr.  
HAIRE, Arthur Lee  
HUDSON, Francis W.  
KITZMILLER, Lansing J.  
JOHNSON, Ceasar  
JOHNSON, Hurthea, Jr.  
LAMPIETRO, Richard  
LEANDRO, Richard L.  
MANULELEUA, Alisa A.  
MARONDE, Ronald  
MATTHEWS, Morgan, Jr.  
MILLER, George A.  
NELSON, Raymond R.  
NOBARK, Frank V.  
POULIOT, James L.  
PROVOST, Joe O.  
REYNOLDS, Richard  
RICE, Charles H.  
ROBERTSON, Charles  
Gary  
RUCKLI, Fred  
SCALISE, Splendore  
WATSON, Leon  
WHITWORTH, Robert E.  
WILCOX, Kenneth R.  
WRIGHT, Robert, E.

### Local 291/853

DOGALI, Darryl  
TRUBLOOD, Jim

### Local 296/853

GIBBONS, John, Jr.

### Local 315

ALLEN, Gregory  
BROWN, Christine  
CATALANO, Dominic  
Enea, Paul  
GALLI, William  
GONZALEZ, Miguel  
MARTIN, Elmer  
MITCHELL, Jake  
OBIAGUE, Steve  
PARO, Alfred  
RAAPPANA, Roy  
RODRIGUEZ, Tony

### Local 350

GONZALEZ, Hector  
NESTOR, Martin

### Local 386

AUE, Marcus  
GOSAL, Nicole  
JENKINS, Herman  
MADDOX, Jerry  
STONE, Daniel

### Local 431

BAZON, John,  
BROWN, Jim  
CAPRIOTTI, Joe  
COLMENERO, Lewis  
DAMSEN, Fred  
GARCIA, Concepcion  
HAFKE, Andre  
HOLMES, Bill  
JOHNSON, Paul  
MISSAKIAN, Jake  
POOR, Elmer  
VON FLUE, William

### Local 484/315

ASHBROOK, Donald,  
FEGER, Fred  
GARRISON, Tom  
GUITRON, Charles  
HAUGLID, Mervin  
HAWKES, Grant  
KELLY, Kevin  
LAPORA, Gerald  
MCLAUGHLIN, Leo  
MOORE, William C.  
PARASHIS, Peter  
RACZYNSKI, Ed  
STERLING, Donald  
THOMAS, Kerchival  
VICINO, Frank  
WISECUP, Sherald  
YANCY, Mervin

### Local 517

BOOTH, Robert,  
DREO, Cary  
FRAGA, John

### Local 533

GREELEY, Ed

### Local 588/853

MARCIEL, Ralph "Skip"

### Local 624

BOLLINER, Alice  
BROWN, James  
CEDENO, Leonard  
COOPER, Anneliese  
GARDNER, Kenny  
JEPSEN, Evelyn  
KEPPLER, William  
KINGWELL, William R.  
PICCOLA, Andre  
PRESTON, Paul  
SALLADY, Warren  
SHOWERS, Earl  
SILVA, Harold Edward  
"Curly"  
VASQUEZ, Rafael  
**Local 665**  
TOVAL, Jorge

### Local 853

BANDALAN, Tom,  
COCCITTI, Paul  
HOLLIE, Melba  
JELKS, Shametrius  
JENKINS, Robert  
LANFAIR, David  
PIMENTEL, Deborah  
WORMER, Cornelius  
Local 856  
BASS, Willis Arlan  
CABATO, Henry  
GHIGLIONE, Bernnie  
HOPPE, Danile  
LLORA, Rodolfo  
NAVARRO, Fae  
WRIGHT, Sharon  
YEE, Wing Yon

### Local 896

HOWARD, Robert  
Local 2785  
CIMOLI, Gino  
GRIM, Marlet

### GCC583/Local 853

AGUILAR, Neva  
ANDERSON, Lawrence  
BROWN, Emma  
BUCKMAN, Elmer  
CACERES, Louise  
CLABAUGH, David  
CUMMINGS, Dale  
DI BARTOLO, Edward  
FERRO, Raymond  
HEYNE, Willard  
KELLEHER, Cornelius  
"Neil"  
KOVACH, Joseph G.  
LA CROIX, Joseph  
MASTANGELO, Joseph  
MAYANI, Rudy  
MCKAY, Robert  
MOLLISON, Allan P.  
MURRAY, Harold  
MUNIZ, Carmen  
MUSSO, Albert  
NACCARATA, James  
REESE, Robert R.  
STONE, William  
WILLIAMS, Edith  
ZIPP, Sylvina

## Teamsters sponsor bills amidst budget crunch

Sacramento is all about the state budget these days. As of the writing of this article, the Legislature is still grappling with how to deal with California's huge deficit. In order to solve the \$27 billion problem, the Governor has proposed a mix of painful cuts, shifting of services between the state and local government, and revenue, by way of extending the taxes approved in the 2009 budget deal. Every major component of the proposal is complicated and controversial and there has been no real consensus around many of the necessary parts of the proposal.

Perhaps the biggest issue in coming to a deal is the 2/3 vote of both houses required to put the tax extensions on the ballot, meaning at a minimum two Republican votes must be found in each house for approval. So far, the Republicans have not named their price for putting up those votes and it's not clear that the Democrats would agree anyway. What is clear is that without those tax extensions, the whole thing falls apart.

In terms of transportation-specific items, the Governor has proposed reenactment of the gas tax swap that was passed in the last budget cycle but invalidated by Prop 26. All of the stakeholders in the transit and transportation world are supportive of reenactment because it maximizes the money to important programs. Unfortunately, Republicans are balking at putting up the votes necessary to achieve the 2/3 vote threshold on this one as well.

### Teamster-sponsored bills

While all of this budget mess is being resolved-or-not, the grind of the legislative process continues on and we are at the point in that process where all of the bills have been introduced and are being set for consideration in their first committees. The Teamsters are sponsoring several of these bills with the hope that they will help our members in key areas. Here is a brief rundown of our legislation.

**SB 609** by Senator Gloria Negrete McLeod, (D-Chino),



Teamsters from across California met with Chair of the Assembly Labor Committee Sandre Swanson (sixth from left) at the Joint Legislative Conference in March.

would require the decision of a Public Employment Relations Board (PERB) administrative law judge to go into effect automatically if the PERB Board fails to act on a management appeal within 180 days. This comes from an issue that Local 911 is having regarding representation decisions.

However, the problem is widespread among all who are organizing public employees under PERB jurisdiction. When a union wins representation and a PERB judge confirms the election in favor of the union, the local government employer may appeal that decision to the full PERB Board. The process can take years to resolve and in the meantime the employees are left in limbo. Our hope is that this bill speeds up that process enough to ensure that our organizing campaigns aren't conducted in vain.

**AB 508** by Assembly Member Sandre Swanson, (D-Oakland), would give a bid preference for waste and recycling employers who agree to retain the existing employees performing under the incumbent contract. This issue was brought to our attention by Ron Herrera of Local 396 to ensure continuity of employment for our members and to help organize in the industry.

The idea would be to simply amend the existing employee retention bid preference that we did for Local 848 private transit operators to include these types of contracts as well. We will be working with locals around the state to ensure that this legislation is ultimately formulated in a way to make a meaningful impact.

**AB 514** by Assembly Member

Roger Hernandez, (D-West Covina), will be amended to resolve a long standing problem for our members that haul refuse from public works projects. In the first year of the Davis administration, we sponsored a bill to extend the prevailing wage to the removal of refuse from a construction site. To get around the intent of this law, contractors began selling the refuse for a nominal fee, calling it something of value and, therefore, not refuse. Our fix to this problem is to sponsor this measure which, when amended, will tighten the definition of refuse in order to prevent this type of fraudulent behavior from occurring.

**SB 459** by Senator Ellen Corbett, (D-San Leandro), is co-sponsored with the California Labor Federation and broadly addresses the widespread misclassification of workers in many industries. We are in the process of working out the details now, but this bill will definitely be a comprehensive approach, from educating potentially misclassified workers up front to raising the stakes for employers who choose to skirt the law through higher penalties.

**AB 950** by Assembly Speaker John Perez, (D-Los Angeles), would declare that all port drayage truck drivers are employees of those that arrange for or engage their services. This is a bill to help one of the largest groups of misclassified workers in the nation—the Port Drivers—and is part of the long Teamster campaign to ensure that these drivers are able to eventually rise above what is right now a major component of the underground economy.

## LOCAL 137

July 9, 2011



vs. New York Mets at 1:10 pm

**Cost:** \$70 and includes one seat in Section 131, Lower Box (\$78 value), and travel to and from on chartered bus.

Charter bus leaves from Redding at 7:30 am with a stop in Corning and Dunnigan along the way.

Limited number of tickets available!

Contact Sarah at Teamsters 137: (530) 243-0232

## LOCAL 386

### Two meetings each month

The Executive Board has approved a change in our General Meeting times starting in June. Teamsters Local 386 will now hold two General Meetings on the Second Thursday of each month, year round. These meetings will be 11:00 a.m. and 7:00 p.m. at the Union Hall.

## LOCAL 665

### Meeting change

At the June 21, 2011 membership meeting, a vote will be taken to close/suspend the meetings for three (3) months.

Ernie Yates, Secretary-Treasurer



### YOUR LOCAL UNION PHONE NUMBERS

70.....	510-569-9317
87.....	661-327-8594
137.....	530-243-0232
150.....	916-392-7070
287.....	408-453-0287
315.....	925-228-2246
350.....	650-757-7290
386.....	209-526-2755
431.....	559-486-5410
439.....	209-948-9592
517.....	559-627-9993
533.....	775-348-6060
601.....	209-948-2800
624.....	707-542-1292
665.....	650-991-2102
853.....	510-895-8853
856.....	650-635-0111
890.....	831-424-5743
896.....	707-644-8896
912.....	831-724-0683
948.....	559-625-1061
2785.....	415-467-0450



## Podiatric docs are now Teamsters

In 2011, a group of 1,000 doctors of podiatric medicine who are members of the California Podiatric Medical Association (CPMA) are also now members of the Teamsters.

Doctors of Podiatric Medicine (DPM) are the premier medical providers specializing in the diagnosis and treatment of conditions and ailments of the foot and ankle. The breadth of treatment that DPMs provide is comprehensive: they see patients in outpatient offices and clinics as well as inpatient hospital settings; they prescribe prescription medications and admit patients to hospitals when necessary; their treatment capabilities cover the full range of conservative measures to reconstructive surgery of the foot and ankle. They work side-by-side with medical doctors and doctors of osteopathic medicine, functioning as their colleagues on equal footing in the medical community.

The training of DPMs is substantial: after college and four years of podiatric medical school, there is three years of residency training in foot and ankle medicine and surgeries. Many will pursue more specific fellowship training afterward. Uniquely, podiatrists develop a specific understanding of the biomechanics of foot and ankle function and human gait, and apply this understanding to the treatments rendered. This enables patients to return to optimal function in ways that not only improve their foot and ankle symptoms, but their activity and health in general. Think of how we depend on our feet to keep us active and fit!

The CPMA believes that their relationship with the Teamsters provides several advantages, and is consistent with its mission "...to promote, advance and protect the profession of podiatric medicine, to preserve the rights of the patients it serves and to seek continuous improvement in the quality of patient treatment and care." The CPMA seeks to ensure that all Californians have access to the services our members provide (currently this is not the case due to elimination of our services from the Medi-Cal program, and due to some restrictive health care plans that exclude our members). We also seek to ensure that our members' services are included in plans for health care reform, and that health care legislation in Sacramento serves to improve, rather than restrict, Californians' access to specialized foot and ankle care.

To learn more about podiatric medicine, and to find a Teamster podiatrist near you, please visit the California Podiatric Medical Association website at [www.calpma.org](http://www.calpma.org).

## Adjusting to health care reform and alcohol/drug abuse trends

The federal health care reform law presents an opportunity for TAP to expand and improve its services. This comes at a time when alcohol and drug use patterns in the workplace and American society are changing. Most notably, we're seeing a rise in prescription drug abuse among adults and teens and a clear increase in overall drug and alcohol use among teens.

President Obama has signed two "health care reform" bills into law, the Mental Health Parity and Addiction Equity Act of 2008 and the Patient Protection and Affordable Care Act. Together these laws require that mental health, alcohol and drug treatment services be provided at parity with medical and surgical services, while increasing the number of people who have access to treatment.

In addition to assisting Teamsters and their family members who are experiencing alcohol, drug, mental health and other personal problems, TAP provides services to Taft-Hartley Trust Funds and to the union locals and employers whose collective bargaining agreements make TAP available to union workers and their covered dependents.

Among these services are:

- preferred provider contracts with substance abuse treatment centers,
- substance abuse treatment bill review,
- acting as gatekeeper for substance abuse treatment services,
- coordination of treatment with HMO benefits,

- SAP evaluations for Department of Transportation rule violators

- DOT supervisor training in the workplace,
- General training for supervisors, shop stewards, and
- General training for union officials and business agents.

To assist TAP's efforts to expand, improve and adapt, Dr. Thomas Brady, MD, MBA, has been hired as a consulting physician. Dr. Brady is a psychiatrist and a nationally-recognized authority on providing quality cost-effective treatment for substance abuse and mental health problems. Beyond being an MD, he is board certified in Addiction Medicine, Psychiatry, Neurology, Child and Adolescent Psychiatry.

With Dr. Brady on board, TAP is adding medical case review to the services it provides and bolstering its gatekeeping function for substance abuse cases in light of mandated increases in alcohol and drug treatment benefits. He will conduct doctor-to-doctor case reviews and assist TAP counselors with difficult cases where psychiatric, medical and other conditions complicate the rendering of effective treatment while

raising costly health insurance issues.

Dr. Brady will join Dr. Tamara Cagney, Ed.D., MFT, RN to form a consulting team for TAP as the program evolves. Dr. Cagney, who has worked with TAP counselors for 10 years, is a renowned authority in the employee assistance field whose expertise brought her to testify in the Exxon Valdez trial.

### Revolving Doors – Bad for your health and your wallet

Friday June 10, 2011

Join TAP to look at two of the biggest challenges facing us today:

- The Impact of Health Care Reform on Alcohol, Drug and Mental Health Treatment, and
- Prescription Drug Abuse

Both Dr. Brady and Dr. Cagney will be presenting.



If you are interested in attending, please call TAP at (510) 562-3600



## Courts clarify employer's WARN act obligations

The Federal Worker Adjustment and Retraining Notification Act (the "WARN" Act) requires employers of 100 or more employees to provide notice to you and your union at least 60 days in advance of a plant closing when that closure affects at least 50 employees or 33% of the workforce. Private sector employers who fail to provide a WARN notice when required are liable for 60 days of back pay and benefits. Employees who accept terms of a "voluntary departure" do not count toward the number and percentage requirements needed to determine whether the WARN Act applies.

In the last two months, two federal appeals courts have considered how to count the number of employees affected by a closure or layoff in order to determine whether the WARN Act protections apply.

In *Ellis v. DHL*, the Court of Appeals in Chicago decided that more than 500 Teamster drivers and clericals, who elected to take DHL's severance package and give up seniority and recall rights, had left voluntarily and, therefore, did not count for purposes of whether DHL's layoffs in Local 705's DHL bargaining unit affected at least 33% of the unit. The

court reasoned that under the WARN Act, an employer can hedge its bets against having to comply with the WARN Act by "gambling that enough workers will accept their...incentive package" to free them from the minimum numbers necessary for the WARN Act to apply. In Chicago, that gamble paid off for DHL.

In *Collins v. Gee West Seattle*, the numbers game did not work out as well for the employer. The Gee West auto dealerships gave just two weeks notice of the coming closure. Within days of the notice, 120 of the 150 employees facing termination stopped coming to work. Gee West claimed that these employees "voluntarily departed," freeing the company from the obligation to provide the 60-day WARN Act notice.

The Court of Appeals in San Francisco concluded that an employee who leaves a business "because the business is closing" is not departing "voluntarily." Because Gee West did not give a timely WARN Act notice, the employer will have to pay 60 days of back pay and fringes (minus what the employer paid after notice was given) to all employees, even those who