



# TEAMSTER

## Northern California

Serving more than 70,000 Teamsters and their families

Volume 52, Number 2

May/June/July 2007

## Union and communities join fight for clean, safe ports, drivers' rights

For years, the Teamsters have sought to organize port drivers, who, because they are misclassified as "independent contractors," have been prohibited from gaining union representation. That may be changing, and the March 17 Town Hall meeting in West Oakland was an important first step to bringing community voices and organizations to bear in ensuring a clean and safe Port of Oakland and rights for the drivers who work out of the port.

The meeting, held at Taylor Memorial Church and sponsored by the Coalition for Clean and Safe Ports, brought together more than 300 port truckers, West Oakland community members, and members of environmental and labor groups to raise concerns around port trucking practices that threaten trade growth, worsen diesel pollution, create poor working conditions for drivers and perpetuate a lack of port jobs for surrounding West Oakland residents.

"We must create a level playing field so trucking companies compete on quality of service instead of ability to drive down standards. By fixing the port trucking system, Oakland has the potential to become a center for world

trade, and Oakland residents will have the economic opportunities we so desperately need," testified California Assembly member Sandre Swanson at the meeting.

Omar Benjamin, the Port of Oakland's Executive Director, was on hand to hear community testimony, answer questions, and reaffirm the Port's commitment to environmental stewardship and community economic development.

### Hearing from port drivers

Port drivers at the meeting testified that they work 14-16 hours a day but don't end up with much money. According to the Coalition, many drivers earn as little as \$7 per hour after truck-related expenses and hours-long wait times. Only 10% of drivers receive health benefits and 5% receive retirement benefits.

"We need practical solutions and we need a union," said one driver.

"Many companies cheat. They have no respect. We need respect," said another.

In addition to the drivers, community members testified about pollution caused by idling diesel trucks and high rates of asthma among youth and the elderly in West Oakland.



A standing-room only crowd of port drivers, Teamsters and community members from across West Oakland came to the Town Hall meeting at Taylor Memorial Church on March 17 to support the Coalition for Clean and Safe Ports.

### Southern California ports announce historic plan

Officials from the ports of Los Angeles and Long Beach announced on April 12 a dramatic plan to transform port trucking that would slash their diesel air pollution by 80% in five years and improve working conditions for drivers.

Their plan closely mirrors the proposal submitted by the Teamsters and the Coalition for Clean and Safe Ports. "It reflects the growing political power of labor and environmental organizations working together to achieve parallel goals," states the *Cunningham Report*, a trade and transportation publication.

Highlights of the plan include:

- Motor carriers must use employee drivers.
- Motor carriers will be responsible for maintaining and repairing the trucks.
- Only motor carriers with fleets of at

least 50 trucks will be eligible to haul containers in and out of the ports.

- Over the next five years, the motor carriers must transition their fleets to 100% 2007 or newer models.

"This is even better than what we asked for," says IBT Port Division Director Chuck Mack. "It means that port truck drivers will be employees, and will therefore be in a position to join a union. It also means that pollution from older trucks will be eliminated by 2012." Mack's only concern is that it will also draw increased opposition from the trucking industry.

Environmental, labor and community groups who fought for the plan for more than a year as a unique "blue-green" coalition were thrilled.

"This sets an important example for the Port of Oakland to follow. And after that, we'll take it to Seattle, Tacoma, Miami, and New York/New Jersey," Mack added.



Port of Oakland Executive Director Omar Benjamin (Right) stays after the meeting to talk with Teamsters and Port Drivers about their concerns.

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## President's Report



by  
**Chuck Mack**

### Blasting newspaper's anti-union stance

In early March the Contra Costa Times editorialized against the Employee Free Choice Act. This legislation would require employers to recognize a Union for purposes of collective bargaining if a majority of employees had signed cards or a petition requesting union representation. The bill has passed the House of Representatives and is pending in the Senate. Here is Joint Council 7 President Chuck Mack's response, which was printed on March 17, 2007 in the Times.

Your March 7 editorial, "One-sided union bill," fails to address the key points of the bill it criticizes. By passing the Employee Free Choice Act, the U.S. House of Representatives is answering America's call to strengthen its middle class.

Our country voted for sweeping change last November, electing officials who understand the needs of the middle class, which is to live the American dream: to work a full-time job and earn wages and benefits that will support them and their families.

Our country's history proves that the best vehicle to achieve this security is a union.

Economic distribution was much more equal in the 1950's than it is today. Then, the middle class thrived in part because more workers were union members. There is a correlation over the past few decades. While unionization rates have decreased, income disparity and companies' ag-

gression against workers who seek to form a union have increased.

A 2005 study by the University of Chicago found: 30 percent of employers fire pro-union workers; 49 percent threaten to close a work site; 82 percent hire union-busting consultants to fight organizing drives; and 91 percent force employees to attend anti-union meetings one on one with supervisors.

Our weak labor laws allow unscrupulous employers to turn secret-ballot elections into mere shams. How can a worker freely decide when his or her employer – upon whom the worker is dependent for income and benefits – is willing to intimidate and harass?

In no other U.S. election would we consider that democracy.

There is nothing "one-sided" about this bill. It's a case of the politicians we elected in November proving their commitment to strengthening America's middle class.

## Pop Quiz

What's the maximum amount the NLRB can fine an employer for willfully bribing, threatening, assaulting, or firing pro-union employees?

- A) \$0
- B) \$1,000
- C) \$10,000
- D) Employees' lost salary x3

The NLRB does not have the authority to impose fines, revoke licenses, or impose prison time on those who violate the National Labor Relations Act. This can only change if Congress passes the Employee Free Choice Act. See below for more details!

**Answer: A.**

—from American Rights at Work

[www.americanrightsatwork.org/workersrights/take5polls.cfm](http://www.americanrightsatwork.org/workersrights/take5polls.cfm)



## YOUR LEGAL RIGHTS

### Passing Employee Free Choice Act

Prepared by the Law Office of  
**Beeson, Tayer & Bodine**

"[T]hese reforms will enable hard-working Americans to make their own decision about whether they want to bargain together, without the threat of harassment and retribution or the fear of losing their livelihood."

—Senator Edward Kennedy

On March 1, 2007, the United States House of Representatives passed the Employee Free Choice Act, a bill aimed at making it easier for workers to join unions. The Employee Free Choice Act ("the Act") represents potential sweeping and favorable changes to the current law pertaining to union certification and collective bargaining rights.

The Act would amend the National Labor Relations Act in three basic ways. First, the Act would allow unions to be certified after a card check procedure by the National Labor Relations Board. Currently, a union will only be certified by the National Labor Relations Board after a secret ballot election.

The problem with secret ballot elections, however, is the tendency of employers to harass and retaliate against employees who are active in the organizing process and who demonstrate support for the union. In fact, during a union drive, more than eighty percent of employers hire consultants to help them avoid unionization of their workplace. According to a survey of 400 election campaigns, thirty-six percent of employees who voted against union representation did

so because of pressure from the employer. The card check procedure would cut down on the employer's ability to interfere with such organizing efforts by providing for certification if a majority of workers (as determined by the National Labor Relations Board) sign union authorization cards.

The Act would also mandate federal arbitration to reach labor contracts if an employer and a newly-certified union could not reach agreement within ninety days after certification. This would eliminate the incentive for an employer to engage in bad faith bargaining to reduce workers' support for the union. Finally, the Act would impose stricter penalties on employers who commit unfair labor practices during an organizing campaign or during bargaining for a first contract. Under current law, there is little or no penalty to employers who commit unfair labor practices unless a worker is fired.

Unfortunately, the Act still has to be passed by the Senate and approved by the President. Moreover, on February 14, 2007, Vice-President Cheney announced that President Bush would veto the bill. However, this piece of legislation is unlikely to go away. And, if the next administration is labor-friendly, some version of the Act may be enacted. The International Brotherhood of Teamsters and other labor organizations have put the EFCA as a priority. More information on the Act is available at: [www.teamster.org/action/political/EFCA.asp](http://www.teamster.org/action/political/EFCA.asp)



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Debra Chaplan, Managing Editor



Congresswoman Barbara Lee, a sponsor of the EFCA, speaks at an Alameda County Labor Council EFCA forum in March where workers from numerous organizing campaigns testified. Behind her is Labor Council Executive Secretary-Treasurer Sharon Cornu.



## NEWS FROM TAP

### What to watch for and do when you think your teenager is using drugs

TAP has seen an increase in the number of adolescents needing substance abuse treatment over the last five years. TAP receives calls from parents who suspect, or are certain, their teenager is using alcohol and/or drugs. Often, parents are not sure what drugs their child is using. Many inquire about how to have their teenager tested for drug use.

Substance abuse puts millions of adolescents at increased risk for alcohol-related and drug-related traffic accidents, risky sexual practices, poor academic performance, juvenile delinquency, and developmental problems. Teen use of most illicit drugs has held steady during the past few years, while adolescent drug abuse of methamphetamine and the dangerous club drug MDMA (Ecstasy) has increased among older teens.

Parents of teenagers should know that drugs today—marijuana, cocaine, methamphetamine and heroin—are from two to ten times as powerful as they were when many of you were in high school.

Many teens begin drug use by raiding their parents' medicine cabinet for pain killers, tranquilizers or sedatives.

The statistics on adolescent alcohol and drug use are staggering. Among youth age 12 to 17, approximately one million are dependent on illegal drugs, and almost another million are dependent on alcohol. More than half of 12th graders have tried an illicit drug, and more than one-quarter have tried a drug other than marijuana, such as cocaine, methamphetamine, heroin and inhalants.

Although consumption of alcohol is illegal for people under 21, over 10 million current drinkers are age 12-20, half of whom engage in binge drinking. A teen who starts drinking alcohol

at age 13 is four times more likely to develop alcohol dependence during their lifetime than someone who starts at age 20. This makes sense, because changes in brain chemistry over time make it difficult for persons with addictive disorders to stop using drugs or alcohol despite their attempts to quit.

Perhaps the most telling statistic about drug availability was that 14 percent of 12-17 year olds reported being approached by someone selling illicit drugs during the past 30 days. By the time they reach age 17, more than half of adolescents know a drug dealer.

*If you are insured through a TAP-participating Health and Welfare Fund and suspect that your child has a drug or alcohol abuse problem, contact TAP to conduct an evaluation of the child, at no cost.*

#### Breaking the addiction

The most important factors in preventing and recovering from substance abuse problems are early identification and immediate treatment intervention.

Parents must be alert to changes in an adolescent's behavior and appearance that may signal substance abuse. In addition to direct evidence of drug/alcohol use such as odors or drug-related paraphernalia, the following behavior changes, when extreme or lasting for more than a few days, may indicate alcohol-related or drug-related problems and the need for further screening by a professional.

- Sudden changes in personality without another known cause
- Loss of interest in once favorite hobbies, sports, or other activities
- Sudden decline in performance or attendance at school or work
- Changes in friends and reluctance to talk about new friends

- Deterioration of personal grooming habits
- Difficulty in paying attention, forgetfulness
- Sudden aggressive behavior, irritability, nervousness, or giddiness

#### Good news for teens

For teenagers who cross the line from experimentation to abuse or dependence there is good news. Addiction treatment is as effective as treatments for other chronic medical conditions such as diabetes and hypertension. A national study of community-based treatment programs for adolescents found that reported weekly marijuana use dropped by more than half in the year following treatment. Clients also reported less heavy drinking, less use of hard drugs, and less criminal involvement. Other benefits included better psychological functioning, fewer emergency room visits, and overall better physical health.

However, as with other relapsing conditions, recovery from addiction is dependent on the availability of treatment, support, and may require multiple courses of treatment.

If you are insured through a TAP-participating Health and Welfare Fund and suspect that your child has a drug or alcohol abuse problem, contact TAP to conduct an evaluation of the child, at no cost.

TAP counselors recognize that screening and treating adolescents for substance abuse requires special consideration of the adolescent's individ-

ual experience and how it affects the nature and severity of his or her alcohol or drug use.

Not all adolescents who come to TAP are referred to substance abuse treatment. Every child's situation is different. Some are referred to residential treatment, some to outpatient programs. Others are directed to mental health professionals to deal with other primary problems, while some are given referrals to community resources.

TAP advises parents to be careful about relying exclusively on drug and alcohol tests as a way to determine if a teenager is using or as a deterrent.

The truth about drug testing is that many over-the-counter tests are available to parents but no drug test covers all the possible drugs of abuse. The standard 5-panel test would only detect some drugs of abuse. It would not detect the following drugs: any narcotic pain killer other than heroin, morphine or codeine (no vicodin, oxycotin, darvon, percodan), tranquilizers (including valium), sedatives (including tuinol or seconal), no hallucinogens (including LSD, ecstasy, peyote, psilocybin, or mescaline), inhalants or quaaludes. Even a test ordered by a physician may not cover all categories of drugs. Also, unless the urine collection is observed, there are many ways to overcome detection on a drug test. Testing is not a substitute for treatment, but it may be a part of a relapse prevention plan.

If you suspect that your son or daughter has an alcohol, drug, or other behavioral problem, or you are concerned that experimentation with drugs or alcohol may be starting, please call TAP at 510-562-3600 and ask to speak to a counselor.

**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.



## HEALTH CARE REFORM

### Unions work together, and with employers, to fix health care system

Across California, Teamster negotiators are fighting to protect our healthcare at the bargaining table. But this fight is bigger than that. We also have to fix a broken system.

Why is it broken? Insurance and pharmaceutical companies—two of the most profitable industries in the world—drive up costs and keep more of our money for profits, while spending less on actual health care.

Another reason is that more and more Californians are losing health insurance from their employers. The costs of the uninsured are passed on to all of us. In fact, between 15-20% of the premiums paid for your insurance cover people you have never met! When the uninsured get sick, they are often forced to wait until they need treatment in an emergency room. They can't afford to pay, but the hospitals find a way to charge us for that care.

That's right – our insurance pays. And it's expensive!

But nearly 80% of the uninsured are members of working families.



On April 17, union members rallied at the state capitol to send a message that the healthcare system must be reformed. Here, electrician Frank Albert testifies about how much money his members diverted from wages to benefits to cover steep cost increases.

That's why we need more employers to provide insurance for their workers. It saves us money and levels the playing field for non-union businesses that have been draining our insurance!

The Teamsters has joined with the California Labor Federation and unions across the state to pass legisla-

tion in Sacramento that will fix the system. We're not the only ones working on this issue, however. Others have proposed legislation...some of it is good and some bad.

#### The Governor's bad plan

Governor Schwarzenegger's pro-

posal for health care reform puts more burden onto individuals, rather than asking employers to pay their fair share. His plan would legally require all individuals to have health insurance coverage—just like auto insurance—but with no guarantee that it would be affordable.

Simply requiring individuals to purchase insurance won't solve the problem of the uninsured. In reality, most people are uninsured because they cannot afford coverage.

By shifting more burden onto individuals, the Governor's plan lets these employers off the hook and gives them an incentive to drop coverage all together. Union members could lose the coverage we currently have and be forced to buy coverage on the open market.

So how can you help? Send a message to your legislator asking them to support real health care reform. It only takes a second to send the message, and you can add your own comments if you like. Go to [www.calaborfed.org](http://www.calaborfed.org) today to take action!

#### Follow principles to reform the system now

The California Labor Federation has released **Labor's Principles for Health Care Reform**. These include:

**1 Guarantee affordable quality healthcare for all Californians.** As costs increase and more workers are hired as independent contractors, temps, part-timers, and seasonal employees, employment-based healthcare is eroding. Retirees are struggling to maintain coverage and many cannot afford needed medication. We oppose the reduction of retiree benefits.

**2 Contain healthcare costs.** Healthcare costs have skyrocketed over the last few years. Pharmaceutical and insurance companies are diverting healthcare spending away from services and toward administration, advertising and profits.

We need greater transparency and oversight to contain healthcare costs. We call for increased efficiency and an end to duplication with the workers' compensation system.

**3 Employers and government must join workers in sharing responsibility and risk.** Working families already pay for a share of our own healthcare through sacrificed wage increases, a share of premiums, co-pays or deductibles. The best way to improve healthcare is to pool risk by purchasing insurance collectively.

**4 Ensure patient choice and protect the doctor-patient relationship.** Medical decisions should be made by patients and their healthcare providers, free of interference from HMOs and insurance company bureaucrats. All Californians must have the freedom to choose—and keep—their own doctor and have access to the care they need.

**5 Improve the quality of care.** Quality care means that an individual receives the right care, at the right time, resulting in the best possible health outcomes. Preventative care is essential to promoting good health and reducing costs to the system. Access to public safety net services must be maintained.

For more information about the Labor Fed's healthcare reform campaign, and the many legislative proposals currently circulating in Sacramento, go to: [www.calaborfed.org](http://www.calaborfed.org)



## ORGANIZING

### Joint Council 7 invests in strategic organizing

As manufacturing and service industry jobs are outsourced in today's global economy, unions recognize that unless they put their resources to organizing new workers, unions will soon fade into history.

Joint Council 7 is moving ahead to ensure that the Teamsters are strong into the future by hiring Pilar Barton to serve as strategic organizer.

"We're pleased to bring Pilar on board to coordinate and serve as a resource on training our paid and volunteer organizers, coordinate with the International Union on hot campaigns, and be prepared to take advantage of opportunities at municipalities and agencies as they arise," said Joint Council 7 President Chuck Mack. "We'll want her to push locals to go out and organize, and help teach them how to do it."

Barton comes to Joint Council 7 with years of organizing experience under her belt. She was Local 150's lead organizer for more than two years, she worked for the IBT International, as well as for the Communica-



Joint Council 7's new organizer Pilar Barton

tions Workers of America.

"I come from a family of Irish immigrants who organized workers on the Southern Pacific railroad lines. I was working at Fed Ex when the Teamsters decided to start an organizing campaign there. I worked as a volunteer organizer on that campaign until the company fired me."

Over a very short time with Local 150, she organized four DHL locations, two Cemex locations, Iron Mountain, and Darel Green. She's organized a wide range of workers, from garbage and recycling workers at BFI, 3200 customer service reps at America West, and hundreds of professional and technical workers at U.C. campuses.

"The Teamster organizing program needs to be about building political strength, popularizing pro-labor ideas, as well as pursuing a relentless organizing strategy on the Local and Joint Council levels," Pilar says. "Our organizing plan will only be successful with real member support—so watch for volunteer organizer training at your Local."



## AROUND THE LOCALS

### Local 78

#### Shuttleport starters vote for union

In a unanimous vote held on February 7, the 33 ground transportation starters at Shuttleport, a company that operates at the Oakland Airport, voted to have Local 78 represent them.

"We had a one month campaign that was remarkably smooth," said organizer Skip Joaquin. "It makes a huge difference when the company stays neutral in an organizing campaign, and this company had to because the law says that if they are a recipient of state funds they must remain neutral. They abided by the law 100%."

Local 78 already represents airport shuttlebus drivers who work for this company. "They're a decent company. It turns out that this relatively small group of workers had been lost in the background and had never sought union representation, but they are eager to get improvements in their wages, benefits, medical, and representation."

### Local 287

#### No grief at Greif Bros.

The 75 employees who manufacture drums for canneries at Greif Bros. in Morgan Hill have a good new three-year contract. "They just received the largest pay and benefit package in their 40 year history of having Teamster representation," says Local 287 President Bob Blanchet.

"The workers wore union buttons and t-shirts for the last three days of negotiations to show unity and solidarity for the bargaining committee. This clearly made a strong impression."

The tentative agreement was reached on March 30 and ratified by a vote of 52-2. In addition to getting a signing bonus, regular employees will get a 70¢ wage increase each year of the contract. They also got maintenance of benefits for the TBT Health Plan 4, and an extra day of paid-time off after 20 years of service.

Seasonal workers will now be paid for all the holidays, once they have worked 90 consecutive days. Starting the fifth season of service to the company, they'll receive full medical coverage. "Eighteen seasonals will immediately start receiving medical coverage and all of them got paid for Good Friday," Blanchet added. "Our chief steward, Robert Garza, said in negotiations that he was shocked by this agreement. That's a great kind of shock!"

### Local 490

#### Union certified at Sunnyside Farms

After months of delay, on April 11, Local 490 was certified as the bargaining representative for 50 drivers at Sunnyside Farms Dairy who had voted for the union back in December, 2006.

"The company continued to file objections that there were clearly no grounds for," says Secretary-

Treasurer Carlos Borba. "We won the election and it was certified by Region 20 of the NLRB, but they kept filing bogus objections. They've appealed to Washington, D.C. I'm not surprised that we prevailed, and I look forward to beginning negotiations for a contract."

#### Carhaul members have a contract

On April 16, the 3,300 members at Allied Holdings, including 55 members of Local 490, voted by a margin of 52-48 to pass the National Auto Transport master agreement.

"It's not a good deal but it's the only alternative we have," says Local 490 Secretary-Treasurer Carlos Borba. "It paves the way for saving 3,300 union jobs and protecting members' pensions, health and welfare benefits and their union contract."

Allied had gone into bankruptcy and the Teamsters backed Yucaipa to take over management of the company.

While members face a 15 percent wage reduction during the next three years, the Yucaipa plan's economic concessions are far less drastic than those first proposed by Allied's present management. The plan contains no changes to work rules or contract language. The proposal also calls for the appointment of a new board of directors and CEO on the effective date of the plan."

#### Thank you, Floyd

Local 490 would like to recognize and thank Floyd Alcutt, who retired as a Trustee on April 1. A 36-year Teamster, Alcutt worked at Luckys/Albertsons and served on the Local's Executive Board for 20 years, as well as being active with the TAP Alumni Program.

### Local 890

#### The difference a union makes

Last summer, the spinach industry was put in crisis over the discovery of e-coli in packaged spinach. Local 890 members who work at River Ranch and other spinach packing companies were not impacted, but a group of forklift drivers were.

"When the employees of River Ranch Fresh Foods voted for union representation back in 1993, the forklift drivers were not part of the unit," says Organizer Fritz Conle. "The company had always paid them fairly well, however, even though they were non-union. But when the crisis happened, the company tried to cut their wages by \$3/hour. They felt this was just unfair."

The company agreed to a card check campaign, rather than forcing the drivers into a full-fledged NLRB election campaign, and on Friday, April 13, the 75 forklift drivers ratified their first union contract. "We got their wages back up to a decent level, and now these guys are covered under the River Ranch contract."

River Ranch operates eight months of each year in Salinas, and four months in El Centro. Local 890 represents 450 members at each location. Most of the forklift operators and skilled mechanics travel between the two locations.

#### Counselors join union

The 24 drug and alcohol counselors at Sun Street Centers just voted by mail to join Local 890. This agency, which has received many referrals from TAP over the years, is headquartered in Salinas and has facilities across Monterey County.

"The counselors came to us about two months ago very perturbed because a new supervisor came in who was literally screaming at people. We collected cards but the agency wanted to use the NLRB procedure," explains Organizer Fritz Conle. "The company didn't launch a huge anti-union campaign, but they did one-on-one meetings to try to convince people not to vote for the union."

The vote count was held in the Oakland NLRB office on Friday, April 13, and the final tally was 14 to 5.

"We're looking forward to negotiating a strong contract with a good grievance procedure and representation rights for all the counselors there," says Local 890 President Frank Gallegos.

In the meantime, the union drive already had one positive effect—the supervisor who drove the counselors to seek union backing has since resigned.

### Teamsters meet and greet Speaker of the House Nancy Pelosi



Unions came together on February 9 to be honored by the Instituto Laboral de la Raza, an organization which was celebrating its 25th anniversary of helping provide labor rights, education and legal advocacy for low income workers and their families throughout the Bay Area. (L to R) Teamsters Eastern Vice President Daniel Kane's two sons, Congresswoman Nancy Pelosi, Kane, Local 350 Secretary-Treasurer Robert Morales, and Joint Council 7 President and Teamsters Western Vice President Chuck Mack.

# TEAMSTERS 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



## Delegates' Meetings:

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

**Please note:** The **Bulletin Board** is included in the paper only once each year, in the Feb/March issue. We print address and meeting changes on an ongoing basis.

## Reminder

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

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

## Retiree Club Meeting Notices

### Local 921 Retiree Club

Meets second Tuesday of the month at the Garden Club Restaurant, Mission Rd., So. San Fran., at 12 Noon. *Vic Sangervasi, Chairman*

### North Coast Teamster Retiree Club

Meetings/luncheons held third Friday of the month at Labor Center, 1710 Corby Ave., Santa Rosa, at 12 Noon. *Sam Russo, President*

### East Bay Teamsters Retiree Club

Monthly meetings will be held as follows:  
 Saturday May 12, and Saturday June 16, 11 a.m. at Local 70, 70 Hegenberger Rd., Oakland. No meetings in June or July.  
*Ernie Freitas, President*

## UNION SECURITY NOTICE

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

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

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

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

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

## In Memoriam

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

- |                                  |                                      |
|----------------------------------|--------------------------------------|
| CARLSON, Michael, Local 15       | TEMPLE, Freman, Local 315            |
| WESTERVELT, Glendon, Local 15    | WILCOX, Lee, Local 315               |
| BLANK, Warren, Local 70          | ALEXANDER, Harry, Local 350          |
| CARIJA, John, Local 70           | RODRIGUEZ, Norbert, Local 350        |
| DANIEL, James, Jr., Local 70     | VATTUONE, Anthony Raymond, Local 350 |
| DIXON, Wilton, Local 70          | GUIDICI, Andrew, Local 484           |
| DOLLAR, Robert, Local 70         | HOURLCADE, Amie, Local 484           |
| DURAN, Raymond, Local 70         | KIRVIN, Richard, Local 484           |
| HECKMAN, Dean, Local 70          | RAMSTETTER, Paul, Local 484          |
| JACKSON, Jearl, Local 70         | CRIVELLO, Louis, Local 665           |
| JOHNS, Edward, Local 70          | GULLEY, Nathan, Local 665            |
| KOWALSKI, John A., Local 70      | LAKHWINDER, Singh, Local 665         |
| LLOYD, Edward, Local 70          | LIMCOLIOC, Florante, Local 665       |
| MARTINEZ, Marty, Local 70        | NALUS, Arturo, Local 665             |
| MARTINEZ, Richard, Local 70      | NANAR, Amrik, Local 665              |
| MCFARLAND, Ralph, Local 70       | CARR, George, Local 853              |
| NICHOLS, Gordon Paul, Local 70   | CREIGHTON, John B., Local 853        |
| NUNN, Denton J., Local 70        | EARLE, Andrea, Local 853             |
| PEFFER, Ken, Local 70            | ESTES, Ronald, Local 853             |
| REED, Ralph, Local 70            | GARCIA, Joe, Local 853               |
| SALISBURY, Scott, Local 70       | HOLLIS, David, Local 853             |
| SHERIDAN, Charles, Local 70      | KOT, Juan, Local 853                 |
| TAYLOR, Larry, Local 70          | MEWHA, Lyndon, Local 853             |
| TORIX, Billy, Local 70           | NORWOOD, John, Local 853, 302        |
| VALDEZ, Eddie, Local 70          | RIVAS, Joey, Local 10                |
| LOPICCOLO, Vincent, Local 85     | SILVA, Clarence "Skip", Local 853    |
| MORRISON, Guy, Local 278         | CARR, Donald, Local 856              |
| ALOISE, Vincent, Local 315, 70   | HOLLIS, Franklin, Local 856          |
| ARMSTRONG, Robert, Local 315     | SUNDBERG, Kim, Local 856             |
| DECKER, Herman, Local 315        | DOLERA, Eleuteria, Local 890         |
| DOIEL, Margaret, Local 315       | DUNCAN, Irvin H., Local 890, 912     |
| DWYER, Richard, Local 315        | GANDARIA, Alicia, Local 890          |
| GROVE, Ward, Local 315           | GARCIA, Jose R., Local 890           |
| HAMILTON, Leroy, Local 315       | GATTIS, Jefferson, Local 890         |
| HUNN, Donn, Local 315            | GODOY, Augustine, Local 890          |
| MAYHEW, Ralph, Local 315         | GONZALES, Maria E., Local 890        |
| PACHECO, Lawrence, Local 315     | KAUR, Surinder, Local 890            |
| PAIRA, Manuel, Local 315         | OROZCO, Manuel, Local 890            |
| PEREIRA, Dominic, Local 315      | TRUELOVE, Cleed, Local 890           |
| RAMIREZ, Robert, Local 315       | VELOZ, Henry, Local 890              |
| RIVERS, Lucille, Local 315       | COLON, Palmira, Local 896            |
| ROONEY, Charles, Local 315       | SMITH, Earl W., Local 896            |
| SCAGGS, Marvin, Local 315        | TORRES, Phillip, Local 896           |
| SIMON, Richard "Dick", Local 315 |                                      |

## In Memoriam

### Richard V. Simon 1925-2007

Richard "Dick" Simon served two terms as Secretary-Treasurer of Local 315, after first being elected in 1962. He began his union career working as a fuel tanker truck driver until he took a position as Business Agent in 1959. Simon retired from General Conveyor, in Martinez, in 1982.

"Dick was a hellraiser and a heck of an organizer," says Local 315 Secretary-Treasurer Dale Robbins. "He was colorful and an effective leader."

A member of The Russian River Fire District Board of Directors, and four-term President of the Russian River Lions Club, Simon was an avid golfer and sports enthusiast. He passed away on March 25 at 82 years of age.



## IN THE NEWS

### Court orders back pay for missed meal, rest breaks

The California Supreme Court handed workers a major victory on April 16, ruling that the "one additional hour of pay" a worker can claim if they are unlawfully denied a meal or rest break should be considered as wages and not as an employer penalty. This means that workers have the right to claim up to three years of missed wages, instead of the one year that the Department of Industrial Relations was allowing.

The long-awaited decision affects hundreds of thousands of white-collar workers in industries such as retail, food service, insurance and banking

who are called managers or assistant managers but who spend much of their day ringing up sales, stocking shelves or sweeping the floor alongside the workers they oversee.

The unanimous ruling in the case of a San Francisco clothing store employee applies to thousands of workers in pending class-action suits against their employers. It may also help 116,000 present and past Wal-Mart employees in California preserve a \$172 million damages award against the retail giant.

Labor union attorney David Rosenfeld said the ruling requires employers to be "much more careful about rest breaks and meal periods."

Under the law, California employers must provide employees with an unpaid 30-minute meal period after five hours of work, and a paid 10-minute rest period every four hours. An employee who is **required** to work during those periods is entitled

to damages equal to an hour's pay for every day the law is violated.

### Keeping border closed to unsafe Mexican trucks

The Senate took a stand against the Bush administration's irresponsible attempt to allow unfettered access to America's highways by unsafe Mexican trucks, passing a supplemental appropriations bill in March that included a provision to stop the reckless pilot program.

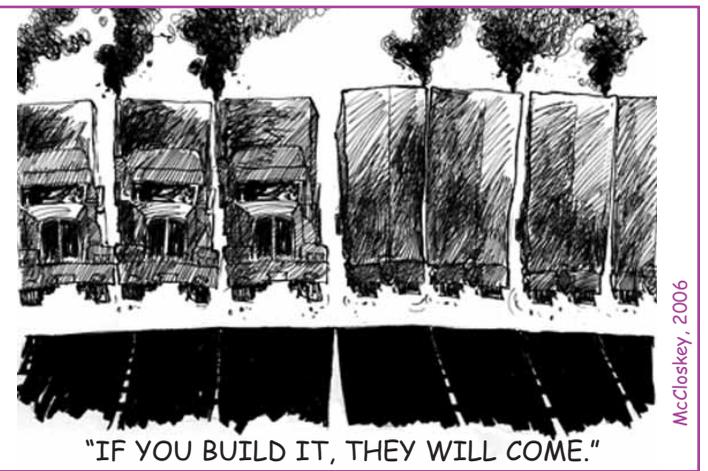
"I applaud the Senate's passage of this important provision," said Teamsters General President Jim Hoffa. "We cannot allow the administration to push through this pilot program before Mexico is able to adhere to the safety and security standards outlined by Congress."

The provision blocks funding for the dangerous pilot program, requires the Transportation Department to publish details of the plan and provide time for public comment. It also will require that the pilot project meet congressionally mandated safety and security standards. The bill now goes to a conference committee with the House.

The Senate passed the supplemental appropriations bill with the Teamsters Union provision intact, sending a strong message to proponents of the pilot program.

"The Bush administration is trying to circumvent safety requirements by repackaging the plan as a pilot project," Hoffa said. "This will allow up to 100 Mexican trucking firms open access to U.S. highways, putting American drivers at risk."

On a separate front, the Safe American Roads Act of 2007, a bill also designed to restrict the dangerous pilot program, was introduced in the House. The legislation's goals include prohibiting the Transportation Department from granting authority to Mexican motor carriers beyond the commercial zone and requiring the pilot



McCloskey, 2006

program to comply with all 22 safety and security requirements outlined in the FY 2002 Transportation Department Appropriations Act.

"There is a groundswell of opposition to this pilot program from both sides of the aisle," Hoffa said. "Nearly everyone I have spoken to in Congress agrees that there are too many questions that remain unanswered, too many concerns left unaddressed surrounding this ill-advised pilot program. There is no logical reason to allow the border to be opened at this time."

### UPS talks are on-going

Hundreds of members of Locals 70, 278, 287, 315, 490, 624, 665, 856, 890 and 912 will be impacted by the results of national and regional bargaining with United Parcel Service.

According to Local 70 Business Rep Marty Frates, who's heading up bargaining for the Northern California Supplement and is participating in the national talks, "all I can say is that the talks are on-going. Our national meetings start up again the weeks of May 7, May 14 and May 21 in Washington, D.C. We should know then if we'll be able to reach an agreement or not."

Frates said that the union and company are currently meeting regionally on the supplements. "We've got a lot of unresolved issues in the Nor Cal supplement, which impacts Joint Council 7 and 38. The big issues are work jurisdiction, grievance procedures and contract language clarifications. Basically, they try to steal back everything we earned in past contracts, and we try to make sure that they're unsuccessful."

The National UPS agreement covers more than 200,000 Teamsters nationwide, and it does not expire until August, 2008. UPS is the Teamster's biggest employer in the United States.

## In Memoriam

### Vincent Aloise

1928-2007

Vincent Anthony Aloise died in March after complications due to heart surgery. He was 79.

Vince was the proud son of Italian immigrants from the Calabria region of Italy. He often joked that he was born exactly nine months to the day after his mother arrived from Italy to meet his father, who had come to the United States 11 years earlier.

Vince was born and grew up in Oakland, CA and was a star football player at both McClymonds High and San Francisco State. He entered the Merchant Marine and sailed around the world twice as a seaman in the Seafarers Union.

After returning from the sea, he joined Teamsters Local 70 and worked in the Oakland produce markets before going to work at Safeway Stores. He quickly became shop steward, and after hearing James R. Hoffa speak to the freight industry Teamsters, he became a lifelong Hoffa supporter.

When Safeway moved its distribution center to Richmond, he went with it, and in 1962, he was elected Business Agent in Teamsters Local 315. He led the negotiations for Safeway Teamsters for nearly 30 years, developing job protections, rights, wages and benefits unparalleled in the grocery industry.

Vince served as principal officer of Teamsters Local 315, Joint Council of



Vincent Aloise—a special breed of Teamster

Teamsters No. 7 executive board vice president, Western Conference of Teamsters UPS director, and, most recently, Western Region Representative for the IBT's Department of Retiree Affairs.

Vince was one of the last of a special breed of men who wanted

nothing more than to do a good day's work for a good day's pay, and when called to serve his fellow workers, did so with honor, integrity, and a true desire to improve the lives of working men and women everywhere. He leaves a formidable legacy.

"He understood the trials and tribulations of working people because he was one," his son Rome said. "That's why it was important to represent them to the highest standard he could."

Rome followed his father into the Teamsters and is now principal officer of Local 853. Vince is also survived by his two daughters; two step-daughters and three grandchildren.

Donations may be made in Vince's name to: Teamsters Assistance Program (TAP) 300 Pendleton Way, Oakland, CA 94621, or The Multiple Sclerosis Society, 2100 Merced St., San Leandro, CA 94577



## SACRAMENTO REPORT

### Teamsters go to bat at Capitol for key bills effecting lives of working Californians

By **BARRY BROAD**  
California Teamsters  
Public Affairs Council

Each year, the California legislature considers more than 3,000 bills on most aspects of life in California. Here are a few of those bills that the Teamsters are supporting this year. These bills are going through their first committees or on the floor of their house of origin.

On April 16-17, hundreds of union reps came to Sacramento to learn about key bills impacting the lives and futures of California's working people. On the 17th, I led a group of about 25 Teamsters to speak with targeted legislators about some of the bills we're sponsoring.



Teamster lobbyist Barry Broad discusses a bill with Assemblywoman Anna Caballero (D-Salinas) as Local 890 President Frank Gallegos stands by.

#### Employee Rights

**AB 537 by Assembly Member Sandre Swanson, (D-Oakland)**, would allow workers to take job-protected leave to care for seriously ill adult children, siblings, grandparents, grandchildren, and parents-in-law.

Under current law, the California Family Rights Act (CFRA) guarantees workers the critical right to take time off from work to care for their own or a family member's serious health condition. Unfortunately, because of an overly narrow definition of family, CFRA currently excludes significant family members from the ability to provide care for their loved ones.

**AB 392 by Assembly Member Ted Lieu, (D-El Segundo)**, would require employers of 25 or more employees to grant employees whose spouses serve in the military during wartime to take up to 10 days of unpaid leave.

If spouses of soldiers can travel to be with their husbands or wives when they are on leave, they should be able to do so without sacrificing their jobs.

This is the least that employers can do for the men and women who put their lives on the line to protect our freedom and security.

**SB 549 by Senator Ellen Corbett, (D-San Leandro)**, would grant employees up to four days of unpaid bereavement leave. While many employers grant bereavement leave, many employers do not. This bill is a humane approach to the issue and will prevent a hardship that can arrive when an employee must choose between grieving the death of a loved one and keeping his or her job.

**AB 1707 by the Assembly Labor and Employment Committee** would expand the circumstances under which an employee or former employee can

access personnel records. Employees and former employees should have free access to and be allowed to copy their personnel records to insure that they are accurate and complete.

**AB 124 by Assembly Member Curren Price, (D-Inglewood)**, would extend meal and rest break rights to lifeguards and stagehands that are employed by a governmental employer.

The current meal and rest break rules exempt all public employees from coverage except commercial drivers who are employed in the public sector. We believe that all public sector employees should be covered by these regulations and this bill moves in that direction. Lifeguards

and stagehands work in potentially dangerous occupations where appropriate meal and rest breaks must be guaranteed just as they are for employees who perform these duties in the private sector.

**Temporary Disability Benefits**

**AB 338 by Assembly Member Joe Coto, (D-San Jose)**, would offer injured workers a modicum of flexibility regarding the timeframe during which they are entitled to temporary disability (TD) payments.

Specifically, AB 338 would: expand the timeframe during which injured workers could use TD benefits from two years to five years, increase the total number of TD weeks for which an injured worker was eligible from 104 weeks to 156 weeks and provide that delays in accepting claims or receiving medical care do not count against the TD time limit.

#### Locked-Out Employees

**AB 504 by Assembly Member Sandre Swanson, (D-Oakland)**, would require private sector employers who have been convicted of a crime involving fraud, misrepresentation or misconduct during the course of a lock-out and in furtherance of the lock-out to pay restitution to wronged employees. This bill targets bad actor employers who engage in illegal activity during the course of a lock-out and who are found guilty by a court of having engaged in such activity.

In 2003, Ralphs supermarket chain locked-out nearly 20,000 employees for about four months because of a contract dispute with Southern California retail employees. Unbeknownst to the union representing the employees, during the course of the lock-out Ralphs engaged



State Senator Alex Padilla spoke at the Teamster legislative breakfast before a large delegation went to the Capitol to lobby our representatives.

in nefarious activities which prolonged the dispute to the detriment of the locked-out workers. These activities were illuminated in a 2005 indictment against Ralphs by the Department of Justice. Specifically, the indictment alleged that Ralphs engaged in a company-wide course of criminal conduct involving the hiring of locked-out employees under false names, social security numbers and documentation.

#### Public Retirement Investments

**AB 221 by Assembly Member Joel Anderson, (R-El Cajon)**, would require PERS and STRS to divest in companies that do business in Iran. Current federal law prohibits US companies from directly doing business in Iran. However, many companies do business through subsidiaries in order to circumvent the law.

The spouses and children of our members and in many cases our members themselves are fighting and dying in Iraq. It is unconscionable that US corporations are helping to fund the activities of a government that sponsors terrorism against our people and our allies.

#### Waste Industry

**AB 1237 by Assembly Member Loni Hancock, (D-El Cerrito)**, would substantially increase the enforcement capabilities of the Integrated Waste Management Board. We believe that the Waste Board should take a more active role in insuring that solid waste facilities are in compliance with state law. All too often it has been lax in its enforcement actions.



Assembly member Sandre Swanson (L) has been a friend of the Teamsters for 30 years, and is now the Chair of the Assembly Labor Committee. Here, Joint Council 7 President Chuck Mack makes a point about port trucking while Joint Council 42's Ed Rendon and Local 665 President Mark Gleason look on.