



# TEAMSTER

## Northern California

Serving more than 70,000 Teamsters and their families

Volume 51, Number 3

August/September 2006

## 2006 Teamster convention sets future course for union



### Big news from UPS

A major announcement at the Teamsters 27th International Convention in Las Vegas was that the union has won a card-check agreement at UPS Freight, providing a major boost to the Teamsters' organizing efforts at the former Overnight Transportation.

"We have been working hard on winning UPS Freight workers a strong voice on the job," General President James P. Hoffa announced. "Our ongoing member mobilization and education drive at UPS Freight helped accelerate this historic victory. UPS Freight workers all over the country are telling UPS and freight members that they want to be Teamsters. Our members in the Parcel and Small Package Division and the Freight Division deserve much of the credit."

"For more than a half century workers at Overnight have been trying to form a union," said Teamsters Freight Division Director Tyson Johnson. "We have the upper hand now."

The Teamsters intend to organize one group, negotiate a strong contract and then build on such a victory to organize other terminals.

#### Early negotiation slated

Meanwhile, UPS has agreed to the Teamsters' demand to early negotiations for the 2008 National Master United Parcel Service Agreement. UPS Teamsters sought early negotiations to ensure protection of their retirement and health care benefits.

#### UPS Teamsters receive 12¢ COLA

UPS Teamsters who are seniority employees and who have completed their appropriate wage progression schedule will receive a 12¢/hour cost-of-living adjustment (COLA) effective August 1, 2006, as set forth in the National Master UPS Agreement.

The 12¢ COLA is on top of the 90¢ per hour general wage increase negotiated in the national contract. So, workers will receive a \$1.02 per hour wage increase on August 1.

"When we negotiated the COLA provision in the contract, we made sure that it provided real protection against inflation," said Hoffa.

"This is great news," said Ken Hall, Director of the Parcel and Small Package Division. "This COLA will become a fixed part of the base wage rate for all job classifications."

Employees who have not completed their appropriate wage progression on August 1, 2006 will receive the adjustment on the date they complete their wage progression schedules.

Part-time workers will see benefits from these adjustments as well. Part-time employees who attain seniority as of August 1, 2002, and were not red circled in or before 1982, shall receive wage increases amounting to \$1.22 per hour due to the "catch-up" increase for part-timers as spelled out in the contract.

More than 6,000 Teamster delegates, retirees and guests gathered in Las Vegas from June 24-28 under the banner of "Moving Forward Together" to tackle a range of constitutional and policy issues that set the future course of the Teamsters Union.

"Today, we are united, strong and on the move," Teamsters General President Jim Hoffa told delegates. "Today we have a strong strike fund. Today we have the resources to run large scale organizing campaigns against global employers. Today we have \$100 million in the bank."

The week's accomplishments were particularly impressive with the major announcement of a card-check agreement at UPS Freight that will provide a massive boost to the Teamsters organizing efforts at the former Overnight Transportation. Also announced was an agreement by UPS to the Teamsters' demand for early negotiations for the 2008 National Master United Parcel Service Agreement.

Among the distinguished guests addressing the convention were former U.S. Sen. John Edwards, (D-NC); U.S. Sen. Joe Biden, (D-DE); U.S. Rep. Pete Hoekstra, (R-MI); actors Kiefer Sutherland and Danny Glover; and radio show host and comedian Al Franken. The convention also featured Teamster members and workers fighting to become Teamster members.

#### Building power in the global supply chain

Teamster delegates unanimously passed a resolution to build on Teamster power in the global supply chain

to strategically organize port drivers at major national ports. Trade volumes are expected to double at North American ports during the next seven years, leading to tens of thousands of jobs for intermodal container truck drivers.

"Prior to deregulation, port drivers were Teamsters," said General President Jim Hoffa. "We welcome our port driver brothers back into the Teamsters union."

"A unionized workforce will provide economic and social benefits to the maritime industry," said Chuck Mack, Teamsters Port Division Director. "An organized workforce would improve port productivity, reduce driver turnover, protect national security and significantly limit the pollution of older trucks."

#### Nominating union officers

The delegates nominated candidates for the offices of General President, Secretary-Treasurer, Vice-President (At-Large and Regional) and International Trustee. After the names were placed into nomination, delegates voted on the candidates. Only those candidates who received votes from 5% of the delegates will appear on the mail ballot.

Joint Council 7 President Chuck Mack, along with Jim Santangelo and Al Hobart, were elected to be Western Region Vice Presidents because no other nominees got 5% of the vote.

See page 2 for the entire list of candidates. The International Union will mail ballots to all members in October, and the election results will be announced before Thanksgiving.

#### Delegates ratify resolutions to set priorities for the union

- ◆ Building a mighty army of Teamster organizers;
- ◆ Continuing the successful fight to keep the border closed to unsafe Mexican trucks;
- ◆ Organizing the DHL delivery system;
- ◆ Organizing Quebecor World workers;
- ◆ Fighting to protect Teamsters' retirement security;
- ◆ Organizing port drivers;
- ◆ Organizing Cintas Corp. workers;
- ◆ Fighting for strong contracts that set industry standards;
- ◆ Organizing school bus workers.

### Nominations for Teamster Offices

The nominees below are listed in the order they appear on the official convention ballot. Positions were chosen by lottery. At least 5 percent of the convention delegates must vote for nominees for them to appear on the general election ballot.

Office	Name	Slate	Votes	%
General President	Tom Leedham	Leedham	107	6
	James P. Hoffa	Hoffa	1,614	92
Genl Secty-Treasurer	C. Thomas Keegel	Hoffa	1,448	82
	Sandy Pope	Leedham	119	7
	Michael Klootwyk	Independent	166	9
VP— At Large	George Tedeschi	Hoffa	1,579	90
	Fred Potter	Hoffa	1,521	86
	Kevin McNiff	Leedham	102	6
	Eunice Rodriguez	Leedham	111	6
	Chris Roos	Leedham	96	5
	Ken Hall	Hoffa	1,622	92
	Carl Haynes	Hoffa	1,570	89
	Scott Webber	Leedham	101	6
	Ed Michael	Leedham	99	6
	Dan Scott	Leedham	112	6
	Fred Simpson	Hoffa	1,509	86
	Randy Cammack	Hoffa	1,588	90
	John Thyer	Leedham	106	6
	Fred Gegare	Hoffa	1,547	88
	Dotty Malinsky	Independent	209	12
VP— Western Region	Jim Santangelo	Hoffa	396	95
	Frank Halstead	Leedham	19	4.5
	Mark Babcock	Leedham	14	3
	Chuck Mack	Hoffa	394	94
	Al Hobart	Hoffa	390	93
	Dudley Stewart	Leedham	13	3
International Trustee	Franklin Gallegos	Hoffa	1,482	84
	Henry Perry	Hoffa	1,520	86
	Ferline Buie	Hoffa	1,458	82
	Doris Cash	Leedham	231	13

### Gear up for the November elections...

Joint Council 7  
Political Action

Worksite Coordinator Meetings

☆☆☆ August 19, 2006 ☆☆☆

SOUTHBAY

Local 287

1452 North Fourth St.

San Jose

9:00 A.M.

NORTHBAY

Local 70

70 Hegenberger Rd.

Oakland

1:00 P.M.



☆ All worksite coordinators are urged to attend. ☆  
All members are welcome.



### New digs for JC7 driver training program

Joint Council 7 Commercial Drivers Training Program has relocated from Oakland to Fremont.

Since its inception five years ago, the truck driver training program has operated out of Local 70. That changed when BART purchased the Local's property earlier this year. After looking at several locations, the school opted for a spot in Fremont at the foot of Auto Mall West.

"We're pleased with the new location and want to thank Larry and Rob-

bie Dias for working with us to make it happen," said Lou Marini, President of the JC7 Truck Driver Training Board. "It means we can continue to give Teamster members first rate training."

Information about the program and a class schedule can be obtained by contacting one of the following:

Gary Payton, Senior Trainer:

510- 568-5278

Local 70: 510-569-9317

Local 85: 415-344-0085

### 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.



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Debra Chaplan, Managing Editor

### APPLY NOW



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YOUR LOCAL FOR AN APPLICATION



## AROUND THE LOCALS

### New Teamsters from New-Star and Misionero merger

When Misionero merged with New-Star Foods in May, the result was a big win for the employees. The formerly non-union workers at Misionero became members of Local 890 and received wage increases of 55¢/hour and greatly improved health insurance benefits.

The newly expanded company now employs 500 Teamster members in Salinas and 500 more in Yuma, Arizona during the winter.

### Dole must promote PMOs

After Local 890 waged a two-year battle, the NLRB finally ruled that Dole must promote four Pack Machine Operator (PMO) back-ups to full PMO positions. The promotions will result in a wage increase of more than \$5/hour plus benefit increases for each worker, as well as \$20,000 in back pay for the group. In addition, four PMOs from Soledad will be able to transfer to permanent non-traveling PMO positions in Yuma.

### Albertson's redistributes distribution

With Albertson's decision to close its San Leandro distribution facility, Locals 70, 490 and 150 have been in on-going talks about the future for members with seniority.

Some of the San Leandro work is being transferred to Roseville, and

### Bay Area Catholic Labor Committee meets with San Francisco Diocese' new Archbishop

In May, the Bay Area Catholic Labor Committee met with recently-installed Archbishop George H. Niederauer. After saying Mass, the Archbishop spoke at a breakfast meeting labor leaders.

"The goal of the committee was to welcome the new Archbishop and open the lines of communication,"

said Local 856 Secretary-Treasurer Michael McLaughlin, Sr. who serves on the Labor Committee's Board of Directors.

Niederauer came to San Francisco from the Catholic Diocese of Salt Lake City where he was known to be a strong supporter of labor issues.



Bay Area Catholic Labor Committee meets with new Archbishop. (L to R): F.X. Crowley, Secretary-Treasurer I.A.T.S.E. Local 16, Chris Cunnie, Chief of Investigations, San Francisco District Attorney's Office, Michael McLaughlin, Secretary-Treasurer Teamsters Local 856, Archbishop Niederauer, John O'Rourke, Business Manager/Financial Secretary IBEW Local 6, John Moylan, retired Business Manager Plasterers Local 66 and Michael Hardeman, Business Representative Sign Display Local 510.

Local 70 was able to arrange transfer rights for 51 drivers and warehouse employees with full seniority. Unfortunately the frozen food work is being subcontracted to a non-union company in Stockton.

According to Local 490 Secretary-Treasurer Carlos Borba, the members in Vacaville will face the loss of a few positions because the company is closing 37 stores. "We're talking to Cerberus group—but they maintained

a VP from Albertson's, so they continue to play the same games," Borba added.

### Organizing win at Coke

By a vote of 11-1, the 12 service techs at Coca-Cola Enterprises (CCE) chose to have Local 70 represent them. These workers fix the vending machines from Salinas to Alameda County.

"With these new members, all of the Coke workers in Local 70's jurisdiction are now union," said Business Agent Lou Marchetti.

"This overwhelming victory finished off a unique campaign," Marchetti explained. "These are highly-skilled workers who make \$22-\$26 an hour. What first attracted them to Local 70 was a chance to replace their company plan with the Teamster pension. They also saw our ability to fix a serious health and welfare problem for them and the more than 300 members we already represent at CCE."

Marchetti explains that it took an NLRB decision for Local 70 to win representation of such a geographically diverse unit." Local 70 attorney David Rosenfeld who presented the case before the NLRB Board said, "It's a precedent setting decision that will enable the Union to pursue these type of workers who sometimes fall through the cracks."

### Setting the record straight in San Jose

Since December, a scandal has been swirling around San Jose Mayor Ron Gonzales and in June, he was indicted over his alleged relationship with Norcal, a San Jose garbage company under contract with the City. On July 6, Bob Morales, Secretary-Treasurer of Local 350, held a press conference to set the record straight as to his Local's role in these events.

Morales explained that the treatment given by the media to this so-called scandal led many people to believe that there was a conspiracy between the Mayor, Norcal and Local 350, to provide Local 350 with a lucrative contract without the knowledge of the City Council. "Nothing could be further from the truth," Morales stated.

Morales described the events by pointing out that Norcal was awarded the franchise for the collection of trash and recycling in a part of San Jose, but had subcontracted the transfer station work to a company called California Waste Solutions (CWS). At that time, CWA was party to a contract with the ILWU in Alameda, but had no operations in San Jose. When it became clear that both CWS and Norcal planned to perform the subcontracted work under the Alameda County contract, Morales blew the whistle.

### Process followed city policy and federal law

First of all, Morales pointed out that the City of San Jose had a long established policy requiring a new contractor to retain the same employees that had performed the work under the predecessor contract. This meant that CWS had no choice as to the employees who would be performing the work.

Second, Morales said that a majority of those employees were already members of Local 350.

"Third," Morales said, "Norcal was required to enter into a contract with Local 350 because the employees it hired, under the City's employee job retention policy, were already Local 350 members."

"We filed an unfair labor practice charge with the NLRB when CWS tried to operate under its substandard Alameda County contract," Morales said. "CWS finally recognized that it would have violated both the federal law and the City's policy if it hired ILWU members to perform the San Jose work."

### Employees file cards for Local 350

The union held a card check election and a majority of employees at the transfer station filed

cards in favor of having Local 350 represent them. "The company did the right thing by agreeing to recognize Local 350 as the representative of the employees," Morales added.

Morales said he was able to negotiate a fair contract with CWS, again following the prevailing wage standards that are part of San Jose's policies. "The Union had nothing to do with the bidding process that Norcal and its competitors engaged in to win the franchise. We had nothing to do with the amount of Norcal's bid, the award of the franchise, or the rate structure customers pay for the service," Morales said. "And the union never got involved in whatever communications there were in this situation between the Mayor, Norcal and the City Council."

Morales emphasized that Local 350, at all times, represented both CWS and Norcal employees—all members of the Local—to the full extent possible and refused to accept anything less for the members than that to which they were entitled.

"It was clear from the media's questions that they really didn't understand how the process worked," Morales said after the press conference. "I hope I was able to enlighten them."



## President's Report

by  
**Chuck Mack**

### Celebrating Teamster democracy

If you've glanced at this month's newspaper, you know about the Teamster convention held in late June. More than 6,000 delegates, alternates and guests descended on Las Vegas for a week of intense activity on behalf of the International Union.

The IBT Convention, the supreme governing body of our International, takes place every five years. Delegates amend the Constitution as needed, handle member trials and appeals, adopt resolutions that chart IBT policy for the future and nominate candidates for International office.

They also heard from diverse speakers and got reports from departments and divisions. The political arena was represented with John Edwards and Senator Joseph Biden. The entertainment industry was on hand with Danny Glover, Keifer Sutherland and Al Franken sharing their thoughts. We heard from our Change to Win partners, too. SEIU President Andy Stern, Bruce Raynor

from UNITE and Joe Hansen from the United Food and Commercial Workers all gave impassioned speeches underscoring the on-going cooperation among CTW unions, especially in organizing. This message was appropriate because it was the theme of the convention—organizing the unorganized and increasing union density, particularly in Teamster core industries.

#### UPS announcements are highlight

The highlight of the convention came with the announcement by Jim Hoffa, Ken Hall and Tyson Johnson that United Parcel Service has agreed to neutrality and card check recognition at recently-purchased Overnite and Motor Cargo, now re-labeled UPS Freight. The agreement opens the door to the Teamsters to organize more than 10,000 new freight members.

Almost as good was the announcement that the Teamster Bestway agreement in the southwest and southeast has been concluded and that it contains neutrality and card check for Bestway locations in California, Nevada and Arizona. The opportunities to organize in freight have not been this good in more than 50 years. Be assured that the Freight Locals in Joint Council 7 will gear up to meet the challenge and provide the benefits of unionization to these workers.

The nominations for General President, General Secretary-Treasurer, IBT Vice President and Trustees were made on Tuesday, Wednesday and Thursday of convention week. A list of those nominated can be found elsewhere in the paper.

#### The Election Process

I want to talk a little bit about the process. Candidates for office are nominated by convention delegates. To be placed on the ballot that will be mailed to the full Teamster membership this October-November, those candidates nominated from the floor must receive at least 5% of the votes from the delegates for the area in which they are nominated. For example, candidates for General President, Secretary-Treasurer, Vice Presidents at Large and Trustees, who represent the entire country, would need support from 5% of the delegates attending the convention. Candidates running for Regional Vice President would need 5% of the delegates in their region.

This fall's ballot will not contain Regional Vice Presidents in Canada or the West. In Canada, the only nominations for three Vice President positions were Robert Bouvier, Tom Fraser and Don McGill. There were multiple nominations in the West, but only

Jim Santangelo, Al Hobart and I passed the 5% threshold.

The nominating process, the speeches, the convention campaign and the vote for International officers slated for this fall underscore something very unique about the Teamsters—our democracy.

We are literally the most democratic institution in the United States. Members have the right to vote not only for International officers but for their Local Union officers as well. You have the right to vote for or against your collective bargaining agreements. You have the right to vote on the By-laws that govern the Local Unions and you have the right to participate in member meetings and vote on motions, resolutions and policy. It's something of which we can and should be very proud.

Along with these rights however, comes responsibility. I urge all members in Joint Council 7 to familiarize yourselves with the issues and to vote in the elections this fall. Only 28% of our members voted five years ago—we can do better.

On a personal note, I want to thank so many of you for the help and support you have extended to me. Being unchallenged in this election, while flattering, has not led me to conclude that Teamster problems are nonexistent in the West or that we who ran for Western Region Vice President are perfect.

There are many challenges ahead and I will continue to work tirelessly to achieve favorable resolution and to improve the standard of living of our members and your families.

*We are literally the most democratic institution in the U.S. Members have the right to vote for their International officers, Local Union officers and collective bargaining agreements.*

### Teamsters rally fo

In the largest rally in the Monterey area in recent memory, more than 20,000 people marched in Salinas on May 1 to defend Immigrants Rights. This march was one of hundreds of marches and demonstrations across the country that put millions of workers on the streets.

The Salinas event was sponsored by the United Farm Workers Union, Teamsters Union, local churches and the Citizenship Project. All across the United States marchers protested against the Republican-sponsored effort to punish all undocumented immigrants, and to urge Congress to adopt a fair and just policy on immigrants.

Even though all Union contracts normally prohibit work stoppages, both UFW and Teamsters union representatives were able to obtain the day off with no



Huge turnout for immigrant rights in Salinas across nation.

### Driving to raise food for

On, May 13, Teamsters Local 287 and its members participated and volunteered in America's largest one-day effort to **Stamp out Hunger** through the partnership between the National Association of Letter Carriers, U.S. Postal Service and the Second Harvest Food Bank.

The 14th annual Letter Carriers Food Drive was the most successful yet; more than 70.5 million pounds of food were collected nationally and delivered to local food banks, pantries and shelters to help families in need. Letter carriers pick up the food donations that people leave at their mailboxes that day and bring them to their local post office or postal annex. Volunteers, like the Teamsters, pick up and deliver these large loads to the Food Bank.

"This was the fourth year that our members participated in the drive," says Local 287 Secretary-Treasurer Bill Hoyt. "We enlisted the support of Roadway Express, DHL Express, Yellow and



Local 287 members spent a beautiful Santa Clara County and delivered to the Second Harvest Food Bank in San Jose. Roadway Express, Yellow and their trucks for the event.



Local 287 members spent a beautiful Santa Clara County and delivered to the Second Harvest Food Bank in San Jose. Roadway Express, Yellow and their trucks for the event.

## Immigrant rights

retaliation for the workers at most Union companies in the Salinas Valley. Taylor Farms, River Ranch and NewStar all agreed to requests by the Teamsters Union to release their employees for the day of the march.

Because of this unprecedented unity of immigrant workers and their Unions, no work took place in the fields of the Salinas Valley, nor in the food processing plants of Salinas. Stores and restaurants were all closed. Thousands of unrepresented farmworkers, restaurant workers and janitors marched side-by-side with Union members from the fields, hotels, county government, construction sites and Teamster food processing plants.

In Sacramento, the California Labor Federation re-organized its annual Legislative Conference that day so unionists from across California could join the march.



Salinas is one of hundreds of May 1 rallies

## Bay Area hungry families



then it gets delivered to food pantries and soup kitchens across the county.

Hoyt wanted to be sure to recognize the members of Teamsters Local 287, Business Agent Lou Marini of Teamsters Local 85, who drove the Teamsters Joint Council 7 truck, and the freight companies for donating their equipment.



Saturday in May picking up donations from delivering them to the Second Harvest Food Bank and Joint Council 7 donated use of

Teamsters Joint Council 7, who joined with Local members to provide trucks, drivers and volunteers to deliver the donations from our area to the Second Harvest Food Bank in San Jose." The Food Bank brings in volunteers who sort the food and

then it gets delivered to food pantries and soup kitchens across the county.

"I know that the Teamsters Union is committed to community service and our members would like to encourage Teamster Locals from each county across the nation to participate in this important event," Hoyt added. "Contact the Second Harvest Food Bank or the National Association of Letter Carriers in your area."



## YOUR LEGAL RIGHTS

### Protections for political activity

Last May, a worker in Lodi, California, was fired by her employer, South Bay Foundry, because she took a previously-approved vacation day to participate in the May 1 immigrants' rights demonstrations. The employer's stated reason for the termination was that she allegedly had a "defiant attitude."

Obviously, if this employee was covered by a union contract containing just cause protection we could expect the termination to be overturned through the grievance-arbitration procedure. But if this employee works at a non-union shop, does she have any legal basis to challenge the discharge?

#### Rights for union and non-union employees

Employees generally have a protected right to engage in political activities on their own time, away from work. California Labor Code Sections 1101 and 1102 prohibit employers from preventing employees "from engaging or participating in politics," or attempting "to control or direct the political activities or affiliations of employees."

These sections also specifically forbid employers from using the threat of termination as a means of compelling employees "to adopt or follow or refrain from adopting or following any particular course or line of political action or political activity."

These laws, administered by the state Labor Commissioner's Division of Labor Standards Enforcement, probably give non-Union em-

ployees a basis to challenge a termination related to political expression.

Section 7 of the National Labor Relations Act gives employees the right to "...engage in ... concerted activities for the purpose of collective bargaining or other mutual aid or protection..." Generally employees must work in a group to invoke Section 7 protection, but the courts have interpreted the "other mutual aid" right to protect workers who have organized to lobby legislators in opposition to a proposed change in national immigration policy; given public endorsement to a bill in the state legislature concerning changes in the workers compensation law; and passed a resolution condemning the employer's opposition to a strike by a completely different union.

*The worker's best job protection is always a just cause union contract.*

#### Political activity must be job-related

Not all political activity is protected by the NLRA: to be protected by Section 7 the political activity must pertain to issues that impact job security, wages or other working conditions

The worker's best job protection is always a just cause union contract. And remember, employees, union and non-union alike, lose the protection of the law and their union contract when they engage in job misconduct, even if they're engaged in "political" activities at the

time. For example, employees who walk off the job, without prior approval, to participate in a political rally likely have lost whatever job protection the law or their union contract affords.



## NEWS FROM TAP

### 2006 TAP Golf Tournament Fundraiser – A Great Success

Thanks to a break in the relentless spring rains, the weather was beautiful and the 22nd annual Teamsters Assistance Program Golf Tournament was a great success. The tournament was held on April 20 at the Coyote Creek Golf Club in San Jose.

The proceeds of the event fund TAP's outreach programs which include continuing care meetings for Teamsters and their families who are impacted by substance abuse. Continuing care meetings are held in Santa Rosa, Watsonville, Santa Cruz, San Jose, and Oakland. TAP also provides training and outreach to Teamsters in the workplace.

The money raised also funds TAP's annual Holiday Party and Knowland Park Zoo Picnic where Teamsters, their spouses and children are welcome.

More than 200 golfers and 40 volunteers came out to share in the festivities, including a round of

golf, sumptuous buffet dinner, putting contest and raffle prizes.

TAP thanks everyone who contributed to and participated in the tournament.

The winner of the \$1,500 grand raffle prize donated by Bright Now! Dental was Morgan Mettling, a S.F. Chronicle Driver and member of Local 853. It was fitting that a Local 853 member won the prize as Local 853 sold 4,010 raffle tickets, making it the winning local for selling the most raffle tickets. With sales of 3,970 tickets, Local 490 came in a close second. Local 78 was third. Thank you to all the staff at each local for all their hard work.

Thanks also to the locals, employers and providers who supported the tournament as major sponsors, as well as those who sent golfers and provided volunteers.

<h1 style="margin: 0;">JOINT COUNCIL</h1> <h2 style="margin: 0;">7</h2> 	<h3>Executive Board</h3> <p>Chuck Mack...President                  Steve Mack...Vice President                  Robert Morales...Secretary-Treasurer                  Rome Aloise...Recording Secretary                  Ernie Yates...Trustee                  Carlos Borba...Trustee                  Franklin Gallegos...Trustee</p>	<p><b>Please note:</b></p> <p>The <b>Bulletin Board</b> 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.)</p> <p><b>Delegates' Meetings:</b></p> <p>The regular 2006 delegates' meetings are held the first Tuesday in February, April, June, August, October and December.</p>
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<b>Reminder</b>			
General meeting notices were posted in the June/July issue of this paper. For meeting dates and locations, refer to that notice or call your Local Union.			
15	.....	510-487-1386	490
70	.....	510-569-9317	624
78	.....	510-889-6811	665
85	.....	415-344-0085	853
278	.....	415-467-0450	856
287	.....	408-453-0287	890
315	.....	925-228-2246	896
350	.....	650-757-7290	912
			.....
			707-643-0387
			707-542-1292
			650-991-2102
			510-895-8853
			650-635-0111
			831-424-5743
			707-644-8896
			831-724-0683

## Nominations & Elections: International Constitution August, 2006

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).



## ELECTION NOTICES

### (Locals 85, 278, 287, 490, 912)

#### LOCAL 85, San Francisco

Regular Membership meetings: Second Thursday of the month, 7 p.m., 850 Harrison Street, San Francisco.

**NOTICE OF NOMINATIONS AND ELECTION OF OFFICERS**

The Nominations for Officers, Business Agents and Dispatchers will be held:

Thursday, November 2, 2006, 7 p.m. at Local 85, 850 Harrison Street, San Francisco, CA.

The offices and positions to be elected a three (3) year term (January, 2007 through December, 2009) and the number of each is as follows: President (1); Vice President (1); Secretary-Treasurer (1); Recording Secretary (1); Trustees (3); Business Agents (4); Dispatcher No. 1 (1); Dispatcher No. 2(1).

All positions are subject to lay-off depending on the financial condition of the Local Union. All determinations concerning eligibility to office are according to the International Constitution and the Bylaws of Local 85. It would be helpful for all members to bring their most current dues receipt to the Nominations Meeting. All nominations must be in writing. The forms will be available at the Meeting or in the Business Office in October. Where a nominee is unopposed at the regularly designated nominations meeting, there shall be no necessity for the election of such nominee and he shall be declared duly elected at such nominations meeting effective as of conclusion of the term of previous incumbent. In October, any prospective candidate may request the Secretary-Treasurer to review his or her eligibility to run for office prior to the nomination meeting. The Secretary-Treasurer must respond to such a request within five (5) days.

All members will be mailed a ballot in December, 2006, to his or her last known address.

**In December, 2006, if you are in good standing (paid November,**

**2006 dues), your ballot will be counted. If you are not paid through November, 2006, you shall be declared ineligible and your ballot will not be counted.**

The ballots will be mailed and counted in December, 2006. If you have not received your ballot by December 5, 2006, please call Patti at (415) 330-8500.

The address indicated on your dues receipt will be the address your ballot will be mailed to. Therefore, if the address is incorrect, kindly call the dues department immediately.

"Write-in" voting is prohibited as per the International Constitution, Article XXII. "Walk-in voting" or "dropping off ballot" will not be permitted. The ballots should be returned by mail to the U.S. Post Office.

Please be advised that all of the positions are subject to lay-off, full-time, part-time, etc., to be decided by the Local Union Executive Board from time to time, depending on the financial condition of the Local Union.

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

Copies of the International Constitution and the Local 85 Bylaws are available in the dues office during normal business hours.

*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.

**NOTICE OF NOMINATIONS AND ELECTION OF OFFICERS**

Nominations for Officers and Business Agents for Teamsters Local 278 will be made at the Regular Membership meeting as follows:

DATE: October 17, 2006

TIME: 7:30 p.m.

PLACE: Slovenian Hall, 2101 Mariposa St., San Francisco, CA

Candidates for the offices of President, Vice President, Secretary-Trea-

surer, Recording Secretary, three (3) Trustees, two (2) Business Agents, one (1) Business Agent/Organizer for a three (3) year term will be nominated at this meeting.

To be eligible to nominate, second nominations and otherwise participate in a nominations meeting a member must have his/her Union Dues paid through September, 2006.

Every member in good standing who has paid his/her dues on or before the last business day of each month for 24 consecutive months prior to nominations shall be eligible to hold office if otherwise qualified under the International Constitution and the By-laws of Local 278.

The election of officers and business agents will be by walk-in balloting in accordance with the following schedule:

DATE: November 17, 2006

TIME: 7:00 a.m. to 8:00 p.m.

PLACE: Offices of Teamsters Local 278

5 Thomas Mellon Circle, Suite 130, San Francisco, California 94134

To be eligible to vote a member must have his/her dues paid through the month of October, 2006.

Please take notice of the International Constitution provisions applicable to all nominations and elections for Teamster Locals which are printed in this publication.

*Jack Booker, Secretary-Treasurer*

### **LOCAL 287, San Jose**

#### **NOTICE OF NOMINATIONS AND ELECTION OF OFFICERS**

Nominations for Officers and Business Agents for Local 287 will take place:

DATE: Tuesday, September 5, 2006

TIME: 7:00 p.m.

PLACE: Teamsters Local 287, 1452 North Fourth St., San Jose, CA 95112

Candidates for the offices of President, Vice-President, Secretary-Treasurer, Recording-Secretary, three (3) Trustee and three (3) Business Agents for a three (3) year term will be nominated at this meeting.

To be eligible to nominate, second nominations and to otherwise participate in the nomination meeting, a member must have his dues paid through August 2006. Every member in good standing who has paid his/her dues on or before the last business day of each month for twenty-four (24) consecutive months immediately prior to nominations shall be eligible to hold office if otherwise qualified under the International Constitution and the By-laws of Teamsters Local 287.

Prospective nominees are advised to verify, in advance of the nomination meeting, the eligibility of their nomi-

nators and seconders.

The election of Officers and Business Agents will be by mail referendum. Ballots will be mailed on September 26, 2006. Ballots must be received in the post office in accordance with the instructions contained in the envelope that includes the ballot no later than October 11, 2006. Ballots will be picked up from the post office, taken to the Union office and counted on October 12, 2006. To be eligible to vote, a member must have his/her dues paid through the month of September 2006.

Please take notice of the International Constitution Provisions applicable to all nominations and elections in Teamster Locals which are stated on page 6 of this publication.

*William Hoyt, Secretary-Treasurer*

### **LOCAL 490, Vallejo**

#### **MEMBERSHIP MEETINGS:**

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

#### **NOTICE OF NOMINATIONS AND ELECTION OF OFFICERS**

Nominations: 7:00 p.m., Tuesday, November 14, 2006, at 445 Nebraska Street, Vallejo, California. Officers to be nominated for three-year terms are: President, Vice President, Secretary-Treasurer, Recording Secretary, and three (3) Trustees.

To be eligible to nominate, a member must have his/her dues paid through the month of October, 2006. To be eligible for election to any office in the Local Union, a member must be in continuous good standing in the Local Union in which he/she is a member, and in which he/she 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 of the I.B.T. Constitution concerning payment of dues for a period of twenty-four (24) consecutive months, together with no interruptions in active membership in the Local Union because of suspensions, expulsions, withdrawals, transfers or failure to pay fines or assessments.

**Election:** The election shall be by mail referendum ballot. The ballots will be counted on Saturday, December 23, 2006. To be eligible to cast a valid ballot, a member must have his/her dues paid through the month of November, 2006, no later than 12:00 Noon on Friday, December 22, 2006. Ballots will be mailed on Wednesday,

November 29, 2006. Request for duplicate ballots because of spoiled or mismatched ballots or request for ballots because of allegations the ballot was never received shall be made to Local 490's office by the member requesting such duplicate ballot. Such request must be made no later than the close of business (5:00 p.m.) on Wednesday, December 13, 2006. Copies of the International Constitution, Local 490 Bylaws, which contain rules governing elections, and the Rules and procedures applicable to the nomination and election of officers are available at Local 490's office.

*Carlos Borba, Secretary-Treasurer*

### **LOCAL 912, Watsonville**

General Membership meetings – 22 E. 5th Street, Watsonville

#### **NOTICE OF NOMINATIONS AND ELECTION OF OFFICERS AND BUSINESS AGENTS**

Notice is hereby given of the nomination and election of the following officers of Local Union 912: Secretary-Treasurer (Principal Officer), President, Vice President, Recording Secretary, Trustees (3). The terms of office for these officers will commence on January 1, 2007, and conclude on December 31, 2009.

#### **Nominations**

Nominations will be accepted at a special meeting to be held Saturday, November 18, 2006 at the Local Union Hall at 22 East 5th Street, Watsonville, California, at 10:00 a.m. Nominations must be made and seconded from the floor by members of Local 912 other than the nominee. Nominators and seconders must be members in good standing with dues paid through October, 2006. Nominees must accept nomination in person, or if absent, in writing for only one office. Written acceptances must be submitted to the Secretary-Treasurer, or his designated representative.

#### **Eligibility to Nominate, Vote and Run for Office**

Rules for eligibility to nominate, vote and run for office are printed at the beginning of the Bulletin Board section of the Newspaper, above. In order to nominate a candidate, dues for the month of October, 2006 must be paid prior to the nomination meeting. In order to have your ballot counted, dues for the month of November, 2006 must be paid prior to 5:00 p.m. on Friday, December 22, 2006. The eligibility of seasonal workers in the seasonal food industry to nominate and to vote is governed by Article XXII, Section 4 of the IBT Constitution. Such persons are eligible for

these purposes if they:

1) were in regular employment during some period of the twelve (12) months prior to the election, and 2) produce satisfactory evidence that their dues were paid up through the last month of employment.

Potential candidates are encouraged to check their eligibility, and the eligibility of their nominators and seconders, prior to the nominations meeting. Requests should be submitted in writing to the Secretary-Treasurer or his designated representative.

#### **Election**

The election shall be by mail ballot. Ballots will be mailed on or about December 5, 2006, to the last known address of all active members and new applicants eligible for membership in Local 912. All ballots must be received in the post office in accordance with the instructions contained in the envelope that includes the ballot no later than December 26, 2006. Ballots will be picked up from the post office, taken to the Union office and counted beginning at 9 a.m. on December 29, 2006.

#### **Protests**

Any pre-election protests must be filed with the Local Union Secretary-Treasurer in accordance with the provisions of Article XXII, Section 5(a) of the International Constitution. Any post election protests must be filed with the Secretary-Treasurer of the Joint Council #7, in accordance with the provisions of Article XXII, Section 5(b) of the International Constitution.

Copies of these Articles of the International Constitution, the Local Union #912 By-laws and the rules governing the conduct of this election are available, upon request, from the Local Union.

#### **AVISO DE NOMBRAMIENTO Y ELECTION DE LOS OFICIALES Y AGENTES DE NEGOCIOS DE LA UNION**

Por la presente se da este aviso con respecto al nombramiento y la elección de los siguientes oficiales del Local 912 de la Unión: Secretario-Tesorero (Oficial Principal), Presidente, Vice-Presidente, Secretario de Actas, Fiduciarios (3). Los terminos de los puestos de estos oficiales comenzarán el 1° de Enero, 2007 y concluirán el 31 de Diciembre del año 2009.

#### **Nombramientos**

Se aceptarán nombramientos en la Reunión Especial de Miembros que se hará el sábado, 18 de Noviembre, 2006 en el Salón del Local de la Unión en 22 East Fifth St. Watsonville, CA, a las 10:00 de la mañana.

*continued on page 8*



## IN THE NEWS

### Labor Board may decide to kick “supervisors” out of unions

The National Labor Relations Board (NLRB) is set to rule on three cases collectively known as “Kentucky River”—and the ruling literally could take away bargaining rights from hundreds of thousands of employees.

The Kentucky River cases are about nurses, but the impact of the NLRB’s decision would extend well beyond the health care field. If the NLRB agrees to alter the definition of “supervisor,” building trades workers, newspaper and television employees, port workers and many others could be prohibited from forming unions.

Meanwhile, the NLRB has refused to hear oral arguments on the cases—

and has heard no oral arguments, a fundamental part of any due process since the Bush administration took office.

Limiting the number of workers who qualify for union membership has been a goal of Big Business interests since the 1930s, when the National Labor Relations Act (NLRA) was first passed.

In 1947, a Republican Congress passed the Taft-Hartley Act which banned supervisors from forming unions. Under Taft-Hartley, a supervisor is defined as “...any individual having authority, in the interest of the em-

ployer, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, re-ward or discipline other employees, or responsibility to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.”

But this definition wasn’t enough for Big Business. In the decades following Taft-Hartley’s passage, corporations have continued to expand Taft-Hartley’s meaning of “supervisor.”

The initial Supreme Court ruling on the Kentucky River cases in 2001 is based on the issue of “independent

judgment.” In his dissent, Justice Stevens argued that construing the term “supervisor” broadly will eliminate professional employees from NLRA protections. This is exactly what many fear the Bush labor board will do.

If the Labor Board enacts the Kentucky River definition of supervisor, employers will have the right to deny anyone they deem to be a supervisor the right to be a union member.

Union members demonstrated across the nation in July to demand that the NLRB hold oral arguments on this case before making another bad decision. For more information about what you can do, go to: [http://action.americanrightsatwork.org/campaign/nlrb\\_hearings](http://action.americanrightsatwork.org/campaign/nlrb_hearings)

(Excerpted from *America at Work* blog — by Tula Connell)

...The ruling literally could take away bargaining rights from hundreds of thousands of employees.

### In Memoriam

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

MILLER, Ralph S., Local 15	LARGENT, James, Local 490
PICOU, Melvin C., Local 15	MELCHOR, Milton, Local 490
VORDA, Peter B., Local 15	MCDANIEL, William, Local 490
MARTINEZ, Mario, Local 70	TWILLEY, Charles, Local 490
SHLEY, Albert, Local 70	WILSON, Eugene, Local 490
SNASEL, Gene, Local 70	COMER, Charles, Local 853
BENNETT, R.J., Local 78	DAVIS, Nelson James, Local 853
REEKERS, Anno, Local 78	ELLEDGE, Robert L., Local 853
SCHULTZ, Carl, Local 78	ERBACHER, Stephen, Local 853
ARSENAULT, Joseph, Local 85	MARTINEZ, Jose S., Local 853
BEACHY, Simon, Local 85	PLEASANTON, Mathew, Local 853
DITO, Mervin A., Local 85	SAYLES, Jim III, Local 853
ESTEBEZ, Fred, Local 85	BERGER, Carol, Local 856
FERNANDEZ, Albert, Local 85	CURRERI, Vincent, Local 856
GIUSTO, Albert N., Local 85	HOANG, Lien, Local 856
GRECH, Paul, Local 85	LONG, Albert, Local 856
KLINE, Charles, Local 85	LORENZI, Ralph, Local 856
MAZZA, Joseph, Local 85	PEREZ, Gilbert, Local 856
PINKERMAN, Noah, Local 85	SILVA, Shari, Local 856
RODRIGUEZ, Virgil M., Local 85	BRADLEY, Charles, Local 890
TRACY, Larry, Local 85	BURDITT, Raymond, Local 890
YOUNGMAN, George, Local 85	CARRION, Isaias R., Local 890
WILCOX, Wilfred, Local 85	CEJA, Emigdio, Local 890
MCCORMICK, Glenn R., Local 278	CERVANTEZ, Juan V., Local 890
ALVARADO, Matilde, Local 287	DESTAFANIS, Troy J., Local 890
BARRAGAN, Pete, Jr., Local 287	DURAN, Delores, Local 890
BLEVINS, Michael, Local 287	FLORES, Saul, Local 890
NGUYEN, Huong, Local 287	GOURDIN, Alicia, Local 890
RODRIGUES, Reuban, Local 287	LEMONS, Robert, Local 890
SERASSIO, Jim, Local 287	MARMOLEJO, Fidencio, Local 890
ALEGRE, Roy, Local 291	MARQUEZ, Victor, Local 890
BESSEGHINI, Louis, Local 315	MENA, Paul, Local 890
CANARIO, Antonio, Local 315	MICHEL, Maria Gomez, Local 890
DELGADO, Benjamin, Local 315	PEPITO, Demetrio, Local 890
MARQUARDT, William, Local 315	PICCHELETTI, Mario, Local 890
MORRIS, Nelson, Local 315	ORTEGA, Federico, Local 890
SEVIER, Wao, Local 315	REYES, Tony, Local 890
SILVERIA, Joseph, Local 315	RODHE, Louie, Local 890
STEELE, Lee, Local 315	SANDOVAL, Alberto, Local 890
TOMASON, Rich, Local 315	PAGE, Gail, Local 896
FRENSLEY, William, Local 484	VALENCIA, Yvonne, Local 896
ADAN, Richard, Local 490	VLASIC, Vince, Local 896
CHUN, Calvin, Local 490	ALLARD, David G., Local 921
DONAHUE, John, Local 490	

### AVISO por Local 921 — continued from page 7

Los nombramientos se tienen que proponer y secundar desde el piso de la asamblea por miembros del Local 912 que no sean la misma persona nombrada. Los nombradores y secundadores tienen que ser miembros acreditados que han pagado sus cuotas de membresía hasta Octubre de 2006. Los Nombrados tienen que aceptar su nombramiento por escrito y por solo un puesto. Las aceptaciones escritas se tienen que someter al Secretario-Tesorero, o a su representante designado.

#### Elegibilidad para nombrar, votar y correr por un oficio

Las Reglas de elegibilidad para nombrar, votar y correr por un oficio se encuentran al principio de la la sección “Bulletin Board” de este periódico. Para nombrar a un candidato, la cuota del mes de octubre de 2006 se tiene que pagar antes de la junta para nombramientos. Para que se incluye su balota en la cuenta oficial se tiene que pagar su cuota para el mes de noviembre de 2006 antes de las 5:00 de la tarde, vienes el 22 de diciembre de 2006. La elegibilidad de trabajadores temporales de la industria de procesamiento de alimentos se gobierna de acuerdo con el Artículo XXII, Sección 4 de la constitución de la IBT. Tales personas se considerarán elegibles con estos propositos con tal de que:

1) Se contrataron en un trabajo regular durante alguna parte de los doce (12) meses antes de la elección; y 2) Provean evidencia satisfactoria de que

pagaron su cuota hasta el último mes en que trabajaron..

Se aconsejan a los candidatos potenciales que revisen su elegibilidad y la de sus nombradores y secundadores antes de la junta para nombramientos. Se debería de someter cualquier solicitud por escrito al Secretario-Tesorero o a su representante designado.

#### La Elección

La elección se conducirá por balota por correo. Se enviarán las balotas en aproximadamente el 5 de diciembre a la última dirección conocida de cada miembro o candidato elegible para la membresía en el Local 912. Todas las balotas se tienen que recibir en la oficina del correo de acuerdo con las instrucciones que se encuentran en el sobre con la balota no después del 26 de diciembre de 2006. Las balotas se recojerán de la oficina del correo y se llevarán a la oficina de la unión para contarse a las 9 de la mañana el 29 de diciembre de 2006.

#### Protestas

Cualquier protesta de antes de la elección se tiene que entregar al Secretaria-Tesorero de acuerdo con los provisos del Artículo XXII, Sección 5(a) de la Constitución de la IBT. Cualquier protesta después de la elección se tiene que entregar al Secretario-Tesorero del Concilio Conjunto #7, de acuerdo con los provisos del Artículo XXII, Sección 5(b) de la Constitución de la IBT.

Se pueden solicitar al Local 912 copias de tales artículos de la Constitución de la IBT y las Reglas del Local 912 que gobiernan la conducta de esta elección.