



## Hoffa-Hall slate elected with 60% margin

“The members have spoken,” said International Brotherhood of Teamster General President James P. Hoffa upon being democratically elected to a fourth term as the leader of the most powerful union in the country.

As expected, President Hoffa’s entire slate was elected with a nearly 60% margin over the Fred Gegare Slate and Sandy Pope (who ran without a slate). Joint Council 7 President Rome Aloise was elected on the Hoffa Slate for the office of Vice President-At-Large.

“This is not just our slate’s victory but a victory for all working Americans who are fighting to save America’s middle class,” said President Hoffa upon learning the election results. “We

traveled across this country to mobilize our members to fight the right-wing attack on workers. Teamster members responded because they know it is not workers who are to blame for the crisis facing America—it is the greed and corruption of big business and Wall Street and their bought and paid for puppets in Congress.”

Joint Council 7 voted overwhelmingly for the Hoffa Slate. Unfortunately, voter turnout across the U.S. and Canada was disappointingly low. Out of 1.3 million ballots mailed, less than 20% of the total membership—about 246,000 members—voted.

“I’m proud to serve our Teamster members, not only in my local and in



International Teamsters Vice President (and JC7 President) Rome Aloise, with IBT General President Jim Hoffa and Secretary-Treasurer Ken Hall.

Joint Council 7, but throughout the nation. I look forward to bringing our unions and other resources together strategically to fight for a fair economy

and keep the hard-earned benefits that our members so richly deserve,” says newly elected International Vice President Aloise.

### Teamsters help feed Oakland General Strike

## Joint Council 7 joins Occupy movement to fight corporate greed



The JC7 truck occupies Frank Ogawa Plaza

The November 2, 2011 General Strike in Oakland marked an important convergence of the Occupy Wall Street movement and Bay Area organized labor. Nothing highlighted that solidarity like the arrival of Joint Council 7’s new tractor-trailer, laden with food and water for the weary occupiers.

The new rig, driven by Local 853’s Doug Radonich, backed all the way down the mall between the city’s high-rises until it sat smack dab in the middle of the occupation at Frank Ogawa Plaza. “Our arrival was cheered wildly by the occupiers,” says Local 853 member Terry Post, who was with Radonich in the truck. “Others came up to us and personally thanked us for coming, stressing the importance of organized labor’s participation in the Occupy Wall Street movement. Reporters corralled Teamsters throughout the day to get our views on the occupation.”

Once the JC7 rig got situated, Teamsters and other union members quickly formed a good old

fashioned “bucket brigade,” unloading pallets of food and water in record time, destined for a food tent operated by the Alameda Labor Council. Judging by the line waiting to be fed, the arrival of the Teamsters was greatly appreciated.

When JC7’s rig finally pulled away from the encampment and drove down Broadway amid thousands of demonstrators, the roar from the crowd was impressive. There were endless cheers, raised fists and words of appreciation as the mass of humanity parted to let the rig get through.

Joint Council 7’s decision to officially participate in the Occupy Wall Street movement gave the International Brotherhood of Teamsters tremendous exposure and credibility among the demonstrators and the press. Teamster involvement has helped draw attention to the issues of income inequality, corporate greed, the 99% and the war on workers. Joint Council 7 continues to work with Occupy to identify how the two movements can jointly advance their message.

While the tents have now been removed and the movement determines new ways to mobilize, the



The JC7 truck was filled to overflowing with burgers, buns and waters to feed the Day of Action protesters.

Joint Council has worked within the labor movement and with Occupy organizers to keep the focus on the 99% issues and move beyond issues of the camp, the cops, and the City leaders.

At present, the Joint Council is also collaborating with Occupy SF on mobilizing for peaceful protests against corporate greed and assisting in what have been, so far, successful negotiations with Mayor Ed Lee and the City of San Francisco.

In just a few short weeks, Occupy Wall Street sparked a movement that changed the debate in this nation from one that focussed on deficits and cut-backs to instead address jobs, the needs of the working and middle class, and the criminal role played by financial institutions in ruining our economy. Now is the time to ramp up our message about corporate greed and get on the streets against employers we have disputes with.

### Important Notice

To: Participants and Beneficiaries of the Teamsters Life With Dues Benefit Plan (Trust Fund)

Important information about your rights under the Plan, and under the Employee Retirement Income Security Act, is included in this newspaper. This information should be read by you and retained for future reference.





# You should be outraged!

The officers, executive board and staff of Joint Council 7 wish you and your family a very happy holiday season...and all the best in 2012!



As you can see by our lead story, General President Hoffa was re-elected by an overwhelming margin and Ken Hall will be our new General Secretary-Treasurer in March, when the new term begins. Fortunately, I was also elected as Vice President At-Large, which changes my title from my current position as Western Region Vice President. Many thanks to all of you who took the time to vote and participate in the International election.

These are tough and, in many ways, outrageous times. We all look forward to providing our Teamster members with the strongest possible leadership to navigate these increasingly troubled waters.

Since our last edition, the Occupy Wall Street movement has begun. Frankly, my first reaction was: it is about time!

Consider the following:

- In 2007, the top 1% of households owned 34.6% of the wealth in our country, the next 19% owned 50.5% of the wealth, leaving only 15% of the wealth to be owned by working people like us. It has gotten even worse than that. In 2010, the top 1% owned 42.7% of the wealth, which brings our percentage down even more.

- Of the top 120 industrialized nations of the world, the U.S. ranks 93rd in distribution of wealth.

- Most incredibly and just as significantly is the fact that, in the 1970's, the average CEO of a corporation made approximately 40 times what hourly workers made. Today, that same CEO makes between 300 and 500 times of what our members and workers like us make!

This total disconnect with working people, with union members and with our middle class is what is fueling the Occupy Movement.

### Occupy Movement needs our support

Think about it: as union members and as workers, we should be outraged at the fact that healthcare costs are surging out of control and are taking a bigger share of our paychecks, and that 50 million workers in our country don't even have access to healthcare at all.

We should be outraged that the pensions of public

sector workers are under attack and that our private sector pensions are under attack by our employers.

We should be outraged that corporations are sitting on trillions of dollars of cash, while millions of able-bodied workers are out of work and can't find a job.

We should be outraged that our fellow working class members are losing their homes to foreclosure because of unscrupulous banks who walked away from their folly with bailouts, while many of our friends and families lost their homes.

Perhaps the worst outrage is that for the first time in our nation's history, our children must face the fact that their lifestyle may not be as good as those of their parents.

These outrages are what have fueled the Occupy Wall Street Movement. Although the Occupy movement has become misrepresented by the press and at times fractured into many issues, it needs to be embraced by organized labor. We need people being aware of what is happening, and speaking out against the injustices that corporate greed has brought upon us all.

To this end, the Joint Council Executive Board and the International General Executive Board have publicly supported the movement. Given the outrageous positions that the leading candidates of the Republican Party are taking regarding taxes, the middle class, and working people, we need to make sure we have many sectors of our society that share our values. The Occupy Movement is a good start.

In order to continue to defend our union and our lifestyles, we need to spend this upcoming year bolstering our political clout. This means you will be seeing DRIVE representatives along with your Business agents in your workplace, making sure you are registered to vote and signed up to support candidates that support working people. Please do not take this lightly, as the job, wages and benefits that you save may be your own.

In closing, I want to wish you and your families safe and happy holidays. Enjoy your time, as we have a lot of work to do in the New Year!



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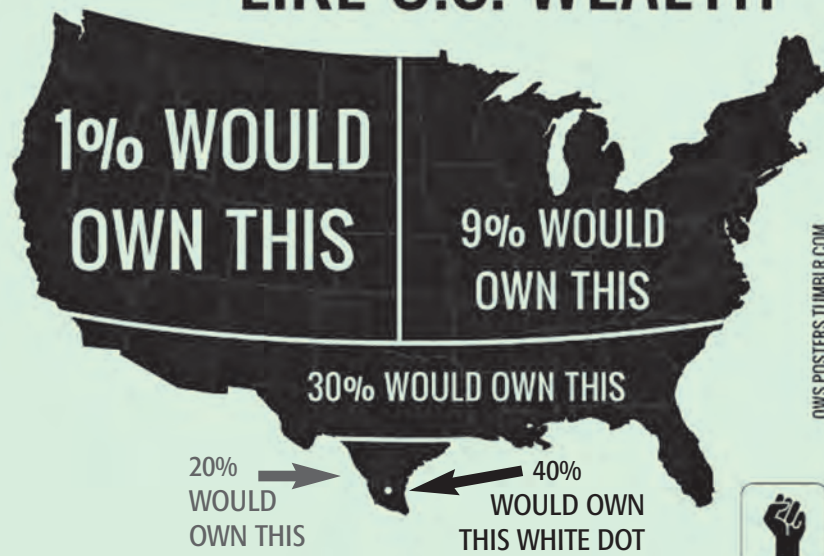
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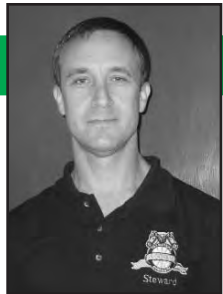
## IF U.S. LAND WERE DIVIDED LIKE U.S. WEALTH



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(Occupy Wall Street Poster)



## Central Valley DRIVE campaign kicks into high gear

As the largest union in the Central Valley, the Teamsters are gearing up to take on politicians who don't support working families. From Stockton to Merced County and down to Visalia, we find elected officials going after our jobs, our pensions, and our right to organize. Well, I have news for them: we fight back!

Members throughout the Central Valley are getting organized for next year's elections. Since October, more than 1,000 Teamsters in the Valley have registered to vote. That's new voters.

Over 1,000 Teamsters have also registered to vote by mail. This is the most surefire way to exercise your right to vote. You can grab a cup of coffee, research the candidates and initiatives at your own leisure, and drop the ballot in the mail.

And more than 1,000 members have signed up for DRIVE—our political action committee. DRIVE stands for Democrat, Republican, Independent Voter Education. Contributions go to pay for electing politicians who will fight about our issues, and taking out the ones who don't.

Recent events in San José are good examples of why it's important for Teamsters to get involved in politics. When the San José Airport proposed to eliminate the

prevailing wage for Local 665 members at the parking facilities—a likely \$5/hour pay cut—City Council members helped us beat that back.

And in the last few months, Local 287 enlisted political support to organize about 200 school bus drivers into our union. Politicians wrote letters to the employers, made phone calls, and even marched in on a captive audience meeting meant to crush our organizing drive!

So it's no wonder that Locals 386, 431, 439, 517, 601, and 890 are working with the Joint Council, the California Teamsters Public Affairs Council, and the International Union on a coordinated DRIVE and voter registration campaign. It just makes sense.

The success of this new campaign hinges on our Shop Stewards—the most important job in our union. At C&S Wholesale Grocers in Stockton, Local 439 stewards and officers led the charge, registering more

than 400 voters and more than 300 new DRIVE members in only a few days. They showed us that Teamsters want to be involved, and that we know how to get things done.

Look for this campaign to come to your Local Union soon!

*The success of this new campaign – to take political power – hinges on our Shop Stewards... Teamsters want to be involved and we know how to get things done.*

## California and Chicago Teamsters join together to take on VWR and Madison-Dearborn

Local 673 rallied at the Chicago headquarters of Madison Dearborn, the company that owns the medical and scientific product company VWR International. California Teamsters know VWR because this is the company trying to hightail it out of Brisbane and it's 50-plus year contract with Local 853 for non-union, tax-supported pastures in Visalia. In Chicago, VWR has denied decent working conditions to its workers represented by Local 673, refusing to reach an agreement after more than five years of negotiations.

"VWR has axed profit sharing, frozen pensions and increased health care costs," said a VWR employee at the rally, who asked not to be identified for fear of retaliation. "Most employees have had no pay increases for six years, yet the company has continued to make profits year after year."

Joint Council 7 President Rome Aloise spoke at the rally: "Madison Dearborn is a private equity firm that gobbles up companies and doesn't care about the employees. To fight them, we have to join together."

Also attending the Chicago event was John Thomas, a 15-year employee at VWR's Brisbane warehouse. "The Madison Dearborn economic model is



JC7 President Rome Aloise addresses the crowd rallying outside Madison Dearborn's Chicago headquarters.

destroying the lives of too many Americans. My job is going to become a low-wage job somewhere else in California, at taxpayer expense. Madison Dearborn and the rest of the top 1 percent are destroying families just to siphon a few more dollars their way."

"Madison Dearborn needs to tell VWR to step up and provide good working conditions and job security to workers who have been good, loyal and longtime employees," added Roger Kohler, Secretary-Treasurer of Teamsters Local 673 in Chicago.

### Workplace Tragedy Impacts Union Family

## Donation Fund Memorializes Members of Local 287

In early October, two members of Local Union 287 lost their lives in a workplace tragedy. In order to honor them, Teamsters Local Union 287 secretary-treasurer Bill Hoyt and his executive board have set up a memorial fund for the families of the two members.

Both victims, Mark Munoz and Manuel Guadalupe Pinon, were employees of Lehigh Hanson's Permanente Cement Plant in Cupertino, California. What started as a meeting about workplace safety deteriorated into the killing of three and the injuring of seven others.

"Mark and Manuel were good members of our local union," Hoyt said. "Setting up a donation fund to help their families cope with this enormous loss was the least that we could do. Many members of our local union attended the funerals for both men, as did numerous Joint Council 7 board members. Their deaths have had a profound impact on our local union family."

Pinon had worked at the cement plant for 15 years, and took care of his grandparents during the week and would travel home to Newman, Calif., on the weekends to be with his family. Pinon had served as a shop steward, and was known for his generous nature. Manuel Pinon leaves behind his wife, three daughters and two sons.

Munoz had spent 32 years at Lehigh as a truck driver and was the father of a son and daughter. He also left behind his mother, who described him as "wonderful."

Those wishing to make a donation to the memorial fund can do so by sending a check to "Teamsters Local 287/Lehigh Hanson Victims Donation c/o United Labor Bank, Suite 120, 2550 N. First Street, San Jose, Calif., 95131. Please make your check payable to "Teamsters Local 287/Lehigh Hanson Victims Donation."

## Congratulations to Teamster-endorsed San Francisco candidates

Teamsters Joint Council 7 and the Bay Area Union Labor Party is pleased and proud to announce that all three candidates they endorsed—Mayor (Ed Lee), Sheriff (Ross Mirkarimi) and District Attorney (George Gascon)—were all elected to office by the voters on November 8. We congratulate them all, and look forward to working with them to support the needs of San Francisco's working people.



# AROUND THE LOCALS



## LOCAL 350

### NLRB rules for union at OS Transport

After a grueling organizing drive and lots of legal work with the National Labor Relations Board, the 26 workers at OS Transport/HCA Management finally had an election and voted for the union to represent them in September.

In 2010, Teamsters Local 350 petitioned to represent the drivers for OS Transport, which subcontracts with Greenwaste Recovery, Inc. to haul waste in Gilroy. During the course of the organizing drive, the company had committed multiple egregious unfair labor practices including discharging union activists, assigning less desirable work and cutting the hours of union supporters.

“The employer tried to call the drivers “owner-operators,” so that they couldn’t unionize,” explains Secretary-Treasurer Bob Morales. In addition to filing unfair labor practice charges against the employer, the union took the case to the IRS.

The Labor Board ultimately exercised its infrequently used power, under section 106 of the Act, to obtain a federal court order enjoining the employer’s unfair labor practices and requiring it to rehire the union supporters and to restore employees to the working conditions and hours of work they had enjoyed before the union campaign. The judge’s order also required the employer to give the union access to the names and addresses of employees, post a broad cease and desist order, and permit the reading of his order to the employees.

Persuading the NLRB to seek injunctive relief during an organizing campaign, where the slow remedial process of a board trial is often too late to stop an employer from crushing an organizing campaign, can often be crucial to winning the campaign. “But, very seldom does the labor board do that,” added Morales.

“We are eager to start negotiating with the company on behalf of these workers,” Morales says, “but we still have a few unfair labor practice charges to clear up.”



At left: The STA organizing committee reached out to their 80 co-workers to win union representation in November.



A community and Teamster delegation went to STA management to express their support for the workers and to tell management to respect the drivers.

## LOCAL 287

### STA workers vote for union voice

Eighty Student Transportation of America (STA) workers in San Jose voted to become members of Teamsters Local 287 on November 8, uniting for respect and a voice on the job.

“I look forward to better benefits and being treated with respect on the job,” said Kelly Watson. “My co-workers and I have really worked hard to come to this point and we’re going to continue to work hard so we can secure a good contract.”

During the organizing campaign, STA workers held a “speak out”—a meeting where they brought their concerns about their working conditions to the attention of the community. Dozens of workers spoke out about the struggles they faced and why

they chose to form their union.

“It felt good to tell people about our struggles and to have our community actually listen to us,” Watson said. Confronting head-on issues like favoritism, no paid sick days and a lack of respect was very empowering. “Speaking out gave us the inspiration we needed to come together and form our union,” she said.

“We are elated to welcome these workers to our union and into the Teamster family,” said Local 287 President and Organizer Bob Blanchet. “These are hard working people who will make a great impact on the local. We look forward to helping them secure a strong Teamster contract.”

## LOCAL 533

### Organizing Northern Nevada, one shop at a time

**Ruan, Nevada:** After a six-month organizing drive, on September 22, the 45 drivers at the Ruan Transportation Terminal in Fernley, Nevada voted for Teamsters Local 533 to be their union representative. These drivers pick up the milk from 27 Northern

Nevada dairies and transport it to Northern California processing locations.

“The most pressing issues for the drivers were unsafe equipment and lack of overtime pay,” says IBT Organizer Paula Macchello. “The ranch drivers pick up the milk and then the longer-haul drivers take it to Northern California for processing, working 120 hours per pay period or more. While these drivers had not been receiving overtime pay, the Ruan California Teamster drivers all get overtime pay after 40 hours.”

“Management fought hard, but in the end it became clear to the drivers that collective bargaining is the only way to make the gains they richly deserve,” said Macchello.

Local 533 Secretary-Treasurer Debbie Calkins wanted to especially thank Robert Bellis and Ed Baker, who were instrumental in building majority support for the union.

“We surveyed the workers to find out what they want in their contract and have scheduled three contract proposal meetings so far,” Calkins adds.

**MV Transportation:** By a margin of 18-0, the 23 mechanics who work at MV Transportation voted on October 25 to become Teamsters. “They will be added to the MV contract that we are currently negotiating,” says Calkins.



Ruan driver Ed Baker was proud to support the union



### Locals get okay to merge

With the final go-ahead from the IBT General Executive Board and Joint Council 7, the merger of Locals 665 and 624 will now take place. Talks began in the summer, and since then, the membership of both locals voted to approve the merger. The merged Local will be known as Teamsters Local Union 665 and will represent nearly 6,000 members.

"This merger will combine staff and resources which will better serve a diverse membership," said Local 665 Secretary-Treasurer Ernie Yates. "I think all our sisters and brothers will see improvements immediately."

The merged Local will have a large jurisdiction covering the North Bay, San Francisco and the South Bay. A new main office will be located in San Francisco. The North Bay union hall in Santa Rosa will keep the same hours as before the merger. Local 665 will also maintain an office in San Jose to serve its South Bay members.

"We are excited about this merger," said Ralph Miranda, North Bay Director and officer of the merged Local 665. "By joining forces, we will have a renewed ability to organize and grow. The opportunities for new members are great." Miranda expects new campaign efforts in traditional North Bay jurisdictions including solid waste and school buses.

Local 665 will be forwarding more information about the merger to the entire membership in the coming weeks.

## LOCAL 896

### Tough negotiations with Shasta Beverage

"It's not that we can't afford to pay; its that we don't want to." That's what the chief negotiator for National Beverage Corp., the parent company of Shasta Beverage in Hayward, told Local 896 negotiators when the union dismissed the company's proposed wage and pension cut of \$1.95/hour in light of the increases the company is paying for their union employees in Tukwila, Washington.

For more than 30 years, Local 896 and Shasta beverage have had a mutually beneficial relationship. Since the company's profitability has not changed, this unscrupulous negotiation tactic was a complete surprise to the union team. As a result, the members voted unanimously to give strike authorization.

"This is our most challenging negotiation in the union's long relationship with this employer," says Brian Indelicato, Local 896 Business Rep. "They are leading the charge in the War on Workers right here at the Hayward Shasta Facility."

A negotiating session took place in mid-November, and at presstime, talks are continuing. "Regardless the outcome of the next session, we are actively preparing for a battle," adds Indelicato.

All Teamsters can help in the fight to get a good contract at Shasta. Call 1-877-NBC-FIZZ, or e-mail AskNBC@nationalbeverage.com and voice your support for the workers.

## LOCAL 601

### Steward seminars teach skills, push DRIVE

Local 601 organized three Steward Seminars in 2011. Two were held at Local 601, the first was in March and was attended by 40 stewards; the second, co-sponsored with Local 890, was in September, and was attended by 70 stewards. The final workshop was in October in conjunction with the Cannery Council meeting in Reno. Speakers and presenters at the events included IBT Rep. Sally Payne, IBT Rep Betty Fisher, IBT Drive Rep Jack Peasley, WCTP Rep Edgar, Attorney Bob Bonsall, and IBT Vice President Rome Aloise.

"I would like to thank Local 601 for three excellent workshops," says Steward Robert Dominguez. "It was great to meet shop stewards



Local 601 stewards gather for training.

from many different barns. The workshops have been very informative from start to finish, covering many topics and duties of a shop steward. I was given the opportunity to learn about the history of organizing in both the Cannery and Food Processing Industries. I thank Secretary-Treasurer Ashley Alvarado for the opportunity to learn about our responsibilities as stewards and Teamster members."



Members from Escalon Premier Brands (US Heinz) registered to vote and signed up for DRIVE at the September Stewards Meeting after hearing a presentation by DRIVE coordinator Jack Peasley.

## LOCAL 315

### Local proudly celebrates 75 years

Having received its charter in 1936, Local 315 was proud to celebrate its 75th Anniversary on October 15. The day's events began at 10 a.m. with the General Membership meeting. Western Region Vice President Rome Aloise was the special guest speaker. Aloise received a big reception and spoke about his fond memories and stories of when his father, Vince, was a Business Agent and Principal Officer at Local 315.

Secretary Treasurer Dale Robbins congratulated the membership, retirees and officers on the Local's many accomplishments over the years as he reminisced about 315's past history.

State Senator Mark DeSaulnier and Assembly Woman Susan Bonilla sent

representatives to present Robbins with special certificates of recognition from the California State Senate and Assembly.

The celebration concluded with a welcomed visit by former IBT Vice President and Joint Council 7 President Chuck Mack.



Secretary-Treasurer Dale Robbins (L) is presented with congratulatory certificates by Crystal Araujo, from Senator Mark DeSaulnier's office, and Maurice Delmer, from Assemblywoman Susan Bonilla's office.

In addition to a terrific catered lunch, everyone in attendance received a special 75th Anniversary shirt, commuter mugs, lapel pins and there was a raffle for vests and hats. "It was a great time and a very nice way to cap off a wonderful and first class 75th Anniversary Celebration," Robbins said.





## LOCAL 853

### More than 1,000 members gather for appreciation



In its biggest event yet, just about 1,000 Local 853 members, plus family members, turned out for the 12th Annual Membership Appreciation Day event on November 5 at the John Muir Middle School in San Leandro. After breakfast, flu shots, and everyone getting a

Local 853 windshirt, they heard Secretary-Treasurer Rome Aloise's State of the Union. More than 300 members won prizes—from union gear to a range of electronics and flat-screen televisions.



## LOCAL 431

### Local launches second century

More than 400 members and their families came to the union hall on October 16 to celebrate Local 431's 100th Anniversary. Everyone enjoyed a scrumptious BBQ lunch and the kids played on slides, jumped in bounce houses, and got their faces painted. Several officers and staff from other Joint Council 7 Locals attended the celebration as well.

Joint Council 7 President Rome Aloise was the guest speaker. He congratulated President Darryl Pratt, the Executive Board, members and retirees on their 100th Anniversary milestone.

"The Officers and Staff of Local 431 thank all members who attended," says Pratt. "We look forward to serving the members for the next 100 years."



### Local 431 Teamsters Scholarship

The Central Valley Retirees Chapter is offering a college scholarship to students whose parent or grandparent is a member of Teamsters Local 431. (Other eligibility requirements also apply). The deadline to apply for the scholarship is December 31, 2011. If you are interested, please contact Local 431 at 559-486-5410 for an application.

## LOCAL 856

### Members raise dollars for Solidarity Fund

Every November Local 856 is delighted to host its annual Thanksgiving meetings and award prizes and gifts to members. This year, the members turned the tables and gave back to the union, raising more than \$1,500 for the Solidarity Fund in addition to donations of food and toys for needy union members.

The event was held on November 15 at the Best Western Grosvenor in South San Francisco where Local 856 represents front desk employees and night auditors. Nearly 200 members attended.

Fairmont San Francisco member Rich Oliver, Nancy Calderon and Shop Steward Geoffrey Brown engaged in a friendly competition with Westin Market Street members led by Shop Steward Kathleen Romero to see who could raise the most money. Calderon said that they made sure to explain what the Solidarity Fund was all about when asking for contributions: members helping members.

The Westin Market Street just edged out the Fairmont San Francisco, raising \$215 to the Fairmont's \$190.

"This is our third year collecting money for the Solidarity Fund," Romero said. "Our goal was \$5 per person, and we surpassed that."

The most vocal group was from Northwest Administrators, Inc., who energetically cheered on

their fellow members as their names were called for prizes. "I come to have a good time and enjoy myself," said Northwest Administrators Member Willie Mendieta.

And these members weren't about to be outdone

by their counterparts in the hotel division when it came to helping out; they raised nearly \$260 for the fund.

"It's a great chance to get together, win prizes and support the union," said Shop Steward Paula Mas.

Gift baskets, boxes of See's Candy and Safeway giftcards were raffled off, but the most coveted prizes were the hotel stays.

Oliver was the lucky winner of the grand prize: a two-night stay, including dinner for two at the San Francisco Hilton Union Square.

"I'm proud to be a Teamster," Oliver told the crowd as he accepted his prize. "I've already won by being here."

A second Thanksgiving meeting was held in

Sacramento on November 16 at Teamsters Local 150 for Local 856's large membership who work and reside in the Sacramento area.

"Because of the generosity of our members, fellow union brothers and sisters won't go without this holiday season," said Principal Officer Joe Lanthier.

"This is what being a Teamster is all about. It's a very proud moment for Local 856," he said.



photos by United Airlines member Joseph Frisina



Top: Members from the Westin Market Street. Shop Steward Kathleen Romero is in the center. Middle: Members from Northwest Administrators Bottom: Fairmont San Francisco Members (L-R) Geoffrey Brown, Nancy Calderon and Rich Oliver.



## For a change, union-friendly governor signs many Teamster-supported bills

We have finally put the lid on the 2011 Legislative session and there can be no question that the Teamsters did very well under the Capitol Dome this year. The Governor signed almost every bill passed by the legislature that had significant impact on our members—unlike our previous governor, who used the veto pen on almost all labor-supported bills. Here's a list of the key legislation that the Governor signed.

### Teamster-sponsored bills

**Union recognition.** SB 609 by Senator Gloria Negrete McLeod, (D-Chino): This bill will ensure that the Public Employee Relations Board handles union recognition petitions promptly or recognition will be deemed granted after 180 days.

**Prevailing wage for refuse drivers.** AB 514 by Assembly Member Roger Hernandez, (D-West Covina): This bill amends Labor Code section 1720.3 to ensure that hauling refuse work is covered by the prevailing wage law. Since 2000, a law sponsored by the Teamsters has required that workers who haul refuse from a public works sites be paid the prevailing wage. Unfortunately, some unscrupulous contractors have rendered this provision meaningless by selling refuse hauled from public works sites for a nominal fee, a whole load for \$1 for instance, and then refusing to pay

the prevailing wage. Their excuse is that since the material hauled away had "some value" it was no longer refuse. This is a fraudulent practice designed to get around the intent of the law and designed to rob workers of the wages they are owed. We sponsored AB 514 to address this problem directly by clarifying that refuse will be characterized as such unless the material is legitimately worth something and is sold for market value.

**Misclassification of independent contractors.** SB 459 by Senator Ellen Corbett, (D-San Leandro):

There is no existing penalty in state law for employers who misclassify their employees as independent contractors to evade their obligations. This bill creates significant new penalties for willful misclassification, requires violators to post a notice on their company website, holds consultants liable for advising employers to misclassify, and requires the Contractors State Licensing Board to discipline a contractor who willfully misclassifies.

### Bills of significant importance to our members

**Ban on self-checkout for alcohol sales.** AB 183 by Assembly Member

Fiona Ma, (D-San Francisco): In an effort to combat underage drinking, this bill would ban the use of self-checkout stands for alcohol sales. This bill will ensure that real workers screen customers to prevent youth from buying alcohol because self-checkout machines are not up to the task. Ending this practice

also puts the business model of significant non-union grocers in jeopardy, which is a victory for us and our UFCW brothers and sisters.

**Film Tax Credit.** AB 1069 by Assembly Member Felipe Fuentes, (D-Arleta): This bill extended this important tax policy for one year to keep good film industry jobs in California.

**Organizing and bargaining rights for farmworkers.** SB 126 by Senator Darrell Steinberg, (D-Sacramento): This bill makes a number of changes to the ALRA to enhance the right to organize for farmworkers. If employers interfere in an election to the extent that a fair election is impossible, the employer could be ordered to recognize the union. The bill also provides for

tighter timeframes and extends contract mediation to help farmworkers organize and bargain for better agreements.

**Moving all initiatives to general election.** SB 202 by Senator Steinberg, (D-Sacramento): It's simple. Significantly more people vote in the general election than in the primary. This bill recognizes that fact by requiring that all ballot initiatives appear on a general election ballot. As ballot initiatives become more prominent as a governing tool, voter voice—our voice—should be maximized.

**Expedited CEQA for downtown LA stadium.** SB 292 by Senator Alex Padilla, (D-Van Nuys): We need jobs. Los Angeles' unemployment rate is a full percentage point higher than the state's 12.4% rate. This bill leaves environmental laws intact, but creates an expedited process for environmental litigation, ensuring that ground is broken on this project much sooner than existing law would permit. Tens of thousands of temporary and permanent living wage jobs are expected to be created by this project.

**Protect local Project Labor Agreement options.** SB 922 by Senator Darrell Steinberg, (D-Sacramento): This bill would ensure local entities can decide on a case-by-case basis whether PLAs are best for their community. Those with a blanket prohibition on PLAs would be ineligible for state funds. It doesn't require cities to use PLAs; it just protects them as a local option.

**Governor Brown signed almost every bill passed by the legislature that had significant impact on our members.**

### NOTICES OF ELECTIONS

#### Teamsters Local 856 – Bylaws Amendment

At our next regular union membership meeting scheduled for Tuesday, January 31, 2012 at 6:00 p.m. at Teamsters Local Union No. 856 at 453 San Mateo Avenue, San Bruno, a vote will be taken to amend the Local 856 Bylaws in the following manner.

**Purpose:** The Local Executive Board appoints Union Trustees for the Local 856 Health & Welfare Trust Fund. Under the current Bylaws the Executive Board may only select Trust Fund Trustees from among the Local Executive Board members. In an effort to broaden the make-up of the Trustees overseeing the Trust, this Amendment would insure that active and retiree interests are fully represented on the Trust Fund.

Article 12 (A-12) presently reads as follows: "Create trusts, the primary purpose of which is to provide benefits for the members of their beneficiaries, and terminate and effectuate the same. The Executive Board shall designate from among the members of the Board the person(s) to serve as trustees for Health and Welfare or Pension trusts to which the Union is a party."

**Proposed Amendment:** Article 12 (A-12) shall be amended to read as follows: "Create trusts, the primary purpose of which is to provide benefits for the members and their beneficiaries and terminate and effectuate the same. The Executive Board shall designate from among those of the Union's members, active or retired, who are participants in the trust plan the person(s) to serve as trustees for Health and Welfare or Pension trusts to which the Union is a party."

The Local 856 Executive Board is endorsing this change in the Bylaws, which, if approved, must be submitted to the International Union for final approval.

Fraternally yours,  
Joseph Lanthier, Secretary-Treasurer

### IN MEMORIAM

#### Local 890 member loses son in Afghanistan

Army Spc. Ricardo Cerros Jr., son of Ricardo Cerros, a Local 890 member, was killed in October in a firefight in Logar Province in Afghanistan.

Cerros, Jr. was an Army Ranger and served as a member of 75th Ranger Regiment stationed at Joint Base Lewis-McChord, Washington. He enlisted in the Army in July 2010. This was his first deployment to Afghanistan.

"Spec. Ricardo Cerros was incredibly talented and a well respected member of this battalion," said Lt. Col. David Hodne, Cerros' battalion commander.

"He was a warrior who lost his life while fighting courageously alongside

his fellow Rangers. We will honor his service to our country and never forget his sacrifice."

He earned the Army's parachutist badge, expert rifle marksmanship badge, Combat Infantryman's Badge and Purple Heart, as well as campaign medals for service in Afghanistan, the Army said. Additional posthumous awards are pending.

Richard Cerros works at IBC-Wonder Bread as a driver. He has been a member of Local 890 since 1989 and has served as a shop steward.

The Teamsters extend our condolences to the Cerros family and our appreciation for their sacrifice.

## Local 315 Martinez

### Important Notice

Please be advised at the December 14, 2011 General Membership meeting beginning at 8:00 pm there will be a secret ballot Vote on a Proposed By-Laws Change to Article 12 & Section 7 (Strike Benefit Fund) at Teamsters Local 315, located at 2727 Alhambra Avenue Martinez Ca 94553.

*Dale Robbins,  
Secretary-Treasurer*

## All Teamsters

### James R. Hoffa Scholarship Fund

Applications are now being accepted for the 2012/2013 James R. Hoffa Memorial Scholarship Fund (JRHMSF) for high school seniors. Go to: [www.teamster.org](http://www.teamster.org) and search for **scholarship**. The application deadline is March 31, 2012.



### YOUR LOCAL UNION PHONE NUMBERS

|                |              |
|----------------|--------------|
| 70 .....       | 510-569-9317 |
| 87 .....       | 661-327-8594 |
| 137 .....      | 530-243-0232 |
| 150 .....      | 916-392-7070 |
| 287 .....      | 408-453-0287 |
| 315 .....      | 925-228-2246 |
| 350 .....      | 650-757-7290 |
| 386 .....      | 209-526-2755 |
| 431 .....      | 559-486-5410 |
| 439 .....      | 209-948-9592 |
| 517 .....      | 559-627-9993 |
| 533 .....      | 775-348-6060 |
| 601 .....      | 209-948-2800 |
| 624 .....      | 707-542-1292 |
| 665 .....      | 650-991-2102 |
| 853 .....      | 510-895-8853 |
| 856 .....      | 650-635-0111 |
| 890 .....      | 831-424-5743 |
| 896 .....      | 707-644-8896 |
| 912 .....      | 831-724-0683 |
| 948 .....      | 559-625-1061 |
| 2785 .....     | 415-467-0450 |
| CUE 2010 ..... | 510-604-2411 |

## New law bans use of credit reports in hiring and employment decisions

Last month Governor Brown signed a bill that dramatically limits how employers may use consumer credit information in connection with hiring and employment decisions in California.

Under federal law, an employer may obtain a credit report on current or prospective employees as long as it gets their written permission and notifies them if it takes any adverse action—such as not hiring or promoting them—as a result of the report. But the federal law does not prevent states from passing laws that are more protective of consumers.

The new law (AB 22) takes effect January 1, 2012 and bars employers from asking employees or job applicants for their consumer credit report for employment purposes.

Several exceptions apply, including: (1) Employers that are financial institutions, (2) the Department of Justice; (3) managerial positions, (4) sworn peace officers or other law enforcement positions, (5) where the information contained in the report is required by law to be disclosed or obtained, (6) positions that involve regular access to personal information for any purpose other than the routine solicitation and processing of credit card applications in a retail store, (7) positions in which the person is or would be a named signatory on the employer's bank or credit card account, or is authorized to enter into financial contracts on the employer's behalf, (8) positions involving access to confidential or proprietary information, and (9) posi-



tions that involve regular access to \$10,000 or more of cash.

For individuals who fall under one of the exceptions, written notice that a credit report is being sought must be provided to the employee or applicant, and the notice must include the exception that warrants the report and the reason for obtaining the report. Job applicants who are denied employment because of information found in a consumer credit report must be informed of the reason and provided the name and address of the credit reporting agency.

AB 22 clarifies that "consumer credit report" does not include a report that verifies income or employment and does not include "credit-related information" (such as credit history, credit score, or credit records). So the new law does not bar background checks, including criminal background checks, provided by credit reporting and other firms that include a person's employment and salary information, as long as those reports do not also contain credit-related information.

Sponsors of the California bill, including the California Labor Federation, said they want employer access to credit reports curtailed because they often have errors and have no bearing on a worker's character or ability to do a job.

Schwarzenegger vetoed similar legislation in 2008, 2009, and 2010.

## TAP to offer 2012 seminar on dealing with workplace violence

Approximately two million American workers fall victim to workplace violence annually. Many of those victims work in high risk jobs because they exchange money with the public; deliver passengers, goods, or services; or work alone or in small groups, during late night or early morning hours, in high-crime areas, or have extensive contact with the public. But, twenty five percent of all workplace violence occurs between co-workers.

According to the National Safe Workplace Institute, six out of ten incidents of workplace violence occur in private companies which cost companies \$4.2 billion in lost work and legal expenses annually with average cost of \$250,000 per episode.

TAP will be offering a seminar in 2012 to Business Agents and Supervisors which will address the growing workplace violence problem and provide education to attendees regarding ways to diffuse potentially violent situations and how to go about addressing potential violence without escalating the possible problem.

Following instances of workplace violence, many times managers and co-workers often report signs that they saw prior to the incident but say they did not realize what might happen or that they did not know what to do.

Managers and employees, who work at companies where training has been done, report it being easier to speak to an employee or co-worker about an anger problem. Also, once training has been done, the likelihood that an employee/co-worker will receive anger management themselves increases almost ten-fold.

Typical workplace violence training provides specific information such as behavioral signs that may warrant a referral to anger management services. Such trainings also provide suggestions about how to approach potentially violent workers without escalating the situation.

According to a 1991 survey, workers who were interviewed following workplace victimizations strongly advised that all workers, supervisors and management need to acknowledge the problem of workplace violence, advocate for safe work environments, and train workers in precautionary measures and what to expect if they do become victims (Atkinson, 1991).

TAP will be sending notices to all Teamsters Joint Council 7 locals as soon as a date is set. We hope Business Agents will attend and that they will spread the word to the employers they represent.

Anyone with questions should feel free to call TAP at (510) 562-3600.