



# TEAMSTER

## Northern California

Serving more than 70,000 Teamsters and their families

Volume 52, Number 3

August/September 2007

*Waste Management finds scabs for 481 Teamsters, 80 IAM members*

## Month-long garbage lock-out finally over

With “discipline, strength and unity,” the 481 members of Local 70 turned around the four-week Waste Management lock-out and ratified a contract called “one of the best in the garbage industry.”

On Monday, July 2, Waste Management of Alameda County (W/M) locked-out 481 members of Teamsters Local 70 who drive the trucks and 80 members of IAM Local 1546 who repair the trucks and equipment. About 300 recycling and clerical workers from ILWU Local 6 honored the picket line.

On July 26, after four weeks of talks and 24/7 pickets in locations around Alameda County and elsewhere, the Teamsters and W/M finally reached a settlement. On July 28, Local 70 members ratified their new five year contract by 363-3, in time to return members of all three unions to the job at 8 p.m. on July 29.

### No strike planned

When the Teamsters and IAM contracts expired on June 30, neither union had called for a strike and neither had asked other unions to support them with a “strike sanction.” Members of both locals were advised by their unions to keep working while negotiations continued.

However, the workers all knew that the company was preparing for a major action. W/M had hired 200 scabs (what the company calls “replacement workers”) to follow the

Teamster drivers for two weeks to learn their routes. None of the unions expected the company to take preemptive action to lockout the workers before a strike could be called.

### Solidarity is the issue

The big media story was that the scabs W/M hired to replace the long-time union members were not keeping up with garbage pick-ups throughout the county, but union reps say that wasn’t the whole story.

“This was all about breaking the unions,” says Local 70 Secretary Treasurer Chuck Mack. While the company claimed that the talks had stalled over health care costs and disciplinary procedures, the most important issue for the unions was solidarity—the right to strike and to honor each other’s picket lines.

According to the *San Francisco Chronicle*, Houston-based W/M took in more than \$13 billion in revenues and rang up more than \$1 billion in profits last year. During the lockout, W/M had reportedly spent \$600,000 a day on scabs, hotels, security, and video cameras.

“They are large enough and wealthy enough to drive their agenda economically and spend what they need to spend to starve people out and bring in replacement workers,” Mack told the *San Francisco Chronicle*.

“We believed this company would cover our health insurance and give us big raises and pension contributions if we’d just sign away our right to strike. We know, though, that if we did, they would break us in the next contract. They’d start with the smaller locals in smaller communities and work their way up.”

The ILWU clerical



With a standing ovation, Local 70 members thanked the negotiating committee and moved to ratify their new five year contract.

workers were the hardest hit by the lock-out because they have no picket benefits and are not eligible for unemployment. Donations from unions and the community were used to purchase food from the local Food Bank. At the contract ratification meeting, Local 70 members voted to donate \$100 each to the ILWU strike fund.

Several cities took action against W/M for breach of contract for failing to pick up recycling and trash. Across the county, poor communities were getting the worst service.

Oakland Mayor Ron Dellums actively participated in more than 50 hours of mediation and contract discussion. San Leandro Mayor Tony Santos, County Supervisor Scott Haggerty, Castro Valley Sanitation District directors Dennis Waespi and Tim McGowan, Assemblymembers Loni Hancock, Sandré Swanson, Mary Hayashi and Alberto Torrico, as well as countless other elected and community leaders, pushed, prodded and pulled the company to a settlement.

### Holding out pays off

On Saturday, July 28, Local 70’s hall was packed with locked-out workers seeking to learn the terms of their new contract. They weren’t disappointed.

“We had made one commitment to our members,” Mack told the Local 70

members who attended the contract ratification meeting. “Even though we got locked out, we would not surrender.”

The economic package includes increases of \$2/year for the five-year agreement that covers wages, pension, and maintenance of the Teamsters health and welfare program—paid by W/M.

“We maintained our ‘right to picket’ clause, keeping the faith with every Teamsters union in the country, with our partners at W/M—the ILWU and IAM—and with ourselves,” Mack said. “But it’s a responsibility. If we ask people for help, like we did, then we have to be able to offer help.”

The compromise the union made was on the grievance procedure. “The grievance process now has several steps which lead to arbitration, with 75% of the cost paid by the employer. In addition, we put in enough due process so members have significant protections to guarantee they won’t be discharged for minor offenses.”

### Many thanks

“We have nothing but respect for those who were on the line every day. The discipline was amazing—not one termination,” Mack said.

With thanks for the many unions who stood with Local 70 and for the negotiating committee, W/M Chief Steward Rob Dias reminded the group not to be bitter at W/M. “Never forget who employs you—the citizens of the community. We owe them the respect to clean up this mess.”



Members maintained pickets across Alameda County—and here at Altamont—on a 24/7 basis.



## MEMBERS IN FOCUS

### Local 70 members talk about the lock-out

#### Rally at Davis St. Transfer Station • July 11, 2007



**Art DeAlba (center) and Brian Bird (left)**

"I didn't think they'd take it that far. They should have continued to let us work—the company chose to lock us out." At right is Art's wife, Kimberly. Their full sign reads "Scabs took my milk!"



**David Harris**

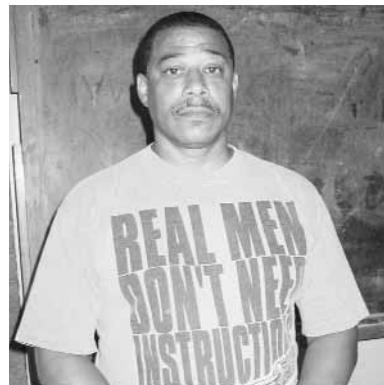
"We told them we weren't going to strike. We promised them. This is all on Waste Management—100%."



**Larry Fields**

"I've been a picket captain seven days a week from 4-8 p.m. at the Livermore barn's front gate. I'd rather be working." David is accompanied by his family at the July 11 rally.

#### Contract Ratification • July 28, 2007



**Alando Malave**  
98th Street

"I had a new company truck and the scabs wrecked it. As long as I've been driving, nobody's ever hit me on the front of my truck! Yes, I want to go back to work and I'm very glad I have union protections and benefits. No, I don't look forward to picking up 18 tons on Monday!"

We did it! Our stewards and Local 70 did the work. The Mayor of Oakland did it. All of the people really came out for us, and when the lock-out didn't end, people came to our side.

—Marco Rodriguez

This picture will make history for my kids!

—Fernando Rodriguez



**Oscar Largaespada**  
Davis Street—Graveyard Shift

"I picketed in three locations. The contract is an improvement over what we had. I thank the Local 70 officials and Local 6 and Local 439 for supporting us. I'm on the first shift going back to work, and I'll be happy to be there."



**Tony Palacio**  
Davis Street

"It's a dangerous job. At the transfer station, we can barely keep up on a normal day. I don't know how the untrained guys could do it."



**John Stamm (with his son Eric)**  
Davis Street—Night Shift

"I think it's a good contract. I picketed from midnight to 4 a.m. at Altamont. Because of what we did today, it looks like we may not have to strike again."

**APPLY NOW**



**CONTACT YOUR LOCAL FOR AN APPLICATION**



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## President's Report

by  
**Chuck Mack**

### Lessons from the lock-out

In July, Waste Management locked out 481 members of Local 70. The Local responded by placing picket lines at company locations throughout Alameda County. Once picketing began, members of Machinists Local 1546 and ILWU Local 6 walked out in solidarity. What followed was a four week struggle that pitted a trans-national multi-billion dollar corporation against one of the stronger and more militant local unions in the country.

In the end, Local 70 has a new five-year agreement with significant economic increases, employer-paid health care and the continued right to respect the picket line of other Teamster locals should they be extended. Members ratified the contract by a vote of 363 to 3.

The battle was fought in Alameda County but the implications were national in scope. If Waste had prevailed in the Bay Area, the company was prepared to take its anti-union agenda everywhere—to impose its will on Teamster locals across the country. The failure to beat 70 has at best stalled the company's national plan, and if they are smart, they'll rethink it.

#### What was this about? Some thoughts and observations...

The lockout didn't just happen. It was calculated. Waste started moving replacement workers (scabs) into the Bay Area in early June. They were trained to operate the local trucks and they followed Local 70 members to learn the route procedures. At the same time the company installed electronic surveillance at every location and hired a large complement of security guards. When the contract expired, they were ready. They locked out and then blamed the Teamsters for threatening to strike. Not true.

#### Dumb, Dumber and Dumbest...

**Dumb:** The lockout was stupid and unnecessary and immediately put the company on the defensive. A united labor movement and community groups expressed outrage that a company would engage in such a tactic.

**Dumber:** Then to compound the problem, Waste and their replacement workers failed miserably in garbage pickup. They had a plan for the lockout but no plan for serving customers. The public went crazy. Failed service brought thousands of complaints. Oakland, Castro Valley and Hayward initiated legal action or sought other service providers.

**Dumbest:** Worst of all, the company got caught lying time and time again—from their claim that “the lockout was caused by the Teamsters;” to the promise “full service will be restored next week” to the fabrication “full service has been restored.” Every time the company spoke, it was fantasy rather than reality. By contract signing, Waste Management had little to no credibility with their workers, with the public or with Bay Area political leaders.

What now? Waste “wasted” a lot of money in this fiasco, damaged their credibility and ended up giving workers a very good contract. On the other hand, Local 70 was strong and disciplined. They gained support from all organized labor and an outpouring of help from community and customers.

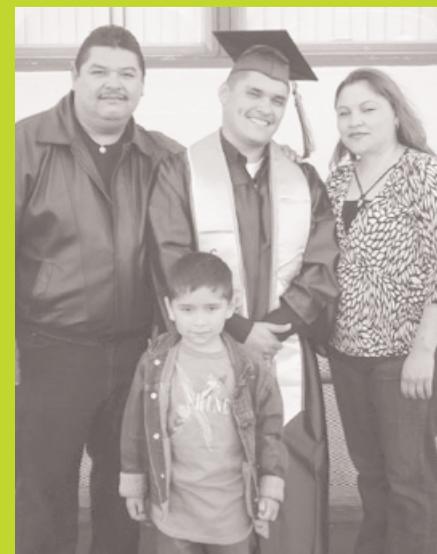
As one observer noted, “This may not seem like a big deal, but the lockout by Waste Management, the costly anti-union propaganda campaign they staged, the goons they hired to intimidate the strikers and their families, and the mental hardship they put on those workers trying to support their families were ‘Reaganesque’ in their efforts to totally destroy your union. The sisters and brothers of Local 70 not only won this one, you won it by a couple of touchdowns.”

If there is a future for Waste Management in the Bay Area, the company will need a change of direction. The first order—restore and repair credibility with the community and then establish a cooperative rather than confrontational relationship with the Teamster locals across the country. That would be smart, productive and much more effective.

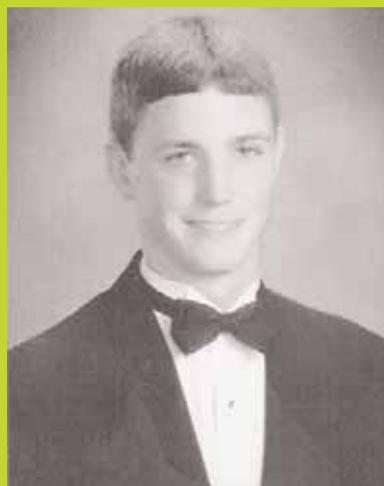
*A united labor movement and community groups expressed outrage that a company would engage in such a tactic.*

### Congratulations to IBT Hispanic Caucus scholarship winners

Rodolfo Orozco (center) graduated from Richmond High School with honors and will be going on to Stanford in the fall. Carrying the same name as his father Rodolfo “Rudy” Orozco (left), who is a Local 350 steward at NorCal's Recycle Central in San Francisco, Rodolfo will be getting a \$1,000 scholarship from the IBT Hispanic Caucus to help him on his way. Also shown is his mother Sylvia and his brother.



Congratulations also go to Sean Steven Semeniuk, who won a \$1,000 scholarship to help pay for his education at the University of San Francisco. Sean attended Bellarmine College Prep in San Jose and is the son of Joan Semeniuk, who works for Teamsters Joint Council 7 and is a member of Local 856.



### Oakland rally supports port drivers' rights



(Above) Supporters gather at the rally for port driver justice that was sponsored for Clean and Safe Ports. Supporters heard first hand from port drivers about exploitation and discrimination. (Below) Sharon Cornu who heads the Alameda County Central Labor Council, and Chuck Mack, who heads the IBT's Port Division, also spoke.





## Local 315

### Allied Waste workers vote for union

On June 22, 15 customer service representatives and route auditors for Allied Waste in Pacheco voted to join Local 315 by more than a 2-1 margin.

“The workers were tired of getting continued threats of discipline, more and more work rules, and broken promises from management,” said Local 315 Organizer Jim Sveum. “That’s when they came to the Teamsters for assistance.”

Despite the fact that more than 80 percent of the workers had signed authorization cards, Allied Waste still refused union recognition and immediately brought in their corporate consultants to wage an aggressive anti-union campaign.

“We had the workers educated and prepared for the company’s tactics before the campaign even started,” Sveum said. “Local 315 had already won four elections with Allied Waste and their predecessors before this one, and currently represents approximately 200 of the company’s workers in Contra Costa County.”

After the workers at the Pacheco facility voted 10 to 4 in favor of the union, Allied’s consultant was so disappointed, he threw his hands up and walked out in disgust.

“We all made a solidarity pledge to stick together and bring in the union,” said Tina Wright, Isabel Diaz and Natasha Griffith of the organizing committee. “We did it so convincingly, and we can’t wait to get to the bargaining table and let Local 315 representatives win us a contract as they did for our other coworkers.”

Local 315 Secretary-Treasurer Dale Robbins said this is what the union is all about—organizing and bringing in new members and seeing their gratitude and appreciation when you successfully negotiate their first union contract. “our continued successful

## Local 350

### Coastside/Seacoast workers ratify strong first contract

On May 25, approximately 50 drivers, mechanics and utility employees ratified their first contract with Coastside/Seacoast Disposal in Pacifica. The workers, who voted overwhelmingly to be represented by Local 350 in December, secured strong wage increases, health benefits and retirement savings.

“This is a total victory for the workers,” said Robert Morales, Secretary-Treasurer of Local 350 and Director of the Solid Waste, Recycling and Related Industries Division. “We’re happy that we were able to bring the strength of Teamster representation to them.”

The three-year contract, ratified by 98 percent of workers, is retroactive to January 1. Highlights of the contract include: a \$3.50 hourly increase over the term of the contract; a \$500 signing bonus; full health and welfare coverage for active workers, as well as any who retire; a strong grievance procedure; paid holidays and sick leave; a uniform allowance; and a 401(k) plan and enrollment in the Western Conference pension plan.

## Teamster power brings three first contracts for 45 workers



Members of the Allied Waste organizing committee give thumbs up to their new contract

organizing is due in part to our political action, voter registration, membership participation and the diligent organizing philosophy we have developed at Local 315. Our Organizer Jim Sveum is doing a great job, here and across the county.”

### Card check wins at BeneSys, Laidlaw

An organizing campaign has to start with the willingness of workers to openly endorse the union, but having political leverage and the support of other unions is key to getting companies to recognize the union with card check, avoiding a bureaucratic and often unfair NLRB election. Local 315

## Local 490

### Serta Mattress factory to close

The sweet sheep on Serta’s commercials might portray the company as warm and fuzzy, but the company’s actions aren’t nearly as soft.

Local 490 Secretary-Treasurer Carlos Borba reports that Serta Mattress gave no notice when it announced that it was closing its Vacaville factory on June 8. “We had a grievance meeting scheduled. Instead, they came in and told us that they were shutting down and putting our 75 members on administrative leave for 60 days. We had no warning at all that this was coming.”

Borba says this facility has been under contract for more than 20 years, and a core group of union members have been there since the factory opened in 1984. “The company claims they made this decision for entrepreneurial reasons.”

Members with less than one year at Serta will get one month of additional health and welfare coverage. Those with more than one year will get an additional three months health and welfare. “The company planned this closure carefully. It left us angry but not with a lot of recourse,” Borba said.



Secretary-Treasurer Dale Robbins says both factors played key roles at BeneSys and at Laidlaw.

BeneSys, located in San Ramon, is the administrator for the pension and health and welfare funds for the Sheetmetal Workers Union. Because the workers and the company’s primary client—the Sheetmetal Workers—wanted a union, BeneSys was quick to recognize the Teamsters based on authorization cards.

The 15 new members, who work as clerical, member services, pension and health and welfare coordinators, unanimously ratified a five year contract on June 21, which is retroactive to May 1, 2007. The agreement provides for numerous improvements in wages, seniority, bidding rights, opportunities to move up in higher paid grade levels, 401K plan, health and welfare protections, grievance procedures, and more. All full-time employees received a minimum \$1.50/hour raise the first year.

“We had a voice at the bargaining table. Now we have a voice at work and make more money,” said new Teamsters Bree McTaggart and Paula Espinosa. “We’re all happy to be union.”

Over at Laidlaw Bus, a little political leverage and the strong support of the 15 bus drivers encouraged Laidlaw not to hesitate to recognize Local 315. “As soon as we got the word, Local 315 President and Organizer Jim Sveum and Business Agent Bill Buccellato started negotiating a first contract. In July, the new Teamster members unanimously ratified a four-year agreement with improvements and guarantees in job security, seniority, bidding rights, grievance procedure, wage increases and participation in the Teamsters Western Conference Pension Plan.

“This was a win-win situation,” said new member Johnnie Roberts. “We get a good union contract with seniority and job protections. I now feel that I have a more secure future.”

## Local 70

### Agreement at Bestway/Reddaway Trucking

After eight months of bargaining, Teamsters finally reached tentative agreement at Bestway/Reddaway Trucking. The new contract will cover workers at terminals in Albuquerque, NM, Phoenix, AZ, San Leandro, Compton and Pomona, California.

The tentative agreement covers 400 workers who chose the Teamsters through card check recognition and seven from Bestway terminals in the West. Bestway subsequently merged with USF Reddaway. Besides the retroactive wage increases, the new agreement eliminates co-pay for health coverage, provides improved vacation time and a safety bonus incentive plan.

“Most importantly,” said Local 70 Secretary-Treasurer Chuck Mack, “it would allow workers at unorganized Reddaway terminals to gain recognition with card check agreement. I want to thank Reddaway workers at San Leandro for their patience and Business Agents Bob Bell and Bob Aiello for their work in keeping members informed and spirits high during lengthy bargaining.”

## THE LOCALS

## Local 856

The 30 members of the Mendocino County Public Attorneys Association (MCPAA) ratified their first Teamsters Local 856 contract with Mendocino County in May after an arduous process lasting more than two years.

In early 2005, Deputy District Attorney Matt Finnegan decided that it was time to take action about a number of issues in the department. "The biggest issue was not being classified as civil service," Finnegan said. "Because we were at-will employees, each time a new D.A. was elected, the attorneys became fearful of losing their jobs."

The lack of assurance in their jobs led to a 300% turnover rate over the course of three years. In addition, the overall wage rate was much lower in Mendocino County than in surrounding counties.

After researching how to form an association, Finnegan brought the District Attorneys together with their usual adversaries in the courtroom, the Public Defenders and the Child Support Attorneys, to petition the Mendocino County Board of Supervisors for recognition as the Mendocino County Public Attorneys Association (MCPAA).

After granting the petition, the

## Mendocino attorneys strike to gain union job security



Assistant District Attorneys and other Mendocino court lawyers close down the county courts with their festive picket line in March. They eventually got a contract with Teamsters Local 856.

county retaliated by transferring Finnegan from Ukiah to Willits, 35 miles from his home. "I went from prosecuting murder cases to prosecuting DUIs," he said.

Still, the Association fought on, requesting to be reclassified as civil servants. While the Board was at first open to this request, it subsequently reneged, and negotiations dragged on for another nine months. Finnegan decided that the Association needed help, so he called the Teamsters.

Local 856 Secretary-Treasurer Joe Lanthier and Business Representative Joe Martinelli first met with the group in the fall of 2006 and by Christmas,

they had worked out an affiliation.

Local 856 Staff Attorney Don Lawson joined Martinelli and Finnegan in the less-than-fruitful negotiations. In February, the members of the MCPAA unanimously voted to strike if the County could not make a decent offer.

On March 7, the attorneys went on strike and took to the steps of the courthouse. Local 856 President Julie Wall engineered the logistics of the strike. Donning red tee-shirts with "MCPAA" printed in big white bold letters on the front and "strike" on the back, they rang cow bells, used noise makers and bull horns and chanted in unison. The atmosphere on the picket

line was festive.

Court clerks, court reporters, custodians, and some employees in the probation department refused to cross the picket line, effectively shutting the courts down. "Nothing could get done," Finnegan said.

After one week and the denial of two separate injunctions to stop the attorneys from walking off the job, the County finally agreed to meet with a State mediator.

The attorneys' struggles paid off when the County granted them civil service status. They also received the biggest pay raise in Mendocino County history, with many members getting close to a 25% increase.

"After the Teamsters came in, we went from zero to 100 miles an hour," Finnegan said.

Lawson noted that this action changed labor relations in Mendocino County forever. New groups are now stepping forward to seek union representation.

The attorneys are back at work, with a new sense of unity. "Morale is much better," Finnegan said. Even though the members work on opposite sides inside the courtroom, outside, they remain a tight group.

— By Nicole Casey, Local 856

## Local 853

On Thursday, June 28, 2007, Graniterock Teamsters voted to reject Bruce Woolpert's most recent "last, best and final" offer by a whopping 87%! These Local 853 members stood up to the owner's power, money and intimidation and told him, under no uncertain terms, that they would never agree to a contract that forces them to scab on other unions.

Local 853's contract with Graniterock has been expired since June, 2006. "We wouldn't accept a 'no strike, no lockout' clause," says Secretary-Treasurer Rome Aloise, "and now, a year later, the owner is pushing to gut union security too. That's a non-starter."

Graniterock wants contract language that gives the company power to send his trucks through any picket line at any time. Teamsters worry that this would enable the company to deliver concrete to any job where there are pickets, regardless who is carrying the picket signs. Graniterock Teamsters will be forced to cross Carpenter, Laborer, Electrical, Plumber, Steelworker and Teamster picket lines, effectively destroying our reputation, our industry and our union.

"If we let Graniterock gain this power, each and every employer signatory to our ready mix agreements will demand the same," Aloise added. "And

## One-day strike at Graniterock part of long-term strategy



Local 853's one-day strike in June finally got the attention of Graniterock's owner.

that would signal the end of the unionized ready-mix industry in Northern California."

One day prior to the vote, Graniterock Teamsters established a spirited early morning picket line in front of the Redwood City facility. Nobody crossed the picket line and the entire operation came to a screeching halt. At the end of the day, the extremely successful one-day strike was concluded and the union advised the drivers to go back to work the next morning.

Because the owner thought the strike would last for several weeks, he brought up 25 scab trucks

from Southern California, (at a rate rumored to be between \$1000-1300 per day per truck, plus fuel and lodging).

"This is an on-going issue," says Local 853 Secretary-Treasurer Rome Aloise. "The one-day strike got the company back to the table in front of a federal mediator. Unfortunately, the Waste Management lock-out put our issue on the back burner. But we are back at the table and the negotiations continue."

— By Terry Post, Local 853

## Local 15

## Local 15 to merge with Local 853

Local 15 is merging into Local 853 with an effective merger date of August 1, 2007, and will become part of Local 853's Newspaper Division. We will be relocating our office to Local 853's building in San Leandro in the near future. We will keep the Union City office open temporarily as we transition into the merger.

The membership will be notified of the exact date of the move in a separate mailing, and that information will also be posted in all the shops.

# TEAMSTERS JOINT COUNCIL 7

## Executive Board

Chuck Mack—President  
 Steve Mack—Vice President  
 Robert Morales—  
 Secretary-Treasurer  
 Rome Aloise—  
 Recording Secretary  
 Ernie Yates — Trustee  
 Carlos Borba — Trustee  
 Franklin Gallegos — Trustee



## Delegates' Meetings:

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

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

## Reminder

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

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

## Nominations & Elections • International Constitution August, 2007

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

### ARTICLE XXII, Section 4(a):

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

### ARTICLE XXII, Section 4(b):

The Local Union Executive Board shall have the authority to establish all rules and regulations for the conduct of the election to supplement the provisions of the International Constitution and the Local Union Bylaws, including the authority to use mail referendum balloting or absentee balloting without membership approval. Absentee voting by mail shall be permitted only upon application of members who are ill or absent from the city or town where they are normally employed at the time of voting because on vacation or on employment tour of duty.

The Local Union Executive Board may permit additional reasons for absentee balloting if they so desire. Application for absentee ballots shall be made to the Secretary-Treasurer of the Local Union not less than five (5) days prior to the date set for election and shall contain the grounds therefor. Absentee ballots shall be valid only if they are received by noon of the day on which the polls close.

(NOTE: The International Union recommends that prospective nominees be advised to verify, in advance of the nominations meeting, the eligibility of the nominators and seconders).

### ARTICLE XXII, Section 4(c):

To be eligible to vote in the election, a

member's dues must be paid up through the month prior to the month in which the election is held.

### ARTICLE II, Section 4(a)(1):

To be eligible for election to any office in a Local Union, a member must be in continuous good standing in the Local Union in which he is a member and in which he is seeking office, and actively employed at the craft within the jurisdiction of such Local Union, for a period of twenty-four (24) consecutive months prior to the month of nomination for said office, and must be eligible to hold office if elected. "Continuous good standing" means compliance with the provisions of Article X, Section 5, concerning the payment of dues for a period of twenty-four consecutive months, together with no interruptions in active membership in the Local Union for which office is being sought because of suspensions, expulsions, withdrawals, transfers or failure to pay fines or assessments. Provided, however, that if a member on withdrawal deposits his card in the month immediately following the month for which it was effective and pays his dues for both months in a timely manner as provided in Article X, Section 5(c), such period of withdrawal shall not be considered a break in continuous good standing in the Local Union.

(NOTE: In addition to the foregoing Constitutional provisions, the International advises that: Elected officers of the Local Union, shall, by virtue of such election, be delegates to any Joint Council with which the Local is affiliated as well as to any convention of any subordinate body which may take place during their term of office.

Elected Local Union officers shall be delegates to such conventions in the order of priority set forth in the Local Union Bylaws. If the Bylaws do not set forth an order of priority, the principal executive officer shall have first priority, followed by the remaining elected officers in the order determined by the Executive Board.

Members are advised to consult the Bylaws of their Locals for additional rules concerning nominations and election procedures).

## In Memoriam

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

<b>Local 15</b>	<b>Local 296/78</b>	<b>Local 921/853</b>
O'MALLEY, Thomas W.	ARTERO, Derrick	COLOMBO, Al
SPIEGEL, David N.	RACE, Ernest	CORTESE, Richard, Sr.
STAFFORD, Horace W.		MORENO, Joe
	<b>Local 315</b>	ROMERO, Dominic
<b>Local 70</b>	ALLMAN, Jim	SOLLARS, Edwin
BRIMMER, Fred	BROWN, Gerald	VERDUCCI, Roger
ENOS, Edward	GARRETT, David	
FADETT, Russell	MASON, Gary	<b>GCC583M/Local 853</b>
FAGUNDES, Raymond	VAUGHN, William	ALEXIFF, Vera
GAMAZ, Manuel, Jr.	"Willie"	BRAZE, Ralph
HAFLEY, Lee		CHOROMANSKI,
HANNAH, Lyle	<b>Local 350</b>	Henry
"Whitey"	GREEN, Patricia	DE LAUFF, Harold
KNUTSON, Elmer	RICCI, Danny	GASTINELL, Mary
MCMEANS, Ralph D.	<b>Local 484/490</b>	GOODWIN GONZALEZ,
NELSON, Jesse	ARNOLD, Harold	Pilar
PHILIPS, Glenn	THOMAS, Richard W.	HAIL, William
REED, James A.		HUGHES, Nancy
SLOCUM, Lester	<b>Local 490</b>	JOHNSTON, LeRoy
SPIVEY, Jim	HILL, Hartzell	KAUFNER, Paul
TANTI, Joseph	HOUK, John N.	KELL, Robert
WHITE, Benjamin A.	MCGREW, Kenneth E.	KOCHER, Gordon
	NELSON, Gene	MACKENZIE, Stanford
<b>Local 78</b>		MADDEN, Clayton A., Sr.
BLAKE, Helen	<b>Local 624</b>	MICHAEL, David
MCDANIEL, Murial	FOMASI, Elvin	MIKES, Karel
MELLO, Frank		MIKKELSEN, Osvald
SWIFT, William	<b>Local 665</b>	MOHLER, Frederick
WONG, Ronnie	SINGH, Harbhajan	OLGUIN, John
		PAGAN, Roger
<b>Local 85</b>	<b>Local 853</b>	SANTOIAN, Vahan
ALLEN, Vincent	KOT, Juan	SMITH, Violet
CAHILL, James	LEONIS, Glen	SODERBERG, Marvin
CORPUZ, Antonio	LONG, Christopher T.	STRONG, John
GIBEAU, Edward	TRAXLER, William Jacob	SWART, Robert
GUDAITIS, Gerald		TANNER, Ernest
HANSEN, Walter	<b>Local 856</b>	THOMAS, Carleton
HUNT, David	GEE, Christina	"Orry"
MAGNANO, Sam	GONZALEZ, Felix	WARD, Gary
NISSEN, Wayne	MEDINA, Danilo	WERTZ, Tom
ROGERS, Kenneth	STELITZ, Maxine	WINCHESTER, Jacquelin
SERIO, Donald	WRIGHT, Gloria	ZARAGOSA, Emma
SOLA, Gus	<b>Local 860/853</b>	ZITARS, John
	GAYTON, Jose	
<b>Local 890</b>		
FELICITAS, Florencio	<b>Local 890</b>	
FELSHAW, Jessie R.	FELICITAS, Florencio	
GARCIA, Frank	FELSHAW, Jessie R.	
ORTIZ, Santos	GARCIA, Frank	
SANCHEZ, Prisciliano	ORTIZ, Santos	
ZAMORA, Luis Belmonts	SANCHEZ, Prisciliano	
	ZAMORA, Luis Belmonts	



## ELECTION NOTICES

### Local 70, Oakland

Notice is hereby given of the nomination and election of officers and business agents of Local 70. The terms of office for these officers will commence on January 1, 2008 and conclude on December 31, 2010.

Nominations of candidates for the offices of President, Vice President, Secretary-Treasurer, Recording Secretary, three trustees and business agents (**number of business agents to be determined at the Regular Membership Meeting of September 8, 2007**) will be conducted at a special membership meetings as follows:

Date: November 3, 2007  
Time: 10:00 a.m.  
Location: Local 70

To be eligible to be a candidate, the member must be in good standing for a period of 24 consecutive months prior to nomination. To be eligible to nominate or second a nomination, members must have their dues paid through the month of October, 2007. Nominations may be made orally from the floor or in writing. Forms for written nominations are presently available at the Union office. Written nominations must be received by the Union prior to the nomination meeting on November 3, 2007.

Candidates must accept nominations at the time made, either in person or if absent in writing.

A member on dues check off will not lose good standing as a result of a delay or default by the employer in sending dues to the Local or because of an employer's failure to make the proper deductions from the member's pay in any month in which the member had any earnings from which deductions could have been made.

Potential candidates are encouraged to check their eligibility, and the eligibility of their nominators and seconders, prior to the nominations meeting by submitting a written request to the Local Union Secretary-Treasurer Chuck Mack.

Note: The 50% meeting attendance rule shall not be enforced as a condition of eligibility to be a candidate in this election.

The election shall be conducted by mail referendum. Ballots and voting instructions shall be mailed on November 20, 2007, to the members' addresses on file with Local 70. Ballots must be received at the post office address on the return envelope no later than 11 a.m. on December 6, 2007. Ballots will be counted at the Union Hall starting at 1:00 p.m. on December 6, 2007. To be eligible to vote, members must have their dues paid through the month of November, 2007.

Members who have not received a ballot by November 21, 2007, should call the Local Union Office at (800) 243-1350 or (510) 569-9317 to request a ballot. Duplicate ballots may be requested through December 3, 2007.

Eligibility to vote in this election requires members of Local 70 to be in good standing with initiation fees and dues paid through November 2007. Members have until 4 p.m. on December 5, 2007 to pay their initiation fees or dues at the Local Union office in order to have their votes counted.

The nomination and election will be conducted pursuant to the provisions of the International Constitution and Local 70 Bylaws, copies of which are available at the Union's office.

Please see page 6 for additional information on nominations and elections.  
*Chuck Mack, Secretary-Treasurer*

### Local 315, Martinez

Nominations for Officers and Business Agents will be take place at a Special Called Meeting on Monday, October 1, 2007 at 8 p.m. at the Martinez Union Hall, located at 2727 Alhambra Avenue, Martinez, California.

Positions to be nominated for a three (3) year term commencing January 1, 2008 are as follows: President, Vice President, Secretary-Treasurer, Recording Secretary, Three (3) Trustees and (3) Business Agents.

Nominations and election of Officers and Business Agents will be governed by the provisions of the International Constitution which are stated on page 6 of this publication; and the Bylaws of Local 315 which are available upon request at the Local 315 office. The election shall be conducted by mail referendum ballot. The ballots and voting instructions will be mailed out October 18, 2007 to the members' last known address on file with Local 315. Ballots must be received by 11:30 a.m. on November 9, 2007 at the post office address on the return envelope in order to be counted and must be in compliance with the instructions contained in the envelope that includes the ballot. The Ballots will be counted at Teamsters Local 315 Union Hall starting at 1:00 p.m. on November 9, 2007.

To be eligible for election to any office in the Local Union, a member must satisfy the requirements of Article II, Section 4 of the International Constitution and must be a member in continuous good standing, with dues paid during the current month due on or before the last business day of the current month, and actively employed in the craft during the twenty-four (24) months immediately prior to nomination (October, 2005 – September, 2007).

There is no requirement for election to the offices and positions involved in this election that the nominee must have attended a particular number of membership meetings within the last 24 months prior to nominations as referred to in Article II, Section 4 of the International Constitution. In order to nominate or second a nomination, the nominator must be a member in good standing and have dues paid through the month of September, 2007.

NOTE: Prospective candidates, and their nominators are advised that detailed information and verification of eligibility for candidates and their nominators should be obtained by submitting a written request to the Local Union Secretary-Treasurer prior to the nomination meeting.

*Dale Robbins, Secretary-Treasurer*

### Local 624, Santa Rosa

Office hours: Monday – Thursday 7 a.m. to 4 p.m.; closed for lunch 12 to 1:00 p.m.; Friday 7 a.m. to Noon. Membership meetings are held fourth Thursday of the month, 7:30 p.m. at Santa Rosa Veterans Building, 1351 Maple Street, Santa Rosa.

**Due to the Thanksgiving Holiday:** The regular General Membership Meeting in November will be held the third Thursday, November 15, 2007, 7:30 p.m. at Santa Rosa Veterans Building, 1351 Maple Street, Santa Rosa.

### NOTICE OF NOMINATIONS AND ELECTION

Nominations for Officers will be held on Thursday, November 15, 2007, 7:30 p.m. at the Santa Rosa Veterans Memorial Building, 1351 Maple Avenue, Santa Rosa.

Officers to be nominated are as follows: President, Vice-President, Secretary-Treasurer, Recording Secretary, Three (3) Trustees.

The nominations and election will be governed by the provisions of the International Constitution, which are stated on page 6 of this newspaper, and by the Bylaws of Local 624. Prospective nominees are advised to verify the eligibility of their nominators and seconders in advance of the nominations meeting.

In order to nominate or second a nomination, a member must have his/her dues paid through the month of October, 2007. In order to vote, a member must have his/her dues paid through the month of November, 2007. Membership in good standing, as required, is subject to verification by the Union.

*Bob Carr, Secretary-Treasurer*

### Local 853, San Leandro

Membership meetings are held the second Thursday of the month, 7:00 p.m. The October Membership Meeting will be held at Local 853's West Bay office, 151 West 20th Avenue, San Mateo.

Nomination of candidates for offices of President, Vice President, Secretary-Treasurer, Recording Secretary and Three (3) Trustees will take place as follows:

#### NOMINATIONS

DATE: November 5, 2007  
TIME: 7:00 P.M.

PLACE: Local 853 Meeting Hall (Sheet Metal Workers Local 104), 1700 Marina Blvd., San Leandro.

This meeting will substitute for the November regular Membership Meeting.

#### ELECTION

DATE: December 13, 2007  
TIME: 7:00 A.M. to 7:00 P.M.

PLACE: Local 853 Meeting Hall (Sheet Metal Workers Local 104), 1700 Marina Blvd., San Leandro, or, Local 853 West Bay Division Office, 151 West 20th Avenue, San Mateo.

Ballots will be consolidated and counted at the San Leandro polling place on December 13, 2007.

Due to nominations and election of officers, the regular order of business for the months of November and December, 2007, will be suspended.

On the day of the election, members voting must have proof of identification.

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

These meetings are for all members. Retired members may attend both meetings but are not eligible to either make nominations or to vote.

Application to file for candidacy and copies of the Rules Governing Nominations and Elections are available and may be obtained at the San Leandro Union office by any member so requesting. This form must be returned to the Secretary-Treasurer by 4:30 p.m. on October 29, 2007.

To be eligible to nominate, a member must have his/her dues paid through the month of October, 2007. To be eligible to run for office, a member must be in continuous good standing in the Local Union and actively employed at the craft within the jurisdiction of this Local Union for a period of twenty-four (24) consecutive months prior to the month of nomination for said office and must be eligible to hold office if elected. To be eligible to vote, a member must have dues paid through the month of November, 2007.

Absentee ballots will be available in accordance with the Local Union bylaws, Article VI, and applicable sections of the International Constitution.

*Rome Aloise, Secretary-Treasurer*

## Supplemental benefit plan improves benefits for retirees

The Western Conference of Teamsters Supplemental Benefit Plan provides an additional annual benefit for eligible retirees already receiving a pension from the Western Conference of Teamsters Pension Plan. The Trustees of the Supplemental Plan are constantly looking for ways to improve the Plan to better assist members with their post-retirement financial needs.

In the past, members who retired as a result of their contributing employer going out of business or who retired as a casual, have been eligible for a single benefit accrual of \$110 per year (other retirees may be eligible for an increasing benefit if their last employer continues to contribute to the Plan). Effective in 2007, the Trustees have increased the amount payable to these retirees (who only receive one accrual) to \$150/year.

The Trustees also have approved a one time payment to all retirees currently receiving an annual benefit from the Plan who did not receive the above benefit increase. This one time payment is in the amount of \$160 and will be issued during the latter part of 2007.

Including the benefit increase and the one time payment described above, the Supplemental Plan will issue over \$12 million in benefits in 2007 to nearly 22,000 retirees, surviving spouses and other beneficiaries.

If you would like more information about the Plan or to obtain a Summary Plan Description designed to explain whether you may be eligible for a Supplemental Plan benefit, go to [www.wctsbp.org](http://www.wctsbp.org) or call us toll-free at 877-350-4792, ext. 657.



## YOUR LEGAL RIGHTS

### Your protections from mandatory overtime

From the Law Office of  
Beeson, Tayer & Bodine

Imagine coming to work and getting notified by your employer that your 8-hour shift will now be a 10-hour shift, though you will be paid overtime for the last two hours. What are your rights?

#### A few examples

On November 17, 2003, Arbitrator Norman Harlan determined that a mining company in Alabama did not violate its collective bargaining agreement with the union when it scheduled 10-hour shifts, because the company was able to demonstrate that the overtime shifts were required to keep the mine from shutting down. The contract provided that management had the right to schedule a reasonable amount of overtime.

On February 14, 2004, Arbitrator Daniel Jacobowski found that the Bobcat Company in North Dakota did not violate its collective bargaining agreement with the union when it imposed mandatory Saturday overtime for its assembly workers, where the contract stated that the company will determine when it desires to have overtime work performed and that the employees will perform overtime work as required by the company.

More recently, Arbitrator Langdon Bell ruled that an Ohio company did violate the collective bargaining agreement with the union when it extended the Saturday and Sunday workdays from 8-hour days to 10 and 12-hour days, which included two hours of mandatory overtime. Arbitrator Bell found that the company had the authority to establish continuous service shifts (because the company had a practice of doing this, without the union's objection), but that it did not have the authority, under the contract, to schedule planned overtime.

#### The role of the state

States have the authority to regulate to protect workers from unreasonable overtime hours. However, states vary on their approaches to this problem.

California law provides only minimal standards regarding the maximum hours an employee can work.

For example, employees must be given at least one day's rest in seven. However, employees may work more

than seven days without a day off, as long as the employee averages one day's rest in seven, or approximately four days off a month.

Further, California law provides that an employer may establish an alternative workweek, which would allow an employer to schedule an employee for up to 10 hours in a day without paying overtime, provided that the employee does not work more than 40 hours in a week. However, an employer who wants to establish an alternative work schedule is required to submit a proposal to the affected employees and then conduct a secret ballot election. An alternative work schedule will not be established unless 2/3 of the affected employees agree.

As a side note, drivers subject to the Department of Transportation regulations have a separate set of rules regarding mandatory hours. For instance, an employer cannot require an intrastate driver to work more than 80 hours in any consecutive eight days, or an interstate driver to work more than 70 hours in a period of eight consecutive days (or more than 60 hours in seven consecutive days if the employing motor carrier does not operate motor vehicles every day of the week). Also, most agricultural workers cannot be required to work more than 72 hours in one week.

Violations of these provisions may be reported to the California Division of Labor Standards Enforcement.

#### What this all means

While the latest arbitration decision by Arbitrator Bell noted that overtime should be the "exception to meet the unexpected or time-limited needs of the employer," many arbitration decisions still uphold a company's right to impose mandatory overtime.

Your best protection against mandatory overtime is a strong union contract. In the cases where the arbitrator found that the employer could impose mandatory overtime, it was because the contracts explicitly stated that the employer could require overtime and/or there was a past practice involving mandatory overtime and the contract was silent.

If you have been assigned mandatory overtime, contact your business agent.



## NEWS FROM TAP

### Sponsors and volunteers make TAP labor-management golf tournament a huge success



*The Chardonnay Country Club provided a perfect setting to raise needed funds for TAP's services.*

The Teamster's Assistance Program's 23rd Annual Golf Tournament fundraiser was held on May 23rd at Chardonnay Golf Course in Napa. The golf event, which included lunch and a raffle, raised about \$70,000 to support TAP's continuing care, training and outreach programs.

These programs aim to assist Teamsters who endeavor to recover from substance abuse by providing early identification, ongoing support after treatment through continuing care meetings, fellowship activities and job-site training about TAP services available to Teamsters and their covered dependents.

TAP is grateful for the generous donations of prizes, time and effort that made the fundraiser such a success. Bright Now! Dental donated the \$1,500 grand prize, which was won by Jason Mack. PacifiCare donated the door prize, a hotel-spa package for two at the Fairmont Sonoma Mission

Inn. Business agents solicited numerous raffle prizes; Local 856's Julie Wall secured 12 hotel stays.

Rome Aloise presented TAP with individual donation checks amounting to more than \$16,000 from the Vince Aloise Memorial Fund. In Vince's name, an annual trophy will be presented to the Teamsters local that sells the most raffle tickets. The 2007 winner of the Vince Aloise Memorial Trophy was Teamsters Local 853 with 5,910 tickets sold. Local 490 finished second, selling 3,580 tickets. The individual who sold the most raffle tickets (1,690) was Kent Kerns, Local 853 member and S.F. Chronicle employee.

Pete Freisen, General Manager of Vallejo Garbage Service, and Don E. Garcia, Business Agent, Teamsters Local 490, co-chaired the large and active golf committee.

TAP thanks everyone who participated and made this event such a success.