



## NLRB Impounds Ballots In Taylor Farms Teamster Election

# Building a Movement for Respect and Living Wages

In a rare move, on March 28, the National Labor Relations Board impounded workers' ballots in a high-stakes organizing election for Teamster representation at Taylor Farms, the largest supplier of fresh-cut produce in the country.

The nearly 900 predominately Latino food processing workers at the company's plants in Tracy, have been organizing since September to join Teamsters Local 601 in Stockton, after enduring years of poverty wages, inhumane working conditions, mistreatment of immigrant workers and disrespect by the company.

### Company conducts unfair labor practices

Prior to the union election, the Teamsters filed claims covering hundreds of Unfair Labor Practice violations by the company, including the retaliatory firing of union supporters, threatening workers around immigration status and telling immigrant workers they could not vote.

During the two-day election in March, the company deployed a goon squad of supervisors and lead workers to intimidate workers and restrict their movement during the voting period. The company stationed armed guards in full view of workers who were voting and called police who parked their squad cars in front of the facilities, adding to the climate of fear during the election.

Meanwhile, company employees spat on union t-shirts, yelling obscenities and threats at union organizers and workers. One report claims a plant manager called terminated pro-union workers telling them they would be rehired only if they came in and voted "No" against the union. Other reports

suggest that workers were sent to vote twice under different names or to vote for workers on vacation.

This extreme hostility by the company and its likely violations of the law forced the NLRB to intervene as final ballots were being cast. The Board removed ballots to a more secure location at its offices in Oakland while it investigates the company's unlawful conduct.

"During the election days and before, the company had committed such serious violations of the law and the election process that immediate action was needed to safeguard the ballots," Teamsters Local 601 President Ashley Alvarado said in a statement to workers.

"This is a positive development. It means the Board will immediately begin to review the violations. In addition, the Board is at the end of its review of the charges that have been filed prior to the election. The Board has the power to ensure that justice prevails and order the company to bargain in good faith with your union."

### Workers courage acknowledged

Alvarado thanked workers for their courage in supporting the union amidst the company's harsh fear campaign. She added that the Teamsters Union would expand its efforts for justice at Taylor Farms, bringing the force of community allies behind its campaign to expose the company's poverty wages and cruel practices.

The two-day vote on March 27-28 included three different elections for the three employers at the facilities: Taylor Farms and two "temp" agencies, Sling Shot and Abel Mendoza. Many agency workers at Taylor Farms have worked at the plant for years and are temps in name only. The company relies on the agencies to access a pool of flexible labor to which it has little accountability.

"It's very sad that as we celebrate the legacy of union leader and civil rights icon Cesar Chavez, the very same anti-worker abuses he fought against are still being committed in the fields and warehouses that feed America," said Rome Aloise, President of Teamsters Joint Council 7. "At Taylor Farms, the contractor system that Chavez fought to abolish is alive and well."



Local 601 Secretary-Treasurer Ashley Alvarado talks with some of the Taylor Farms employees before the election.

Aloise added that the NLRB's action to impound ballots in the election shows just how severe the company's anti-union tactics have been. "I've been organizing for nearly 40 years, and this is only the second time I've ever seen the NLRB take such a forceful step.

Before the election, pro-union workers were targeted and harassed by managers, including one who used racial slurs to degrade Latino workers who supported the union. Company managers forced workers to attend events where the managers chanted "No Se Puede," in a perverse twist on the empowering "Si Se Puede" slogan popularized by Chavez and the United Farm Workers. It is estimated the company spent over \$500,000 to hire 12 anti-union consultants who conducted a vicious campaign to scare and deceive workers.

### The fight continues

The Teamsters are committed to continuing their fight for the workers at Taylor Farms. In addition to low wages and lack of affordable benefits, workplace issues include workers being harassed or terminated for taking time off due to illness, the denial of worker's compensation for injuries on the job, and inadequate protective gear exposing workers to dangerous chemical fumes.

Taylor Farms supplies prepackaged salad and produce to major grocers, retailers and fast-food chains like Walmart and McDonalds. Teamsters Local 601 represents thousands of workers in the food processing industry. More than 2,000 Taylor Farms workers at the company's facility in Salinas, Calif., are members of Teamsters Local 890.

For more information on the Justice at Taylor Farms campaign, visit the campaign page on Facebook at [www.facebook.com/JusticeAtTaylorFarms](http://www.facebook.com/JusticeAtTaylorFarms)



Taylor Farms workers stand in solidarity on election day



## Fourth Annual Joint Council 7 Harry Pollard scholarship program – Applications due

Teamsters Joint Council 7 is pleased to announce the Third Annual the Teamsters Joint Council 7 Harry Pollard Scholarship Fund. This program will provide \$1,000 to the child of one member in each of the following affiliated Local Unions: 70, 87, 137, 150, 287, 315, 350, 386, 431, 439, 517, 533, 601, 665, 853, 856, 890, 896, 912, 948, 2010, 2785, GCC-District Council 2.

### Eligibility

To be eligible to apply, you must be a member of one of the 23 Teamsters Locals affiliated with Joint Council 7 (see above) and the parent or legal guardian of a student who is or wishes to attend a college, university, or trade school. Elected officials and employees of Teamster Locals and the Joint Council, and their families, are not eligible.

### Criteria

Grade point average of 2.0 (based on a 4.0 system) upon high school graduation.

### How to Apply

Applicants must complete an application and return it to a Joint Council 7 office or to the office of any of the Local Unions affiliated with the Joint Council (see above) by no later than July 1, 2014, along with the following:

1. High school or college transcript through most recent semester.
2. Resume of school and/or community activities.
3. Two page handwritten or typed essay on the Importance of Labor Unions.
4. Recent photograph of applicant.

### Where to Get Applications

Applications may be obtained from your Local Union or from the Joint Council 7 office.

**Joint Council 7 is proud to support the higher education of Teamster families!**



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TEAMSTER**

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## Honoring the legacy of Cesar Chavez – in film and in present-day struggle

The Diego Luna film *Cesar Chavez: An American Hero* was released the last week of March, to coincide with Chavez' birthday. Keir Pearson, who wrote the screenplay for *Hotel Rwanda*, endeavors to once again tackle an important push for social justice by scripting the story of Chavez's efforts to organize farm workers in California's Central Valley in the late 1960s and early 1970s.

Four decades after Chavez's valiant efforts, the fight for basic wages, safety, dignity and respect for California food workers rages on.

If we could simply point to the performance of John Malkovich, who plays the anti-worker antagonist in *Chavez*, and have his masterful representation of villainy stand in for the present-day evils that food processing firms carry out on their employees, we would be off to a good start. Unfortunately, today's employers have become incredibly skilled at hiding behind their managers, attorneys and consultants in their cruel and banal tactics in beating up on workers and busting union organizing drives.

### Modern day union pushback

Hundreds of employees at Taylor Farms, a Salinas-based food-processing company, are coordinating with Teamsters Local 601, in Stockton, to organize a union at their Tracy workplace. The pushback from the company has been as vicious as anything that occurred in the 1960s. In fact, the National Labor Relations Board, responding to the union's unfair labor practice charges, took the unusual step last week of impounding the ballots in the worker election for union representation. Taylor Farm's organic products stock the shelves of some of the finest grocery stores in America, but – as with so much food processing in the United States – when you peel back the curtain of feel-good, healthy consumerism, you often find a spoiled, rotten core.

It may be somewhat unfair to single out Taylor Farms – particularly as many of our friends and neighbors continue to enjoy the company's products. Taylor Farms is not the only firm engaged in propping up its

profits on a modern system of indentured servitude. Instilling a culture of fear and abuse, along with perpetuating a cycle of poverty, are an industry standard. But we must start somewhere, and why not start with Taylor Farms?

To date, the union believes 13 workers have been fired for their organizing activity. Countless others have been threatened with termination, deportation, plant closure and more, sending a chill throughout the workplace. A raft of unfair labor practice charges have been filed with the labor relations board. Had the company stipulated to an election months ago, workers would have voted to join by a 20-to-1 margin. They would have done so with the aspiration of collectively bargaining a contract to give them basic protections and workplace safety – not to mention securing wages that might someday provide them with the means to purchase the healthy foods they make for the more fortunate.

### Workers deserve better

Our nation's agricultural and food workers – whether they're packing lettuce in California or meat in Iowa – deserve far, far better. Fifteen dollars an hour better. Medical care. Sick days. Respect. A healthy and hazard-free day on the job. Taylor Farms and its competitors, along with their partners and customers, can lead the way toward a sustainable food system that incorporates dignity and respect for the workers who provide for them, or they can continue to stand in the way of social and economic progress. Either way, workers and their allies in the labor community will never stop fighting – just as Cesar Chavez never stopped fighting and winning one battle at a time. Still, it is sad to note just what we have not overcome in the past 40 years.

Go see the movie about a great American hero and his example. Enjoy it and think about it. And if you have some cola and popcorn, remember that more likely than not, underpaid food workers helped to provide those goodies for you as well.

## County and Local Teamster endorsements (June 3 election)

<b>Alameda County</b> Measure AA Yes Hayward City Council: Sara Lamnin and Ryan "Rocky" Fernandez	<b>Marin County</b> BOS District 1 Damon Connolly BOS District 2 Judy Arnold	<b>San Joaquin County</b> Stockton City Council Christina Fugazi
<b>Fresno County</b> BOS District 4 Magdalena Gomez BOS District 1 Blong Xion	<b>Mariposa County</b> BOS Dist. 1 Rosemarie Smallcombe	<b>San Mateo County</b> BOS Carol Groom BOS Don Horsely
<b>Kern County</b> Bakersfield City Council Willie Rivera Kern County BOS District 5: Leticia Perez	<b>Merced County</b> Sheriff Patrick Lunney	<b>Santa Clara County</b> San Jose Mayor Dave Cortese San Jose City Council Dist 5: Xavier Campos
<b>Kings County</b> BOS District 3 Holly Blair	<b>Monterey County</b> County Supervisor Ed Mitchell	<b>Santa Cruz County</b> Sheriff Jim Hart
<b>Lake County</b> Sheriff Frank Rivero	<b>Napa County</b> BOS District 1 Brad Wagenknecht BOS District 3 Diane Dillon Sup. of Schools James Mousalimas	<b>Solano County</b> Sheriff Thomas Ferrara
	<b>San Francisco County</b> SF Sup. Court Justice Daniel A. Flores	<b>Sonoma County</b> District Attorney Victoria Shanahan (she is a Teamster!) BOS District 4 Neutral



## Building political power to fight the temp worker system

As a union, if we're not growing, we're dying. That is why this newspaper's cover story focuses on our big push to organize thousands of workers in the Central Valley.

We also live or die by politics. Every day, elected officials make decisions that impact our jobs, our families, and our communities. If you don't like those decisions but you don't vote or donate to DRIVE – well, in my book you have no right to complain. Fortunately for us, in the last few years, Joint Council 7 Teamsters has stepped up our political game. Last year was our most successful legislative year in anyone's memory, where we wiped out the largest corporate welfare program in California (the Enterprise Zone program) and helped pass the strongest laws in the United State protecting immigrant workers from retaliation when they speak up for better wages and working conditions.

We won those campaigns because those were issues that impacted our members, and our members got involved! Whether it was the Local 853 members who saw their tax dollars going to employers who moved their jobs under the Enterprise Zone program, or it was the Marquez Brothers workers who were organizing with Local 517, Teamsters stormed the Capitol in Sacramento on many occasions. We even ran the corporate lobbyists out of the building one time!

### Focusing on "temp" workers

This year, we are focused on an issue that impacts Teamsters in all of our jurisdictions from warehousing, solid waste/recycling, food processing, and the public sector. That is the explosion in the use of temporary agencies to fill our jobs. This threat to our jobs is as bad as so-called "independent contracting" which has decimated the mighty freight industry that our union was built around.

If you don't know about the issues around temporary agencies, take a look at the workers who are organizing with us at Taylor Farms. Of the 900 workers there, roughly 300 work for two temporary agencies. Many of these workers have been there for five years, 10 years, or more. Nothing is "temporary" about their jobs.

The temporary agencies control whether they work or not. For some of the workers, the agency provides their housing and deducts the costs out of their paychecks. They provide the transportation to and from Taylor Farms and also deduct that. They feed the workers at the agency's restaurant and bring lunch to them at break, also for a cost. Imagine being completely dependent on your employer for a paycheck, food, transportation, and a roof over your head. Then you know how brave these workers are for standing up, and why they need our support.

To make matters worse, when a temporary agency worker gets injured at Taylor Farms, neither the agency nor Taylor Farms appears to take responsibility for their worker's compensation claim. Same thing for any other labor law violations. The workers get bounced back and forth with everybody pointing at the other guy and saying, "it's not my problem!"

Of course we know that Taylor Farms calls the shots in Tracy, just like Amazon and Walmart do with the temporary agency workers in their distribution centers. But, proving that means going to court and fighting it out, sometimes for years.

That is why we are co-sponsoring AB 1897 with the California Labor Federation and the United Food and Commercial Workers Union. This bill will hold companies like Taylor Farms accountable for California labor law violations when they use temporary agencies or other labor contractors to supply workers. Our champion, Assemblymember Roger Hernandez, chair of the Assembly Committee on Labor and Employment, is carrying this bill for us.

Make no mistake: this is going to be a HUGE fight. Opposition has crawled out of every industry from around the state. The California Chamber of Commerce labeled the bill a "job killer" and they are aimed on beating us. We need to fight back!

Winning these campaigns means getting involved. It means showing up on our lobby days in Sacramento, registering to vote, and contributing to DRIVE—our political action fund that we use to hold politicians accountable to supporting our agenda.

To get involved in this campaign, please contact your Business Agent or the Joint Council. We want Teamsters jobs, not temporary jobs!

**"We want Teamster jobs, not temporary jobs."**

## Joint Council 7 Endorsements for the June 3 elections

### Statewide Offices

Governor	Jerry Brown (D)
Lt. Governor	*Gavin Newsom (D)
Attorney General	*Kamala Harris (D)
Secretary of State	Alex Padilla (D)
Treasurer	John Chiang (D)
Controller	John Perez (D)
Insurance Comm.	*Dave Jones (D)
Board of Equalization	
DISTRICT 1	Chris Parker (D)
DISTRICT 2	Fiona Ma (D)
DISTRICT 3	*Jerome Horton (D)
DISTRICT 4	No endorsement
Sup. Public Instruction	*Tom Torlakson (D)
Proposition 41	Yes
Proposition 42	Yes

### Congressional Candidates

1 No endorsement	13 *Barbara Lee (D)
2 *Jared Huffman (D)	14 *Jackie Speier (D)
3 *John Garamendi (D)	15 Ellen Corbett (D)
4 No endorsement	16 *Jim Costa (D)
5 *Mike Thompson (D)	17 Mike Honda (D)
6 *Doris Matsui (D)	18 *Anna Eshoo (D)
7 No endorsement	19 *Zoe Lofgren (D)
9 *Jerry McNerney (D)	20 *Sam Farr (D)
10 Michael Eggman (D)	21 No endorsement
11 Mark DeSaulnier (D)	22 Suzanna Marrero (D)
12 *Nancy Pelosi (D)	23 No endorsement

### Senate Candidates

2 Mike McGuire (D)	12 *Anthony Canella (R)
4 No endorsement	14 Luis Chavez (D)
6 Roger Dickinson (D)	16 No endorsement
8 No endorsement	
10 Bob Wiecekowski (D)	
Mary Hayashi (D)	

### Assembly Candidates

1 No endorsement	17 David Campos (D)
2 Jim Wood (D)	David Chiu (D)
3 Jim Reed (D)	18 *Rob Bonta (D)
4 Joe Krovoza (D)	19 *Phil Ting (D)
Dan Wolk (D)	20 *Bill Quirk (D)
5 No endorsement	21 No endorsement
6 No endorsement	22 *Kevin Mullin (D)
7 Kevin McCarth (D)	23 No endorsement
Steve Cohn (D)	24 *Rich Gordon (D)
8 *Ken Cooley (D)	25 Kansen Chu (D)
9 Jim Cooper (D)	Teresa Cox (D)
10 Erin Carlstrom (D)	26 No endorsement
11 *Jim Frazier (D)	27 *Nora Campos (D)
12 No endorsement	28 Evan Low (D)
13 *Susan Eggman (D)	29 *Mark Stone (D)
14 *Sue Bonilla (D)	30 *Luis Alejo (D)
15 Elizabeth Echols (D)	31 *Henry Perea (D)
Tony Thurmond (D)	32 No endorsement
16 Tim Sbranti (D)	

\* Denotes Incumbent



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**Joint Council 7: [www.teamstersjc7.org](http://www.teamstersjc7.org)**

**International Teamsters: [www.teamster.org](http://www.teamster.org)**

# AROUND THE LOCALS



## LOCAL 137

### After four years, drivers at Western/Dispatch Transportation get first contract

In 2010, more than 100 drivers started a journey that finally led to their first Teamster contract in April, 2014.

After many months of organizing, in May, 2011 a group of workers at Valley Aggregate voted for union representation in an NLRB election. This victory was achieved despite an aggressive anti-union campaign.

The employer then engaged in bad faith, surface bargaining until they announced, in late 2011, that they had sold the company to a non-union firm in Southern California.

The new employer, Western/Dispatch Transportation, accepted applications from the former Valley Aggregate employees to be rehired. A group of brave union supporters, led by James Hamilton, Tracy Simeroth, and Debra Shields, went to the interviews flying their Teamster colors in the form of shirts, hats and buttons. The employer took pictures of them and made derogatory remarks about union supporters. Many of the employees who supported the union had 10 or more years of seniority, but none of them were hired back.

Local 137 filed NLRB charges for discrimination. This resulted in a settlement that required Western/Dispatch to recognize and bargain with the union.

However, when the company hired back the former manager to run their operation, he brought the company back to doing surface bargaining and ultimately reneged on the settlement.

The union filed new charges in July, 2013 that slowly worked their way through the NLRB.

Finally, on April 1, 2014, on the verge of an NLRB trial/hearing, the employer agreed to a new settlement that includes more than \$262,000 in back pay. The Local negotiated a contract that includes a wage rate of \$20/hour, overtime, \$3/hour into the Western Conference of Teamster Pension Plan, holiday and vacation benefits. (This is up from an average wage of \$11 to \$14/hour with no overtime or pension.)

Congratulations to James, Tracy, Debra and all these hard-working new Teamsters for their courageous battle.

## LOCAL 890

### Union helps members get their jobs back

Last month, five Local 890 Teamster members returned to their jobs and received back pay checks of more than \$7,000 each.

These Teamster members work in agriculture in Ventura County, harvesting celery and packaging "Celery Hearts" grown by Dole Fresh Vegetables.

In November the employer shifted the union members' work to one of its subsidiaries, and hired a

farm labor contractor to do the work inside one of its cold storage facilities. Local 890 immediately filed a grievance demanding the company rehire the union members, pay full back pay and benefits, and bargain with the union over the subcontracted work.

Local 890 has represented agricultural workers in California and Arizona for more than 60 years. The first Local 890 contract covering workers who harvest lettuce, celery, cauliflower and broccoli was signed in 1960, several years before Cesar Chavez started his now much more famous efforts to organize grape workers.

Local 890 President Crescencio Diaz was a farm-



Teamster members Leticia Garcia and Maria Ruiz, back at work and with backpay checks totaling over \$15,000.

worker himself when he came to California as a teenager. He points out that, "Teamster agricultural workers have many benefits that we could only dream about in the 1960s. Family medical insurance, vacations, holidays, and pension benefits are all bargained by Local 890."

Other benefits and protections have been fought for and

obtained in Sacramento and Washington D.C. Teamster reps and politically-active union members have been able to elect worker friendly politicians to get many improved labor laws passed. Now Local 890 members have electric fans installed (see photo) to help Teamsters stay cool while working with protective and sanitary gear in the California sun.

"We all still have a long way to go," Diaz added. "Over 90% of California farmworkers have no union representation and no benefits. They are exploited by farm labor contractors, and barely earn minimum wage or even less. We need to do much more union organizing in the fields. SI SE PUEDE!"

## LOCAL 2010

### Working to stop bullying

For too long, the University of California has tolerated managers and supervisors who mistreat employees. Despite the union's ongoing efforts to eliminate workplace bullying of our members and win a fair and respectful workplace, the problem persists. Although there are many good managers in the system, too many of our members are abused in the workplace while the employer turns a blind eye to the problem.

"That's why Teamsters Local 2010 has sponsored legislation that would, for the first time, require the University of California and other large employers to train managers and supervisors regularly on

prevention of abusive conduct," said Local 2010 Executive Director Jason Rabinowitz.

Introduced by Lorena Gonzalez, Assembly Bill 2053 would build upon existing law, which requires training on sexual harassment, to add the requirement that employers train managers how to prevent abusive conduct in the workplace.

"If passed, it would be the first law of its kind, and a milestone in the fight for a fair and respectful workplace for all," Rabinowitz adds.

In the coming weeks, Local 2010 members will be testifying and lobbying in support of the bill, and the Union will be asking for your support by signing petitions and taking other action in favor of this historic legislation.



In March, Local 2010 members attended a lobby day in Sacramento to talk with legislators about the bullying bill.

## LOCAL 856

### Five hundred workers at Mount Diablo USD join Teamsters

Mount Diablo Unified School District employees celebrated the realization of their yearlong mission to become Local 856 members in March. The nearly 500 workers of the school district's maintenance and operations unit chose to join Local 856 by a 2-to-1 margin.

The new Teamsters include school bus drivers, custodians, food service workers, network technicians, as well as plumbers, electricians, painters and many other classifications working out of the maintenance department.

MDUSD Organizing Committee Member Deborah Brewer has been with the district for 22 years.

"Our campaign has brought us unity, we have more active members than ever before," said the food service coordinator.

Brewer, who joined the bargaining committee, is confident that this solidarity will carry over into contract negotiations. "We are absolutely united," she said. "I really think that is going to make all the difference."

"I am very proud to be a Teamster," said Brewer. "I'm looking forward to the journey ahead."

In February, members of the Santa Rosa City Employees' Association voted overwhelmingly to join Local 856. More than 400 members who work in 106 separate administrative, technical, and professional classifications throughout all city departments made the move to become Teamsters after negotiations stalled with the city.

"The members of the SRCEA are excited about the opportunity to align with an organization that can provide professional support," said Mike Reynolds,



New MDUSD members and Local 856 City of Concord members after a joint rally to kick off their campaigns for a fair contract on April 9 in Concord. (Photo by Giuliana Maresca)

president of the SRCEA and a senior code enforcement officer for the city.

"We are passionate about fighting for the rights of working families and are excited that Mount Diablo Unified School District employees and City of Santa Rosa workers have chosen to join Local 856," said Rudy Gonzalez, Local 856 Vice President and Organizing Coordinator.

Joining Local 856 isn't just a victory for MDUSD and City of Santa Rosa workers – all members benefit from the expansion of the Local.

"By growing our Local through organizing, we are building density in key industries, increasing our geographic and political influence, and most importantly adding significant resources that can be deployed to support all Local 856 members at the bargaining table and to provide effective day-to-day representation," said Local 856 Principal Officer Peter Finn.

## LOCALS 287 & 853

### Joint Council unites with community for victory

For years, the residents of San Jose, in coalition with Locals 287 and 853, have battled Star Concrete, a non-union ready mix company with a long history of environmental violations, a propensity to operate without proper permits and an unhealthy relationship with its neighbors.

In the latest round, Locals 287 and 853 joined with the Santa Clara/San Benito Counties Building Trades Council, community groups and residents, to persuade San Jose's Department of Planning to "remove from the agenda" Star's application for a Special Use Permit to erect an additional batch plant, concrete crusher and other machinery on their already cramped property. Star claimed this so-called "environmentally friendly" recycling operation would not increase truck traffic, dust, noise and exhaust fumes in the surrounding community.

The successful intervention in Star's expansion "is the second great victory in this matter," wrote Neil Struthers, Chief Executive Officer of the Santa Clara/San Benito Counties Building Trades Council,

referring to a similar victory against Star in 2012.

With each round in this ongoing battle, the coalition of labor, environmental and community continues to grow and strengthen. For Joint Council 7 Teamsters, particularly our ready mix brothers and sisters, this struggle is paramount if we are to protect our wages, benefits and working conditions.

### New First Transit contract brings largest wage increases

In March, the 130 paratransit drivers who transport the elderly and disabled at First Transit in Alameda County ratified a new four-year contract. In it, they got the largest wage increases in the history of this agreement—ranging from 25-40% over the four year period.

"It took organizing the workers at MV Transportation to get this deal," says Local 853 Business Agent Adolph Felix. "By organizing First Transit's competition and successfully raising those workers' wages, we finally had some leverage."

## LOCAL 315

### Cemex recognizes Teamster member

*Those of us who don't drive a ready mix truck probably don't understand the skill it takes to do the job safely, and to do it right. Cemex, one of the world's largest ready mix companies, was pleased to recognize a long-time Local 315 member, not only for his great work on a daily basis, but also for winning some of the top competitions in the industry. Here's an excerpt of an article printed in the Northern California Quarterly CEMEX Chronicle in March.*

Hector Aguilera is a great ready mix driver and has proven this throughout his 23-year career. Hector began driving ready mix trucks for a local Sacramento ready mix supplier when he moved from the Los Angeles area in 1991. In 2000, he joined the CEMEX team (then owned by Rinker).

Hector's professional attitude is visibly evident to his colleagues. Trevor Rivers, the plant operator where he works, described Hector as someone who "takes great pride in his work." This professionalism can be seen not only in Hector's dedication to customer service, but also in his safety record.

In his time with CEMEX, Hector has had zero recordable incidents. Steve Alexander, Hector's area manager, described Hector as an "extremely safety-conscious employee."

In addition to his professional attitude, Hector has proven that he has the skills of a great ready mix driver. Hector has demonstrated his remarkable skills by winning both of the most recent Northern California CEMEX Mixer Driver Rodeos. Hector won the award in 2009 in Woodland, CA and then again in 2013 in Sacramento. In 2013, Hector competed in the NRMCA Mixer Driver Championship in Las Vegas, NV.

Most recently, Hector was awarded the runner up for the 2014 NRMCA Ready Mixed Concrete Delivery Professional Driver of the Year. Candidates throughout the U.S. were entered for this award and evaluated by a panel of judges based on career achievements, safety record, professionalism, driving competency, and customer service. Hector will be honored at the NRMCA's 2014 Annual Convention. In addition, he will be featured in *Concrete Products* and *In Focus* magazines.

Please join us in congratulating Hector on this prestigious award from the NRMCA!



## NOTICE OF NOMINATION AND ELECTION OF OFFICERS OF LOCAL UNION 948

Notice is hereby given of the nomination and election of the following officers of Local Union 948: Secretary-Treasurer (Principal Officer), President, Vice-President, Recording Secretary and three Trustees. The term of office for these Officers will commence on January 1, 2015 and conclude on December 31, 2017.

### Nominations

Nominations will be accepted at four Special Membership Meetings of Local Union 948 as indicated below:

Tuesday, July 15, 2014: Times: 8:00 a.m. and 8:00 p.m. at 1222 "I" Street, Modesto, Ca. (Local 948 Union Office).

Wednesday, July 16, 2014: Times: 8:00 a.m. and 8:00 p.m. at 609 W. Center Street, Visalia, Ca. (Visalia Memorial Building).

Candidate Forms, Notices and the General Rules for this Election will be distributed at the end of each Nominations Meeting.

All Candidates for the office of Secretary-Treasurer and President may each designate one member to serve as an election committee member and assist with election related tasks. The written designation can be made before or no later than the last nomination meeting.

Immediately following the 8:00 p.m. VISALIA Nominations Meeting, a Candidates Meeting will be held in order to determine placement on the ballot. Each Slate and/or Independent Candidate running in this election is responsible for being in attendance or having an eligible observer at the Visalia Meeting that has the authority to draw a number for their Slate or Independent Candidate placement. An eligible observer must be a member of Local Union 948 in good standing. Slates have priority on Teamsters ballots and will be listed first before Independent Candidates. A Joint Council 7 representative will be present at the 8:00 p.m. Visalia Nominations and Candidate Meeting to observe the process. The newly appointed election committee members are encouraged to be present at this meeting.

Nominations must be made and seconded from the floor by members of Local Union 948 in good standing, other than the nominee, with dues paid through June 2014. No member shall nominate more than one candidate for any particular office. Any back dues or fees may be paid at the Local Union office by 4:30 p.m. the prior day if attending the 8:00 a.m. nomination meeting, or by 4:30 p.m. on the day of the nomination meeting if attending the 8:00 p.m. meeting. The eligibility of seasonal workers in the seasonal food industry to nominate candidates is governed by Article XXII, Section 4 (c) of the International Constitution. Such persons shall be eligible to nominate candidates if they: 1) were in regular employment during some period of the twelve (12) months prior to the election and 2) produce satisfactory evidence that their dues were paid up through the last month of employ-

ment. Nominees must accept nomination in person, or if absent in writing, for only one office. Written acceptances must be submitted to the Local Union Secretary-Treasurer or the Chair presiding over the nomination meeting, prior to the commencement of the meeting.

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.

### Eligibility to Run for Office

To be eligible to be nominated for Local Union office, a member must be in continuous good standing in Local Union 948 and actively employed at the craft within the jurisdiction of the Local for a period of twenty-four (24) consecutive months prior to the month of nomination for said office, and must be eligible to hold the office if elected. "Continuous good standing" is defined as compliance with the provisions of Article X, Section 5 of the International Constitution concerning the payment of dues for a period of twenty-four (24) consecutive months together with no interruptions in active membership in this Local Union because of suspensions, expulsions, withdrawals, transfers or failures to pay fines or assessments. 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. A candidate for office may not be receiving pension benefits from any pension plan. The Local 948 meeting attendance requirement shall not be enforced as a condition of eligibility to run for office in this election.

### Election

The election will be conducted by in person polling. Polling will be conducted on August 23, 2014 from 6:00 a.m. to 8:00 p.m. in Modesto, Oakdale, Atwater, Lemoore and Visalia. Picture ID will be required in order to vote. A second notice of election with assigned polling places will be mailed to all members on or about August 4, 2014, which will assign members to vote at a polling site based on their work locations.

### Absentee Ballots

Absentee ballots will be mailed upon request to members in good standing who are unable to present themselves at the polls by reason of physical disability or anticipation of being out of the territory of Local 948 on August 23, 2014. A member who is physically disabled must provide a doctor's note, signed by the doctor, that confirms the member's inability to vote in person at the polls on the day of election because of the disability. Proof of disability for state disability insurance purposes is not sufficient. Those being out of the territory on the day

of the election must provide a note from their employer, signed by the employer, that confirms that the member is unable to vote in person due to an employment tour of duty, or proof by way of travel documents or other acceptable evidence that the member is out of the territory on vacation. A member requesting an absentee ballot must send a written request addressed to Local 948 Election Committee/UniLect Election Services at P.O. Box 3026, Danville, Ca. 94526, or you may send your written request by fax to the same at (925) 833-8874. You will be required to provide your name, mailing address, employer, phone number, reason for request, and such request must contain your signature. In addition, your evidence in support of your request for the absentee ballot must be received at the same time as the request. Requests for absentee ballots must be received by 4:00 p.m. no less than five (5) days prior to election. If you do not receive the ballot or spoil the ballot, request a duplicate absentee ballot by sending a written request to Local 948 Election Committee/UniLect Election Services at P.O. Box 3026, Danville, Ca. 94526, or you may send your written request by fax to the same at (925) 833-8874. Requests for duplicate absentee ballots must be received by 4:00 p.m. no less than five (5) days prior to election. The Local 948 Bylaws allow an absentee ballot to be requested not less than five (5) days prior to election; however, you will need to request an absentee ballot at the earliest possible date to ensure that your ballot will be received at the designated Post Office Box by 1:00 p.m. on August 23, 2014 to be counted. This is a secret ballot vote. You should mark your ballot in private and mail your ballot, sealed in the secret ballot envelope, to the designated post office box in the postage paid Business Reply Envelope provided. Do not give your blank or voted ballot to anyone. Absentee ballot requests will be mailed within 1 to 2 business days of request.

### Eligibility to Vote

To be eligible to vote in this election, a member of Local 948 must be in good standing with initiation fees and dues paid through July 2014. Members have until 4:30 p.m. on August 22, 2014 to pay their initiation fees or dues at the Local Union office in order to have their votes counted. The eligibility of seasonal workers in the seasonal food industry to vote is governed by Article XXII, Section 4 (c) of the International Constitution. Such persons shall be eligible to vote if they: 1) were in regular employment during some period of the twelve (12) months prior to the election and 2) produce satisfactory evidence that their dues were paid up through the last month of employment.

Elected officers of the Local Union shall, by virtue of such election, be delegates to any Joint Council with which Local 948 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.

### Protests

Any member who desires to challenge a ruling on eligibility to run for office shall appeal, in writing, within forty-eight (48) hours after receipt of the ruling to the General President or his designee, who shall decide such an appeal within seven (7) days after receipt of the protest.

Any protest or charges made concerning the election by a member prior to the holding of the election shall be made in writing by such member within forty-eight (48) hours of his knowledge of the event complained of and shall specify the exact nature and specifications of the protest. Such protest or charges shall be made to the Local Union Secretary-Treasurer.

Any post-election protest shall be made in writing within seventy-two (72) hours setting forth the exact nature and specifications of the protest and his/her claim as to how it has affected the outcome of the election. Such protest is to be made in writing to the Secretary-Treasurer of the Joint Council with which the Local Union is affiliated.

### Run-Off Election (If necessary)

In case of a tie vote in the race for Secretary-Treasurer, the outcome of the election will be determined by a run-off election with polling conducted on Saturday, September 6, 2014. The same rules listed above under Absentee Ballots will apply and members should use their previously assigned polling place. Requests for an absentee ballot must be made in writing and addressed to Local 948 Election Committee/UniLect Election Services at P.O. Box 3026, Danville, Ca. 94526 or you may send your written request by fax to the same at (925) 833-8874. Requests for absentee ballots must be received by 4:00 p.m. no less than five (5) days prior to election (run-off). If you do not receive the ballot or spoil the ballot, request a duplicate absentee ballot by sending a written request to Local 948 Election Committee/UniLect Election Services at P.O. Box 3026, Danville, Ca. 94526, or you may send your written request by fax to the same at (925) 833-8874. Requests for a duplicate absentee ballot must be received by 4:00 p.m. no less than five (5) days prior to election (run-off). The Local 948 Bylaws allow an absentee ballot to be requested not less than five (5) days prior to election; however, you will need to request an absentee ballot at the earliest possible date to ensure that your ballot will be received at the designated Post Office Box by 1:00 p.m. on September 6, 2014 election (run-off) to be counted.

Copies of the Articles of the International Constitution, the Local Union 948 Bylaws and the Rules governing the conduct of this election are available, upon request, from the Local Union.

*Fraternally,*

*Local Union 948 Executive Board*



## AVISO DE NOMINACIONES Y ELECCIONES PARA OFICIALES DEL SINDICATO “LOCAL UNION 948”

Por medio de la presente se les notifica de la nominación y elección de los siguientes oficiales del Sindicato “Local Union 948”: Secretario-Tesorero (Oficial Principal), Presidente, Vice- Presidente, Secretario de Actas y tres Miembros del Consejo de Administración. El término del puesto para estos Oficiales comenzará el 1ro de Enero, 2015 y concluye el 31 de Diciembre, 2017.

### Nominaciones

Las nominaciones serán aceptadas en cuatro Reuniones de Membresía Especiales del Sindicato Local Union 948 como se indica abajo:

Martes 15 de Julio, 2014: Horario: 8:00 a.m. y 8:00 p.m. en el 1222 “I” Street, Modesto, Ca. (Oficina del Sindicato Local Union 948).

Miércoles 16 de Julio, 2014: Horario: 8:00 a.m. y 8:00 p.m. en el 609 W. Center Street, Visalia, Ca. (Edificio Visalia Memorial).

Las Formas, los Avisos y Reglas Generales para esta Elección serán distribuidos al final de cada Reunión de Nominaciones.

Todos los candidatos para oficiales de Secretario-Tesorero y Presidente pueden cada uno designar un miembro para servir como miembro del comité de elección y asistir con actividades relacionadas a la elección. La designación por escrito puede hacerse antes y no más tarde de la última reunión de nominación.

Inmediatamente después de la Reunión de Nominación de VISALIA de las 8:00 p.m., una Reunión de Candidatos se llevará a cabo para determinar colocación en la boleta electoral. Cada Planilla de Candidatos y/o Candidato Independiente para ser elegido es responsable de estar presente o de tener un observador elegible en la Reunión de Visalia que tenga la autoridad de sacar un número para la designación de su Planilla de Candidatos o de Candidatos Independientes. Un observador elegible deberá ser miembro del Sindicato Local Union 948 que haya cumplido con sus cuotas de unión. Las Planillas de Candidatos tienen prioridad en las boletas electorales del Sindicato “Teamsters” y serán listadas primero anterior a los Candidatos Independientes. Un representante del Consejo Conjunto 7 (Joint Council) estará presente a las 8:00 p.m. en la Reunión de Nominaciones y de Candidatos en Visalia para observar el proceso. Se les anima a los miembros del comité electoral recién nombrados que estén presentes en esta reunión.

Las Nominaciones deberán hacerse y secundarse del piso por miembros del Sindicato Local Union 948 en regla, quien no sea el nominado, que haya cumplido con sus cuotas hasta Junio 2014. Ningún miembro podrá nominar a más de un candidato para ningún puesto en particular.

Cualquier cuota atrasada o cobro podrá pagarse en la oficina del Sindicato Local Union antes de las 4:30 p.m. del día anterior si se atiende la reunión de nominación de las 8:00 a.m. o antes de las 4:30

p.m. del día de nominación si se atiende la reunión de nominación de las 8:00 p.m.

La elegibilidad de los trabajadores temporales en la industria de alimentos de temporada para nominar candidatos se rige por el artículo XXII, Sección 4 (c) de la Constitución Internacional.

Tales personas serán elegibles para nominar candidatos si: 1) tuvieron un empleo regular durante algún período de los doce (12) meses antes de la elección y 2) presentan evidencia satisfactoria de que sus cuotas fueron pagadas hasta el último mes de empleo. Los nominados deberán aceptar la nominación en persona, o si están ausentes por escrito, para un puesto solamente. Las aceptaciones por escrito deberán ser enviadas al Secretario-Tesorero o Presidente del Sindicato Local Union que preside la reunión de nominación, antes del comienzo de la reunión.

Se anima a los candidatos potenciales a comprobar su elegibilidad y la elegibilidad de sus nominadores y secundadores, antes de la reunión de nominaciones presentando una solicitud por escrito al Secretario-Tesorero del Sindicato “Unión Local.”

### Elegibilidad para Postularse a un Puesto

Para ser elegible de ser nominado a un puesto del Sindicato “Unión Local,” un miembro debe estar en regla ininterrumpidamente con el Sindicato “Unión Local 948” y estar empleado activamente en el oficio dentro de la jurisdicción del Local por un período de veinticuatro (24) meses consecutivos antes de la nominación por tal puesto y deberá ser elegible para ocupar el cargo si es elegido. “Estar en regla ininterrumpidamente” se define como el cumplimiento a las provisiones del artículo X, sección 5 de la Constitución Internacional sobre el pago de las cuotas por un período de veinticuatro (24) meses consecutivos, junto con no interrupciones de la membresía con este Sindicato “Unión Local” a causa de suspensiones, expulsiones, retiros, transferencias o falta de pagos a multas o evaluaciones. Un miembro que sea marcado por sus cuotas no perderá el estar en regla a consecuencia de un retraso o incumplimiento por parte del empleador en el envío de las cuotas a la Local o a causa de la falla de parte del empleador al hacer las deducciones apropiadas de pago del miembro en cualquier mes en el que el miembro haya tenido algún ingreso y en el que deducciones se podrían haber hecho. Un candidato a un puesto no podrá estar recibiendo beneficios de pensión de ningún plan de pensiones. El requisito de asistencia a las reuniones del Local 948 no deberá hacerse cumplir como condición de elegibilidad para postularse a un cargo en esta elección.

### Elección

La elección deberá conducirse por votación en persona. La votación se llevará a cabo el 23 de Agosto, 2014 de las 6 a.m. a las 8:00 p.m. en Modesto, Oakdale, Atwater, Lemoore y Visalia.

Se requiere identificación con fotografía para poder votar. Una segunda convocatoria de elecciones con lugares de votación asignados será enviada por correo a todos los miembros el o alrededor del 4 de Agosto, 2014 en la que se asignará a los miembros a votar en un lugar de votación dentro de sus lugares de trabajo.

### Boletas en Ausencia

Las boletas para electores ausentes serán enviadas por correo a petición de los miembros que están en regla quienes no pueden presentarse a las urnas con motivo de incapacidad física o que anticipen estar fuera del territorio de la Local 948 el 23 de Agosto, 2014. Un miembro incapacitado deberá proporcionar una nota del doctor, firmada por el doctor, que confirme la incapacidad del miembro para votar en persona en las urnas el día de las elecciones a causa de su incapacidad. Prueba de incapacidad por el seguro de discapacidad del estado no es suficiente. Aquellos que estén fuera del territorio en el día de la elección deberán presentar una nota de su empleador, firmada por el empleador, que confirme que el miembro no puede votar en persona debido a una gira de trabajo, o prueba por medio de documentos de viaje u otra evidencia aceptable de que el miembro se encuentra fuera del territorio de vacaciones.

Un miembro que solicite una boleta por correo debe enviar una solicitud por escrito dirigida al Local 948 “Election Committee/UniLect Election Services” (Comité Electoral/Servicio de Elecciones UniLect) P.O. Box 3026, Danville, CA. 94526, o puede enviar su solicitud por escrito por fax a la misma oficina al (925) 833-8874. Se le pedirá que proporcione su nombre, dirección, empleador, número de teléfono, razón por la solicitud, y dicha solicitud debe contener su firma. Además, una prueba en apoyo a su solicitud para el voto en ausencia debe ser recibida al mismo tiempo que la solicitud. Las solicitudes de boletas en ausencia deben ser recibidas antes de las 4:00 p.m. no menos de cinco (5) días antes de la elección. Si usted no recibe la boleta o estropea la boleta electoral, solicite un duplicado de boleta en ausencia por medio de una solicitud por escrito al Local 948 “Election Committee/UniLect Election Services” (Comité Electoral/Servicio de Elecciones UniLect)” P.O. Box 3026, Danville, CA. 94526, o puede enviar su solicitud por escrito por fax a la misma oficina al (925) 833-8874. Las solicitudes de duplicados de boleta en ausencia deberán ser recibidas antes de las 4:00 p.m. no menos de cinco (5) días antes de la elección. Los Estatutos de Locales 948 permiten que solicite una boleta en ausencia no menos cinco (5) días antes de la elección; sin embargo, usted tendrá que solicitar una boleta en ausencia lo más pronto posible para asegurar que su boleta se reciba en la caja postal (Post Office) designada antes de la 1:00 p.m. del 23 de agosto, 2014 para que sea contada. Esta es una votación secreta. Usted debe marcar su boleta en privado y enviarla por correo, sellada en el sobre de votación secreto, a la oficina de correo designada en el sobre oficial pre-pagado (Business Reply Envelope)

proveído. No le dé su boleta en blanco o llena a nadie. Las solicitudes para el voto en ausencia serán enviadas de 1 a 2 días de trabajo de la solicitud.

### Elegibilidad para Votar

Para ser elegible a votar en esta elección, un miembro del Local 948 debe estar en regla con las cuotas de inscripción y deberá haber pagado sus cuotas hasta Julio del 2014. Los miembros tienen hasta las 4:30 p.m. del 22 de Agosto, 2014 para pagar sus cuotas de inscripción o cuotas pendientes en la oficina del Local Unión para que sus votos cuenten. La elegibilidad de los trabajadores temporales en la industria de alimentos de temporada para nominar candidatos se rige por el artículo XXII, Sección 4 (c) de la Constitución Internacional.

Tales personas serán elegibles para nominar candidatos si: 1) tuvieron un empleo regular durante algún período de los doce (12) meses antes de la elección y 2) presentan evidencia satisfactoria de que sus cuotas fueron pagadas hasta el último mes de empleo.

Los oficiales elegidos de la Local Union deberán, en virtud de dicha elección, ser delegados en cualquier Consejo Conjunto con el que Local 948 este afiliado, así como en los convenios de cualquier entidad subordinada que pueda tener lugar durante el término de su puesto. Los oficiales de la Local Union elegidos deberán ser delegados en esas convenciones en el orden de prioridad establecida en los Estatutos de la Local Union.

### Protestas

Cualquier miembro que desee desafiar una decisión sobre la elegibilidad para postularse a un puesto deberá apelar, por escrito, dentro de las cuarenta y ocho (48) horas después de haberse recibido el dictamen por el Presidente General o su designado, quien decidirá una apelación dentro de los siete (7) días después de haberse recibido el dictamen.

Cualquier protesta o gastos realizados con relación a la elección por un miembro antes de la realización de elecciones deberán efectuarse por escrito por tal miembro dentro de las cuarenta y ocho (48) horas de su conocimiento del caso reprobado y se deberá especificar la naturaleza exacta y los detalles de la protesta. Dicha protesta o cargos deberán hacerse al Secretario-Tesorero de la Local Union.

Cualquier protesta postelectoral deberá hacerse por escrito dentro de un plazo de setenta y dos (72) horas estableciendo la naturaleza y características de la protesta y su reclamo en cuanto cómo han afectado los resultados de la elección. Esta protesta deberá hacerse por escrito al Secretario-Tesorero del Consejo Conjunto con el que la Local Union está afiliada.

### Segunda Vuelta Electoral (Si es necesaria)

En caso de empate en la elección de Secretario-Tesorero, el resultado de la

*continúa en la página 8*

## All Teamsters

### Share in the Solidarity with JC7 at the SF Pride Parade!

Show your union pride as we join thousands of Bay Area organizations, families, and fellow Union brothers and sisters in support of the LGBT community at the 2014 San Francisco Pride Parade on June 29! Let's show our community that we stand united for a better world. We will meet on Market St. and Beale St. at 9 a.m. as the parade begins promptly at 10 a.m.! Please contact Ruben Bustillos of Local 70, via email at [rbustillos@teamsterslocal70.org](mailto:rbustillos@teamsterslocal70.org) or by phone at 510-755-4813 for more information.

## Safeway retirees

### Safeway Drivers & Mechanics Luncheon

All retired, former and current drivers and mechanics who worked in the San Francisco Division of Safety Stores are invited:

Saturday, August 9, 2014

Napa Elks Lodge: 2840 Soscol Avenue, Napa, CA 94558

\$37.00 ticket includes BBQ steak, chicken and trimmings. No-host bar. Please reserve a seat as soon as possible. Deadline for receiving money is July 26, 2014. For more info, call Jerry Tower at 530-474-3767 or Dennis Estep at 510-223-2047.

## Local 948

### 3rd annual members picnics

will be on the following dates:

**Modesto** May 17 Tuolumne River Park, Area B  
10:00-4:00

**Visalia** May 31 Mooney Grove Park, Arbor 3  
10:00-4:00

Come enjoy the food and entertainment including the free raffle for prizes like electronics, bicycles, outdoor equipment and much more. We look forward to seeing all our members and their families. The picnic event is free to our members and their immediate family. (Note: Mooney Grove Park charges a \$6 fee per car for parking.)

## Local 2785 Retirees

### 2014 Lunches

Join the Local 2785 Retirees Club at the Elks Club on the following Tuesdays from 10 a.m.-1 p.m. for meeting and lunch: June 10, Sept. 2, Dec. 9. Save the date for the annual picnic: Friday, Sept. 12, Coyote Point. See you there!

## Weingarten Rights—a refresher and update

One of the vital functions of a Teamsters shop steward is to prevent managers from attempting to threaten, coerce, or entice members into confessions of misconduct. The legal basis to do this is to rely on “Weingarten rights” which allow employees to insist on the presence of a Union representative whenever they are subjected to an investigatory interview that might result in discipline.

### What is “an investigatory interview”?

An investigatory interview occurs when an employee is questioned by management and the employee has a reasonable belief that the interview might lead to discipline or other adverse consequences.

Some common situations to see whether both requirements for an investigatory interview are met:

A supervisor calls an employee in to ask him about a workplace accident in which he was involved. Investigatory interview? Yes. This is a classic example of an investigatory interview, it is a series of questions, and it clearly might lead to discipline. Note that a drug-test that is part of an accident investigation would be covered by the Weingarten right.

A supervisor calls an employee in to her office to notify the employee that he or she is being disciplined. Investigatory interview? Likely Not. Unless the supervisor starts questioning the employee, merely announcing discipline does not implicate Weingarten rights. However, if the supervisor starts to ask questions, the employee should stop answering and insist on union representation - it is important to remember that a meeting or conversation can become an investigatory interview even if it did not start that way. The employer may say “I’m ordering you to answer” but any discipline resulting from disobeying that order is unlikely to hold up if grieved.

A supervisor and an employee talk informally on the shop floor about how a work process might be improved. Investigatory interview? Likely not. Not all conversations with management are investigatory interviews, and this likely doesn’t qualify because there is little or no prospect of discipline. Remember, of course, that such conversations can turn into investigatory interviews if the supervisor starts to question the employee about her own performance, or adopts an aggressive or accusatory attitude. In that case, the employee should stop talking and insist on union representation.

### Aviso De Nominaciones Y Elecciones Para Oficiales Del Sindicato “Local Union 948”

#### continúa de la página 7

elección será determinada por una segunda vuelta electoral con una votación realizado el Sábado, 6 de Septiembre, 2014. Las mismas reglas mencionadas arriba sobre Boletas en Ausencia se aplicarán y los miembros deberán utilizar el lugar de votación asignado previamente. Las solicitudes para votar en ausencia deberán hacerse por escrito dirigidas al Local 948 “Election Committee/UniLect Election Services” (Comité Electoral/Servicio de Elecciones UniLect) P.O. Box 3026, Danville, CA, 94526, o puede enviar su solicitud por escrito por fax a la misma oficina al (925) 833-8874. Las solicitudes de Boletas en Ausencia deberán

ser recibidas antes de las 4:00 p.m. no menos de cinco (5) días antes de la elección (de segunda vuelta). Si usted no recibe la boleta o estropea la boleta electoral, solicite un duplicado de boleta en ausencia por medio de una solicitud por escrito al Local 948 “Election Committee/UniLect Election Services” (Comité Electoral/Servicio de Elecciones UniLect) P.O. Box 3026, Danville, CA. 94526, o puede enviar su solicitud por escrito por fax a la misma oficina al (925) 833-8874. Las solicitudes de duplicados de boleta en ausencia deberán ser recibidas antes de las 4:00 p.m. no menos de cinco (5) días antes de la elección (de segunda vuelta). Los Estatutos del Local 948

permiten que solicite una boleta en ausencia no menos cinco (5) días antes de la elección; sin embargo, usted tendrá que solicitar una boleta en ausencia lo más pronto posible para asegurar que su boleta se reciba en la caja postal (Post Office) designada antes de la 1:00 p.m. de las elecciones (de segunda vuelta) del 6 de Septiembre, 2014 para que sea contada.

Copias de los Artículos de la Constitución Internacional, de los Estatutos de la Local Union 948 y de las Normas que rigen la conducta de esta elección están disponibles, a petición, a la Local Unión.

*Fraternalmente,*

*Consejo Ejecutivo de la Local Union 948*

### I’m the subject of an investigatory interview - what can I do?

Your employer is not required to tell you about your Weingarten rights. You must know—and invoke—your rights.

You can and should insist on a union representative or shop steward being present. You can make this request at any time before or during an investigatory interview.

Once you’ve requested representation the employer should either grant your request and cease questioning until the union representative arrives or deny the request and end the interview.

You can and should refuse to answer questions if the employer has denied your request for union representation and continues to ask you questions.

You cannot and should not insist on being represented by a particular shop steward or representative. Although your choice between two or more representatives who are equally available should be honored, you do not have the right to insist on a particular representative if that representative is unavailable and another representative is available.

You cannot and should not refuse to attend an investigatory interview. You should attend the interview, request representation before answering any questions, and then refuse to continue if that request is denied.

### What can my steward/representative do?

When they represent a member at an interview stewards can:

- ⇒ demand that the supervisor describe the subject matter of the interview before starting (what misconduct is alleged?);
- ⇒ hold a private meeting with the member before an interview begins;
- ⇒ speak up during the interview (but not prevent the employer from conducting the interview);
- ⇒ object to confusing or unclear questions and request that they be clarified;
- ⇒ advise the employee not to answer harassing, abusive, and misleading questions;
- ⇒ present information in support of the member;
- ⇒ serve as a witness to the interview (so the supervisor can’t give a false account of what the member said).