



TEAMSTERS

Northern California

Serving more than 70,000 Teamsters and their families

Volume 47, Number 5

October/November 2002

Hoffa sparks Teamster election activities

We have the power...we have to use it on November 5

“All the work we do at the union level can be reversed if the wrong people are elected to office.” A confident Jim Hoffa stood with Governor Gray Davis and several candidates for statewide office before a group of 500 Teamsters at a September 21 rally. Hoffa summarized the message: “We have the votes. We have the power. We have to use it on November 5.”

“We’re on the right track here in California and we’re not going backwards,” Hoffa said, urging the cheering union members to do all they can—including precinct-walking and phone-banking—to ensure Davis’ re-election. “Don’t do it for Gray Davis—do it for yourself, do it for your family, do it for your children.”

Hoffa was at Local 70’s Oakland hall with Governor Gray Davis, Senator Barbara Boxer, and several candi-



President James P. Hoffa leads 500 Teamsters from across Northern California in a rally for Gray Davis and other Democratic candidates at Local 70’s Oakland hall.

dates for statewide office, including Attorney General Bill Lockyer, who’s up for re-election, and Assemblyman Kevin Shelley, who’s running for Secretary of State.

Governor Davis listed a few of the many pro-union measures he had signed into law since taking office in 1999, including the re-establishment of mandatory overtime after eight

hours of work in a day, higher unemployment and workers’ compensation benefits, and larger budgets for the state’s workplace safety agency.

Davis likened the election to a car with two gears: “D for drive/Democrat/Davis, and R for reverse and Republican.”

“This is not a done deal,” Davis said. “This election is about holding on to what we’ve gained, and not letting Simon roll it back.”

Senator Pro Tem John Burton has been working in Sacramento with the last three governors. “Under a Republican governor, we saw labor bills passed and vetoed,” Burton said at the rally. “Under Governor Davis, those bills are getting signed. That’s a huge difference for the working men and women of this state.”

With no warning, Consolidated Freightways closes on Labor Day

More than 450 Teamsters in Joint Council 7 Locals, and 15,500 nationally, who worked at Consolidated Freightways (CF) found out over Labor Day weekend that they were out of a job. Some found the terminals shut down when they arrived for work, while others were told by supervisors to call a company hotline for a message from CEO John Brincko. “Thank you for dialing in this holiday weekend. I hope you and your family are enjoying your time together. I have some extremely urgent and sad news to share with you today...Your employment ends immediately,” Brincko’s message said.

“This is a tragedy for these workers and their families,” said IBT President James P. Hoffa. “We must hold corporate leaders accountable for their misdeeds. This isn’t a paper loss—this is 15,000 families whose good-paying jobs and health and pension benefits have been wiped out due to the failure of a few.”

After 73 years in business, Consolidated Freightways Corp., one of the nation’s largest trucking firms, shut down its U.S. operations and moved to liquidate the business. Based in Vancouver, WA, the company had revenue of \$2.2 billion in 2001 and controlled about 15 percent of the domestic long-haul trucking market. The company lost \$36.5 mil-

lion on \$463 million in revenue in the first quarter of this year. It lost \$104.3 million last year and \$7.6 million in 2000.

In 1996 Consolidated split itself into two parts, one union and one non-union. The non-union half, Con-Way, is thriving today while the union half has

“Thank you for dialing in this holiday weekend. I hope you and your family are enjoying your time together... Your employment ends immediately.”

John Brincko, Consolidated CEO

now failed. The Teamsters want to find out if the spin-off and subsequent events were planned to shift business to a non-union firm.

“This is a devastating announcement,” said Teamsters General President Jim Hoffa. “This is one more company destroyed by corporate mismanagement.”

Hoffa announced that the union will exercise all of its legal options to recover any wages, vacation pay, benefits and other monetary claims due to our

members, including conducting a thorough investigation to determine the appropriateness of litigation against CF’s parent company and affiliated companies regarding whether CF’s demise was part of an intentional corporate scheme. The International will also work with various pension funds to ensure that CF pays all unfunded liabilities that may be triggered by the closing.

Among those booted into unemployment are 850 Northern California employees who worked at the company’s terminals in Brisbane, Hayward, Richmond, San Jose, Santa Rosa, Stockton and Sacramento. About half of those employees are in Locals 70, 85, 287, 315, 624 and 890.

“CF has been a good employer. The only blemish on their record is closing on Labor Day,” said Joint Council 7 President Chuck Mack. “This was a good company that provided a good living for a lot of people for many years. But how they went about closing—that’s outrageous. We have to question if they were operating in good faith.”

Mack said that the Locals were meeting with their laid-off members, holding pension meetings and doing their best to dispatch these drivers out to other jobs.



THE NOVEMBER ELECTIONS

There's a price to pay

By **CHUCK MACK**

That's the message that California Teamsters delivered to three of the state's Democratic Congressional Representatives last month. Ellen Tauscher, Susan Davis, and Jane Harman had their endorsements rescinded after they voted to give President Bush Fast Track Negotiating Authority for future trade agreements. They voted "yes" in spite of a strong campaign by California labor and environmental and human rights activists, to convince them that Fast Track was not in the interests of working families and a majority of Californians.

It begs the question: Where do their interests lie? They came down squarely on the side of big money and profits before people. At times all three have tried to distort Labor's position on the issue.

So there is no question—the Teamsters Union is not opposed to trade. Thousands of our members' jobs are dependent on it. We want more, not less. Trade, however, has to be more than free, it has to be fair. Human rights need to receive as much attention as copyrights and patent rights.

The real failing of Tauscher, Harman and Davis is that they sold out so easily. If they would have said "No Fast Track" until environmental protection guarantees and meaningful worker assistance programs are in place, it would have made a difference. It would not have meant the end of trade, but it would have insured that Fast Track and the trade agreements that follow, FTAA, et al,

would be drafted with more in mind than increasing the profits of transnational businesses.

Their position does not, in our opinion, reflect the views of their constituents. It surely does not reflect the views of our members and it would be hypocrisy of the first order for the Teamsters to endorse them for re-election. We cannot contribute to the campaigns of these "Three Traders" nor will we ask our members to work for them.

Harsh? Maybe, but these are tough times. The issue of trade is crucial for Teamsters and other workers in this country. We can leave no doubt; the message must be clear: **If you vote against workers, don't expect them to vote for you!**

The issue of trade is crucial for Teamsters and other workers in this country. Our message must be clear: if you vote against workers, don't expect them to vote for you!

See full list of Teamster endorsements on pages 4-5

Free Hazardous Materials Training

New standards for transporting hazardous materials are coming into effect.

All Teamsters should be prepared to comply.

The Teamsters JC7 Commercial Drivers Education Program offers the following training for free:

- ▼ 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, please call Barbara at:
415-330-8500

Davis vs. Simon . . . you decide!



**Gray
Davis**



**Bill
Simon**

- Expanded workers' comp benefits for injured workers and saved millions of dollars in system reform (AB 749)
- Increased unemployment insurance benefits (SB 40)
- Restored daily overtime pay for work after eight hours (AB 60)
- Signed bills protecting and expanding prevailing wage (SB 16 & 975)
- Penalized anti-worker employers who cause job injuries (AB 1127)
- Says he would have vetoed AB749 and its benefits for workers injured on the job (*Speech*, 4/17/02)
- Wants to roll back unemployment insurance benefits increase (www.simonforgovernor.com)
- Pledged to eliminate daily overtime pay (*SF Chronicle*, 4/18/02)
- Opposes prevailing wage (*Heritage Supplement*, 6/28/01)
- Says he would have vetoed laws Davis signed that improve job safety. (www.simonforgovernor.com)

APPLY NOW



TEAMSTERS JC 7

COMMERCIAL DRIVERS
EDUCATION PROGRAM

510-568-5278

CONTACT
YOUR LOCAL FOR AN APPLICATION



Northern California

USPS
395-880
ISSN:
0468-690X

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Managing Editor: Debra Chaplan



AROUND THE LOCALS

Organizing is top priority for Local 665 bus drivers

Local 665 members who are bus drivers for charter and tour operations are responding to a down economy and employer attacks by stepping up efforts to organize non-union competitors.

"Our members in this industry are experiencing lean times. We're getting the word out that job security is part of union membership," said Mark Gleason of Local 665.

The bus battles include defeating CoachUSA's attempt to break its labor contract with Local 665. The company bought a non-union unit and notified the Local that the labor agreement would be void when the merger was completed.

"We met with the non-union drivers. It was clear that these drivers would have voted "Union Yes" if the merger took place," Gleason said.

"Recent corporate scandals have created an environment where workers realize that management's story has some holes in it. When the boss says don't vote for a union, drivers question the message. That wasn't true some months back," said Gleason.



CoachUSA drivers maintained their union contract.

Some corporate decisions have been purely opportunistic, the union contends. Supershuttle's management used the September 11 attacks as a pretext to layoff dozens of Local 665 members. Instead of calling these drivers back when business picked up, the company "outsourced" their jobs to independent contractors, in violation of the labor agreement.

"We're fighting this illegal subcontracting work through an expedited arbitration process," said Dan Lynch of Local 665. "We are confident that we will win this grievance, and the company is going to find that this was an expensive mistake."

Organizing helps current drivers

Local 665 continues to focus on organizing drivers in the shuttle and charter industry. Organizing efforts have a two-fold effect: it blunts union busting attempts, and it helps at the bargaining table.

"There will be no improvements in contracts until more of this industry is fully organized," Gleason said. "And drivers are waking up to this call."

In other developments, Local 665 members at the RAC Bus Shuttle at the San Francisco airport received good news about their job security. Their contract with the airport has been extended through January of 2003. Additionally, concerns about the newly installed "people mover," slated to replace RAC drivers, means that the airport may keep the shuttle service for some time.

And at Stanford University, 60 bus drivers received a 5% wage increase with cost-of-living improvements and job security for new hires.

UPS members ratify contract

The final tally of votes indicates overwhelming approval for the National Master United Parcel Service Agreement. 72% of members who voted in this referendum approved this agreement. Supplements, Riders and Addenda were approved as well. Only Local Unions in Detroit, Michigan and Western Pennsylvania rejected their Local Supplements.

Milk drivers all go union

When the milk drivers at Producer's Dairy in San Leandro voted 10-1 to join Local 853, they stopped being the only non-union milk drivers in the Local's jurisdiction.

"Two years ago, we lost the election by a narrow margin," explained Organizer Jesse Casquero. "But the lines of communication remained open. We started working together again in July, and held the election on August 30."

At press time, negotiations for a first contract had not yet started, "but we hope that this unit provides the spark that gets the whole company organized statewide," said Casquero.

The Local recognizes Butch Portillo, Manuel Jefferson, Larry Heffington and Joe Romero for leading the drive. "These drivers wanted this union for two years...and now they have it."

First contract at Double D

After nearly 12 weeks of hard bargaining, Double D Transportation Services signed an historic contract with Local 853 in May. This company has operated non-union for almost 25 years.

Double D did not respond kindly to their employees' desire to join a union. They fought back with unfair labor practices, including threatening to close the facility and firing a long-time worker.

In the end, a close vote for union representation forced the company to come to the bargaining table. Bo Morgan, Phil Tarantino and Shop Steward Mike Hedger represented the union.

The company opened negotiations by dragging their feet. Secretary-Treasurer Rome Aloise joined the negotiat-

ing committee and told the company to expect pickets at every DeSilva-Gates job in Northern California, if they didn't get serious. The negotiations suddenly began to move more quickly.

The first-time contract, ratified by the 25 workers in May, includes a huge wage increase, Teamster pension, SIP 401(k) plan, and the Teamsters health and welfare plan. Unfair labor practices were also settled.

"The company started out afraid of the union, but once we proved that we were reasonable and would not put them out of business, they negotiated a fair contract," said Aloise. "We are now encouraging construction companies to patronize Double D so that they reap even more benefits of being union."

California Teamsters Beat Delta Dental

After striking for more than three weeks, members of Local 856 ratified a four-year contract with Delta Dental by more than a 2-1 margin. More than 1,100 claims-processing and clerical workers maintained strike lines at Delta Dental offices in downtown San Francisco and Rancho Cordova.

"Our members twice voted down contract offers that included significant take-aways," said Mike McLaughlin, Sr., Local 856 Secretary-Treasurer. "They were determined to win a strong contract."

Highlights of the agreement include:

- Wage increases of 18.5 percent over the term of the contract;
- Maintenance of health benefits with no premium costs to members;
- Roll-overs on dental insurance caps;
- A guaranteed Monday-Friday work week for current members.

"This victory was hard fought," McLaughlin added. "The increased strike benefits strengthened our members' resolve and helped us win."

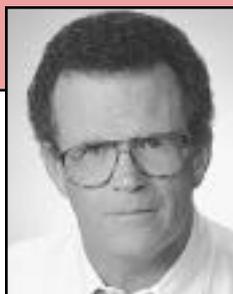
Please note: the last issue of the *Northern California Teamster* included a picture of Delta Dental strikers. These Teamsters were picketing at the Rancho Cordova offices of the company, not in San Francisco, as printed.

Teamsters honored by immigrant rights group



Named Labor Leader of the Year by the Instituto Laboral de la Raza, General President Jim Hoffa presents an award to retired Teamster Jim Rush at the September 20 dinner held at the San Francisco Fairmont Hotel.

"We are a nation of immigrants," said Hoffa. "Our goal is to organize, educate and advocate for immigrant workers. Our union welcomes new people. We offer open doors and we fully support amnesty."



President's Report

by
Chuck Mack

11 reasons why I'm voting for Gray Davis

California Teamsters have unanimously and unhesitatingly endorsed Gray Davis for Governor. Why?

His support for working people and their issues over the last four years. Davis has been there and when we have asked for help he has responded in a positive way.

Here are eleven reasons to vote for Gray Davis:

1 Senate Bill 656: When the Governor signed this legislation he jumped maximum State Disability benefits from \$336 to \$490 a week—the first increase in almost a decade.

2 Assembly Bill 749: This legislation, signed by the Governor, increases Workers' Compensation benefits. The maximum will go from \$490 to \$602 per week in 2003, \$728 per week in 2004, and \$840 per week in 2005. Before Davis signed this bill, Workers' Compensation had not been increased in over ten years.

3 Senate Bill 40 jumps weekly unemployment insurance benefit maximums from \$230 to \$450 over the next three years—the first increase in over a decade.

4 Assembly Bill 302 extends prevailing wage coverage for Teamsters. Now all refuse hauled from a public works project has to be covered by prevailing wage—including projects undertaken by local government.

5 Assembly Bill 1268 ensures that unions can no longer be held liable for the actions of individual members unless they ratify the conduct, conforming California law to federal. The law also mandates a hearing before employers can get injunctions against unions to stop picketing.

6 Assembly Bill 1262 came out of Local 439's strike against Safety/Summit and requires any motor carrier who replaces more than half their drivers in a 30-day period to undergo a California Highway Patrol Safety Audit. During the 2000 strike, Summit hired hundreds of replacement drivers and ignored drug testing and hours of service laws. No more with this bill.

7 Senate Bill 871 also came from our Summit experience. This law plugs a big loophole in commercial driver license drug and alcohol testing. It holds trucking companies that use owner-operators on a long term basis responsible for all drug and alcohol testing, vehicle maintenance, and hours of service enforcement. If the company fails to complete alcohol and drug testing and the driver has an accident the trucking company is liable for triple damages.

8 Senate Bill X3 helped workers who lost their jobs in the wake of the terrorist events of last September 11th. It retroactively extended the unemployment insurance increase that went into effect January 1, 2002 to cover these workers.

9/10 Assembly Bill 2650 and Senate Bill 1507: These two bills come out of our California port experience. They aren't yet signed but we expect the Governor to affix his signature soon. With 2650, port operators will receive a \$250 fine for any truck that sits in front of their gate idling for more than 15 minutes. Right now it's not unusual for port drivers to line up for hours at port gates with idling engines spewing emissions into adjacent neighborhoods. SB1507 requires port operators to inspect and certify that all chassis released to port drivers are in good, safe operating condition. Any ticket issued will go to the chassis owner rather than the port driver.

11 The 10 bills above are not the whole story. Gray Davis has signed a number of other Teamster bills and a host of additional legislation supportive of working people.

Davis' real contribution, however, is inviting Labor to participate in California's economic decision-making. He recognizes that union members are an important part of California's economy. They literally make the state go.

Unlike his Republican predecessors, Davis has made a place for labor at the table so we can provide input. I urge our members to continue the progress of the last four years by re-electing Gray Davis Governor of California.

Why should Teamsters vote?



Marvin Jones
Local 287

Voting sends a strong message that organized labor won't just lay down and take what they want to shove down our throat.



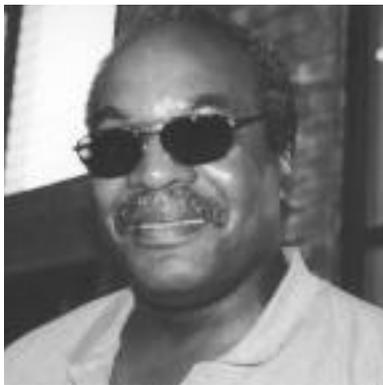
Grace Monteon
Local 890

Vote for your life. The election deals with our future and that of our children and our community.



Chuck LaPoint
Local 70

We need people in office who will help working people. I worked at CF—we have to make sure companies like that don't screw with working people.



Jacob Redmond
Local 287

Vote to maintain the ability we have as working people to raise our families. Without voting, we can't have the things we need.



Al Martin
Local 70

Why vote? Because it makes a difference—to get the people who will implement policies friendly to labor.



About

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NOVEMBER ELECTIONS • VOTE NOVEMBER 5

The Teamster recommendations

Teamster members have an opportunity to fine tune the future for your self. How? By voting for constitutional officers, representatives, and the State Legislature and counties will also elect candidates, city council members and local office holders. This is not about party—Republican, Democrat, whatever. It's based on issues and where candidates stand on them. We urge you to review the recommendations made by our representatives and rank-and-file members across California that grow out of our experience with the candidates over the past several years. Have they been responsive to working men and women? Have they supported issues important to working people? If they have, we have endorsed their candidacies.

.....**Gray Davis (D)**
**Cruz Bustamante (D)**
**Kevin Shelley (D)**
**Bill Lockyer (D)**
**Steve Westly (D)**
**Phil Angelides (D)**
**John Garamendi (D)**
**Jack O'Connell (NP)**

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**John Garamendi (D)**
**Jack O'Connell (NP)**



Local Candidates

.....**Gray Davis (D)**
**Cruz Bustamante (D)**
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**Bill Lockyer (D)**
**Steve Westly (D)**
**Phil Angelides (D)**
**John Garamendi (D)**
**Jack O'Connell (NP)**

State Senate

.....**Gray Davis (D)**
**Cruz Bustamante (D)**
**Kevin Shelley (D)**
**Bill Lockyer (D)**
**Steve Westly (D)**
**Phil Angelides (D)**
**John Garamendi (D)**
**Jack O'Connell (NP)**

State Assembly

.....**Gray Davis (D)**
**Cruz Bustamante (D)**
**Kevin Shelley (D)**
**Bill Lockyer (D)**
**Steve Westly (D)**
**Phil Angelides (D)**
**John Garamendi (D)**
**Jack O'Connell (NP)**

Local Measures

YES Housing and Emergency Shelter Trust Fund Act of 2002
YES Education Facilities: Kindergarten—University Public Education Facilities Bond Act of 2002
YES Court Consolidation
YES After School Programs, State Grants
YES Water Quality, Supply and Safe Drinking Water Projects, Coastal Wetlands Purchase and protection bonds
YES Transportation. Allocation of Sales and Use Taxes Raised from Sale or Lease of Motor Vehicles
YES Election Day Voter Registration

Bay Area Union Labor Party and Joint Council 7 Endorsements

City & County of San Francisco

Board of Supervisors
 District 2 Gavin Newsom
 District 4 Andrew Lee
 District 6 Chris Daly
 District 8 Bevan Dufty
 District 10 No endorsement

Board of Education

Daniel Guillory
 Daniel Kelly

Community College Board

Johnnie Carter, Jr.
 Anita Grier
 Lawrence Wong

Superior Court Judge Seat 10

Gail Dekreon

BART Board District 8

No Endorsement

Bond Measures

A YES Revenue bond
B YES Affordable housing
C YES Veterans building

Charter Amendments

D YES Energy self-sufficiency
E YES Changes to public utilities
F NO Entertainment commission
G YES Assistance to Elections Dept.
H YES Retirement benefits for police and fire personnel
I YES Paid parental leave
J YES Supervisors Salary Civil Service Commission

Ordinances

K YES Official newspapers
L YES Real property transfer tax
M Neutral City economic development plan
N YES Care Not Cash
O YES Exits from Homelessness
P YES Public utilities revenue bond oversight committee
Q YES Prohibition on the use of City funds for political activity
R NO HOPE ordinance

Declaration Policy: Medical Cannabis:
NO POSITION

San Jose City Council

District 7 Terry Gregory

City of Santa Clara

Mayor John McLemore
 Seat #2 Dominic Casserta
 Seat #5 Jamie Matthews

City of Milpitas

Mayor Joe Esteves
 City Council (2) Althea Polanski

City of Morgan Hill

City Council Greg Sellers

SCC Board of Education

TA #1 Margaret Abe-Koga

Santa Clara USD

TA #3 Ed Whitehead

San Jose/Evergreen CC District

TA #2 Fred Tovar
 TA #4 Maria Fuentes
 TA #6 Richard Hobbs

Gilroy USD (4)

Jim Rogers

Colma City Council (2)

Helen Fisicaro
 Philip Lum

Daly City City Council (3)

Leah Berlanga
 Maggie Gomez

East Palo Alto City Council (2)

William Woodward

Menlo Park City Council (2)

Lee Duboc
 Nicholas Jellins
 Mickie Winkler

Pacifica City Council (2)

Barbara Carr
 Maxine Gonsalves
 James Vreeland

Jefferson Union High School District (3)

Maria Luna
 Rachel Puno

South San Francisco USD (3)

Romelo Braschi
 Shirley Hoch
 Philip Weise

Peninsula Health Care District (3)

Donald Newman
 Sue Smith
 Lola Thompson

Sequoia Health Care District (3)

Art Faro
 Gerald Shefren

San Mateo County Harbor District (3)

Jim Tucker

Belmont

Measure A Yes

San Mateo

Measure C Yes

Pacifica

Measure E Yes

East Palo Alto

Measure H Yes

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 2002 delegates' meetings are held the first Tuesday in February, April, June, August, October and December.

BULLETIN BOARD

Local 15, Union City

Membership meetings:

October 28, 3:30 p.m. at Teamsters Local 287, 1452 North Fourth St., San Jose. November 25, 3:30 p.m. at Teamsters Local 853, 2100 Merced St., Suite B, San Leandro.

NOTICE OF NOMINATIONS AND ELECTION OF OFFICERS:

Nominations of candidates for the offices of President, Vice President, Secretary-Treasurer, Recording Secretary and three (3) Trustees for a three (3) year term will be held at the regular Membership meeting in November, 2002, at 2100 Merced St., Suite B, San Leandro.

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

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

The Election will be by mail referendum ballot. Dates of ballot mailing and ballot count will follow.

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

Chuck Davis, Secretary-Treasurer

Local 70, Oakland

Regular Membership meetings:

Fourth Thursday of the month, 8 p.m. 70 Hegenberger Road, Oakland

NOTE: Due to the Thanksgiving and Christmas holidays, the November and December Membership meetings will be held the third Tuesday of the month.

Chuck Mack, Secretary-Treasurer

Local 78, Hayward

Regular Membership meetings:

Fourth Monday of the month, 7:30 p.m. 492 C Street, Hayward

Bakery Division Quarterly meetings: Second Tuesday in March, June, September and December, 5 p.m., at 492 C Street, Hayward

Steve Mack, Secretary-Treasurer

Local 85, San Francisco

Regular Membership meetings:

Second Thursday of the month, 8 p.m. 2660 Newhall Street, San Francisco. Stewards' meeting is an hour prior.

Van Beane, Secretary-Treasurer

Local 278, San Francisco

General Membership meetings:

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

Jack Bookter, Secretary-Treasurer

Local 287, San Jose

Membership meetings:

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

Doug O'Neal, Secretary-Treasurer

Local 315, Martinez

General Membership meetings:

Second Wednesday of the month, 8 p.m. 2727 Alhambra Avenue, Martinez

Dale Robbins, Secretary-Treasurer

Local 350, Daly City

NOTICE OF NOMINATIONS AND ELECTION FOR OFFICERS OF LOCAL 350:

Nominations & Elections — International Constitution October, 2002

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

ARTICLE XXII, Section 4(a):

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

ARTICLE XXII, Section 4(b):

The Local Union Executive Board shall have the authority to establish all rules and regulations for the conduct of the election to supplement the provisions of the International Constitution and the Local Union Bylaws, including the authority to use mail referendum balloting or absentee balloting without membership approval. Absentee voting by mail shall be permitted only upon application of members who are ill or absent from the city or town where they are normally employed at the time of voting because on vacation or on employment tour of duty. The Local Union Executive Board may permit additional reasons for absentee balloting if they so desire. Application for absentee ballots shall be made to the Secretary-Treasurer of the Local Union not less than five (5) days prior to the date set for election and shall contain the grounds therefor. Absentee ballots shall be valid only if they are received by noon of the day on which the polls close. (NOTE: The International Union recommends that prospective nominees be advised to verify, in advance of the nominations meeting, the eligibility of the nominators and seconders.)

ARTICLE XXII, Section 4(c):

Nominations for officers of Teamsters Local 350 for a three (3) year term will take place on Monday, November 4, 2002 at 7 p.m. at the Electrician's Hall, 55 Fillmore St., San Francisco, California.

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

Election to be held on Monday, December 2, 2002. Polls to be open from 8:30 a.m. to 7:00 p.m. at the following locations:

San Jose-Santa Clara District:

Teamsters Local 287, 1452 North Fourth St., San Jose.

San Francisco District:

Teamsters Local 350 Board Room, 295-89th St., Suite 304, Daly City.

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

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

General Membership Meetings:

Wednesday, December 18, 2002, 7 p.m. Teamsters Local 287, 1452 North Fourth Street, San Jose

Thursday, December 12, 2002, 7 p.m.

San Francisco Electricians' Hall

55 Fillmore Street, San Francisco

Robert Morales, Secretary-Treasurer

Local 484, San Francisco

General Membership Meetings:

Tuesday, December 10, 7 p.m., Spanish Cultural Center, 2850 Alemany Blvd., San Francisco.

For members north of the Golden Gate Bridge: Tuesday, December 17, 6 p.m., Carpenters' Hall, 1700 Corby Avenue, Santa Rosa

John Bottali, Recording Secretary

Local 490, Vallejo

Membership meetings:

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

Carlos Borba, Secretary-Treasurer

Local 624, Santa Rosa

Membership meetings:

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

NOTE: Due to the Thanksgiving holiday, the November Membership meeting will be held Thursday, November 21, 2002.

Bob Carr, Secretary-Treasurer

Local 665, Daly City

Regular Membership meetings:

Fourth Tuesday of the month, 7 p.m. 295 89th Street, Suite 306, Daly City.

Ernie Yates, Secretary-Treasurer

Local 853, San Leandro

Membership meetings:

Second Thursday of the month, 7 p.m. The October Membership meeting will be held at 1103 Airport Blvd., South San Francisco.

The November Membership meeting will be held at 1700 Marina Blvd., San Leandro.

Rome Aloise, Secretary-Treasurer

Local 856, San Bruno

Membership meeting dates and locations: Tuesday, October 29, 2002, at 7:00 p.m., 453 San Mateo Avenue, San Bruno

BULLETIN BOARD (cont.)

Tuesday, November 19, 2002 at 6:00 p.m. ANNUAL THANKSGIVING MEETING, Grosvenor Hotel, 380 South Airport Blvd., South San Francisco.
 Thursday, November 21, 2002, at 6:00 p.m., Thanksgiving Meeting for members residing in the Sacramento area - Teamsters Local 150, 7120 East Parkway, Sacramento.

NOTICE OF NOMINATIONS AND ELECTION

Nominations of Officers for Local 856 will be held at a special nominations meeting on Tuesday, November 12, 2002 at 6:00 p.m. at the Local 856 offices, 453 San Mateo Avenue, San Bruno, California.

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

The nominations and election will be governed by the provisions of the International Constitution which are stated on page 6 and the Bylaws of Local 856 which are available upon request at the Local Union office. Nominations shall be made orally from the floor. Nominees must accept nominations at the meeting orally or in writing if not present.

Prospective nominees are advised to verify, in advance of the nominations meeting, the eligibility of their nominators and seconders. The 50% meeting attendance requirement shall not be enforced as a condition of eligibility to run for office in this election.

In the event of a contested election for any office, balloting will be conducted by Mail Referendum. Ballots will be mailed on or about November 22, 2002. Ballots must be received at the post office before the close of business on De-

cember 16, 2002 and will be counted on December 17, 2002 at Local 856 offices, 453 San Mateo Avenue, San Bruno, California. To insure that you will receive a ballot, you must be sure the Union has your current mailing address.

Michael J. McLaughlin, Secretary-Treasurer

Local 890, Salinas

Membership meetings:

Second Thursday of the month, 8 p.m.
 207 North Sanborn Road, Salinas
Franklin Gallegos, President

Local 896, Oakland

Northern California Soft Drink

Saturdays, 10 a.m. at Local 896, 8400 Enterprise Way, Oakland:

October 26 • November 23

Northern California Anheuser-Busch, Inc., Fairfield

Tuesdays at 5 p.m. at Suisun Senior Center, 318 Mergenser Drive, Suisun.

October 29 • November 26.

Rene Medrano, Secretary-Treasurer

Local 912, Watsonville

General Membership meetings

163 West Lake Avenue, Watsonville.

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

Frozen Food and Cannery Apples:

Fourth Tuesday at 8 p.m.

Pamela T. Cheaney, Secretary-Treasurer

Local 921, San Francisco

General Union Meetings:

11:30 a.m., 4th Wednesday, 2660 Newhall Street, basement, San Francisco.

October 23 • Due to the Thanksgiving holiday, the November meeting will be held November 20.

Mike Killean, Secretary-Treasurer

In Memoriam

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

WILKIN, Nolen, Local 15
 ATTAWAY, Pete, Local 70
 BIAGI, Joseph M., Local 70
 BULMAN, Lawrence, Local 70
 CARSON, James, Local 70
 GREENSDALE, Kathleene, Local 70
 HOFFMAN, Raymond, Local 70
 JARAMILLO, Fermin, Local 70
 JIRAN, James, Local 70
 LLOYD, Norman, Local 70
 OAKES, Charles, Local 70
 TRUJILLO, Alex, Local 70/85
 VARGAS, Maria, Local 78
 JANSEN, Melvin, Local 78
 ANDERSON, Lloyd, Local 85
 BROSTROM, Robert, Local 85
 REED, Phil, Local 85
 RIVERA, Frank, Local 85
 ROBINSON, James K., Local 85
 SMITH, William M., Local 85
 WYRSCH, Richard, Local 85
 PICCARDO, Joseph, Local 216
 ANE, John, Local 287
 HOLBROOK, Dudley, Local 302

SILVA, Christian, Local 302
 SOLIS, Roy, Local 302
 BROWN, Harold, Local 315
 MENDEZ, Edward, Local 315
 TERREAULT, Frank, Local 315
 CONTRERAS, Leonard, Local 484
 LATHEN, Stanley, Jr., Local 490
 GALLAGHER, John, Local 624
 GARCELLI, Francis, Local 624
 GUCK, Robert, Local 624
 LOPES, Michael, Local 624
 RENNIER, Lavern, Local 624
 ROGINA, Albert, Local 624
 BALDRIDGE, Lawrence, Local 853
 BARNES, Gerald, Local 853
 MACIEL, Mike, Local 853
 SMITH, William M., Local 853
 BARNARD, Helene, Local 856
 HARADER, Gerould, Local 856
 LANIGAN, Bernice, Local 856
 ROBLETO, Claudia, Local 856
 WHITE, Doris, Local 856
 WONG, Ida, Local 856

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Are you ready to vote?
Are you ready to win?

- ★ Contact your worksite political coordinator for a voter registration form.
- ★ The polls will be open from 7 a.m. to 8 p.m. on Nov. 5.
- ★ If you have any question about being able to get to the polls in time, request an absentee ballot *now*.

October 21
 Last day to register to vote
 ★★★★★
November 5
 Election Day



TAP NEWS

Receive a DUI in a non-commercial vehicle and be disqualified from driving a commercial motor vehicle for one year

New DOT rules carry severe penalties

The Federal Motor Carrier Safety Administration revised its Commercial Drivers License (CDL) Program with the intent of ensuring that only safe drivers operate commercial motor vehicles (CMVs). This Congressional mandate, issued on July 31, 2002, is part of the Motor Carrier Safety Improvement Act (MCSIA) of 1999.

Effective September 20, 2002, the Department of Motor Vehicles (DMV) for every state must comply with the new federal regulations in order to avoid the withholding of certain federal aid highway and safety funds.

The new regulations require each state to disqualify CDL holders from operating commercial vehicles for minimum periods of time. The regulations apply to drivers who have been "convicted" of certain offenses. "Conviction" includes any guilty finding by "an authorized administrative tribunal" such as a DMV per se DUI hearing.

The disqualification periods are minimums and supercede any lesser penalties under state law. This means that judges no longer have discretion to issue "restricted licenses" for commercial drivers to operate under during the course of work.

Important major offenses and disqualification periods

Driving your personal vehicle while under the influence of alcohol (blood alcohol level [BAL] greater or equal to .08%), a controlled substance or a refusal to test requires a CDL disqualification of at least one year.

Driving a CMV under the influence of a controlled substance, with a BAL of .04% or more or a refusal to test, requires at least a one-year disqualification. If the vehicle contains hazardous materials re-

quiring a placard, the disqualification must be for at least three years.

Driving a CMV when the CDL is revoked, suspended, cancelled or the driver is disqualified results in at least a one-year disqualification. The period must be at least three years for Hazmat placarded cargo.

Using a CMV to commit a felony or causing a fatality through negligent operation requires a minimum one-year disqualification. If the felony involves the manufacture, distribution or dispensing of a controlled substance, the disqualification is for life. Also, any second conviction for a major (1-3 year) disqualifying offense must result in a lifetime disqualification.

Many other minor offenses require 60-day disqualification if a driver is convicted twice in a 3-year period. This means twice for the same type of offense or two different offenses. These offenses are: (1) Speeding 15 mph or more above the posted limit; (2) reckless driving; (3) improper or erratic lane changes; (4) following too closely; or (5) violating a vehicle control law in connection with a fatal accident. For any three minor convictions in a 3-year period, the disqualification must be for at least 120 days.

Driving without a valid CDL, railroad-highway grade crossing offenses, and violating out-of-service orders also require disqualification.

All of these rules can be found on the internet at: www.fmsca.dot.gov/rulesregs/fmcsr/regs/382menu.htm

Please call TAP at 510-562-3600 if you have any questions about these regulations. If you would like clarification directly from the Federal Motor Carrier Safety Administration, you may call 800-832-5660 or 202-366-2981.

Another successful TAP fundraiser

The Teamsters' Assistance Program's 18th annual golf tournament was a great success. Proceeds from this joint labor-management fundraiser go to the TAP relapse programs and functions and directly benefit the members and their families.

Ticket sales for the raffle once again hit an all-time high. Local 853 member Jason Pebelier won the grand prize in the raffle, a vacation trip of his choice, valued at \$1,500.

Thank you to everyone who attend-

ed, participated and contributed to the event. Special thanks to the TAP Golf Committee who volunteered their time and effort, the major sponsors and local unions for their amazing support and especially to the rank and file members whose support made the event a success.

Mark your calendars! The 19th annual tournament is scheduled for April 30, 2003. Let's again strive to set a new success record for the members and families in Joint Council 7.

RETIREE CLUBS

Local 85 Retiree Club "Hitchin' Post"

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

Local 278 Retiree Club

Second Wednesday - every three months, 12:30 p.m. at Granada Café, 4753 Mission Street, San Francisco. Next luncheon December, 2002.
John Casaccia, President

Local 315 Retiree Club

Third Tuesday of every month, 10 a.m. at Local 315's Hall, 2727 Alhambra Avenue, Martinez
Dick Fleming, President

Local 490 Retiree Club

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

Local 921 Retiree Club

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

Central Coast Retiree Club

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

East Bay Teamster Retirees

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

North Coast Teamsters Retiree Club

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

Sacramento Teamsters Retiree Association

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

Teamsters Retiree Club of Santa Clara County

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

Wine & Spirits Retiree Club

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

Teamsters Retiree Association of Local 137, Eureka

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



YOUR LEGAL RIGHTS

When you think your job is not safe, be safe and refuse to do the work

When there is a hazard on your job, you should always contact your shop steward or Union safety officer. But when he or she is not around, did you know that you can also take matters into your own hands?

Normally, if the boss orders you to do something, you have to do it even if you think it's a violation of the union contract. You have to file the grievance later. That's the "work now, grieve later" rule. But, there is an exception to this rule when it comes to your health and safety.

For example, if you believe that what the boss wants you to do is un-

safe or hazardous, you should refuse to do it. If your boss says he will punish you if you do not do it, tell him that you have rights under the National Labor Relations Act to say "no" to unsafe work. If he keeps it up, tell him you want your steward. It is your absolute right to refuse work that you think is unsafe.

And here's the real kicker: you can be wrong! That's right. All you have to do is believe your job is unsafe to refuse to do it. It does not have to actually be unsafe.

So be on the "safe-side" and refuse work you think is dangerous.

From the Law Office of Beeson, Tayer & Bodine

The commentary in the above column reviews and analyzes developments in labor law of particular interest to labor unions represented by Beeson, Tayer & Bodine. It is not to be construed as legal advice. Specific legal questions may be directed to the firm or your own attorney.