



TEAMSTER

Northern California

Serving more than 70,000 Teamsters and their families

Volume 50, Number 2

May/June/July 2005

Governor's special election will cost state \$70 million

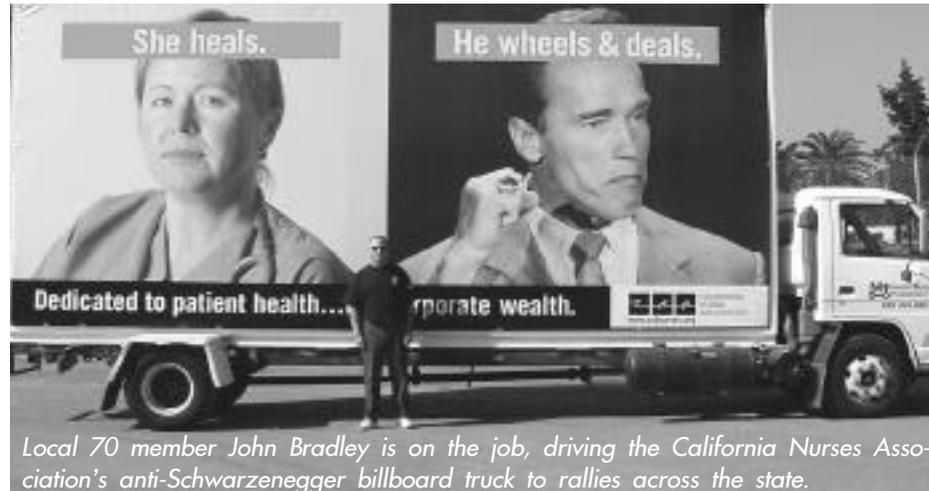
Schwarzenegger's anti-labor initiatives follow his business agenda

Governor Schwarzenegger claimed he would "terminate" politics as usual in Sacramento. In reality, his proposals for ballot initiatives that require a special election this fall are nothing more than a blueprint for California based on the Bush plan for America.

The estimated cost to taxpayers for holding a special election in November is about \$70 million. This price tag does not include the hundreds of millions raised by the governor and his opponents to buy advertising on both sides of each issue.

The governor had originally proposed four initiatives, and has already withdrawn one due to political fire. This initiative would have dismantled the public pension system, offering only 401K style plans run by private, for-profit investment companies. It wouldn't have helped balance the budget and would have cost the state more money.

If this sounds familiar, it should—it



Local 70 member John Bradley is on the job, driving the California Nurses Association's anti-Schwarzenegger billboard truck to rallies across the state.

is the same idea as the Bush plan to privatize Social Security.

The governor is also following Bush's lead by attempting to silence the voice of union members, targeting public sector workers first, through a so-called "union dues check-off" initiative.

This rehash of Prop 226, which failed to pass in 1998, would make public sector unions helpless to protect themselves

against these attacks. Governor Schwarzenegger conveniently claims it is not "his" initiative, though it is supported by his closest allies.

The governor also wants an initiative to re-draw the state's legislative districts. This same maneuver, carried out in Texas last year, led to five members of Congress losing their seats to Republicans who are more agreeable to big business. These lines are drawn

every ten years after the census. They should not be manipulated midstream just so the governor can control the legislature.

Don't sign the petitions

Schwarzenegger and his business allies are willing to pay millions to put these initiatives on the ballot. They will be paying signature collectors as much as \$5 a pop received. Those signature collectors are not standing at shopping centers across the state because they care about the issues; they're doing it because it's a decent-paying job.

Signing these petitions is not about democracy—it's about giving big business what it wants to the detriment of working people.

For more information about how you can get involved to stop these anti-work initiatives, contact your Central Labor Council, or go to: www.calaborfed.org.

Teamsters take lead to improve pay and conditions

City and port look for ways to help Oakland port drivers

Members of the Oakland City Council and the Oakland Port Commission heard powerful testimony April 25 from port drivers and their supporters on the difficulties of making a living in the state's second largest port complex, and promised to take concrete steps to improve their conditions.

The public hearing by the City-Port Liaison Committee, which brings port and council members together to consider common issues, heard from drivers, community supporters, Teamsters and other unions, as well as port staff and environmentalists. They concluded that while the problems faced by drivers are outside the control of local authorities, concrete steps can be taken locally to take some of the edge off.

The hearing also provided a means to inform the community about the drivers' issues and the efforts by the Teamsters to pass legislation which would help them achieve some justice.

The overall tone of the meeting was set by Bill Patterson, a longtime activist representing the Maritime Coalition, a group of community leaders who are concerned about generating economic benefits from the Port. "All of the stakeholders must be at the table. While the true sources of problems we face are international in scope, local solutions should be explored. We cannot simply sit here and



Community leader Bill Randolph talks with port drivers in preparation for the Oakland City-Port hearing.

say, it's not our problem or our fault. This is about taking some initiative as we work in all available venues to correct this problem."

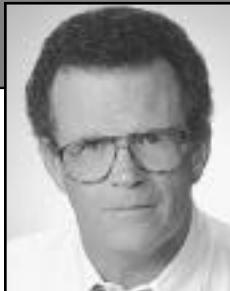
The most dramatic testimony was provided by drivers Abel Zerfiel and Jorge Rueda, leaders of the Bay Area Port Drivers Association. Both of them testified to the long days, long hours, delays and the low take-home pay involved in driving a truck.

"It is the worst of both worlds," said Zerfiel, who has been driving for 15 years. "We have the all the responsibilities of a small businessman, and yet none of the rights of self determination that small business people have. We are at the mercy of the big brokers and terminal operators.

"The heart of our problem is that we are paid by the load, while those around us are paid by the hour. If we do not make two loads a day, we do not survive very long. With three loads a day perhaps we'll clear a little profit. But no one has the incentive to make this possible. The whole system operates to slow us down."

"Our working lives consist of endless waiting in line and endless delays," said Rueda. "The system is a drag on the productivity of the entire port of Oakland, and it ultimately is a threat to everyone who depends on the economic activity at the Port. The system itself is at fault here."

—continued on page 2



President's Report

by
Chuck Mack

The Teamster plan for politics

Yes, I know many might think of "Teamster planning" as an oxymoron, but hey, the tough times ahead require a new way of taking care of business.

That's what we've been attempting over the last few months – to build an effective Teamster political action plan that can mobilize officers, officials, staff and rank and file members to, in the short term, beat back Arnold Schwarzenegger and the conservative right's attack on workers' pensions, on teachers and on unions in general.

In the long term we have to build a plan that can help change the agenda in California and beyond from today's increasingly 'me, me, me,' to one that's more 'us, us, us'—one that's more worker and people friendly.

Member to Member

The key to what we want to accomplish is member participation. The Plan envisions rank and file political coordinators at every worksite in California. These members will register their coworkers to vote, keep them informed and updated with flyers and issue papers, encourage DRIVE membership and line up precinct walkers and phone bankers around election day. As the IBT Organizing Department often calls it, "a mighty army."

Structure

The worksite coordinators will get direction and information from the local union political coordinators. While every worksite has a coordinator, every local in the state also has a coordinator. He/she will be there to

identify and assist those at the worksites. Local union coordinators will get their direction and information from the Joint Council political coordinators.

Bob Blanchet from Local 287 will work with JC7 locals. Jim Tobin from Local 150 will handle Joint Council 38 and Ed Rendon will take care of Joint Council 42. The Joint Council coordinators have an additional responsibility to hold locals accountable for what they don't do.

This year we're trying something different. Locals will be part of a team. In JC7, it breaks down as follows: Locals 15, 70, 78, 853 are the Raiders; Locals 85, 278, 350, 665, 856 are the 49ers, and South Bay Locals 287, 890 and 912 are the Saber Cats. Locals 315, 490 and 624 have yet to choose a name.

Friendly competition, but also more manageable. Each team will have a captain—principal officers from one of the locals, and a quarterback—a rank and file member who will work the DRIVE program and help coordinate voter registration for the team.

With the support of our members the plan will work.

We can register several thousand more members. We can increase DRIVE participation and we can empower and encourage members so they get involved at the political grassroots.

And, you know what? If we do this right, we might surprise not only ourselves but a lot of others too.

The key to what we want to accomplish is member participation.... As the IBT Organizing Department often calls it, we need "a mighty army."

Western region Teamsters set strategies

Meeting in San Diego March 16-17, leaders of Teamster locals in the western states laid plans to work together to protect wages and benefits in upcoming negotiations.

Contracts with all major grocery chains, including Safeway and Albertson's, expire in 2006.

"These negotiations will be the toughest and the most important in years," said Chuck Mack, President of Joint Council 7. "We need to start preparing right now, and the first thing we need to do is develop a unified strategy."

Jim Santangelo, President of Southern California's Joint Council 42, pledged to send Southern California Teamster leaders to participate in Northern California negotiations and invited Northern California Teamsters to do the same down south.

"We've got a lot to deal with," said Carlos Borba, President of Local 490, whose members work at the Albertson's warehouse in Vacaville. Our

members are concerned about preserving their health care benefits. They're concerned about their work opportunity and jurisdiction. We need to protect our pension benefits."

The group agreed to meet regularly to formalize a strategy for a joint approach to bargaining.

Other highlights included remarks by International President Jim Hoffa and a report by the International organizing staff on the success of strategic organizing campaigns throughout the country.

Joint Council 7 President Chuck Mack delivered a presentation about the new DRIVE "cluster" program to increase membership in the Teamsters Political Action Fund program. "We've got all locals in a particular area pooling their resources to reach out to members who may live in each other's jurisdiction. Judging by the early results," Mack said, "we can increase our DRIVE fund in Northern California by as much as \$3 million."

Port Drivers seek relief

—continued from page 1

Both agreed that a typical driver can gross as much as \$100,000 a year, but is likely to take home \$25-30,000.

"We ask for only one thing. Give us the right to organize ourselves and bargain with our employers for a contract. We all know that the Sherman Act should not be used to punish small operators like ourselves."

Drivers are currently forbidden to organize for collective bargaining process under the U.S. Sherman Anti-Trust Act, which bars "combinations in restraint of trade."

Seeking legislative relief

The port and city council members heard also from Teamster legislative representative Barry Broad, who outlined current state legislation and asked for local support. These bills include:

- Assembly Bill 848 (Dunn) which

would exempt Port Driver owner-operator drivers from the Sherman Anti-Trust Act, and permit them to organize for purposes of collective bargaining; and

- Senate Bill 762 (Lowenthal), an environmental bill which set up a permit system to grant trucking companies authority based on criteria that would include priority for cleaner burning vehicles.

On April 5, Joint Council 7 President Chuck Mack led a delegation of truckers and neighborhood environmental activists to Sacramento to testify before the Senate Transportation Committee on behalf of the Lowenthal Bill. The same group returned to Sacramento on April 27 in support of the Dunn bill, to grant drivers bargaining rights. Both bills cleared their committees.

Attention:

Retired Safeway drivers and mechanics

Please watch your mail for information about our August, 2005, reunion. If you know someone who has never come, please tell them to notify Angelo Spera at 707-942-5266 to receive the information and to be put on our mailing list. Thank you.

Merv Ayers, Angelo Spera, Bob Whitley—Reunion Committee



TEAMSTER
Northern California

(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.

Beagle & Bleiweiss Communications • Debra Chaplan, Managing Editor

AROUND SACRAMENTO

Despite threatened election, Teamsters pursue good legislation

By BARRY BROAD, Teamsters Public Affairs Committee

It is hard to remember a time when California politics seemed to be spinning so quickly out of control. Governor Schwarzenegger declared that the "time for compromise" has now "passed," barely four months into the 2005 legislative session.

The governor supports a special election in the fall that will cost an estimated \$70 million. He is working to qualify a series of ballot initiatives to:

- eliminate traditional pension plans for public employees,
- eliminate seniority rights for public school employees,
- impose deep automatic budget cuts in education, health care, transportation and other vital services,
- create a new "paycheck deception" initiative for public employees.

While he abruptly announced that he was dropping the pension measure, he plans to go on with the others.

Against a backdrop of increasingly noisy demonstrations at each of his fundraisers, the governor's popularity is dropping like a rock. In just two months, his approval rating plummeted from nearly 70% to under 50%.

Meanwhile, the governor's verbal assault on organized labor continues. Every chance he gets, the governor denounces labor unions as "special interests," while raising huge amounts of money from corporations.

In Schwarzenegger's view, anyone who doesn't contribute to his campaign or who disagrees with him is a "special interest" or a "girlie man." Lately, he has accused Democrats of being "drug addicts."

It appears that the governor is creating more problems than he is solving and the electorate would prefer their leader to work in a bipartisan

manner rather than pursue right-wing politics.

Teamster-sponsored bills

In the midst of all this hype, the Teamsters are sponsoring four bills this year, all aimed at improving conditions for truck drivers and our members who work in transportation.

We have two bills designed to aggressively change the working conditions for truck drivers that service California's ports.

These drivers, many of whom are immigrants, are truly

at the bottom of the economic food chain. Many are characterized as independent owner-operators. Yet they work for the same company for years and lease their truck from the motor carrier, rather than actually owning their own rig. They are paid a pittance for each load they take in and out of the ports. They have no power to negotiate their "per load" rate and are limited in the amount of loads they can haul per day because of the incredible congestion in our major ports.

SB 848 by Senator Joe Dunn (D-Orange County), would permit these drivers to join a union and negotiate their rates collectively. The bill would be the first of its kind in the country to affect the transportation industry.

SB 762 by Assembly Member Alan Lowenthal (D-Long Beach), would create two port trucking commissions which would be charged with granting trucking companies the right to serv-

ice the ports. It would be similar to the taxi medallion system that operates at many airports.

The other trucking-related bill that we are sponsoring is AB 1048 by Assembly Member Fran Pavley (D-Woodland Hills). The measure would

close several loopholes in a trucking safety law that we sponsored several years ago.

Our final sponsored bill is in recognition of our two newly affiliated rail unions. AB 962, by Assembly Speaker Fabian Nunez, would enact various rail safety rules designed to protect our members and the public.

The Good . . .

Even though the Administration may be openly hostile to organized labor, unions are moving forward with legislation to protect working families. Here are just a few of those bills:

AB 89 by Assembly Member Jerome Horton (D-Inglewood), would require the disclosure and annual reporting of employer names whose workers receive public assistance for health coverage.

AB 48 by Assembly Member Sally Lieber (D-Palo Alto), would increase our minimum wage from \$6.75 to \$7.75 over two years, and then index it to the cost of living. California currently pays the lowest minimum wage on the West Coast.

AB 524 by Assembly Member Wilma Chan (D-Oakland), would require state contractors to report back

to the state (1) the number of workers they hire outside the U.S. and (2) information about any subcontracted work that is performed.

AB 875 by Assembly Member Paul Koretz (D-West Hollywood), would require the Labor Agency and Franchise Tax Boards to develop protocols where certain labor law violations would trigger a tax audit of the employer.

AB 391, also by Assembly Member Koretz, would address the situation that arose in last year's grocery strike when the locked out workers were denied unemployment insurance benefits. This bill would declare that locked out workers are entitled to unemployment benefits.

The Bad . . .

Not surprisingly, there have been many bills introduced to undo the gains that organized labor has achieved over the years. Here are some of those:

ACAX1 1 by Assembly Member Keith Richman (R-L.A.), would prohibit public employers from providing defined benefit retirement plans and mandates the use of risky defined contribution plans, like 401k plans.

Several bills proposed aim at weakening the eight-hour day.

The Ugly . . . Really Ugly

Although there's lots of competition, we have to award Assembly Member Lynn Daucher (R-Fullerton), with the "Scrooge Award" for most mean-spirited bill of the year. AB 227 would permanently take away temporary disability and medical benefits from injured workers who leave the state for more than two weeks at a time without the employer's permission.

"The governor is creating more problems than he is solving and the electorate would prefer their leader to work in a bipartisan manner rather than pursue right-wing politics."

APPLY NOW



CONTACT
YOUR LOCAL FOR AN APPLICATION

Free Hazardous Materials Training

New standards for transporting hazardous materials are coming into effect. To enable Teamsters to comply, we offer free training:

- 4-hour DOT (HAZMAT) Hazardous Materials Awareness course and refresher
- 40-hour (HAZWOPER) Hazardous Waste Materials course
- 8-hour (HAZWOPER) Hazardous Waste Materials refresher

To sign up, call Barbara at 415-344-0085.

50 years of the *Teamster News*

The Northern California Teamster is now in Volume 50—the first issue of the paper was published in July, 1954. We can see that for the past 50 years, the road ahead has been rough. Teamsters have weathered fierce storms and tremendous challenges, perhaps none greater than we face today. We look forward to another 50 years of struggle and success.



From the beginning, the content of the Northern California Teamster would be familiar to today's Teamsters—tough negotiations, the need for political activism, the benefits of union membership.



Local 350's Robert Mora and Instituto de la Raza's 'La Raza' representative.

On March 18, Local 350 Secretary-Treasurer [Name] was named 2005 Labor Leader of the Year by the Instituto de la Raza, a civil rights organization that seeks to organize and support the rights of all working people in the Bay Area. Also present were [Name] and SF Central Labor Council President Cruz Bustamonte (2nd from left) also attending the ceremony.

Local 890 is victorious at NewStar Fresh Foods

In a double victory, Local 890 negotiated a contract for warehouse workers at the NewStar Fresh Foods plant in Yuma, Arizona, and organized more than 100 production workers at the same facility.

By a vote of 38-1, warehouse workers ratified their first contract with the bagged-salad producer in late February. This contract raises hourly wage rates by up to 25% and guarantees holiday pay, job security and medical benefits for approximately 60 workers.

Expiring in 2008, the contract is part of a master agreement that also covers NewStar employees at the company's Salinas facility. The workers produce bagged salad in Salinas eight months. Production shifts to Yuma during the winter months.

"This was a great agreement for the Yuma employees," said Local 890 President and International Trustee Frank Gallegos. "The workers deserve all of the representation and the rights that a union contract offers."

In a separate vote, 105 production department workers at the Yuma facility voted 55-31 to join Local 890. With this victory, Local 890 now represents production, warehouse and skilled-trades workers at NewStar Fresh Food's plants in Yuma and Salinas.

"The production workers want the same benefits that their counterparts in Salinas receive," said Local 890 Business Agent Fritz Conle. "They want to be recalled when production comes back here next year. Plus, they want better wages, benefits and a seniority scale."

The campaigns were waged in tandem. "The warehouse workers approved their

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.

CLIP & SAVE

From now on, the Bulletin Board will only appear once each year.

BULLETIN BOARD

CLIP & SAVE

The next Bulletin Board will appear in the June/July/August 2005 issue.

Local 15, Union City

Membership meetings:

The fourth Monday of the month, 3:30 p.m. Check your shop bulletin board for location.

May through September, 2005 Membership meetings will be held at Lake Elizabeth Park, Paseo Padre Blvd. in Fremont. Come early and enjoy the barbecue.

Chuck Davis, Secretary-Treasurer

Local 70, Oakland

Regular Membership meetings will be held at Local 70 Auditorium, 70 Hegenberger Road, Oakland, as follows:

Thursday meetings – April 28, May 26 and October 27, at 7 p.m.

Saturday meetings – June 11, September 17 and December 10, at 10 a.m.

July and August meetings are suspended.

The November meeting will be held Tuesday, November 15, 7 p.m. (due to Thanksgiving Holiday).

Chuck Mack, Secretary-Treasurer

Local 78, Hayward

Membership meetings: Fourth Monday of the month, 7:30 pm.

Bakery Division quarterly meetings: Second Tuesday in March, June, September and December, 5 p.m.

All meetings held at 492 C Street, Hayward
Steve Mack, Secretary-Treasurer

Local 85, San Francisco

Regular Membership meetings:

Second Thursday of the month, 7 p.m. Stewards' meeting is an hour prior.

We have moved to 850 Harrison St., San Francisco, CA 94107. 415-344-0085

NOTE: Labor Day Picnic and Blood Bank: September 5, 2005, San Bruno Park, San Bruno. 11 a.m. – 3 p.m.

Van Beane, Secretary-Treasurer

Local 278, San Francisco

General Membership meetings:

Third Tuesday of the month, 7:30 p.m. Slovenian Hall, 2101 Mariposa St., San Francisco.

Jack Bookter, Secretary-Treasurer

Local 287, San Jose

Membership meetings:

Second Tuesday of the month, 8 p.m. 1452 North 4th Street, San Jose

Doug O'Neal, Secretary-Treasurer

Local 315, Martinez

General Membership meetings:

Second Wednesday of the month: 8 p.m.

New Member Orientation: 7:15 p.m.

2727 Alhambra Avenue, Martinez
Dale Robbins, Secretary-Treasurer

Local 350, Daly City

General Membership Meetings are held quarterly as follows:

San Francisco Electricians' Hall: 55 Fillmore Street, San Francisco – 7 p.m.,

June 9 • September 8 • December 8

Teamsters Local 287: 1452 North Fourth Street, San Jose – 7 p.m.

June 22 • September 28 • December 21

Robert Morales, Secretary-Treasurer

Local 490, Vallejo

Membership meetings: Second Tuesday of the month, 7 p.m. 445 Nebraska Street, Vallejo.

Local 490 West Bay–Bakery Division/Craft meetings:

San Francisco meetings are held at the Spanish Cultural Center, 2850 Alemany Blvd: July 19 and October 18

Santa Rosa meetings are held at the Carpenters Hall, 1700 Corby Avenue: July 26, October 25

Carlos Borba, Secretary-Treasurer

RETIREE CLUBS

Local 85 Retiree Club "Hitchin' Post"

Weekly meetings/home-cooked luncheon—every Thursday, 12 Noon. Pacific Rod and Gun Club, 520 John Muir Drive, San Francisco
Marion "Mike" Lombardo, President

Local 278 Retiree Club

Second Wednesday—every three months—March, June, September, December, 12:30 p.m. at Granada Café, 4753 Mission Street, San Francisco.

John Casaccia, President

Local 315 Retiree Club

Third Thursday of every month, 10 a.m. at Local 315's Hall, 2727 Alhambra Avenue, Martinez

Carolyn Robinson, President

Local 490 Retiree Club

Second Thursday of every month, 10 a.m. at Local 490's Hall, 445 Nebraska Street, Vallejo
John Donahue, President

Local 921 Retiree Club

Monthly luncheon - second Tuesday, 12 Noon at the Pinch Hit, 6251 Third Street, San Francisco
Vic Sangervasi, Chairman

Central Coast Retiree Club

Last Thursday of the month at Local 890, 207 North Sanborn Road, Salinas.
Don Smith, President

Local 624, Santa Rosa

Office hours: Monday–Thursday. 7 a.m. – 4 p.m./Closed for lunch 12 – 1 p.m.

Friday 7 a.m. – 12 noon

Membership meetings:

Fourth Thursday of the month, 7:30 p.m. at Santa Rosa Veterans Building, 1351 Maple Street, Santa Rosa

NOTE: November meeting will be held the third (3rd) Thursday of the month

Special Notice: Per the Membership meeting of Feb. 24, 2005, membership meetings are suspended for the months June, July & August

Bob Carr, Secretary-Treasurer

Local 665, Daly City

Regular Membership meetings:

Fourth Tuesday of the month, 7 p.m. at the following locations:

May, 2005 meeting at 1452 N. Fourth Street, San Jose.

June, October, November and December, 2005 meetings at Daly City Union Hall, 295 89th Street, Suite 306, Daly City.

NOTE: A vote has been called for at the

East Bay Teamster Retirees

Monthly meeting on third Wednesday, 11 a.m. at Local 70, 70 Hegenberger Road, Oakland.
Ernie Freitas, President

North Coast Teamsters Retiree Club

Meetings/luncheons held third Friday of the month at Labor Center, 1710 Corby Avenue, Santa Rosa, 12 Noon

Warren Sallady, President

Sacramento Teamsters Retiree Association

Meets last Wednesday of each month, 1 p.m. at Local 150's Hall, 7120 East Parkway, Sacramento, upstairs.

Eddie Bedrosian, President

Teamsters Retiree Club of Santa Clara County

Monthly meetings are third Thursday, 10:30 a.m. at Local 287, 1452 No. 4th Street, San Jose.

Gilbert Garcia, President

Wine & Spirits Retiree Club

A letter will be sent out to members with meeting information.
Art Royce, President

Teamsters Retiree Assoc. of Local 137

Meeting every second Monday, 2 p.m. at Laborer's Hall, 840 "E" Street, Eureka.
John Stewart, President

June meeting to suspend membership meetings for the months July, August and September, 2005.

Ernie Yates, Secretary-Treasurer

Local 853, San Leandro

Membership meetings:

Second Thursday of the month, 7 p.m. at 1700 Merced Street, San Leandro, except February, June and October, which are held at 701 South B Street, San Mateo.

Rome Aloise, Secretary-Treasurer

Local 856, San Bruno

Regular Membership meetings:

Held at Local 856's Chetcuti Hall, 453 San Mateo Avenue, San Bruno, 7 p.m.

2005 meeting schedule as follows:

May 31 • June, July & August meetings canceled • September 27 • October 25

November's Annual Thanksgiving meeting—to be announced • December meeting—canceled

Michael J. McLaughlin, Secretary-Treasurer

Local 890, Salinas

Regular Membership meetings:

Second Thursday of the month, 8 p.m. at 207 North Sanborn Road, Salinas.

Franklin L. Gallegos, President

Local 896, Vallejo

Northern California Soft Drink:

Saturdays, 10 a.m. at 8400 Enterprise Way, Oakland:

May 21 • June 25 • July 30 • August 27
September 24 • October 29 • November 19 • December 17

Northern California Anheuser-Busch, Inc., Fairfield

At Suisun Senior Center, 318 Merganser Drive, Suisun. Tuesday meetings – 4:30 p.m., Sunday meetings - 9:00 a.m.:

Tuesday May 24 • Sunday June 26 • Tuesday July 26 • Tuesday August 30 • Sunday September 25 • Tuesday October 25 • Tuesday November 22 • Sunday December 18

Rene Medrano, Secretary-Treasurer

Local 912, Watsonville

General Membership meetings:

22 E. 5th Street, Watsonville

Heavy Duty Sales: Third Wednesday at 8 p.m.

Frozen Food and Cannery Apples:

Fourth Tuesday at 8 p.m.

Brad Sebring, Secretary-Treasurer

Local 78 Notice of Nominations and Election

Please take notice that nominations of candidates for the office of President, Vice President, Secretary-Treasurer, Recording Secretary, and three (3) Trustees will take place as follows:

NOMINATION DATE: Tuesday, September 6, 2005 at 6:30 p.m.

ELECTION DATE: Monday, November 7, 2005, 8 a.m. to 7 p.m., Local 78 Union Hall, 492 "C" Street, Hayward, CA.

Application for candidacy and copies of the rules governing the nominations and election are available and may be obtained at the Union office, 492 "C" Street, Hayward, CA, by any member so requesting to run for office. This form must be returned to the Secretary-Treasurer by 4:30 p.m. on August 19, 2005. Nominations and seconds must be made orally

from the floor.

Prospective nominees are advised to verify, in advance of the nominations meeting, the eligibility of their nominators and seconders.

To be eligible to run for office, members of Local 78 must be in continuous good standing (dues paid by the last business day of the month) for a period of twenty-four (24) consecutive months, prior to nominations.

NOTE: The 50% meeting attendance requirement shall not be enforced as a condition of eligibility to run for office in this election.

Because of nominations and election of officers, the regular order of business for the month of September, 2005 will be suspended.

Steve Mack, Secretary-Treasurer

Nominations & Elections International Constitution May, 2005

The following excerpts from the International Constitution apply to all nominations and elections in Teamster Locals:

ARTICLE XXII, Section 4(a):

To be eligible to nominate and otherwise participate in the nominations meeting, a member must have his dues paid through the month prior to the month in which the nominations meeting is held. Nominations shall be made at the meeting by a member in good standing other than the nominee by motion seconded by a member in good standing other than the nominee. Candidates must accept nominations at the time made either in person, or, if absent, in writing, and may accept nomination for only one office. A member may also run for and be elected as a Business Agent or Assistant Business Agent as provided in Article XXII, Section 8, and may hold both the office and the position if elected to both.

ARTICLE XXII, Section 4(b):

The Local Union Executive Board shall have the authority to establish all rules and regulations for the conduct of the election to supplement the provisions of the International Constitution and the Local Union Bylaws, including the authority to use mail referendum balloting or absentee balloting without membership approval. Absentee voting by mail shall be permitted only upon application of members who are ill or absent from the city or town where they are normally employed at the time of voting because on vacation or on employment tour of duty.

The Local Union Executive Board may permit additional reasons for absentee balloting if they so desire. Application for absentee ballots shall be made to the Secretary-Treasurer of the Local Union not less than five (5) days prior to the date set for election and shall contain the grounds therefor. Absentee ballots shall be valid only if they are received by noon of the day on which the polls close.

(NOTE: The International Union recommends that prospective nominees be advised to verify, in advance of the nominations meeting, the eligibility of the nominators and seconders).

ARTICLE XXII, Section 4(c):

To be eligible to vote in the election, a

member's dues must be paid up through the month prior to the month in which the election is held.

ARTICLE II, Section 4(a)(1):

To be eligible for election to any office in a Local Union, a member must be in continuous good standing in the Local Union in which he is a member and in which he is seeking office, and actively employed at the craft within the jurisdiction of such Local Union, for a period of twenty-four (24) consecutive months prior to the month of nomination for said office, and must be eligible to hold office if elected. "Continuous good standing" means compliance with the provisions of Article X, Section 5, concerning the payment of dues for a period of twenty-four consecutive months, together with no interruptions in active membership in the Local Union for which office is being sought because of suspensions, expulsions, withdrawals, transfers or failure to pay fines or assessments. Provided, however, that if a member on withdrawal deposits his card in the month immediately following the month for which it was effective and pays his dues for both months in a timely manner as provided in Article X, Section 5(c), such period of withdrawal shall not be considered a break in continuous good standing in the Local Union.

(NOTE: In addition to the foregoing Constitutional provisions, the International advises that: Elected officers of the Local Union, shall, by virtue of such election, be delegates to any Joint Council with which the Local is affiliated as well as to any convention of any subordinate body which may take place during their term of office.

Elected Local Union officers shall be delegates to such conventions in the order of priority set forth in the Local Union Bylaws. If the Bylaws do not set forth an order of priority, the principal executive officer shall have first priority, followed by the remaining elected officers in the order determined by the Executive Board.

Members are advised to consult the Bylaws of their Locals for additional rules concerning nominations and election procedures).

In Memoriam

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

- | | |
|---|--|
| ALARID, Michael, Local 70
BRUCE, Thomas, Local 70
BRUNO, Harold J., Local 70
HOPTRY, Tom, Local 70
OLIVER, Ted A., Local 70
PARSLEY, Jerry, Local 70
RUBALCAVA, Julius, Local 70
SEARLE, William, Local 70
SILVA, Melvin W., Local 70
SMITH, Robert, Local 70
THOMAS, Bruce, Local 70
VELAZQUEZ, Manuel, Local 70
WALSH, Bill, Local 70
HICKOK, Howard, Jr., Local 78
HOUGHTON, William "Bill",
Local 85
MORA, Milton, Local 85
MORGESE, Joseph, Local 85
STELTER, Raymond, Local 85
TORRES, Tom, Local 85
MIRAMONTES, John, Local 216
SCHOTT, Joseph, Local 216
DOMINGUEZ, Alfred, Local 278
GALWAY, Chester, Local 278
LIGOURI, John, Local 278
ALVAREZ, John, Local 287
BRENNAN, Richard, Local 287
TAKATA, Yoshio, Local 287
WYSOCKI, Kersh, Local 287
PEREIRA, Luisa, Local 296
BALLARD, Lorester, Jr.,
Local 315
BELLECCI, John, Local 315
BONFANTE, Albert, Local 315
ESCAMILLA, John, Local 315 | FOUNTAIN, Robert, Local 315
HOLLOWAY, Bobby Ray,
Local 315
MCKENZIE, Charlotte, Local 315
OBIAGUE, John, Local 315
POOL, Louis, Local 315
TUCKER, Albert, Local 315
TUCKER, Charles, Local 315
CAMERON, William, Local 432
LUBAHN, William C., Local 432
TIVIS, Gary, Local 432
WRIGHT, E., Local 490
ADAMS, Charles, Local 665
LAL, Kamal, Local 665
DAVILA, Richard, Local 853
DOYAL, David, Local 853
RUSSELL, Larry, Local 853
BERGT, Donald, Local 856
CHILDES, Crystal, Local 856
GIUDICISSI, Frank, Local 856
MICHUM, Bobbie, Local 856
PATTERSON, Laila, Local 856
PEASLEY, Larry, Local 856
SNOW, Robert, Local 856
WILLIAMS, Rhonda, Local 856
BAUMAN, William, Local 890
ESPINOZA, Guadalupe, Local 890
NAPOLI, John, Local 890
PACHEDO, Jesusa, Local 890
PEREZ, Maria G., Local 890
RICCA, Rudy, Local 890
SCHMIDT, Thomas B., Local 890
TRUJILLO, Luisa, Local 890
WILSON, Esperanza, Local 890 |
|---|--|

UNION SECURITY NOTICE

THIS NOTICE IS PRINTED TO MAKE SURE YOU UNDERSTAND YOUR FINANCIAL OBLIGATION TO THE LOCAL UNION THAT REPRESENTS YOU IN COLLECTIVE BARGAINING

If your job is covered by a Union security clause in your collective bargaining agreement, the law provides three different methods for you to comply with its obligations:

1. You may become a full member of the Union by paying the initiation fee and monthly dues required pursuant to the Local's Bylaws.
2. You can pay the initiation fee and monthly dues without becoming a member.
3. You can become a "service fee payer," that is, you can pay the percentage of the initiation fee and monthly dues that represents your pro rata share of the collective bargaining expenditures of the Union.

The amount of the service fee is calculated each year by determining the percentage that the Union's collective bargaining expenditures bears to its total expenditures, and applying that percentage to the regular initiation fee and monthly dues. You can obtain this dollar amount upon request to the Local. Under the law, you have the right to challenge the correctness of the Local's calculation of the service fee payment. Procedures for doing this will be explained to you by your Local if you decide to satisfy your Union security obligation by paying a service fee.

A service fee payer is not a member of the Union, and is not entitled to participate in Union affairs.

YOUR LEGAL RIGHTS

Accessing Your Personnel File

The California Labor Code gives employees the right to inspect their personnel file. The "personnel file" covered by this law is defined to mean any records kept by your employer that relate to your performance or to any grievance concerning you. All of these records constitute your personnel "file," even if the records are kept in more than one place.

Records exempted from this law are (1) records relating to the investigation of a possible criminal offense; (2) letters of reference; and (3) ratings, reports, or records that were obtained prior to the your employment, prepared by identifiable examination committee members, or obtained in connection with a promotional examination.

You have a right to inspect, not to copy, your personnel file, and your employer must allow you access to your personnel file "at reasonable intervals and at reasonable times."

To comply with your right to inspect your personnel file, your employer must do one of the following: (1) Keep a copy of each of your personnel records at the place where you report to work; (2) make your personnel records available at the place where you report to work within a reasonable period of time following your request; or (3)

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.

allow you to inspect the personnel records at the location where your employer stores the personnel records, with no loss of compensation to you.

Although the law does not explicitly state that former employees retain the right to inspect their personnel files, the Labor Commissioner interprets the law to cover ex-employees and a bill is pending in the Legislature (AB 1626) to amend the law to clarify its application to former employees.

A separate provision of the Labor Code gives you the right to receive, upon request, a copy of any personnel record you have signed. Otherwise, you have no right to copy any of the documents in your personnel file.

Your union, on the other hand, does have the right to obtain copies of employer records that are necessary to the union's representation of its members. If you have filed a grievance, or are considering filing a grievance, it is best to work with your union before you demand access to your personnel file.

Your union will be able to determine the best strategy for obtaining all of the documents, including when appropriate documents from your personnel file, that will best assist the union in evaluating and pursuing a grievance.



NEWS FROM TAP

Some DOT drug and alcohol tests reported to

The State of California has enacted legislation that exceeds the reporting requirements of the Department of Transportation (DOT) regulation regarding positive drug and alcohol tests.

All interstate and intrastate motor carriers and commercial drivers are required to comply with the alcohol and drug program requirements of 49 CFR, Part 382. That is the federal law which, among other things, requires motor carriers to make alcohol and drug records available for inspection and allows the California Highway Patrol (CHP) to use return-to-duty and follow-up test results to monitor drivers who are motor carriers.

In addition to the Federal requirements, California law goes farther, requiring any drug or alcohol testing consortium, as defined in §382.107, to mail a copy of all drug and alcohol test result summaries to the CHP within three days of the test. This applies to any commercial driver employed by a motor carrier operating terminals in California. These requirements do not apply to firefighters operating any firefighting equipment.

Whether CHP has the right to forward the information to the Department of Motor Vehicles is unclear. TAP is aware of at least one case where a commercial driver's positive random test was reported to DMV. It

remains unclear how that information was transmitted. Nonetheless, the driver was not permitted to return to duty until he demonstrated to DMV that he had complied with a substance abuse professionals' recommendation for alcohol/drug treatment/education.

Under DOT regulations, a consortium is defined as, "... a service agent that provides or coordinates one or more drug and/or alcohol testing services to DOT-regulated employers. Consortium/Third Party Administrators (C/TPAs) provide or coordinate the provision of a number of such services and perform administrative tasks concerning the operation of the employers' drug and alcohol testing programs. This term includes, but is not limited to, groups of employers who join together to administer, as a single entity, the DOT drug and alcohol testing programs of its members (e.g., having a combined random testing pool). C/TPAs are not "employers" for purposes of this part."

It is important for any business agent who represents Teamsters who are commercial drivers to know whether the employer is using a C/TPA to provide or coordinate any DOT required employer duties.

Traffic Vehicle Code changes impact members with commercial drivers' licenses

California has made significant changes to the Vehicle Code that affect all of our members who are required to have a Commercial License. These changes generally take effect in September 2005.

Among many other changes, the new law applies moving violations in a non-commercial vehicle against your commercial license.

The impact of the changes will be immediate and severe, making it harder to keep a commercial license and reducing the number of drivers with a valid commercial license.

Our members need to understand the changes and need to

know what is coming. Please review the following summary of the law.

Why, with a Democratic majority in the State As -

sembly and Senate, are we saddled with this kind of legislation? As is so often the case, the federal gov -

ernment is regulating what states do by making adoption of these re -

strictions necessary in order to receive federal transportation funding. The only thing likely to influence the White House and Congress is that these changes result in a trucking crisis by taking large numbers of Commercial Vehicle license holders off the road.

The Teamsters are seeking a delay of the regulation, but that appears to be a long shot at this point. We will advise members of any change.

Summary of changes to the California Vehicle Code

Under current law, "serious traffic violations" count against your commercial license only if you committed the violation while driving a commercial vehicle. Under the new law, "serious traffic violations" committed at work OR during non-work hours in a non-commercial vehicle will count against your commercial driver's license.

What's a "serious violation"?

- Speeding (15 miles or more above the posted limit)
- Erratic lane changes
- Following too close
- Reckless driving
- Any violation in connection with a fatal accident
- Any similar violation...involving safe operation of motor vehicle

What are the penalties for a "serious violation"?

- A 60-day prohibition from operating a commercial vehicle for two serious violations in a three-year

period and a 120-day prohibition from operating a commercial vehicle for three violations in a three-year period which cause your non-commercial driver's license to be revoked, cancelled or suspended.

- Under the new law, a first time DUI in your personal car, truck or motorcycle equals a one year suspension of your commercial license. A second DUI within ten years in any vehicle and you are barred for life from driving a commercial vehicle.

- First time refusal to submit to a blood or breathalyzer test (while driving a commercial or personal vehicle) equals a one year suspension of your commercial license. A second refusal within ten years and you are barred for life from driving a commercial vehicle.

- Under the new law, attending traffic school will NOT clear a violation from your record.

- The new law eliminates restricted commercial licenses for commercial drivers.