



# TEAMSTER

## Northern California

Serving more than 70,000 Teamsters and their families

Volume 50, Number 5

December 2005/January 2006

## Labor unites to defeat anti-union propositions

In a stunning rebuke of Governor Arnold Schwarzenegger and his so-called "Year of Reform," California voters soundly rejected all of the initiatives that the governor supported in the November 8 special election.

The governor constantly blamed "union bosses" for California's problems and attacked labor unions over and over as an evil "special interest." The four Schwarzenegger-sponsored measures, Propositions 74, 75, 76, and 77, were not "reform," but a naked attempt to destroy any ability of the labor movement to resist the extreme right wing agenda that Schwarzenegger has embraced.

Schwarzenegger's special election, however, united the labor movement and brought out record numbers of volunteers who walked precincts, phone banked and got out mailings to mobilize the union vote.

California union members passed out more than 2 million workplace leaflets and made more than 2 million phone calls to mobilize union family voters against the corporate-backed attacks. The *Los Angeles Times* reported that the campaign against working families was "financed chiefly by business interests, including real estate developers, technology executives, auto dealers, agribusiness and Wal-Mart heirs."

Ultimately, California's working people didn't buy the notion that silencing unions and giving the governor new sweeping powers would really



Local 287 members who work for DHL Sunnyvale help Joint Council President Chuck Mack send the message "No on 75." Mack visited Teamster worksites across Northern California to rally the opposition against the governor's anti-union initiatives.

solve the problems facing California.

This victory didn't come easy. Early polls showed support for the governor's anti-worker propositions. Proposition 75, the initiative designed to restrict union involvement in the political arena, at one time enjoyed a 55-23 percent edge with voters. However, by election day, Prop 75 lost by a margin of 53-47 percent.



Art Pulaski, Executive Secretary for the California Labor Federation, and Chuck Mack meet with Local 439 members who work at the Safeway distribution center in Tracy. The topic: just say "no" to propositions 74, 75, 76 and 77.

county governments more than \$50 million to administer. He had no apology for the trash talking he did about firefighters, teachers and nurses. And he has done nothing to suggest he is backing away from his plan to gut the public employees' retirement system or continue bleeding money from local governments.

Teamsters and a strong majority of California voters sent the governor a clear message that his special election was a waste of time, money and effort.

"Voters recognized this election wasn't about reform at all, rather it was about grabbing power," says Joint Council 7 President Chuck Mack. "Members at the worksites I visited were absolutely outraged at the governor and his politics. The pounding the governor took virtually guarantees that the right wing, anti-union agenda he espoused is dead—at least for a while."

"Working families across the nation, from New Jersey and Virginia to California, have sent a strong message to Congress and the White House: it's time to stand up for American middle class," said Teamsters General President Jim Hoffa. "In this off-year election, our get-out-the-vote effort generated record turnout for worker-friendly candidates and to defeat the anti-worker agenda of Schwarzenegger."

Now, we must start planning for the 2006 governor's race so that next November, we can tell Arnold: "Hasta la vista, baaaby!"

### The fight continues

As sweet as this victory is for union members, it is essentially a holding action.

The governor's election night speech offered no apology for initiating the special election even though the voters rejected every proposition handily and the election itself cost

### Statewide Special Election Results

PROPOSITIONS	YES VOTES	PCT	NO VOTES	PCT
73 Minor's Pregnancy	3,130,062	47.4%	3,465,629	52.6%
74 Teacher Tenure	2,987,010	44.9%	3,662,932	55.1%
75 Public Union Dues	3,092,495	46.5%	3,551,011	53.5%
76 Spending/funding	2,522,327	37.9%	4,115,388	62.1%
77 Redistricting	2,673,530	40.5%	3,920,487	59.5%
78 Rx Drug Discounts	2,719,999	41.5%	3,821,957	58.5%
79 Rx Drug Rebates	2,523,803	38.9%	3,950,763	61.1%
80 Electric Regulation	2,189,126	34.3%	4,182,374	65.7%

## Happy Holidays

to all Teamster members and your families

Wishing you a safe, healthy and prosperous new year!

The staff and officers of  
Joint Council 7



## MEMBERS IN FOCUS

### Local 70 member competes in international cycling race

Richard Jung, a Local 70 member, has worked at Waste Management for 17 years as a garbage man. "It's been a great career and a good living," he says. "I hate to see younger guys complain because it's good work and I know the union got us the good wages and benefits that we have."

One aspect Jung really likes about his work is the hours. "Most days I finish work by 10 or 11 a.m. and then I have the whole day ahead of me."

And what does he do with that time? He leaves the garbage truck behind and gets on two wheels. Jung has been racing motorcycles for 15 years, and went semi-pro about eight years ago.

"I've been on two wheels since I was a kid, riding and racing bicycles. All my friends had motorcycles and I slowly got into it," Jung says. At this point he's up to six motorcycles.

In fact, once he devoted himself to it, Jung got on the U.S. Off Road team, sponsored by the American Motorcyclist Association, and represented the United States in an international competition known as the International Six Days Enduro (ISDE). The competition was held last summer in Povaska Bystrica, Slovakia.

Qualifying to get on the U.S. team, Jung explains, entails two good days of riding 130 miles per day. The west coast try-outs, where Jung qualified,



Jung gets tested in the ISDE held in Povaska Bystrica, Slovakia

took place in Idaho City, ID in June.

"It's all about speed, but not how you usually think of speed," Jung says. "You have to keep to certain speed averages and you get penalized for coming in late or early." About 175 cyclists tried out for about 20 spots. Jung took a spot in the Senior E-4 Class, riding his Suzuki Two-Stroke RM250.

#### The adventure in Slovakia

The ISDE event was scheduled for September 13-18, but the U.S. team arrived several days early to check out the course. Jung says that he had never before been outside of the U.S., so this

was a tremendous opportunity to see another country. "Slovakia is all so old—all those buildings and castles have been there for hundreds of years." But the first thing he noticed, as any good garbage man might, was the cleanliness. "They really take pride in their country."

While the team enjoyed the opportunity to sightsee and walk the various courses and tests, they were doing so under stress. The container with all of the U.S. team's bikes had been held up in customs and got shipped back to Germany.

Because big rigs aren't allowed on Slovakian roads on Sundays, the team had to wait until Monday morning. By the time the container arrived and was unloaded, the team got their bikes to "final impound" with just five minutes to spare. Team members had little time to do final tune-ups on their vehicles.

#### The race

For the first two days, the course consisted of going around an 80-mile loop twice, with a timed event each day. Days three and four had a somewhat different course that was about 10 miles longer. "We went from 9:20 a.m. to 3:30 p.m. each day, and didn't take breaks for lunch. You just keep on going, picking up water and sandwiches at checkpoints along the way."

Jung says that the Slovakian hosts

### Members in Focus

Joint Council 7 has more than 50,000 members across the greater Bay Area and many of you are doing important & fascinating things—at work, at home and in your communities. If you have a story you think might work in the Northern California Teamster, please contact your business agent or e-mail newspaper editor Debra Chaplan at [dchaplan@mindspring.com](mailto:dchaplan@mindspring.com).

made the course as tough as they could, going through numerous uphill, downhill, dense forests, creek crossings and bogs. "The good thing is that motor sports are really popular in Europe. When we'd come into a little village, hundreds of people would cheer us on."

At the end of each day, drivers get 15 minutes to work on their bike, changing tires and gear oil and making adjustments, and then the bike gets re-impounded.

On day five, it all ended for Jung. "They actually try to make the course easier at this point, and it would have been, except for the non-stop rain. The course was a muddy mess." Jung crashed into a tree, 100 miles into the course, hurt his shoulder and just couldn't finish.

"Just finishing every day that I did was an accomplishment," Jung says. About 25% of the riders didn't finish the six-day course.

Jung says he plans to take 2006 off and try to get on the 2007 team.

Jung wanted to be sure to acknowledge his sponsors: Fox Racing, East Bay Motor Sports and Spectro Oils.

### Quick action makes Teamster a hero to one Vallejo family

## Local 85 member saves child from drowning in Bay

Tony DeGregoris, a Local 85 member who works at DHL, was walking by Pier 7 in San Francisco on a warm October afternoon when he heard an odd-sounding plop. He looked down and saw a little girl in the water. Then he heard her father yelling, "Help, I can't swim."

Without taking another thought, the 32 year old DeGregoris says, "I just dove in."

When he reached the two-year old, DeGregoris put her on his chest keeping her head above water. He swam backwards for about 100 feet to reach a ladder out of the water.

"It all happened so fast," he says. "It wasn't until I was swimming backwards that I realized how cold the water was. But by then, I knew that our destination was in sight."

Paramedics arrived at the scene moments later and took the girl, two-

year old Faith Nauer, to San Francisco General Hospital. Firefighters also checked DeGregoris, as a precaution.

In the process, DeGregoris says he

lost his cell phone and his eyeglasses. He also got a parking ticket, but DHL picked up the tab for that.

"Faith is doing just fine," Degre-

goris reports. "I've hung out with her and her family a few times, and they want to make me her godfather, which is cool. Hopefully when they move from Vallejo to closer in the Bay Area, I'll get to see her more."

DeGregoris received a plaque from the San Francisco Port Authority, and has been recognized by DHL as well.

"I'm just glad I'm a good swimmer and could do what needed to be done at the moment," DeGregoris adds.

This incident has raised the need for the Port and the city to ensure that life preservers are available near the waterfront promenade. Apparently these had been available in the past, but have since been stolen or vandalized.



# Northern California TEAMSTER

(USPS 395-880)  
(ISSN 0468-690X)

The Northern California Teamster is published 5 times per year (February, May, August, October, and December) by:

Teamsters' Joint Council No. 7  
250 Executive Park Blvd., Suite 3100  
San Francisco, CA 94134  
Tel: 415-467-2552

Periodicals Postage Paid at the San Francisco, CA and at additional mailing offices.

POSTMASTER:  
Please send address changes to:  
Northern California Teamster  
250 Executive Park Blvd., Suite 3100  
San Francisco, CA 94134-3306

**When sending in your address changes, please include your Local number.**

Debra Chaplan, Managing Editor



## AROUND THE LOCALS

### Members of four locals ratify Nor Cal grocery contracts

By a margin of 85%, the members of Locals 70, 78, 150 and 490 ratified an agreement with Albertsons covering its Northern California Distribution Centers in Roseville, Vacaville and San Leandro. Bargaining Coordinator for the Northern California Locals, Local 490 Secretary-Treasurer Carlos Borba, says that negotiations were difficult in light of the union's issues that had to be addressed.

The main focus of the talks dealt with two issues: improving the Roseville contract, which the unions considered to be substandard to the other Albertsons agreements, and keeping the maintenance of benefits provision regarding Health and Welfare premiums. "We were successful in accomplishing both of these goals," Borba reports.

Early on, the Teamsters made a commitment to engage in coordinated bargaining throughout the state of California. Southern California Locals were the first to reach an agreement. Next came Local 150's agreement with Albertsons covering the Roseville Facility. Bargaining finished up with the Local 70, 78, and 490 agreements.

"I can honestly say teamwork pays off," Borba says. "The rank and file members I worked with in Northern California were a tremendous asset during the negotiations. The membership was patient and supportive."

Borba adds that the local unions worked well together to achieve this agreement for our members in the grocery industry. He also thanks the Western Area Vice-Presidents, Chuck Mack, Jim Santangelo, Randy Cammack and Warehouse Director John Williams. "Their support, advice and coordination made the difference."

### Local 78 gets good contract for auto parts supplier in tough year

As auto parts companies like Delphi declare bankruptcy, and GM announces massive layoffs, the 230 Local 78 members at California Automotive Sealing in Hayward ratified a new three year agreement in November.

"The contract calls for wage increases, it maintained the Teamster health plan and got improvements in vacation and sick leave, overtime and, grievance procedure language," says Local 78 Business Agent Adolph Felix. "They definitely got a better deal than other parts suppliers."

"These negotiations were tougher than in the past because Toyota bought the company since our last talks and they wanted to re-write the whole contract. On the other side, some of the members came from NUMMI and they wanted the same benefits that

NUMMI folks get." Business Agent Kenn Hill and Felix led the talks. They both thank stewards Arlandes Morrow and George Kakos for their participation.

### Local 853 files charges against Reliable

Even after the 120 drivers at Reliable Trucking voted on August 31 to be represented by Local 853, the company challenged the results. The union fought back by filing unfair labor practice charges against the company.

In November, the National Labor Relations Board (NLRB) agreed with the union and issued multiple complaints against Reliable Trucking for

### Local 278 retirees picnic with pride



At their Annual Retiree Club picnic held in September, Local 278 retirees take a moment from their reunion lunch to thank the event's sponsors.

illegal actions during the pre-election period.

The Company worked hard to discourage support for the union. They held illegal meetings, threatened to close and offered a \$500 bounty to employees who brought in mail ballots for the company to complete. An Administrative Law Judge will preside over a hearing on these issues in January.

"This company has used and abused its employees," said Local 853 Secretary-Treasurer Rome Aloise. "The drivers want a union and we will continue to fight for them to make sure they get one."

### New term for Local 856 officers

The officers of Local 856 won their election for a new three-year term unopposed. Serving the slate's fifth term in office are:

- Michael J. McLaughlin, *Secretary-Treasurer*
- Joseph Lanthier, *President*
- Neil Saccoman, *Vice President*
- Julie A. Wall, *Recording Secretary*
- Joe Martinelli, *Trustee*
- Sylvia Shepard, *Trustee*
- Earl Averette, *Trustee*

### A Local 856 member's nephew promotes suicide barriers on GG Bridge



Kevin Hines, 23, who attempted suicide by jumping off the Golden Gate Bridge in 2000, spoke at the Thanksgiving meeting of Teamsters Local 856 on Nov. 10 in Burlingame. Hines, whose uncle is a member of the local, is campaigning for a suicide barrier on the bridge. "The decision to jump lasts just a moment," he said. "Making it even a little more difficult might cause prospective jumpers to reconsider." Hines, at podium, is flanked by Local 856 President Joe Lanthier (L) and Secretary-Treasurer Mike McLaughlin Sr. and Recording Secretary Julie Wall (R).

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TEAMSTERS JC 7

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- ✓ 40-hour (HAZWOPER) Hazardous Waste Materials course
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To sign up, call Barbara at 415-344-0085.



## President's Report

by  
**Chuck Mack**

### Ending the year on a positive note

Talk about ending the year on a positive note. Governor Schwarzenegger's so-called reform program crashed and burned. In the November Special Election, California voters said "no" to Propositions 74, 75, 76 and 77, and they did it decisively.

The Governor miscalculated in a big way. Voters recognized this election wasn't about reform at all, rather it was about grabbing power. Schwarzenegger's initiatives did not offer solutions to the state's problems—health care, transportation, education, air quality, congestion, fuel costs or housing. Instead they "scapegoated" teachers, nurses, firefighters and unions as if they were the problem. It didn't work—Californians didn't buy it.

*"Schwarzenegger's initiatives did not offer solutions to the state's problems.... Instead he 'scapegoated' teachers, nurses, firefighters and unions as if they were the problem."*

#### Some Observations

- California unions haven't worked as hard or as well since the 1958 "Right to Work" battle. This year's effort exceeded the 1998 "No on Proposition 226" struggle.
- The naysayers who predicted the demise of the labor movement when the Teamsters, SEIU, UNITE HERE and the UFCW left the AFL-CIO were wrong. All labor worked closely and as one in this election.
- Arnold Schwarzenegger is not well liked by Teamster members. In fact he's very unpopular. Members at the worksites I visited were absolutely outraged at the Governor and his politics. In many cases, they were the same members who voted for him in the recall.
- The pounding the Governor took virtually guarantees that the right wing, anti union agenda he espoused is dead—at least for a while. I wouldn't expect to see a politician who wants to win advocating a Prop 75-type initiative or one that does away with public employee pensions in favor of 401(k) savings plans. Neither would I expect to see

an attempt to pass a "Right to Work" initiative. Labor's voice is loud enough, its effort strong enough to define the political landscape for the next decade or more.

- Let's keep things in perspective while we beat our chest in victory. We won, but what did we win? We

turned back an attack but are right where we were the day of the election. We maintained the status quo. Our challenge going forward is to get off the defense and on the offense.

- The most effective way to communicate with union members is at the worksite. I visited jobsites

throughout Joint Councils 7 and 38. I had an opportunity to talk with and listen to members from a number of different Locals. There's no better place to deliver the message, particularly when it affects our members' future and that of their families.

- Admittedly I'm biased but Teamster members were as well-informed, if not better informed, on the importance of this election as members of any other union. We made a difference.
- The 2005 election may be over but it's not the end. The issues we beat back are not going to disappear. They'll be back. We need to continue to build on this year's successes by broadening our statewide coalition and engaging our members at the grass roots level—getting them registered, voting and participating.

Thank you's to Bob Blanchet, Joint Council 7 Political Coordinator, DRIVE Representative Jack Peasley, our local union leaders, our worksite political coordinators and our members. You're the reason for our success.

To our members, their families and loved ones, have a most joyous and safe holiday season.



"I see a labor dispute coming..."



## SACRAMENTO REPORT

### The Governor shows his true colors

By BARRY BROAD

California Teamsters Public Affairs Council

Organized labor sent the governor some very important bills to protect working families. His response showed us how he really feels about us, the workers of this state. Governor Schwarzenegger vetoed virtually every meaningful labor and pro-working family bill sent to him. The following is a list of those bills:

Bill #	Sponsor	Veto Date	Subject Matter
AB 48	Leiber	9/29/2005	Minimum wage increase
AB 51	Koretz	9/29/2005	Apprenticeship program standards
AB 73	Frommer	9/29/2005	State drug safety website
AB 76	Frommer	10/07/05	State bulk purchasing of Rx
AB 78	Frommer	9/29/2005	Pharmacy benefit transparency
AB 169	Oropeza	9/29/2005	Gender pay equity
AB 310	Umberg	9/29/2005	Regulating defined contribution management
AB 391	Koretz	9/29/2005	UI for locked out workers
AB 524	Chan	9/29/2005	Offshore reporting for state contractors
AB 755	de la Torre	9/6/2005	Rest periods for piece rate workers
AB 875	Koretz	9/29/2005	Tax trigger for tax cheats
AB 879	Torricono	9/29/2005	Making it easier for workers to enforce their rights
<b>AB 962</b>	<b>Nunez</b>	<b>10/7/05</b>	<b>Railroad Safety</b>
AB 985	Torricono	9/29/2005	Job supports for military whose jobs have been offshored
AB 1058	Koretz	10/08/05	Retail Food: beef labeling & info
AB 1184	Koretz	9/29/2005	No mandatory nurse overtime
AB 1310	Nunez	9/29/2005	Information for severance protections
AB 1339	Koretz	9/22/2005	Offshore job reporting
SB 174	Dunn	9/29/2005	Enforcement of minimum wage laws
SB 363	Perata	9/29/2005	Nurse lift protections
<b>SB 848</b>	<b>Dunn</b>	<b>9/29/2005</b>	<b>Port owner operators</b>
SB 940	Torlackson	9/6/2005	Public works
SB 1023	Dunn	9/29/2005	WC insurance penalties

\* **Bold** denotes Teamster-sponsored bills

### What's your 2006 New Year's Resolution?

#### How about quitting smoking?

Quitting is never easy, but you don't have to do it alone! Call the California Smokers' Helpline at **1-800-NO-BUTTS (1-800-662-8777)**. Their support services are free and confidential.

If you're covered by the Teamsters Benefit Trust Health Plan, you may be eligible for a partial reimbursement of Nicotine Replacement Products. Check with your plan for details.



**1-800-NO-BUTTS**

# The Change to Win Federation: This change is positive

By **CHUCK MACK**  
**Joint Council 7 President**

The seven unions that make up the "Change to Win Coalition" became the "Change to Win Federation (CTWF)" at a one-day meeting in September. The Teamsters, Service Employees International Union, United Food and Commercial Workers Union, UNITE HERE, Laborers, Carpenters and United Farm Workers meeting in St. Louis formalized the unions' dissatisfaction and earlier break with the AFL-CIO by adopting a Constitution, choosing leaders, and approving a series of resolutions that emphasize their commitment to organizing.

## No Overhead

In stark contrast to the AFL-CIO, leadership in the new Federation will be provided by its affiliates; it will not be a separate leadership bureaucracy.

The Federation will be governed by a Leadership Council consisting of the principal officers of the affiliates and three additional seats to insure diversity. SEIU Secretary-Treasurer Anna Burger, UNITE HERE Executive Vice President Edgar Romney, and UFCW Vice President GERALYN LUTTY were chosen by the Leadership Council to

fill the at-large seats. As the newly-elected Chair, Burger becomes the first woman to head a U.S. Labor Federation. Romney became the first African-American to occupy the num-

broke with the AFL-CIO in late July and formed the "Change to Win Coalition" in response to the AFL-CIO's resistance to change. The Teamsters and other Coalition members wanted or-

Teamsters President Jim Hoffa set the convention's tone. In his opening address, he told the 800 cheering delegates and supporters that "We are going to be a lean, mean organizing machine."

Other international union presidents sounded a similar theme: the American labor movement is in crisis; the AFL-CIO's status quo approach hasn't and won't work. The only way labor can survive is to organize new members and grow. The only way to grow is to reorder our priorities and change the agenda.

## New funding directions

Convention delegates approved a 25¢ per member per month (per capita) charge for coalition union members that will generate \$16 million (members previously paid 61¢ per capita to the AFL-CIO). Seventy five percent of those monies will be earmarked for organizing.

In addition Coalition unions have pledged to devote the \$23 million that they saved by leaving the AFL-CIO to organizing. Hoffa predicted that "Change to Win" and its member unions will spend hundreds of millions of dollars annually on organizing.

*continued on page 7*

## CHANGE to WIN

*"Change to Win" is about reforming the labor movement. It's about bringing the tens of millions of unorganized workers into the union fold. It's about coordinated bargaining, establishing and maintaining the highest standards in our labor agreements and ending the race to the bottom where wages and benefits become the lowest common denominator.*

ber two spot in a Federation when he was elected Secretary-Treasurer.

The Leadership Council will meet at least every other month. The delegate-approved Constitution provides for a biennial convention; however special conventions may be called.

## Organizing is priority one

The Teamsters, SEIU and UFCW

organizing to be priority number one, and they wanted financial and structural changes within the AFL-CIO to make that happen.

Coalition proposals that were buried in Chicago were resurrected in St. Louis and approved overwhelmingly by delegates. These ideas bring a new energy to the trade union movement in this country.

## Why union members have a special responsibility to stop Wal-Mart's race to the bottom

# Unions launch 'Six Demands for Change' at Wal-Mart campaign

With more than 1.4 million employees and \$10 billion in profits, Wal-Mart has become the largest retailer in the world and America's largest employer. But rather than growing the American economy, Wal-Mart has lowered the standard of American wages, forced good paying American jobs overseas, and cut costs with total disregard for the values that have made this nation great.

Who shops at Wal-Mart? The American people do. Together, we have the power to change Wal-Mart. Together, we can hold Wal-Mart accountable and improve our America.

Union members, especially, should stay out of Wal-Mart. Our good union wages and benefits are threatened by Wal-Mart's race to the bottom.

**Wake-Up Wal-Mart**, a project of the United Food and Commercial Workers Union, has initiated the Six Demands for Change campaign. Here's what they're calling for:

**Living Wage.** Pay all Wal-Mart workers a fair living wage so they can support their families.

**Affordable Health Care.** Provide all workers comprehensive, affordable health insurance coverage so they can

care for their families and no longer be forced to rely on taxpayer-funded public health care.

**End Discrimination.** Ensure equal opportunity and equal pay for women and people of color in your workforce at all levels through a stringent and independent monitoring process.

**Zero Tolerance on Child Labor.**

Adopt a zero tolerance policy and institute an independent monitoring program to stop the exploitation of child labor in the United States and abroad.

**Buy American.** Establish a "Buy America" program that annually increases the percentage of "Made in America" goods purchased by Wal-Mart to help protect American jobs.

**Respect Communities.** Work with local communities to effectively address Wal-Mart's negative impact on issues like traffic, sprawl, the environment, and local businesses.

Help make Wal-Mart do the right thing. Don't shop there and sign on to the Six Demands for Change campaign at [www.wakeupwalmart.com](http://www.wakeupwalmart.com).

**WAKEUP WALMART.COM**  ALWAYS HIGH COSTS. *Always*

**A few facts about Wal-Mart**

- In 2003, sales associates earned on average \$8.23 an hour for annual wages of \$13,861 and cashiers earn approximately \$7.92 per hour and work 29 hours a week, bringing them annual wages of only \$11,948.
- Wal-Mart can cover the cost of a dollar an hour wage increase by raising prices a half penny per dollar. For instance, by charging \$2.01 instead of \$2.00 for a pair of socks, each employee could take home an additional \$1,800 annually.
- Wal-Mart reports that its health insurance only covers 48% of their employees. Part-timers—anybody below 34 hours a week—must wait 2 years before they can enroll and they are ineligible for family health care coverage. Full-time hourly employees must wait 180 days before being able to enroll in Wal-Mart's health insurance plan. Managers have no waiting period.
- Excluding his salary of \$1.2 million, Wal-Mart CEO Lee Scott made around \$22 million in bonuses, stock awards, and stock options in 2004. This \$22 million could reimburse 3 states where Wal-Mart topped the list of users of state-sponsored health care programs, covering more than 15,000 Wal-Mart employees and dependents.
- Wal-Mart closes down stores and departments that unionize. In 2000, when a small meatcutting department successfully organized a union at a Texas Wal-Mart, the company phased-out its in-store meatcutting company-wide. Wal-Mart closed its Jonquierre, Quebec, store after its employees received union certification.

# JOINT COUNCIL 7



## Executive Board

Chuck Mack...President  
Steve Mack...Vice President  
Robert Morales...Secretary-Treasurer  
Rome Aloise...Recording Secretary  
Ernie Yates...Trustee  
Carlos Borba...Trustee  
Franklin Gallegos...Trustee

## Please note:

The Bulletin Board will be included in the paper only once each year, in the May issue. (We will print address and meeting changes on an ongoing basis.) Please save that copy of the Bulletin Board for information about your Local Union.

## Delegates' Meetings

The regular 2005 delegates' meetings are held the first Tuesday in February, April, June, August, October and December.

## Reminder

General meeting notices were posted in the June/July issue of this paper. For meeting dates and locations, refer to that notice or call your Local Union.

15 . . . . . 510-487-1386	490 . . . . . 707-643-0387
70 . . . . . 510-569-9317	624 . . . . . 707-542-1292
78 . . . . . 510-889-6811	665 . . . . . 650-991-2102
85 . . . . . 415-344-0085	853 . . . . . 510-895-8853
278 . . . . . 415-467-0450	856 . . . . . 650-635-0111
287 . . . . . 408-453-0287	890 . . . . . 831-424-5743
315 . . . . . 925-228-2246	896 . . . . . 707-644-8896
350 . . . . . 650-757-7290	912 . . . . . 831-724-0683

## Extra pension check announced

*The Trustees of the Western Check will be distributed in 2006. Conference of Teamsters Pension Here are the details: Trust recently announced an Extra*

<b>Who's eligible?</b>	Members who retired prior to 1985 and surviving spouses of pre-1985 retirees.
<b>How much?</b>	\$540 for pre-1985 retirees living as of January 1, 2006 \$450 for surviving spouses of deceased pre-1985 retirees.
<b>Paid when?</b>	February 2006
<b>Sent to?</b>	Retirees or spouses home address. If you have moved or are planning to move, be sure to notify the Trust of your new address.

This will be the 20th Extra Check payment since 1985, and it will add approximately \$16 million to the over \$550 million in Extra Checks the Pension Trust has distributed since 1985.

The Pension Trust continues to recover from the weak investment environment of 2000 through 2002,

with solid progress in 2003 and 2004. Because the financial markets have proven to be more challenging this year, the Trustees felt it was prudent to reduce next year's distribution by 10% from the 2005 level.

Please remember that the Extra Check is a discretionary, *not* guaranteed, benefit.

## In Memoriam

*Joint Council 7 officers extend condolences to the family and friends of the following Teamster members who died recently*

COLES, Cyril F., Local 15	O'LEARY, Patrick, Local 484
WOLF, Carl J., Local 70	POST, Robert, Local 484
FEHR, Peter Titus, Local 78	SAMARZES, Louis, Local 484
MEADOWS, Cleo May, Local 78	SOZZONI, Augie, Local 484
TALAVERA, Hilario, Local 78	SWEENEY, James, Local 484
AZZOLINO, Frank, Local 85	TONDA, James, Local 484
DALPOGETTI, Joseph, Local 85	TRAVERSO, John, Local 484
GALLI, Frank, Local 85	WARNER, Ira, Local 484
GIBEAU, Edward, Local 85	DAVIS, Lewis, Local 490
KEHOE, James, Local 85	KIESEL, William H., Local 490
LETTIERE, Harry, Local 85	MCFARLAND, Dennis, Local 490
MANKILLER, John, Local 85	ATKINSON, Sherm, Local 624
O'BRIEN, Darrell G., Local 85	FOX, Stanley, Local 624
RUBI, Robert, Local 85	MARIOLA, Alta, Local 624
SCHREINER, George J., Local 85	MONTANO, Rocco, Local 624
SORINI, Larry, Local 85	ROBINSON, Clyde, Local 624
VALDESPINO, Benito, Local 85	MAMARIL, Pastor, Local 665
BEASLEY, Renne, Jr., Local 291	PON, James, Local 665
DELGADO, Jesus, Local 315	ASVITT, William, Local 853
MEEHAN, Frank, Local 315	FIGUEIREDO, Tag, Local 853
VIERRA, John, Local 315	MCFARLAND, Lee, Local 853
FERNANDEZ, David, Local 350	CORNEJO, Aldon, Local 856
CECCATO, James, Local 484	GATTON, Brad, Local 856
DEKELAITA, Norm, Local 484	HAYES, Robert, Local 856
DILLON, Tom, Local 484	QUINN, Mildred, Local 856
DREON, Aldo, Local 484	WILLIAMS, Rhonda, Local 856
KING, Eugene, Local 484	PETTIE, John B., Local 860

## International Brotherhood of Teamsters James R. Hoffa Memorial Scholarship 2006-2007 Academic Year Scholarships

**Deadline for Application:** March 31, 2006\*

**Who should apply?** High School Seniors who are children or grandchildren of Teamster Members

### Basic requirements:

- Rank in the top 15% of high school class
- Have or expect to have excellent SAT or ACT scores
- Demonstrate financial need

**How many scholarships will be awarded?** One hundred scholarships will be awarded: 31—\$10,000 awards, 69—\$1,000 awards. Applicants compete in one of five geographic regions where the Teamster parent's/grandparent's local union is located.

**Getting the application forms:** Complete information and forms are available for download online:

<http://www.teamster.org/resources/students/scholarship/scholarship.htm>

This website also contains information on other scholarship resources for union families. Members are encouraged to investigate all of the resources available on this website.

James R. Hoffa Memorial Scholarship forms will also be available on request at the Local's Business Office.

\* Because all completed forms must be submitted to and processed by your Teamster Local prior to their being forwarded to the IBT, it is suggested that you mail your forms to your Local Union by March 17.



## LABOR NEWS

### Governor targets UC labor centers for budget ax

On July 11, 2005, the governor vetoed all \$3.8 million of funding for University of California labor research and education. Although the majority of the members of the California state legislature asked the University of California to provide full funding for UC labor studies, the University agreed to provide only \$1.25 million, on a one-time basis. This funding restores only one-third of the original budget for UCLA's industrial relations and labor studies programs, two-thirds of the original budget for UC Berkeley's industrial relations and labor studies programs, and no funds for the statewide faculty and graduate student research program.

The governor's decision takes aim at working people's access to the research and educational resources at California's premier public university. While the overall research budget for the university increased by \$75 mil-

lion this year, the governor singled out labor studies as the only program to be eliminated. The Labor Center's \$3.8 million in funding is only a tiny fraction of the funding provided to UC programs that address corporate research and education interests.

The governor's decision is also a threat to academic freedom. Without any review, justification, or explanation, the governor has reached into the University of California's budget to single out an academically-created program for elimination. This dangerous precedent allows a governor to defund any university programs that he does not support.

"The cutbacks have already had a



ter Director Katie Quan. "Nevertheless, we remain committed to maintaining high-quality research and educational programs throughout the current fiscal year, and we will continue to work with faculty, students, and the community at large to restore funds for the next fiscal year."

### A union with your Starbucks latte?

Labor organizers picketed several Starbucks stores in New York City on Thanksgiving weekend in an ongoing bid to push the ubiquitous coffee

serious impact on the staff and programs of the UCLA and UC Berkeley labor programs," says UC Berkeley Labor Cen-

chain to recognize a citywide union of its workers.

An organizer with the Industrial Workers of the World union, dressed as a giant latte on the picket line. He says a 30-hour workweek would ensure that workers would qualify for healthcare benefits. The starting wage for Starbucks in New York City is \$8.50 an hour.

The union charges the company with attempting to intimidate some employees who seem favorably inclined to the union. A Starbucks spokeswoman told the *New York Times* that the company has acted fairly and lawfully in dealing with the labor organizers.

The National Labor Relations Board says it will hold a hearing on February 7, 2006 in Manhattan to review allegations leveled against the Seattle-based company by the union.

Starbucks currently has 200 stores in New York City, 7,000 across the U.S., and the company operates in 34 countries outside the U.S.

## Change to Win is a positive change

continued from page 5

### New structure

It's not all about money, however. Bruce Raynor, General President of UNITE HERE, told delegates that it's also about talent, commitment and structure.

The new Federation will have three components—an Executive Office, a Strategic Organizing Center (SOC) and an Organizing Fund.

The Executive Office will represent the collective common policies and interests of the affiliates and will coordinate with allies on common issues.

The SOC will lead federation-wide coordinated organizing, leveraging the resources of the affiliates to promote growth.

The Organizing Fund is the "venture capital" money of the new federation that will seed large-scale, comprehensive organizing drives.

As part of the SOC, Sector Coordinating Committees are new structural models that will facilitate organizing and reduce, if not end, jurisdictional disputes and sub-standard collective bargaining agreements.

With a strategic research group, a strategic campaign group, a capital strategies group and a global alliances group, the Center will guide both multi-union and single union organizing campaigns.

Sector Coordinating Committees (SCC) will be set up by the Leadership Council to coordinate strategic organizing among the affiliates and to monitor the contract standards in the industries covered by the SCC's. They will serve as a clearinghouse for industry-specific coordinated organizing and bargaining. Every affiliate with members in an industry covered by an SCC may participate in the SCC.

Some concerns have been expressed that Sector Coordinating Committees could limit or prohibit affiliated unions from organizing in any particular industry. In the case of the Teamsters, those concerns are unfounded. By the nature of our membership, Teamsters will participate in every SCC and will therefore not be precluded from organizing in any industry. However, all affiliates will be prohibited from interfering with a strategic organizing campaign designed by an SCC which has been approved by the Leadership Council.

For example, the Teamsters' strategic campaign covering the entire DHL delivery system will be fully protected from interference. Under the AFL-CIO system, this could only be accomplished through obtaining a "strategic campaign registration," which in reality was impossible to obtain because it required consent of

every AFL-CIO affiliate.

The "Change to Win" constitution also tackled another thorny problem—the union willing to sign a substandard contract to get members. Under the AFL-CIO Article XX Procedure, employers could, and often did, divert work being performed under a good contract to a union with a sweetheart contract; nothing could be done to prevent this practice. We, in the Teamsters, have experienced this at rail yards, in trucking and recently in auto transport.

Now, under the CTW constitution, factors such as double-breasting and sub-standard contracts, which were considered irrelevant under Article XX, are relevant and will dictate the outcome in a dispute.

### Straight Ahead

The St. Louis convention was historic. Much was accomplished as we left the city with a constitution, a structure and a purpose.

Even more important, we left with renewed enthusiasm, excitement and the conviction that we are right and our agenda for change can ignite the labor movement and worker organizing in this country.

"Change to Win" is not about dismantling the labor movement, it's about reforming it.

It's not about organizing the or-

ganized, but rather bringing the tens of millions of unorganized workers into the union fold. It's about putting an end to the balkanization of collective bargaining and the mindless counterproductive raiding of each other. It's about coordinated bargaining, establishing and maintaining the highest standards in our labor agreements and ending the race to the bottom where wages and benefits become the lowest common denominator.

Change to Win is also about changing the political model. To those politicians who support trade agreements like NAFTA, CAFTA and GATT, to those who support job killing deregulation and oppose national health care and labor law reform, don't look to "Change to Win" affiliates for support. Just the opposite. We'll do our damndest to take you out and elect someone not owned by big business—someone who is pro working families, someone who will stand up and speak out.

As much as "Change to Win" has accomplished in the last two months, the heavy lifting lies ahead. We will be judged by our future performance and accomplishments.

If we keep focused and maintain and harness the delegate exuberance and energy displayed in St. Louis, **we can win—by changing.**



## NEWS FROM TAP

### Holidays pose increased risks...if you drink alcohol

Along with the celebration of the end-of-year holidays—Thanksgiving, Christmas, Chanukah and New Years—comes a staggering increase in alcohol related problems. Statistics show increased numbers of DUIs, arrests for domestic violence, absenteeism, fatal motor vehicle accidents, and alcohol-related medical admissions to hospitals. This article focuses on alcohol consumption and driving, particularly DUI, but it is important to remember the other negative consequences of alcohol misuse.

Teamsters and their families may be at risk for more serious consequences from DUIs than most other workers in the United States because of how the new DUI laws apply to commercial drivers. Any commercial driver convicted of DUI will lose his/her commercial license for one year. This law went into effect in September, 2005 and will be enforced for any DUIs received on a motorcycle, in an automobile or a commercial vehicle.

If you are thinking, “I don’t have an alcohol problem so this does not apply to me,” think again. One out of every 130 licensed drivers in the U.S. is arrested each year for DUI. Many of

**You're Invited!**

**TAP's Annual Holiday Party**

**Saturday, December 10, 2005**  
11:00 a.m. to 3:00 p.m.  
Teamsters Local No. 78  
492 “C” Street, Hayward

Come celebrate a sober Holiday Season with the TAP staff, alumni, family and friends. Santa will bring gifts to children 12 years old and younger.

For more info call TAP at 510-562-3600.

those arrested would not be described as alcoholics.

Of 159 million alcohol-impaired driving trips reported by Americans in 2002, more than 44%, or 71 million trips, were made by moderate drinkers. One DUI arrest is made for every 772 episodes of driving within two hours of drinking and for every 88 episodes of driving over the blood alcohol limit.

This holiday season, law enforcement agencies across the state will be on high patrol for intoxicated drivers in a statewide effort aimed at DUI prevention and education through a partnership of California’s Office of Traffic Safety (OTS), the California Highway Patrol, the Department of Alcoholic Beverage Control and the California Restaurant Association.

OTS awarded mini-grants to 256 law enforcement agencies in order to assist with additional holiday sobriety checkpoints and assemble patrols in public places, urging impaired people to use alternate modes of transportation.

The days surrounding Christmas and New Year’s Day are the most dangerous periods of the year for drinking and driving, according to a study by the Automobile Club of Southern California. Motorists are more than twice as likely to be killed or injured between Thanksgiving and New Years Day. Drivers are also twice as likely to receive a DUI.

The New Years period is ranked as the most dangerous in terms of the rate of daytime and nighttime crashes, with Christmas ranked second most

dangerous. Since 1999, there has been a 148% increase during the day and a 100% increase at night compared to other non-holiday periods. At 11%, Thanksgiving ranked in the top five in terms of daytime DUI-related crashes.

Suggestions for avoiding driving under the influence include:

- At social events, designate non-drinking drivers who can get everyone home safely.
- Call a friend or family member for a ride if you have been drinking.
- Keep a cab company telephone number in your wallet so you can call for a ride home.
- As a party host, offer a variety of non-alcoholic drink alternatives.
- Take the car keys away from friends and relatives who have had too much to drink.

Of course, if you think you or someone you love or work with has a drinking problem, get that person to call TAP. We want to help as many people as possible to avoid continued suffering because of alcohol abuse and misuse.



## YOUR LEGAL RIGHTS

### Supreme Court rules time donning ‘protective gear’ is payable time

Under the Fair Labor Standards Act (FLSA), employees are entitled to pay based on a “continuous workday.” The Department of Labor has defined the workday to include the period between the beginning and ending, on the same day, of an employee’s principal activity or activities. What does that mean?

In a case called *IBP, Inc. v. Alvarez*, decided on November 8, 2005, the United States Supreme Court was asked to determine whether the FLSA required that employees be compensated for time spent (1) putting on and taking off protective equipment, and (2) walking to and from their work site wearing their protective gear.

Here’s a short summary of what the Court decided. Keep in mind that, unfortunately, this case does not apply to all work clothes but only to the time related to putting on “protective gear.”

The Court did not define what items constitute “unique protective gear,” but implied that it was something more than hardhats or hairnets. Items such as chain link metal aprons, vests, plexi-

**From the Law Office of  
Beeson, Tayer & Bodine**

This commentary is not to be construed as legal advice. Specific legal questions may be directed to the law offices of Beeson, Tayer & Bodine or your own attorney.

glass armguards and leggings are considered unique protective gear.

#### The time you are required to be at work to get your protective gear:

Generally, the time that it takes you to get to work and pick up your protective equipment is not compensable because of the “Portal-to-Portal Act,” which excludes certain activities from Fair Labor Standards coverage. Under the Portal-to-Portal Act, employees are not entitled to compensation for what they have to do before or after the principal activity of their job.

However, the Supreme Court concluded that some employees may be entitled to pay for time spent waiting to put on their gear. The Court said, depending on the fact, if the employer re-

quires the employee to arrive at a particular time to begin waiting to pick up his clothes necessary for work, the employee may be entitled to compensation for that time.

#### The time it takes you to get into your protective gear:

Once you have your work clothes, the clock starts ticking. According to the Court, when employees are required to wear “unique protective gear,” they have a right to be paid from the moment they start donning the gear.

#### The time it takes walking to and from the locker room and work-site:

Because the Fair Labor Standards Act requires that employees be paid based on a continuous workday, once the

principal activity has started, employees are entitled to compensation until the principal activity has ended.

As mentioned above, putting on protective gear is considered a principal activity that starts the workday. The time it takes to walk to the job site from the locker room is also compensable time, as is the time it takes to walk back to the locker room before you get out of your protective gear.

#### The time it takes to take off your protective gear:

Taking off unique protective gear is also compensable under the FLSA as a principal activity. In fact, employees are required to be paid for the time they spend waiting to take off protective gear.

Keep in mind that there may be uncertainty as to what “unique protective gear” means. **If you think you are in a position that does require unique protective gear, and you are not getting paid as required by the FLSA, check with your union representative.**