

# Joint Council 7



# TEAMSTER

Volume 59, Number 4

Serving members in Northern California, the Central Valley, and Northern Nevada

October/November 2014

*When good people are in office, we can get laws passed that support workers*

## Flex your power as a Teamster and vote!

By Rome Aloise  
Joint Council 7 President

It is election time again. While there may not be much drama at the top of the ticket—we're not voting for President or for U.S. Senators—getting people into office on the local and state levels has a direct impact on our ability to pass good laws that impact working people throughout the state.

Many of our members are registered to vote and, in fact, understand the value of participating in the electoral process. However, a significant number sometimes feel it is useless to be involved. Nothing can be further from the truth!

Without the Teamsters union participating in the

political arena, many laws that protect and benefit workers would not be on the books. Just in the last few years, due to our members' participation and involvement, we have been able to get a number of bills passed through the state legislature that protect and help you and your families.

For instance, we have been able to begin to repair the damage done by Arnold Schwarzenegger to the Workers Comp system. These improvements directly affect every worker in the state.

We have prevented unscrupulous companies from shutting down in one location, getting rid of their unionized workers, and reopening non-union—all while receiving subsidies from the state to do so. This cannot happen again because of bills that we got passed and the Governor has signed to do away with the Enterprise Zone system.

We have made sure that workers cannot be discriminated against or terminated from work because of their immigration status. We often see this take place when we are trying to organize new companies into our union.

We just passed a bill that provides for a minimum of three days sick leave for workers in the state. While most of our contracts provide for sick leave, this law, at a minimum, forces the non-union companies to compete against our union employers on a more equal basis.

Local 2010 was successful in getting legislation passed that makes it a violation of the law to bully University of California workers.

Our biggest bill this year was the temp worker bill. All too many workers are employed by temp agencies, who serve as a middle-man and buffer. If a worker gets



*Joint Council 7 President Rome Aloise has a word with Governor Brown. Local 42's Randy Cammack looks on.*

injured on the job, neither the company they're really working for nor the temp agency take any responsibility. Everyone advised us not to bring our bill during an election year, but with huge effort by rank-and-file members and leadership, AB1897 passed both the Senate and the Assembly. At press time, we're waiting to see if the Governor will sign it into law.

The facts and our progress speak for themselves; your involvement pays off! Please make sure that you and anyone in your household and family looks seriously at the recommendations made by your union. These candidates and the propositions have been thoroughly vetted by the officers and officials of our Joint Council Local Unions, and the candidates that we have endorsed are the ones that understand what workers need and what protections workers have to have. Please use these endorsements as a guide.

On another note, many of our Locals in the Joint Council have experienced a resurgence of workers seeking union representation. Organizing, as I have said in this space many times, is the life blood of our union. Bringing in new members makes us stronger, protects our jobs, and helps workers gain the protections, wages, and benefits that we all enjoy. A number of our Locals have reported wins in many different industries and workplaces. This is good news for all of us.

In closing, I again ask you to look over our recommendations on pages 2-3 and vote as soon as you get your ballot in the mail, or on Election Day. The vote you cast may protect your job some day!



*Joint Council 7 members and Taylor Farms workers take the floor of the State Senate with Sen. Cathleen Galgiani, whose district Taylor Farms is in.*



*Rank-and-file Teamsters visited numerous Assembly Members and Senators to explain why the Temp Worker bill is so important to Teamsters.*

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**Statewide elections**

Governor: EDMUND "JERRY" BROWN (D)  
 Lt. Governor GAVIN NEWSOM (D)  
 Secretary of State ALEX PADILLA (D)  
 Attorney General KAMALA HARRIS (D)  
 Controller BETTY YEE (D)  
 Treasurer JOHN CHIANG (D)  
 Insurance Commissioner: DAVE JONES (D)  
 Superintendent of Public Instruction: TOM TORLAKSON  
 Board of Equalization, District 1: CHRIS PARKER

**Propositions**

Proposition 1 ..... YES  
 Ensures a safe, reliable water supply  
 Proposition 47 ..... YES  
 Stops wasting prison space on low-level nonviolent crimes  
 Proposition 48 ..... YES  
 Maintains gaming compacts with good jobs

**More election info just for you**

We don't have room in this paper for all the local endorsements that Joint Council 7 made this election season. But, we've designed a cool website where you can enter your address, and get your union endorsement list customized just for you!

Go to:

**CaTeamsters.YourVoterGuide.com**

The newspaper only lists mayors and city council members; on the website, you'll find these and other important offices, as well as local ballot initiatives.



**Joint Council 7  
TEAMSTER**

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**Teamsters get historic laws passed because of member involvement**

In the last two years, California Teamsters made history by taking down the largest corporate welfare program in the state's history – the Enterprise Zones – and by passing the strongest laws in the U.S. protecting immigrant workers from retaliation when they stand up for their rights. Nobody said we could win these fights. Yet we got those laws through the legislature and signed by Governor Brown.

This year we took on an even bigger fight. In warehousing, solid waste/recycling, and food processing, we see employers moving to a new business model that is a threat to every Teamster and to California's middle class. Workers hired as so-called "temps" are working side-by-side with direct hires. These "temps" may work at a company for years—there is nothing temporary about their employment. However, they are denied benefits and job security. If they want to organize a union, the federal government makes the "temps" hold a separate election from the other workers. When workers are fired for standing up, it is almost impossible to prove retaliation, because the workers are "temps" under the law. When they are injured on the job or cheated out of their wages, the

temp agency and the employer point fingers at each other and deny responsibility for fixing the problem.

There is no better example of this problem than Taylor Farms in Tracy, which became the poster child for our legislative campaign. Almost 900 workers in Tracy have been organizing with Teamsters Local 601 since 2013. Half of them work for two temporary agencies—Abel Mendoza and Slingshot. This shell game allows Taylor Farms to skirt the law and abuse their workers.

Take the case of Victor Borja, who worked as a "temp" for Abel Mendoza at Taylor Farms for nine years. One day, he slipped and fell from his machine and injured his foot. His first thought was, "I am going to get fired!" because that's what he saw happen to others when they were injured. The day after the company doctor removed his cast, he was ordered to return to work. Although he was supposed to have light duty, management increased

his workload. When he complained, his manager said:

"Victor, yesterday you told me that your foot hurts, but frankly, I don't give a damn! What we care about around here is production. If

*cont. on page 3*



*Caitlin Vega, lobbyist from the California Labor Federation, joins Joint Council 7 and Taylor Farms workers in the halls of the Capitol to talk to legislators about the temp worker bill.*

**JOINT COUNCIL 7  
ENDORSEMENTS**

**ALAMEDA COUNTY**

Alameda County Superintendent of Schools: Karen Monroe  
 Alameda County Board of Supervisors  
 District 2: Richard Valle  
 District 3: Wilma Chan  
 Alameda City Mayor: Marie Gilmore  
 Alameda City Council: Jim Oddie & Stewart Chen  
 Berkeley City Council  
 District 1: Linda Maio  
 District 4: Jesse Arreguin  
 District 7: Kriss Worthington  
 District 8: Lori Droste  
 Dublin City Mayor: Kasie Hildebrand  
 Dublin City Council: Abe Gupta & Don Biddle  
 Emeryville City Council: Dianne Martinez & Scott Donahue  
 Fremont City Council: David Bonaccorsi & Raj Salwan  
 Newark City Mayor: Alan Nagy  
 Newark City Council: Mike Bucci  
 Oakland City Mayor: (Ranked choice):  
 1) Libby Schaaf; 2) Jean Quan; 3) Bryan Parker  
 Oakland City Council  
 District 2: Abel Guillen  
 District 4: Anne Campbell Washington

**County Races, Mayors & City Council Members**

District 6: No endorsement  
 Pleasanton City Council: Olivia Sanwong  
 San Leandro Mayor: Pauline Cutter  
 San Leandro City Council  
 District 1: Deborah Cox  
 District 3: Lee Thomas  
 District 5: Corina Lopez  
 Union City Council: Emily Duncan

**CONTRA COSTA COUNTY**

Antioch City Council: Tony Tiscareno & Lamar Thorpe  
 Concord City Council: Tim Grayson & Ron Leone  
 El Cerrito City Council: Janet Abelson & Gabriel Quinto  
 Hercules City Council: Myrna De Vera  
 Martinez Mayor: Rob Schroeder  
 Martinez City Council: Michael Menesini & Lara Delaney  
 Pinole City Council: Debbie Long  
 Pittsburg City Council: Sal Evola, Pete Longmire, & Marilyn "Merl" Craft  
 Richmond Mayor: Nat Bates  
 Richmond City Council: Charles Ramsey, Jael Myrick, Donna Powers, & Jim Rogers

**FRESNO COUNTY**

Fresno County Board of Supervisors  
 District 1: Blong Xiong  
 Fresno City Council 1: Esmeralda Soria

**KERN COUNTY**

Bakersfield City Council: Willie Rivera

**KINGS COUNTY**

Lemoore City Council: Holly Blair

**MERCED COUNTY**

Merced County Board of Supervisors  
 District 3: Tony Dosetti

**MONTEREY COUNTY**

Greenfield Mayor: John Huerta, Jr.  
 Greenfield City Council: Avelina Torres  
 Marina Mayor: Bruce Delgado  
 Marina City Council: David Brown  
 Monterey City Council: Nancy Selfridge & Timothy Barrett  
 Monterey County Board of Supervisors  
 District 2: Ed Mitchell  
 Salinas City Council, District 2: Tony Barrera  
 Seaside Mayor: Ralph Rubio  
 Seaside City Council: Dennis Alexander & Jason Campbell  
 Soledad City Council: Christopher Bourke & Alejandro Chavez



you can't produce, I have no use for you here. In fact, you're just another Abel Mendoza worker, and you don't even exist for this company. I can replace or fire you anytime I feel like it and simply get another worker."

Two days later, Victor was fired with no explanation. He is in constant pain from his injury and permanently disabled.

Taylor Farms workers like Victor took the lead, along with Teamsters from almost every Local union in Northern California, in getting AB 1897 to Governor Jerry Brown's desk this year. It is waiting for his signature.

If the Governor signs AB 1897 into law, when a worker gets injured at Taylor Farms, the company and the temporary agencies will be held jointly liable under the law. And this law will apply to all Teamster industries where subcontracting is on the rise. In fighting for this bill, we faced opposition from every industry in California. The Chamber of Commerce put it at the top of their "job killer" list.

Everyone said we were crazy to take this fight on in an election year when legislators are gun-shy about controversial issues. And yet, the Assembly and Senate both passed the bill with solid majorities. So how did we get it done?

### Active members help Teamsters win

It all starts with our members. In the last few months, more than 1,500 members in Joint Council 7 voluntarily enrolled in DRIVE, our political action fund. DRIVE stands for Democrat, Republican, Independent Voter Education. Without DRIVE, we cannot help elect politicians who will support us on our issues. This campaign was a success because of the shop stewards, business agents, and principal officers who brought it to your work place. If you are not a member of DRIVE, please talk to your shop steward.

Second, when we find politicians who support us, we work to get them elected. That means, we endorse them. We make phone calls on their behalf, knock on doors, and make sure that our members vote. Remember: if you don't vote, you have no right to complain.

Finally, when we help send people to office, we hold them accountable to our issues. On AB 1897, we met with legislators in their district offices, we called them, texted

them, and emailed. And we took this campaign directly to the Capitol. This year we mobilized almost 200 Teamsters and Taylor Farms workers to Sacramento in four separate lobby days. If you haven't been in Sacramento when the Teamsters come to town, please join us! When we come through, the highly-paid corporate lobbyists go running in every direction!

When President Hoffa came to Sacramento, the legislature shut down their regular business and brought him, our Joint Council President Rome Aloise, Joint Council 42's Randy Cammack, and IBT Trustee Ron Herrera on to the floor of the Capitol where they were hailed with a standing ovation. That's Teamster power!

### Working closely with labor partners turns the tide

But we could never do this alone. Every Teamster in California is also represented by the California Labor Federation, the umbrella group for 1,200 unions and 2.1 million union members in this state. Many of our local unions are also affiliated with Central Labor Councils and Building Trades Councils, which are usually organized at the County level. A percentage of every member's dues go to support these organizations. In many cases, we get a lot of bang for our buck!

The fight to win AB 1897 had the full backing of the California Labor Federation. Labor Councils and Building Trades Councils lobbied legislators around the state on our behalf. They support us on organizing drives, contract campaigns, legislative fights, and more. They cannot be effective if Teamsters don't participate, and we cannot win without them. Talk to your Local about how you can get involved with your Central Labor Council. There is power in numbers!

Finally, the November elections are upon us. Please make sure that you vote this November, and take this newsletter as a guide with you to the polls. Very soon, we will be visiting you at the work site, calling you, and sending you information in the mail.

Since 2010, under President Rome Aloise's leadership, we've shown that when we get involved, we win. Let's keep a good thing going!

## County Races, Mayors & City Council Members

### NAPA COUNTY

Napa City Council: Peter Mott and Jose Hurtado

Napa District Attorney: Gary Lieberstein

### SACRAMENTO COUNTY

Elk Grove City Council 4: Nancy Chaires

### SAN BENITO COUNTY

San Benito County Board of Supervisors, District 3: Robert Rivas

### SAN FRANCISCO COUNTY

San Francisco Board Of Supervisors:

District 2: Mark Farrell

District 4: Katy Tang

District 6: Jane Kim

District 8: Scott Wiener

District 10: Malia Cohen

### SAN JOAQUIN COUNTY

Lathrop Mayor: Sonny Dhaliwal

Lodi City Council: Curtis Juran, Wendel

Kiser, and Dr. Alan Nakanishi

Manteca Mayor: Steve DeBrum

Manteca City Council: Mike Morowit and Rich Silverman

Stockton City Council

District 3: Susan Lofthus

District 5: Dyan Burgos Medina

Tracy Mayor: Ray Morelos

Tracy City Council: Robert Rickman

### SAN MATEO COUNTY

Daly City Council: Ray Buenaventure

Pacifica City Council: Mike O'Neill and Eric Ruchames

### SANTA CLARA COUNTY

San Jose Mayor: Dave Cortese

San Jose City Council 1: Paul Fong

### SANTA CRUZ COUNTY

Santa Cruz City Council: Leonie Sherman, Bruce Van Allen, Cynthia Chase

Santa Cruz County Board of Supervisors

District 4: Greg Caput

Watsonville City Council

District 4: Eduardo Montesino

District 5: Daniel Dodge

### SOLANO COUNTY

Dixon City Council: Dane Besneatte and Thom Bogue

Fairfield Mayor: Harry Price

Fairfield City Council: Scott Tonnesen

Solano Board of Supervisors: No

Recommendation

Suisun City Council: Jan Davenport and Amit Pal

Vacaville Mayor: Ron Rowlett

Vacaville City Council: Mitch Mashburn and Cara Fox

### SONOMA COUNTY

Petaluma Mayor: Mike Harris

Santa Rosa City Council: John Sawyer, Tom Schwedhelm, Ashle Crocker, and Chris Coursey

Sonoma County Board of Supervisors

District 4: James Gore and Deb Fudge

### STANISLAUS COUNTY

Patterson Mayor: Luis Molina

Riverbank City Council: Cal Campbell and Leanne Jones-Cruz

Turlock Mayor: Mike Brem

## JOINT COUNCIL 7 ENDORSEMENTS

### U.S. Congress

Dist #	Candidate
1	Heidi Hall (D)
2	*Jared Huffman (D)
3	*John Garamendi (D)
4	NO ENDORSEMENT
5	*Mike Thompson (D)
6	*Doris Matsui (D)
7	*Ami Bera (D)
9	*Jerry McNerney (D)
10	Michael Eggman (D)
11	Mark DeSaulnier (D)
12	*Nancy Pelosi (D)
13	*Barbara Lee (D)
14	*Jackie Speier (D)
15	*Eric Swalwell (D)
16	*Jim Costa (D)
17	*Mike Honda (D)
18	*Anna Eshoo (D)
19	*Zoe Lofgren (D)
20	*Sam Farr (D)
21	Amanda Renteria (D)
22	Suzanna Marrero (D)
23	NO ENDORSEMENT

### California Senate

2	Mike McGuire (D)
4	NO ENDORSEMENT
6	Roger Dickinson (D)
8	NO ENDORSEMENT
10	Bob Wieckowski (D)
12	*Anthony Canella (R)
14	Luis Chavez (D)
16	NO ENDORSEMENT

### California Assembly

1	NO ENDORSEMENT
2	Jim Wood (D)
3	Jim Reed (D)
4	Bill Dodd (D)
5	NO ENDORSEMENT
6	NO ENDORSEMENT
7	Kevin McCarty (D) Steve Cohn (D)
8	*Ken Cooley (D)
9	Jim Cooper (D)
10	*Marc Levine (D)
11	*Jim Frazier (D)
12	Harinder Grewal (D)
13	*Susan Eggman (D)
14	*Sue Bonilla (D)
15	Elizabeth Echols (D) Tony Thurmond (D)
16	Tim Sbranti (D)
17	David Campos (D) David Chiu (D)
18	*Rob Bonta (D)
19	*Phil Ting (D)
20	*Bill Quirk (D)
21	*Adam Gray (D)
22	*Kevin Mullin (D)
23	NO ENDORSEMENT
24	*Rich Gordon (D)
25	Kansen Chu (D)
26	NO ENDORSEMENT
27	*Nora Campos (D)
28	Evan Low (D)
29	*Mark Stone (D)
30	*Luis Alejo (D)
31	*Henry Perea (D)
32	*Rudy Salas (D)

For your Teamster-customized election guide that includes school boards, other local offices & ballot initiatives, go to:

[CaTeamsters.YourVoterGuide.com](http://CaTeamsters.YourVoterGuide.com)

# AROUND THE LOCALS



## LOCAL 853

### Organizing campaigns going strong



*Redwood Debris Box workers attend their first proposal meeting for a new contract.*

#### Redwood Debris Box Service

By a vote of 9-6, the employees at Redwood Debris Box Service in Burlingame decided in July that they wanted to be represented by Teamsters Local 853. These workers drive containers for concrete and other construction debris to and from construction sites.

The Labor Board has certified the election results, and the union has begun the process of setting dates to bargain for a first contract. The new members met at Local 853's union hall to hammer out the proposals and priorities they want to present to the employer.

"The employer did run an anti-union campaign," says Organizer Rodney Smith. "But our guys stood fast. Of course, they are interested in getting a wage increase, but more, they are looking for respect, dignity and a voice at the workplace."

#### Elgin Five Star Transportation

By a vote of 28-3, the employees who work as drivers, driver aides, mechanics and maintenance personnel at Elgin Five Star Transportation voted to be represented by Local 853. Working out of two locations—San Francisco and San Rafael—these folks are responsible for transporting special needs and handicapped people.

"As always, the company ran an anti-union campaign," says Smith. "But we held regular meetings with our group. At the end of the day, I'm pleased to report that we were victorious."

## LOCAL 890

### MV transportation drivers unanimously choose Teamsters union

MV Transportation drivers based in Salinas have voted unanimously, 67-0, to join Local 890, to improve their working conditions. The 91 drivers provide adult paratransit services, shuttle and tourist trolley routes in Salinas and Monterey.

"We stuck together. We worked together like a team because we needed a strong union and representation,"

said Juan Rosales, a seven-year driver at MV Transportation.

"We are very excited to join the Teamsters. The biggest thing for us is having good representation. We're looking forward to better retirement and medical benefits that we can afford. We want any disciplinary action to be fair," said Lester Farley, a three-year driver.



*It's unanimous. MV Drivers in Salinas vote 67-0 to be represented by Local 890.*

forward to improving their standard of living," said Fritz Conle, a business agent with Local 890.

Drive Up Standards is a national campaign to improve safety, service and work standards in the private school bus and transit industry. Since the campaign began in 2006, more than 37,000 drivers, monitors, aides, attendants and mechanics have become Teamsters.

"We're happy to welcome these drivers to the Teamsters," said Crescencio Diaz, President of Teamsters Local 890. "Working with the Teamsters' International and Joint Council 7 in California, organizing together, we are able to accomplish more for workers."

"This is a solid group of drivers who made the decision together. We look

## LOCAL 2010

### Governor signs Local 2010's anti-bullying bill



*Local 2010 members stand proud after the legislature passes their anti-bullying bill. The governor signed it a few days later.*

Teamsters celebrate as California Governor Jerry Brown signed AB2053, the Local 2010 sponsored bill addressing workplace abuse, into law on Tuesday, September 9, 2014, after months of Teamster members testifying and meeting with legislators.

"It's a proud day for our Union, because our members made this happen," said Teamsters Local 2010 Secretary-Treasurer Jason Rabinowitz. "Our Local 2010 Political Committee developed the idea for the bill; our Teamster Political Action Committee got it introduced; our members testified and lobbied the legislature to support it; and hundreds of us signed

the petition urging the Governor to sign the bill."

The new legislation is the first of its kind to take on the epidemic of workplace abuse by defining abusive conduct and requiring large employers to train their supervisors in identifying and preventing abusive behavior in the workplace.

Abusive conduct has been a growing epidemic throughout the United States, with 27% of all working Americans having suffered from abuse at work and an additional 21% having witnessed this behavior in the workplace.



## LOCAL 856

### Members at Mt. Diablo USD get first contract

On August 28, newly organized Mount Diablo Unified School District Unit members overwhelmingly ratified their first ever Teamster 856 contract. The new agreement includes 9% in wage improvements, increased healthcare contributions from the District, and the first phase of a long term healthcare restructuring plan to alleviate out-of-pocket healthcare costs.

When the nearly 500 maintenance and operations workers at the District officially became



*Close to 500 maintenance and operations workers at Mount Diablo Unified School District ratify first union contract.*

Teamsters 856 members in March, it was cause for celebration—their newfound status as Teamsters was the result of a year-long organizing campaign. However, the hard work was far from over. After years without wage increases, skyrocketing health and welfare costs and disrespect from management, getting a fair and equitable contract would require that the members remain steadfast in their solidarity.

Teamsters 856 Secretary-Treasurer and Principal Officer Peter Finn headed up the bargaining team as lead negotiator.

“When we entered negotiations we made it clear things had to change and we were prepared to fight to force the District address the healthcare crisis they had created,” said Finn.

A multi-pronged contract campaign was implemented that included rallies, union visibility in the workplace, membership attendance at school board meetings, and legal and political strategies. Some members even gave testimonials to board members on the devastating effects the healthcare costs were having on their families.

Steward and Bargaining Committee Member David Tomason is pleased with the new agreement.

“After all the hard work by the 856 team at the table and away from it, we received pay increases for the first time in years, and more importantly, a better healthcare package,” said Tomason, who works as a roofer for the District.

“I’m proud that the bargaining team was able to deliver results that will make a real difference in the day-to-day lives of 856 members and their families,” said Finn.

Steward Noven Feria believes that, along with economic gains, one of the most important aspects of the new agreement is respect. “Maintenance and operations employees perform work which provides an important foundation for children to learn,” he said.

“We’ve gotten back the respect from the school district we deserved,” said Feria, who also served on the bargaining committee.

The unit includes school bus drivers, custodians, food service workers, network technicians, as well as plumbers, electricians, roofers, painters, carpenters, groundskeepers, and other classifications working out of the maintenance department who provide services critical to the operations of the District.

The unity from the organizing drive served members well, as their resolve continued in their pursuit for a fair agreement.

“This contract was hard fought and hard won by the membership,” said Finn. “Every member who wore their Teamsters 856 t-shirts and attended school board meetings, every member who came to the rallies, every member who told their story to the school board deserves tremendous credit. All of these acts and more demonstrated our unity and determination to achieve a strong contract,” said Finn.

## LOCAL 137

### Celebrating Labor Day in Teamster style



*Local 137 members spend a glorious Labor Day, together with the Five-Counties Labor Council.*

The Five Counties Central Labor Council held its 29th annual Labor Day Picnic this year on September 1 at the Anderson River Park in Anderson. Picnic goers were treated to music from a local band, Fire Mountain Rock, and able to enjoy bingo and face painting. Hot dogs, hamburgers or smoked chicken and chips were served with proceeds going towards the Council’s scholarships for local students. In the past two years, three children of Local 137 Teamster members have won scholarships towards their college education.

## LOCAL 70

### Local 70 team wins All-Charities Teamsters golf tournament



The Local 70 foursome, including James Jackson (Tri-Ced Recycling), Kelsey Frazier (Horizon Lines and Local 70 Trustee), Matt Buck (Horizon Lines), and Charlie Hanson (Horizon Lines) point out their winning score at the All Charities Golf Tournament. The tournament was held on September 12 at the Rancho Canada Golf Club in Carmel.

## LOCAL 890

### A tale of two Taylor Farms



*Local 890 members at Taylor Farms vote to ratify their new four-year contract*

The 2,500 Teamster members who work at Taylor Farms’ Salinas facility voted by a 2-1 margin to ratify a new four-year agreement.

The new contract was negotiated by Teamsters Local 890 President Crescencio Diaz and a bargaining committee of 25 rank and file members. It includes wage increases of over 11% over four years, improved seniority and attendance policy language, and a greatly improved medical plan.

The new contract in Salinas stands in sharp contrast to the situation at the Tracy plant where there is no union contract, wages are substantially lower, there are no seniority protections and the employer is charging employees 15% more for comparable family medical insurance coverage.





## NOTICES OF NOMINATION AND ELECTION OF OFFICERS: Locals 87 &amp; 439

**LOCAL 87  
Bakersfield**

Official Notice is hereby given of the nomination and election of the officers of Local Union 87, which will be at a Special Meeting on Sunday September 28, 2014, 10:00 am at Local 87's office 2531 G Street, Bakersfield, CA 93301.

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

In order to nominate or second a nomination, a member must have his/her dues paid through the month of August 2014.

The nominations will be governed by the provisions of the International Constitution, which are stated in this newspaper and the Bylaws of Local 87.

The Election shall be conducted by walk in ballot on Wednesday October 29, 2014. Voting will be from 8:00 am to 6:00 pm. Votes will be counted at approximately 6:05 pm on October 29, 2014.

To be eligible to vote in this election a member of Local Union 87 must be in good standing with initiation fees and dues paid through September 2014. Members have until 4:30 pm on Tuesday October 28, 2014 to pay their initiation fees or dues at the Local Union office in order to have their votes counted. Under the International Constitution, any member on dues checkoff shall not lose good standing as a result of a failure by an employer to send deducted dues to the Local or to make a proper deduction from the member's pay in any month in which a member has any earning from which dues could have been deducted.

To be eligible to run for office, members of Local 87 must be in continuous good standing (dues paid by the last business day of the month) for a period of twenty-four (24) consecutive months, prior to nominations. Membership in good standing, as required, is subject to verification by the Union.

Note: The 50 percent meeting attendance requirement shall not be enforced as a condition of eligibility to run for office in this election. You should also consult excerpts from the International Constitution that appear in this newspaper and also the Bylaws of Local 87.

**LOCAL 439  
Stockton****Nominations for officers of Local 439  
– Revised**

Local 439 will have a special called Nomination Meeting to be held on Wednesday, November 5, 2014 at 1531 E. Fremont St. Stockton, CA, at 7:00 p.m.

The purpose of the special called meeting will be Nominations of Officers for the following offices: President, Secretary-Treasurer, Vice-President, Recording-Secretary and three Trustees.

**Balloting:** The election will be by mail referendum secret balloting with ballots distributed to all members on or about November 17, 2014. Ballots returned to the Election Supervisor's post office box by **December 8, 2014** will be tallied in the meeting hall of Teamsters Local 439 at 1531 E. Fremont St., Stockton, CA on **December 09, 2014**, providing the member is in good standing for October 2014. Unless a member is on dues checkoff for October, the member should be sure his/her dues are paid for October 2014, otherwise the votes on the ballot he casts will not be counted.

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

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

**Nominations & Elections: International Constitution**

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).

**Are you registered to vote in the November general election?**

If not, (or if you moved since the last election), you must register in advance.

You can get a **voter registration form** from your Business Agent, at the Post Office or DMV, or go on-line to [www.sos.ca.gov/elections](http://www.sos.ca.gov/elections)

**Oct. 20, 2014**, is the last day you can email, hand-deliver or mail your voter registration application or update to your local county elections office.

Skip the Election Day lines—vote early! You can **vote**

**by mail** after requesting an absentee ballot from your local county elections office. The deadline to make that request is **Oct. 28, 2014**. (If you are already registered to vote-by-mail, watch for your ballot on or after **October 8**.)

Your local elections officials must receive your ballot by 8 p.m. on Election Day. You can return the ballot by mail or in person (at a polling station or at the registrar's office) or authorize a relative to return the ballot on your behalf.



## Many important Teamster-sponsored bills to become law

We've reached the close of another legislative session; and, despite some significant controversies and scandals, the Legislature managed to accomplish some big things this year. We have a new water bond for the November ballot that will address the drought and create jobs. We have regulation of groundwater for the first time in California history, which will mean a chance for reliable, clean water for some of the most economically downtrodden parts of our state. We also have Teamster-sponsored bills on the Governor's desk that will improve the working conditions and lives Californians everywhere.

As of the writing of this article, the 30-day period for the Governor to sign or veto bills was half over; and, coincidentally, we have had half our big bills signed.

**Bullying:** The Governor signed AB 2053 by Assembly Member Lorena Gonzalez, which we sponsored, to address some very troubling trends from supervisors at the University of California. Workplace bullying is an epidemic in this country and the UC has been plagued by managers who have developed abusive behavior into an art form. AB 2053 is designed to prevent this behavior from occurring in the first place by requiring supervisors to receive training on workplace abuse. It is our hope that this bill will not only help our members at UC, but also those in other employment settings.

**Paid Sick Days:** The governor also signed AB 1522, also by Assembly Member Gonzalez. This measure, for the first time, provides California's workers with guaranteed paid sick days. Currently, 40 percent of the state's workforce does not earn paid sick leave at work. This is a tremendous burden on these workers and their families. It also puts unionized employers that do the right thing at a competitive disadvantage. AB 1522 is a great start to evening the playing field and providing

some minimum level of sick leave benefits so workers can stay home when they need to and be more productive on the job.

**Teamster-sponsored bills are on the Governor's desk that will improve the lives of Californians everywhere.**

**Film industry incentives:** We are waiting for the Governor to take action on two very important bills. AB 1839 by Assembly Members Gatto and Bocanegra would more than triple the funding for California's film incentive program. The film industry is synonymous with our state and provides a lot of good jobs to our members and to brothers and sisters in other unions. Over the years, we've seen film production leave our state for other jurisdictions that offered lucrative tax breaks to draw our jobs away. Now, we have had a successful incentive program going and we have the chance to make it an even more successful program if the Governor signs this bill.

**Temp Workers:** Lastly, we are pulling out all the stops to try to get the Governor to sign AB 1897 by Assembly Member Roger Hernandez. This measure would hold companies that use third party labor suppliers jointly liable for the serious labor law violations that their labor suppliers commit. This is a big bill that could dramatically change the landscape for workers in industries where the use of temporary agencies or labor contractors are prevalent. No longer could companies try to shield themselves from responsibility to their own workers, like we've seen at Taylor Farms, by simply using labor suppliers rather than having a direct relationship with their workforce. This scheme to avoid liability and unionization would no longer be as financially appealing if companies were held liable for the misdeeds of their shady contractors. Getting this bill through the Legislature with virtually every industry and trade group opposed to it was a substantial victory, but when the Governor signs the measure into law, it will be monumental.

## JOINT COUNCIL 7

### Raising supplies for kids on the border



Local 439 President Armando Alonzo and YRC Chief Steward Jim Violette helped package and ship the clothing and toiletries down to the border.

Teamsters Joint Council 7 teamed up with Central Valley food workers and activists on the Central Coast to donate 960 pounds of supplies for the unaccompanied migrant children who are currently living near the U.S.-Mexico border.

Forty-seven boxes of blankets, toys, books, hygienic products and clothing were collected beginning in August and driven by YRC Freight Teamsters to Catholic Community Services in Arizona.

"As Teamsters and as working Californians, we believe it's our humanitarian responsibility to help people, especially children, who flee to the United States in order to escape the extreme poverty and violence in their home countries," said Rome Aloise, President of Joint Council 7. "We're proud of our members and allies who stepped up and showed their compassion and generosity for children caught in the refugee crisis on the border."

Joint Council 7 partnered with Working Partnerships USA to launch the donation drive last month. Other organizations that contributed include Immigration Action Group Refugee Aid Committee, the People's Democratic Club, Pajaro Valley Cesar Chavez Democratic Club, Watsonville Mayor Karina Cervantez, Salvador Santa Cruz, Star of the Sea Church, Live Oak Family Resource Center, Resurrection Church, First Christian Church, Assumption Church, Lutheran Community Church, Resurrection Church, Women's International League for Peace and Freedom, and the If/When Foundation.

YRC Teamster and member of Local 439 Jim Violette and Local 439 President Armando Alonzo transported the donated supplies to Arizona, where the need is greatest.

"I'm proud to work to help children on the border. As Teamsters and as human beings, we need to help those in need, regardless of where they come from," said Alonzo.

More than 52,000 unaccompanied children have been found crossing the border into the U.S. in recent months, filling detention centers and overwhelming border agencies. The children, who face severe violence and economic hardship in their Central American home countries, have been forced to make the dangerous journey across the border.



## Help for a growing epidemic is at hand

There is a national heroin epidemic that has not spared Northern California.

Heroin addiction can begin in a few different ways. It can be introduced by friends as something to smoke or snort or a pill to take. Smoking or snorting heroin can, to the unknowing, seem to be a "safe" way to get high. It is not. The path to addiction of an opiate can begin by smoking the drug or snorting the drug. Smoking a drug is the quickest route to the brain. Addiction can happen quickly when someone is using an opiate or opioid; the route of use does not lessen the possibility of addiction.

Another way addiction to opiates can begin is through the use of pain medications that are either prescribed or bought on the street. Our youth are often beginning their heroin addiction through the procurement of pain medications not prescribed to them, but sold on the street, in schools and at social gatherings.

In talking with the young adults who have gone through the TARP program to stop the use of heroin, it is clear that many began their journey into addiction by trying prescription opioids such as oxycontin, codeine,

vicodin, or methadone. Many began this type of drug use as teenagers. We are seeing more and more young adults ages 20 to 26 with a opiate/opioid addiction come through the TARP program.

They begin using occasionally, socially with friends. Because the drugs are prescribed, (even though it is not to them), they feel a false sense of safety. How can something prescribed to my aunt, my mother, or father be dangerous? As use becomes more regular, an addiction develops. Now when the drug is not available, the individual begins to experience withdrawal symptoms similar to a very bad flu—body aches, chills, bone pain, sneezing, runny nose, and cramps. Buying opioids can be expensive; in some cases, the price is up to \$65.00 per pill. Heroin costs much less, at \$5-\$10. And so, the switch from pills to heroin is often the only affordable alternative for someone who has become addicted to opiates or opioids.

What can you do? First speak with your family and see if anyone needs help. Next contact TARP at 1-800-522-8277. We are here to help.



## LOCAL 856

Teamsters Local 856's Annual Thanksgiving Meeting will be held on Tuesday, November 18, 2014 at 6 p.m. at the Best Western Grosvenor Hotel, 380 South Airport Blvd., South San Francisco.

For members who reside in the Sacramento area, the meeting will be held on Thursday, November 20, 2014 at 6 p.m. at Teamsters Local 150, 7120 East Parkway, Sacramento.

**Learn more about your union and get your Teamster news on the web!**



**Joint Council 7:  
www.teamstersjc7.org**

**International Teamsters:  
www.teamster.org**



### YOUR LOCAL UNION PHONE NUMBERS

70 .....	510-569-9317
87 .....	661-327-8594
137 .....	530-243-0232
150 .....	916-392-7070
287 .....	408-453-0287
315 .....	925-228-2246
350 .....	650-757-7290
386 .....	209-526-2755
431 .....	559-486-5410
439 .....	209-948-9592
517 .....	559-627-9993
533 .....	775-348-6060
601 .....	209-948-2800
665 .....	888-770-3948
853 .....	510-895-8853
856 .....	650-635-0111
890 .....	831-424-5743
896 .....	707-644-8896
912 .....	831-724-0683
948 .....	559-625-1061
2010 .....	510-845-2221
2785 .....	415-467-0450
GCIU, Dist Cncl 2 .....	800-333-4388

## Drivers classified as independent contractors can sue for damages

A major issue in employment law is whether a worker is an employee or an independent contractor. Employees have many rights, including the right to be paid overtime and receive employee benefits, to join a union, to take family leave, to receive workers compensation and unemployment insurance, to name just a few. Because independent contractors have none of these rights, companies have a strong economic incentive to classify employees as independent contractors.

This illegal practice is called "misclassification." Since deregulation, misclassification in the delivery and transportation industry has become very common. However, recent court decisions indicate that in California employers have gone too far, and misclassified drivers are now suing for substantial damages under the California labor code.

Even if a driver has signed a contract, is paid through a form 1099 (as opposed to a W-2), or operates his/her own truck, it's the nature of the relationship, and particularly the level of control that the company exerts over its drivers, that determines whether the drivers are employees. If a family member, friend, or someone you know may have been misclassified as an independent contractor, you should encourage him or her to call the Beeson, Taylor Bodine law firm at the numbers listed below.

### How does a Driver Know if He or She Has Been Misclassified as a Contractor?

California and federal courts have affirmed that under California law if a company has a "right to control" the driver on a daily basis, then this means the driver is an employee. Last month, a federal appeals panel, with jurisdiction over the nationwide FedEx Ground misclassification cases, recently decided that a trial court committed error when it failed to distinguish and apply the greater protections afforded California drivers under California's "right to control test." The appeals panel ruled that "the strongest evidence of the right to control is where the hirer can terminate the worker without cause, as that power gives the hirer the means to control the worker's activities." The court noted that whether a driver owns his own truck is not of great significance if the arrangement allows the company to control the drivers' activities. An example of indications that a driver is misclassified and is really an employee entitled to damages include:

Does the driver:

- report to work at a designated time or on a daily basis;
- accept assignments or dispatches;
- drive trucks with the employer's insignia or signage;
- request time-off or 'vacation' days; or
- face discipline or termination if he or she doesn't comply with these requirements?

And does the company have the right to:

- terminate the driver or the contract whenever it wants;
- approve a driver's hiring of helpers;
- determine the type of truck to be driven;
- set routes or assign daily dispatches;
- assess customer service or do ride-alongs for purposes of evaluating the driver; or
- establish standards of conduct or "safe driving standards"?

### Doesn't Federal Law Prevent Challenging Driver Misclassification?

Several recent cases reject employers' arguments that federal trucking and airline deregulation statutes overrule ("preempt") California's employment laws when applied to drivers involved in inter-state commerce. The statute does "not preempt generally applicable employment laws that affect prices, routes, and services" and, in September, the federal court of appeal in San Francisco confirmed that California's meal and rest provisions are *not* preempted by federal transportation law. Similarly, in July, the California Supreme Court held that the federal law did not prevent misclassified port-truck drivers from suing their trucking broker under California's unfair competition law, claiming that the trucking company that misclassified them to avoid workers compensation, disability, unemployment insurance, and other FICA taxes, which gave the company an unfair advantage.

These rulings open the door to challenges of driver misclassification and further mean that employers can not rely on federal preemption as a shield from liability. These recent decisions indicate that, in California, the law regarding misclassification can be a powerful tool for advancing the rights of truck and delivery drivers, and we encourage any drivers who believe they may be misclassified to call our office for a consultation.

Beeson, Tayer & Bodine — Oakland: 510-625-9700. Sacramento: 916-325-2100.

## Joint Council 7 turns out for Teamsters Women's Conference



Joint Council 7 turned out in force at the Teamsters Women's Conference held in Chicago in September. Seen here with IBT General President James P. Hoffa and Secretary-Treasurer Ken Hall, the group spent three days getting motivated by Teamster activists and leaders about successful and innovative campaigns, hearing from members of Congress and local politicians, and going to workshops to learn important skills.