



TEAMSTER

Northern California

Serving more than 70,000 Teamsters and their families

Volume 50, Number 4

October/November 2005

Ask the Members:

What do you think about our governor and the propositions he put on the November ballot?



Jerry Cordova
Roadway Express
Local 287

"Terrible actor, terrible governor! We're heading in the wrong direction. It's all about the rich and the poor and getting rid of the middle class. That's what the propositions are all about."



Larry Belfield
Los Altos Garbage
Local 350

"I believe he hates unions. He's an actor; whoever gives him the script is who we need to deal with. He portrays himself any way he likes—it's all about money. I think big business is behind the propositions, just like with CAFTA. American workers are running out of work."



Ramona & Sergio Mancilla
Birdseye Foods
Local 912

Sergio: "He's anti union. He's not for the working people who need to earn a paycheck and get benefits for our kids. Too bad we lost on Prop 72

(the Health Care Initiative)—not enough people knew about it. We need to understand the propositions so we can keep our benefits."

Ramona: "He doesn't have feelings for anybody. He's cutting social programs and taking away from kids. He's an immigrant but he's taking away rights and opportunities for other immigrants, like allowing them to get drivers' licenses. He forgot his roots."



(L to R) Art Pulaski, California Labor Federation; Sharon Cornu, Alameda Central Labor Council; CJ Wilson, South Bay Labor Council; Karen Araujo, Monterey Labor Council/Local 912; and Chuck Mack, Joint Council 7, deliver the message to worksite political coordinators at the September organizing meeting.

Teamsters gear up to defeat anti-worker propositions

The agenda for the September 10 political coordinators meeting had one major item: building a plan to stop the anti-worker propositions on the November 8 Special Election ballot (Props 74-78).

Members from every Local Union in Joint Council 7 came together to learn how the propositions would impact unions and union members, who's behind the anti-worker propositions, and what they need to do to mobilize the rest of their Local Union's members and families.

"Arnold made a lot of promises when he took office. He said he

wouldn't do anything bad to injured workers. He said he wouldn't touch pensions or public education. It was all a lie," said California Labor Federation Secretary-Treasurer Art Pulaski.

"The final tally in this election may be so close that Teamster members could make the difference," Pulaski added.

"This state has its share of problems, but these propositions don't provide a solution," said Joint Council 7 President Chuck Mack.

"It used to be that we had statewide elections every two years. But with the Recall Election in 2003 and this

continued on page 4

November 8 Special Election

Teamster Recommendations

Proposition	Recommendation
73	No recommendation
74	NO!

NO
on PROP 75



76	NO!
77	NO!
78	NO!
79	YES!
80	YES!

See pages 4-5 for details about the propositions

Register to Vote — Deadline: October 24
Apply for an absentee ballot — Deadline: November 1
Vote — for your rights as a union member

Teamsters split from AFL-CIO; new Coalition to focus more on organizing

By CHUCK MACK

The AFL-CIO convention is usually a pretty staid affair, predictable with few surprises. That wasn't the case this year as the Teamsters and three other international unions, the Service Employees (SEIU), the Needle Trades and Hotel Workers (UNITE-HERE), and the Food and Commercial Workers (UFCW) advised the day before the July convention they would not attend. On the following day, the Teamsters and SEIU announced their disaffiliation from the AFL-CIO, and the UFCW left a few days later.

The Laborers International Union and the United Farm Workers joined these four unions to form the Change to Win Coalition. The Carpenters also got into the act. They had left the AFL-CIO a couple of years ago; now they announced they would bring their 500,000 members into the Coalition.

At presstime, the Change to Win Coalition is bringing 500 delegates from these seven unions to St. Louis to ratify a constitution and begin working as a new labor federation.

What's up?

The decision by the Teamsters and the other so-called "dissident" unions came after months of negotiations with the AFL-CIO on the questions of structure, accountability and priorities. Coalition unions, simply put, want to cut administrative expenses, reduce AFL-CIO bureaucracy and put more organizers on the street. We want an



These Teamster delegates to the AFL-CIO convention in Chicago never made it. Instead they helped launch the Change to Win Coalition.

updated structure that will give the largest affiliates a voice comparable to our numbers and paid per capita. While the AFL made some nominal moves, in the end, the Coalition unions determined that it wasn't enough.

Today's labor movement is in crisis. Fifty years ago, we represented one in three workers; today it's one in twelve. The downward trend will continue at an accelerated rate if drastic steps are not taken.

These facts and concerns drove the Teamsters and SEIU to disaffiliate and form the Change to Win Coalition. Incremental change won't get it; there has to be dramatic reform.

We believe in a more aggressive brand of unionism, and we believe that labor's problems can only be resolved by organizing new members and empowering workers. Resources need to be redirected—away from bureaucracy and into new organizing programs.

Some International Union Presidents on the AFL-CIO Executive Council claim it's impossible to or-

ganize given today's political and economic climate. They're wrong.

SEIU, UNITE-HERE and the Teamsters have shown that if you provide the resources, make the commitment, hire the talent and proceed strategically, you can in fact organize. It's tough going, difficult and frustrating, but not impossible.

Disaffiliation by the Teamsters was not driven by personal ambition as some have suggested, nor was it driven by anger, hostility or personality. It was driven by reality. John Sweeney is a decent person and a good trade unionist. He is wedded, however, to the status quo.

We are about change, a new agenda and new priorities. We are looking to build a stronger, more militant and more effective Teamster union in the short run, and in the long run, a stronger more effective labor movement.

In this case, change is not only good, it's imperative if we're to deliver for our members.

Hoffa statement at *Change to Win* founding convention

Saint Louis, MO — September 27, 2005

General President James P. Hoffa was the first International President to address the founding convention of the Change to Win Coalition in St. Louis on September 27. Here are excerpts from his speech.

Today, we make history. Today, we set a new path for the American worker. The most militant, progressive and activist unions join together to create something new.

We have a vision of growth and strength. Our new federation is a mighty sum of its parts. Six million workers strong. We are janitors and casino workers; UPS drivers and farm workers; nurses and construction workers; truck drivers and grocery workers; locomotive engineers and meat cutters. We are the backbone of the American workforce.

Just look at the unions in this new federation and you begin to see the diversity of our membership. We are the American rainbow—African-American, Asian-American, Hispanic and white. We are from Alaska, Maine, California and Puerto Rico. We are trade unionists—united to build a stronger movement.

We are here to change the way the American labor movement operates. We are putting our money where it needs to be: organizing. We are working together. No member of a coalition union will ever stand alone again.

We will stand together. We will fight together.

...We are reaching out to new worker communities: African-American waste workers in the South; Latino port drivers on both coasts; and Hispanic construction workers across the nation.

And we are reaching out to those who are most in need. Right now on the Gulf Coast, hundreds of thousands of workers lives have been destroyed.

But the President cares about the wrong people. Who got the first no-bid contract? That's right—Halliburton. What was George Bush's first action in the devastated region—to repeal Davis-Bacon. That means Halliburton won't have to pay construction workers \$13 bucks an hour. \$27,000 a year is too much for Cheney's cronies.

We have a strategy to train workers to rebuild their communities. The Teamsters training drivers; SEIU training healthcare workers; the Carpenters training construction workers; the Laborer's training hazmat workers; and, UNITE HERE training casino and hotel workers....

Change To Win will stand up for all workers. We will give workers a chance to win a voice on the job. We will build the American labor movement—together, brick by brick.

Today, the battle for America begins.

We are here to change the way the American labor movement operates. We are putting our money where it needs to be: organizing. We are working together.

Solidarity remains at State and Local levels

It's not our goal to divide the trade union movement, rather to reform it. We will continue to participate with Central Labor Councils and State Federation of Labor if allowed.

Initially, John Sweeney told State Feds and Labor Councils that they could not accept per capita or allow participation from local unions who had disaffiliated from the national AFL-CIO. Within a week he had modified his position to allow participation at the local and state level provided the local leadership renounced disaffiliation by its national body and paid a 10% per capita surcharge. That didn't go over very well.

At this point, the local relationships are muddled. In California, the State Fed and larger councils want to continue the relationship. We do too. Time will tell.

The National Building Trades is also backpedaling. They initially took a hard line, but pressure from international unions still affiliated and local building trade councils has caused a reassessment that is still unfolding.

The winds of change blowing in Chicago brought a hurricane of press coverage. It generated more media attention for labor than anything else over the last 50 years. That's the kind of attention that worker organizations and workers need if they are going to survive.



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Debra Chaplan, Managing Editor



AROUND THE LOCALS

Bay Area Union Labor Party honors Mack



Local 665 Secretary Treasurer Ernie Yates (right) presents "Labor Man of the Year" plaque to Chuck Mack. IBT General Secretary-Treasurer Thomas Keegel (left) and Local 350 Secretary-Treasurer Robert Morales stand in ovation.

At its 2005 Awards Dinner held in September in Burlingame, the Bay Area Union Labor Party was proud to honor Chuck Mack, International Vice President for the Teamsters as its "Labor Man of the Year."

The Party also gave community service awards to John F. Hanley, President of Firefighters Local 798 and to Bruce Smith, Vice President of Vision Service Plan, and a Public Ser-

vice Award to Mayor Gavin Newsom.

Teamsters General Secretary Thomas Keegel gave the keynote address.

The Bay Area Union Labor Party was created to educate union members about economics, political matters, community involvement and charitable affairs in order to secure unity in political action, to protect their rights and further their interests.

City of Hercules ratifies first Teamster contract

Local 315 is proud to report that on July 25, the approximately 75 City of Hercules employees ratified their first Teamster contract by an overwhelming margin of 57 to 1.

The agreement covers employees in classifications from city clerk, administrative assistants, child care instructors, parks and recreation employees, maintenance department, building inspectors, and utility employees. The three-year agreement provides for wage increases in each year and is retroactive to July 2004.

The union also made improvements in vacation, holiday, longevity

pay and their peer's pension plan including a grievance procedure and, most importantly, providing these workers a voice in the work place.

Local 315 Secretary Treasurer Dale Robbins welcomes these new members to the ranks of the Teamsters Union. Stressing the union's continued commitment both to organizing new members and to those workers who have gained representation, Robbins credited the Local's President/Organizer Steve Gutierrez for successfully organizing several new units over the last six years. "Our record proves you can successfully win elections and get good contracts if you target your campaigns and keep your credibility with the workers who seek

a voice in the workplace, and we're going to help them achieve that," Robbins added.

Organizing victory at Reliable Trucking

The 120 employee drivers at Reliable Trucking voted in August to be represented by Local 853. This is one of the last construction related companies that utilizes more "employee" drivers than owner-operators.

Reliable drivers are dispatched out of Pleasanton, but may be based in as many as eight locations in Northern California. They deliver cement power, rock, aggregate, and construction related products all over Northern California.

Every driver that Local 853 contacted recognized the benefits of union representation, but many were unaware of, or afraid to exercise their rights. However, more than 70% of the drivers signed authorization cards to request representation by the Local.

Once the election period began, Local 853 involved members from the Ready Mix industry as well as members of other unions who come into daily contact with the Reliable drivers to discuss the advantages of being represented by a union. The Local produced and distributed to all potential voters a DVD that featured many members, some of whom are Teamsters who formerly worked for Reliable.

The company hired an army of anti-union consultants who specialize in breaking every NLRB statute. They threatened the drivers with the loss of their jobs, promised them wage increases, and tried to represent themselves as union officials.

When the votes were counted, Local 853 won. Given the intense anti-union campaign, it was a victory for the persistence of the Reliable

drivers. A number of unfair labor charges, objections and challenges still need to be resolved before bargaining can begin on behalf of the Reliable drivers.

Local 853 Business Agent Stu Helfer and organizer Jesse Casqueiro spearheaded the campaign. Local 137 also lent invaluable help to the drive.

"We believe trucking companies can benefit from the consistency and productivity of having their own drivers. This victory and gaining a first-time contract will strengthen our ability to move forward to organize more construction related companies," said Local 853 Secretary-Treasurer Rome Aloise.

Granddaughter of Local 315 member wins Hoffa scholarship



Soroya Rowley is pleased to accept a \$10,000 James R. Hoffa Memorial Scholarship from Local 315 Secretary-Treasurer Dale Robbins. Rowley's grandfather, Victor Cipolla, worked for United Grocers in Richmond for more than 20 years and retired out of Local 315. Rowley attended high school in Southern California and hopes to pursue a career in the theater. She is attending college in San Diego.

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.

President's Report



by
Chuck Mack

The Teamster plan for politics

On November 8, California will hold a useless and unnecessary state-wide election. It will cost over 80 million dollars and won't provide answers to any of the states real problems: air quality, health care, infrastructure, fuel costs, congestion, etc.

But the reality is that this election isn't about problems; it's about power. It's about money and it's about the Governor and his

supporters from big business and the extreme right attacking California Unions and workers

We urge our members and their families to vote NO on Propositions 74, 75, 76, 77, & 78. If any or all of these propositions pass, California's political landscape will be changed dramatically. These propositions will increase the influence and power of conservative forces more concerned with the prerogatives of big business than the rights of workers to organize and bargain collectively. Yes, there is a direct relationship between these initiatives, our jobs and the wages and benefits that come through labor contacts.

Worst of the Worst—No on 75

Of all the bad Propositions one stands out—Prop 75. Masquerading as a worker paycheck protection measure, it would, in reality, create a bureaucratic maze guaranteed to slash the amount of money public employee unions and their members contribute to the political process.

Prop 75 isn't about paycheck protection. It's about cutting the financial legs out from under organized labor. It's 1998's Proposition 226 recycled. Prop 226 applied to all workers, even the private sector.

"This election isn't about problems, it's about power."

While Prop 75 applies to public employees only, the goals are the same: take workers money, and hence, their voice out of state politics. Nail public employees this year and extend to workers in the private sector next year.

Those most familiar with Proposition 75 have relabeled it the Paycheck Deception Act because it has nothing to do with worker rights.

Prop 75's architect is Lewis Uhler a right wing ideologue who once worked for the John Birch Society. Lately he has spent his time trying to dump Social Security and replace it with private accounts. Helping him have been worker friendly companies like Ameritrust Capital, 21st Century Insurance, and Wal-Mart. They have contributed hundreds of thousands of dollars and promise to contribute whatever is needed. Why? Because Proposition 75 would give big business a big political advantage.

Prop 75 is designed to take money supporting workers and worker issues out of the political process. Corporations currently outspend unions 24 to 1. This ratio would jump to 60 to 1 if Prop 75 becomes law.

While union contributions would be limited, there is no limitation on the amount big business can give, nor is there a requirement that business obtain shareholder approval before contributing.

A NO vote on Prop 75 will ensure a balance in California politics and that workers voices are heard.

One final note: it's not all negative. Propositions 79 and 80 are worker friendly and deserve a YES vote and our support.

Gearing up to win the Special Election

continued from page 1

year's costly and unnecessary Special Election, we're in an annual mobilization mode. It's expensive and tiresome," Mack said. "But we can't complain; we just have to gear up. We need to get every member in every shop, barn and plant registered to vote. They need to understand how these propositions will impact their union and their family."

"The only strong voice to stand up to

the governor's proposed take-aways is the voice of unions," Mack continued. "If we beat Arnold on this unnecessary Special Election, we can knock him down next year like the schoolyard bully he is!"

Worksite coordinators picked up flyers and voter registration forms to distribute. If you haven't seen these materials yet, contact your business agent and get involved.

What's on the Special Election ballot?

Governor Schwarzenegger calls 2005 the "year of reform," but his main reforms are merely an attack on unions and union members. Instead of working with the state legislature as governors are supposed to do, he has initiated a Special Election that will cost state and local governments more than \$40 million. Following is a review of the measures you'll see on the November 8 ballot.

74 Punish new teachers

NO This initiative reduces job security and contract protections for teachers. It requires teachers to teach for five years instead of two years before gaining permanent status and contract protections. This initiative does nothing to improve our schools and will make it harder to attract and keep good teachers.

75 Paycheck deception

NO Defeating Prop 75 is the top priority for public and private unions this election. All members are encouraged to vote NO on Prop 75, and urge their family and friends to do the same.

This initiative would prohibit a union that represents any public employees from using union dues or fees for political contributions unless each member provides written consent on a form mandated by the initiative. That may sound appealing to some, but union members already have that right.

What Prop 75 really does is allow outsiders to decide how you should run your union. It will tie up unions in so much bureaucratic paperwork that they'll have a hard time speaking out for the rights of their members.

Prop 75 is intended to silence the voice of union members in politics and prevent us from fighting back against big business. Union political contributions would be restricted but corporations would be untouched by the initiative. Corporations already outspend labor 24 to 1 in national politics and Prop 75 would make this imbalance even worse.

Prop 75 is a test case: if it passes and silences public employees this year, you can be sure that private employee unions will be next.

76 Budget power grab that cuts school funding

NO Prop 76 would allow the Governor to make devastating midyear budget cuts if revenues fall below expenditures. It would gut Proposition 98, the law voters approved to guarantee minimum funding to our schools. It eliminates the requirement that the state must restore any money owed to schools when education funding falls below the minimum guarantee.

77 Redrawing district lines

NO Borrowing a page from the Texas handbook, Gov. Schwarzenegger wants to require a three-member panel of retired judges to immediately redraw congressional and state legislative district lines. The Governor has stated that the purpose of this maneuver is to elect more moderates to the Legislature and congress. The real goal is to boot the pro-worker majority out of legislative power in Sacramento.

78 Phony prescription drug bill

NO Brought to the ballot by big drug companies, Prop 78 is designed to confuse voters so they will vote NO on Prop 79. Prop 78 relies on drug manufacturers to voluntarily lower their prices, covers fewer people and does not allow the state of California to enforce the program.

November 8 Special Election
Recommendations

at a glance

NO on Proposition 74
Punish New Teachers

NO on Proposition 75
Paycheck Deception

NO on Proposition 76
Cuts School Funding

NO on Proposition 77
Reapportionment

NO on Proposition 78
Drug Companies' "Bad Prescription"

YES on Proposition 79
Cheaper Prescription Drugs

YES on Proposition 80
Affordable Electricity & Preventing Blackouts

Register to Vote

Deadline: October 24

Apply for an absentee ballot

Deadline: November 1

Vote for your rights as a union member



Ask the Members:
What do you think about our governor and the propositions he put on the November ballot?



Winston Jenkins
Ampco Systems
Local 665

"He's not a politician, he's an actor. He's for big companies, for the money people. The propositions are about big corporations trying to make more money."

79 Cheaper prescription drugs

YES Prop 79 establishes a real discount drug program for up to ten million eligible low and middle-income Californians. Discounts are obtained by requiring drug manufacturers who sell to Medi-Cal to offer comparable discounts to the new program.

Prop 79 would allow the State to negotiate directly with the pharmaceutical companies for lower drugs prices for millions of citizens, just as the state of Maine does. Californians in need will get cheaper prescription drugs, and the state's taxpayers will save hundreds of millions of dollars.

80 Prevent blackouts & repeal energy deregulation

YES Seniors, consumers and small businesses need reliable electric service at reasonable prices. Prop 80 ensures that all electricity

providers are subject to the regulation of the Public Utilities Commission, and that those providers have the certainty they need to make sure we have adequate supplies of electricity in the future.



Sergio Cheung
UPS
Local 278

"He's exactly what he portrays that he's not. Special interests and big business tell him how to vote and run the government—that's what's behind the propositions. And he's trying to circumvent the legislature."



Monty Dumas
Youngs Market Company
Local 853

"He's as disappointing to me as a governor as he was as an actor. Shame on him that he tries to make himself look good at the expense of the poor and working class."

What's behind the propositions? Money—taking it from teachers and firefighters and yet he gets a fat paycheck from magazines and steroid companies."



Members from every Local Union in Joint Council 7 met at Local 70 to learn about the anti-union propositions and begin work to fight them.



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.

Local 15, Union City Notice of Nominations and Election

Membership Meetings:

Fourth Monday of the month:

October 24, 3 p.m. at Teamsters Local 287, 1452 North Fourth Street, San Jose

November 28, 3 p.m. at Teamsters Local 853, 2100 Merced Street, Suite B, San Leandro

NOTICE OF NOMINATIONS AND ELECTION OF OFFICERS

Nominations of candidates for the offices of President, Vice President, Secretary-Treasurer, Recording Secretary and three (3) Trustees for a three (3) year term will be held at the regular Membership meeting on November 28, 2005, 2100 Merced Street, Suite B, San Leandro.

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 15 must be in continuous good standing (dues paid by the last business day of the month) for a period of twenty-four consecutive months, prior to nominations.

The Election will be by mail referendum ballot. Ballots will be mailed on December 12, 2005, and will be counted on December 28, 2005.

Nominations and Election will be conducted in accordance with the provisions of the International Constitution and the Local Union bylaws.

Chuck Davis, Secretary-Treasurer

Local 350, San Francisco Notice of Nominations and Election

Nominations for officers of Teamsters Local 350 for a three (3) year term will take place on November 7, 2005 at 7:00 p.m. at the Electricians Hall, 55 Fillmore Street, San Francisco, California.

Officers to be nominated: President, Vice President, Secretary-Treasurer, Recording Secretary, and three (3) Trustees.

Election to be held on Monday, December 12, 2005. Polls to be open from 8:30 a.m. to 7:00 p.m. at the following locations:

San Jose-Santa Clara District: Teamsters Local 287, 1452 North 4th Street, San Jose, California.

San Francisco District: Teamsters Local 350 Board Room, 295 89th Street, Suite 304, Daly City, California.

Nominations and the Election will be conducted in accordance with the provisions of the International Constitution and the Local Union Bylaws.

Copies of these documents are available at the Union's office. Note particularly the relevant provisions of the International constitution that appear below, on page 6 of this paper.

Robert Morales, Secretary-Treasurer

Local 856, San Bruno Notice of Nominations and Election

Membership meetings:

Tuesday, October 25, 2005, 7 p.m. at 453 San Mateo Ave., San Bruno

Wednesday, November 9, 2005, 6 p.m., Thanksgiving Meeting for members residing in the Sacramento area, at Teamsters Union Local 150, 7120 East Parkway, Sacramento.

Thursday, November 10, 2005, 6:30 p.m., ANNUAL THANKSGIVING MEETING at Crowne Plaza Hotel, 1177 Airport Blvd., Burlingame.

December, 2005 meeting canceled.

NOTICE OF NOMINATIONS AND ELECTION

Nominations of Officers for Local 856 will be held at a special nominations meeting on Tuesday, November 1, 2005 at 6:00 p.m. at the Local 856 Offices, 453 San Mateo Ave, San Bruno, California.

Officers to be nominated for a three (3) year term are President, Vice President, Secretary-Treasurer, Recording Secretary and three (3) Trustees.

The nominations and election will be governed by the provisions of the International Constitution which are stated on page 6 of this newspaper and the Bylaws of Local 856 which are available upon request at the Local Union office. Nominations shall be made orally from the floor. Nominees must accept nominations at the meeting orally or in writing if not present. Prospective nominees are advised to verify, in advance of the nominations meeting, the eligibility of their nominators and seconders. The 50% meeting attendance requirement shall not be enforced as a condition of eligibility to run for office in this election.

Nominations & Elections International Constitution September, 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 the event of a contested election for any office, balloting will be conducted by Mail Referendum. Ballots will be mailed on or about November 16, 2005. Ballots must be received at the post office before the close of business on December 1, 2005 and will be counted on December 2,

2005 at Local 856 Offices, 453 San Mateo Avenue, San Bruno, California. To insure that you will receive a ballot, you must be sure the union has your current mailing address.

Michael J. McLaughlin, Secretary-Treasurer

Disaster relief fund provides support to Teamsters affected by Hurricanes Katrina & Rita

Teamsters General President Jim Hoffa pledged continued Teamster support and assistance today to members whose homes, jobs and lives were devastated by Hurricane Katrina.

Hoffa also outlined plans to help the region and its residents recover from the tragedy. "Our union is at its best when we pull together during times of crisis, because that is the true strength of the Teamsters," Hoffa said. "Our members who are in dire need of food, shelter, money and other supplies can count on their Teamster brothers and sisters as they struggle to rebuild their lives."

Hoffa, in Gulfport, Mississippi, met with UPS Teamsters, recently organized casino workers, freight drivers and other Teamsters whose homes and jobs have been destroyed, distributing assistance from the Teamsters Disaster Relief Fund, including \$500 debit cards.

The Teamsters Union has created a job training program to address the immediate employment needs of displaced workers in the region struggling to get back on their feet. The union has applied for \$19.5 million in emergency training funds from the U.S. Department of Labor to train 3,000 people as commercial vehicle operators.

The union also is sending truckloads of food and goods to Mississippi and Louisiana, with drivers coming from across the country, including Los Angeles, Oregon, Chicago, Montreal, Boston and New York. The Teamsters are helping members find work, maintain their health care coverage and get their pension checks.

"Our next step is to get workers in this area retrained and get these cities and towns rebuilt," Hoffa said. "The government must work in partnership with organized labor to get this region working again."

Teamsters petition to stop new hours of service regulations that put public at risk

The Teamsters Union joined with Public Citizen, Advocates for Highway and Auto Safety and other highway safety groups in filing a challenge to the new Hours of Service (HOS) regulations recently issued by the Federal Motor Carrier Safety Administration (FMCSA).

On September 23, the coalition of safety-minded groups filed a Petition for Reconsideration asking the FMCSA to re-evaluate several aspects of the new rule, which is to take effect on October 1, 2005.

"We are extremely disappointed that the agency basically issued the same HOS rule that was thrown out by the federal court because that version didn't consider the health of the driver," said Jim Hoffa, Teamsters General President. "This new rule is almost identical to the current rule and the two additional changes they made—the sleeper berth modification and the new short haul provision put our drivers at greater risk."

The union is also filing its own separate petition to address the sleeper berth modification because of the affect it has on team drivers using the sleeper cab. The new provision re-

quires an eight-hour rest period, forcing a team driver to "rest" for eight hours in a moving truck, with engine noise, vibration and other distractions around them. The current rules require two rest periods with one being at least two hours long. Most team drivers now split their rest periods into two, five-hour stints.

"The only thing this will do is force team drivers to drive for eight hours straight, causing drivers to be more fatigued," Hoffa said.

The coalition petition takes issue with the agency over the new short haul provision—a change that could potentially force hundreds of thousands of delivery drivers, operating within a 150-mile air radius of their reporting station, into a 14-hour on-duty period, with two 16-hour days allowed in a seven-day period.

These drivers would not be required to keep logbooks of their time behind the wheel. The Teamsters and safety groups fought a similar Walmart backed legislative proposal when Congress considered the highway bill earlier this year. The petition also argues against the 34-hour restart—a provision that resets the dri-

Hurricane Katrina & Rita Donations

As the overwhelming dimensions of the Katrina disaster unfold, many of us are looking for ways to help. At this time, financial contributions are particularly important. Here are three organizations that will get assistance to the people in most need:

Teamster Community Fund

Donations to the Teamsters' special Hurricane Relief Fund will be targeted to meet the most critical needs of Teamster families and are completely tax-deductible.

Check: Disaster Relief Fund c/o International Brotherhood of Teamsters, 25 Louisiana Ave. NW, Washington, DC 20001

United Way of the Bay Area

Our local United Way is partnering with the American Red Cross Bay Area and working directly with residents of Louisiana, Mississippi, and Alabama. 100% of donations will go to Gulf residents.

On Line: www.uwba.org

Telephone: 800-273-1779

Check: UWBA Hurricane Katrina Relief Fund/Red Cross, 221 Main St #300, San Francisco, 94105

America's Second Harvest

Disaster relief food and grocery products, coordinated by an organization that specializes in community food bank support.

On-line: www.America'sSecondHarvest.org

Telephone: 877-817-2307

Check: America's Second Harvest/Katrina Relief Fund, 23 E Wacker Dr, #2000, Chicago IL, 60601

NAACP

On-line: <http://store.yahoo.com/naacp-donate1/>

Telephone: 866-996-2227

Check: NAACP Disaster Relief Fund, 4805 Mt Hope Dr, Baltimore, MD, 21215

"...The corporate trucking interests have gotten from the FMCSA what they've been unable to get in Congress.... The agency has turned a blind eye to protecting the health of truck drivers and the safety of the traveling public."

ver's clock after a 34-hour rest period. In a seven-day period, this puts drivers behind the wheel 14 hours longer with considerably less rest than the old rules. The petition also takes issue with the agency for keeping the 11-hour driving time, an additional hour than previously allowed under

the old HOS rules.

"It's clear that the corporate trucking interests have gotten from the FMCSA what they've been unable to get in Congress," Hoffa said. "The agency has turned a blind eye to protecting the health of truck drivers and the safety of the traveling public."

In Memoriam

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

GERGEN, Donald L., Local 15	TOTI, Floyd, Jr., Local 490
FAGUNDES, Leslie, Local 70	HILDRETH, David, Local 624
JACKSON, Ralph, Local 70	LEE, Arthur, Local 624
LE BARS, Marcell M., Local 70	MOYA, Juan, Local 665
PEREZ, Richard, Local 70	DOKOS, Nepolean, Local 853
PERRY, Bruce, Local 70	FISHER, Corinne, Local 853
TOLLEY, Bill, Local 70	NEWBERRY, Harvey, Local 853
MENCARELLI, Peter, Local 78	DURAN, Guadalupe, Local 890
PUCKETT, Thomas, Local 78	GARCIA, Susie, Local 890
RIVERA, Julio, Local 278	HERNANDEZ, Carlos A., Local 890
ROXBERG, Robert, Local 278	HOLQUIN, Joseph K., Local 890
ARCHER, Andrew, Local 315	MOATS, Howard E., Local 890
DE LA CAMPA, Louis, Local 315	MUSGROVE, Michael, Local 890
JENNINGS, Robert S., Local 315	ROMERO, Manuel, Local 890
TABERNITI, Vincent, Local 315	VALDIVIA, Victoriana, 890
TINDAL, Donald, Local 315	OTTOMAN, Robert, Local 921
SUCCETTI, Andrew, Local 432/78	



NEWS FROM TAP

TAP 8th Annual Family Picnic—a great success

More than 100 TAP clients and family members enjoyed a BBQ lunch, raffle, and free Oakland Zoo passes for their children on August 20th. TAP Board of Directors Chairman and Local 70 President Joe Silva joined the TAP staff and guests in the festivities.

Special thanks are in order to those who generously donated raffle prizes and food. Thank you to the following donors: Rome Aloise,

Joint Council No. 7 Recording Secretary and Local 853 Secretary Treasurer (two DVD players and two radios); Dale Robbins, Local 315 Secretary Treasurer, (four \$25.00 gift certificates); Ron Parades, Business Agent, Local 78 (croquet set); Camp Recovery Center (\$50 Nordstrom gift certificates), Maynard's Recovery Center (spa basket), and Freddy Ghanayem (fresh produce).



YOUR LEGAL RIGHTS

When workplace romance creates a hostile work environment

In a high-profile decision, the California Supreme Court ruled this summer that pervasive favoritism in the workplace created by romantic affairs between a prison warden and several of his subordinates gave rise to a lawsuit for discrimination brought by non-paramour employees who claimed they were treated worse because they did not maintain similar sexual relations with their supervisor.

The state's highest Court, in a unanimous opinion, allowed the lawsuit to go forward. They established that preferential conduct in the workplace based on romantic relations can constitute sexual harassment under California law when the favoritism is "sufficiently widespread" that it creates a "hostile work environment in which the demeaning message is conveyed to female employees that they are viewed by management as 'sexual playthings' or that the way required for women to get ahead in the workplace is by engaging in sexual conduct with their supervisors or the management."

The case was brought by two female employees against the California Department of Corrections and has been described by some attorneys as "groundbreaking." Originally, the trial court and the Court of Appeal both dismissed the lawsuit, concluding that the conduct in question did not support a claim of sexual harassment because the plaintiffs themselves had not been subjected to sexual advances and were not treated any differently than male employees at the prison.

The high Court rejected this rea-

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.

soning, noting that "the prohibition against sexual harassment includes protection from a broad range of conduct, ranging from expressly or impliedly conditioning em-

ployment benefits on submission to or tolerance of unwelcome sexual advances, to the creation of a work environment that is hostile or abusive on the basis of sex... Such a hostile environment may be created even if the plaintiff never is subjected to sexual advances."

However, the Court was careful to warn that isolated instances of favoritism will normally not create a sufficiently "hostile" work environment to be legally actionable. In this case, the employees who engaged in sexual relations with their supervisor received favorable transfers and other benefits, and one paramour was repeatedly promoted over others with more experience. At one point, she announced to another employee that if she did not receive a certain promotion from the supervisor, she would "take him down" with her knowledge of "every scar on his body." The supervisor also allegedly told an interview panel that had considered and rejected a promotion for one of others that he wanted them to "make it happen."

What to Do

If you have evidence that management has engaged in severe favoritism in your workplace based on romantic or sexual relationships, inform your Business Agent and/or contact your local County Bar Association for an attorney referral.

You're Invited!

Teamsters' Assistance Program Annual Holiday Party



Date: **Saturday, December 10, 2005**

Time: 11:00 a.m. to 3:00 p.m.

Location: **Teamsters Local No. 78
492 "C" Street, Hayward**

Come celebrate a sober Holiday Season with the TAP staff, alumni, family and friends. Santa will arrive and bring gifts to children 12 years old and younger. There will be crafts for children, a speaker, holiday music, price raffle and a hot turkey and ham full course lunch.

If you have any questions, call TAP at (510) 562-3600.

See you there!

Teamsters support Universal Preschool Initiative on 2006 ballot

Teamsters Joint Council 7 has endorsed the **Preschool for All Initiative** which is slated to be on the June, 2006 ballot.

The Teamsters are working with the Labor Project for Working Families and Preschool California, whose goal is to build public support for universal preschool in California. The initiative will make preschool available to all 4-year-olds in the state.

The initiative is being launched by children's advocate Rob Reiner and a coalition of business, labor and education leaders. Citing documented benefits to children, K-12 schools and the California economy, the coalition said the Preschool for All Act represents one of the smartest and most forward looking investments California can make in its children, its economy, and its future. According to the Coalition:

- 90% of children's brain growth takes place before they enter kindergarten.
- Quality preschool improves the quality of K-12 schools, lowering grade repetition and reducing the need for special education.
- Universal Preschool is a smart investment. Over time, it will increase earnings in adulthood and reduce juvenile crime.

The initiative funds voluntary preschool for all California children in



the year prior to kindergarten. It asks for support from the wealthiest 0.6% of Californians by increasing their tax rate by an additional 1.7% on the annual income they earn over \$800,000 for married couples or \$400,000 for individuals.

Built on the existing public/private preschool system, the initiative insists upon quality for children and their families; adequate qualifications and compensation for instructional staff; flexibility to meet local needs; and accountability to the public.

"Labor unions have two important roles in the preschool for all movement. One is as beneficiaries: Union members are so often working mothers and fathers and they want and need quality programs for their children," says Catherine Atkin, President of Preschool California. "The second role is to help make preschool for all a reality" by mobilizing the grassroots and helping get the initiative on the ballot.

The Joint Council has endorsed the resolution calling on its Local Unions and members to build support for a child care and universal preschool system that works for working parents.

For more information, go to www.preschoolcalifornia.org or call the Labor Project at 510-642-5498.