



## Teamster convention builds for strong future

Under the banner of “Teamster Strong,” nearly 5,000 Teamster delegates, alternates and guests amassed at the Paris Hotel in Las Vegas for the 29th International Brotherhood of Teamsters convention on June 27-July 1. The weather outside was a blistering 114° and, inside the meeting hall, Teamsters were hot to move the union forward.

The convention has three primary purposes: one is to set the direction for the union for the next five years with resolutions on political issues and tactics; the second is to amend the constitution so that it reflects the current needs of the union. And finally, convention delegates nominate the candidates that members will vote on to serve as the union’s leadership for a five-year term.

In the days leading up to the convention, scores of Teamsters came to Las Vegas to meet in the committees that would review and create the resolutions on which the delegates would vote. The committees included Constitution,

Diversity, Organizing, Pension and Benefits, Political, and Legislative, and more.

General President James P. Hoffa chaired the event and described how the Teamsters have organized more than 300,000 workers since the last convention.

Secretary-Treasurer Ken Hall explained that the union’s finances are stronger than ever, with the union doubling its assets in the last five years. Both talked about how important it was that the Teamsters will no longer be under the control of the government consent decree.

A major theme of the convention was solidarity. Delegates heard from union leaders from Australia, Great Britain, South Africa, Ireland, Italy, Israel and Canada, as well as from the presidents of the United Auto Workers and UNITE-HERE. As Tony Sheldon, head of Australia’s Transport Workers Union and the the 4.7 million strong international transport association said, “If you pick a fight with one of us, you pick a fight with all of us.”

Organizing campaigns around the nation were featured, many of which were lead by Joint Council 7 and its locals. For example, delegates learned about the campaigns at Taylor Farms and with Silicon Valley tech bus drivers, as well as the University of California contract campaign (Local 2010), public sector organizing (Local 856) and Fed Ex organizing (Local 439).

There was also some star power. Guitarist Tom Morello from the bands Rage Against the Machine and the Prophets of Rage received the Teamsters President’s Award before rocking the house. Video messages came from Jon Hamm, Esai Morales, Alec Baldwin, Janeane Garofalo and others who work with Teamsters on movie and television sets.

In talking about all that the Teamsters do to improve working conditions for solid waste and recycling workers, in a moving presentation, two veterans of the 1968 Memphis sanitation strike—Alvin Turner and Baxter Leach—told their story. This was the strike that Dr. Martin Luther King attended just before being assassinated.



The stage served as an impressive backdrop for the Joint Council 7 contingent.

Delegates voted on numerous constitutional changes. Importantly, the delegates voted to increase strike benefits to a minimum of \$150 per week, up from \$100 per week. “Increasing strike benefits sends a strong message to employers that Teamsters are ready to strike and win,” said one delegate in favor of the change.

### Joint Council 7 President Rome Aloise re-elected Vice President

Nominating candidates for the October mail-ballot election of Teamster leadership was the centerpiece of the convention. The Canadian vice-presidential candidates were elected without opposition. In the West, the opposition did not meet the 5% threshold to warrant putting the election on the ballot. Joint Council 7 President Rome Aloise was therefore re-elected to serve another five-year term as Western Region Vice President along with Ron Herrera and Rick Middleton.

“I’m humbled to have received such strong support from the delegates, and am pleased to have the opportunity to again serve as Vice President,” said Aloise.

Each Teamster member will receive a mail ballot in October to vote for the At-large Vice Presidents and the two top leadership positions.



President Hoffa addresses the 5,000 delegates and guests.



Jose Vega (L), a Taylor Farms worker, describes the tough campaign and his commitment to continue the fight. He’s joined by JC7 President Rome Aloise, Local 601’s Ashley Alvarado, and Organizer Raul Alfaro.



Rosie Silva, a steward at Loop Transportation, talks about the tech bus drivers’ organizing campaign



## What does "Teamster Strong" mean to you?

"Unity. With unity, we have the power to negotiate and work as one. It was amazing to see everybody come together for the Drug Rehab cause in Ohio—that's meaningful."



Kevin Long  
Advanced Food Products  
Local 517

"That we are powerful. United and strong we stand; divided we fall!"



Manuel Rodriguez  
Local 601

"It means we're a big movement. We're here to vote for the people who will look after our pensions and benefits for the next five years. I'm proud to be a 41-year Teamster."



Lilia Sandoval  
Dole Fresh Vegetables  
Local 890

"It means that we're united. We're a team, working together to get something done. It's great to hear from leaders from other unions; we can feel the solidarity."



Elizabeth Hernandez  
Con Agra Foods  
Local 948

"The definition of a Teamster is coming together to help a brother to fulfill his dream to build a rehab center that will help others. That's Teamster strong."



Pablo Ramirez  
UPS  
Local 315



### Joint Council 7 TEAMSTER

USPS 395-880  
ISSN 2154-2643

The Joint Council 7 Teamster is published 5 times per year (February, May, August, October, December) by Teamsters Joint Council 7: 250 Executive Park Blvd., Suite 3100 San Francisco, CA 94134; 415-467-2552. Periodicals Postage Paid at the San Francisco, CA mailing office.

POSTMASTER: Please send address changes to: Joint Council 7 Teamster: 250 Executive Park Blvd., Suite 3100, San Francisco, CA 94134-3306



## Joint Council 7 shows its strength at IBT convention

As I write this, I have just returned from a grueling two weeks of committee meetings, convention reports and resolutions and politicking at our 29th International Brotherhood of Teamsters Convention. I was there early due to my responsibilities as Principal Officer of Local 853, Joint Council President, and of course, International Vice President At-Large.

Our Joint Council was proudly represented by more than 150 of your sisters and brothers who were asked to be there for a week as delegates and alternates, sitting through meetings from 9:00 a.m. until sometimes 5:30 p.m., and then voting later in the evening in the delegate nomination elections. You can rest assured that they worked their tails off and, I suspect, had a small degree of fun to boot.

All told, there were some 1,400 delegates from all 50 states, Puerto Rico and Canada. Adding guests and alternates, the convention hall was packed with close to 5,000 people.

Many issue resolutions and a number of constitutional changes will be advantageous to you. The most important is that the strike benefits have been increased and the waiting time was shortened.

When the Hoffa administration took over in 1999, the strike fund was bankrupt, the former administration had squandered it to the point that the International had to borrow money from other unions just to pay the meager \$50 per week that was mandated in those days.

I am proud to say that the current administration, of which I am a part, has paid off all of those loans, increased the benefits now over two conventions to a decent weekly amount, and has amassed more than \$150,000,000 in the strike fund. This fund is used by our locals and has benefited our members over the years, and now it is even better. Details will be forthcoming, but this significant change will help us continue to negotiate the good contracts that you and your family deserve.

A number of resolutions and presentations were a direct result of the good work our Joint Council and our locals have done over the last few years. The Local 853 Tech Shuttle organizing was featured. Organizing in the public sector and the great successes that Locals 315 and 856 and 137 have had in this area, along with Local 2010's successes with newly organized groups within the University of California system were also highlighted.

Most important, the Taylor Farms struggle was showcased; we had an opportunity to discuss the failure of the National Labor Relations Board to adequately

protect the workers and to describe the establishment of a national boycott of Taylor Farms' products by Local 601 and the Cannery Council.

All in all, our Joint Council accounted for a large percentage of the agenda at the convention. We should all be proud of the accomplishments of our members and their local leadership. Our strength and unity showed through to everyone on the convention floor.

Also, I want to thank all of you for your strong and continued support, as I was elected at the convention to the Western Region Vice President spot on the General Executive Board. Thank you all very much.

### Politics NOT as usual

As promised, every article you see from me from now until the national election is going to beat up the Republican candidate for President of the United States.

While constantly saying that he wants to make America great again, Trump is not talking about workers like you and me. He means make it better for the rich so that they can continue to dodge taxes, take advantage of loopholes and use the government's resources to enrich themselves, the giant corporations, and Wall Street. He is a proponent of anti-worker legislation that would hurt you in many, many ways including Right to Work (for Less), cutting Davis Bacon protections that provide prevailing wages to construction workers, cutting workers' safety legislation in the name of streamlining regulations, and more. He routinely uses union-busters to prevent his own employees from gaining the protections and advantages of union representation, and as we go to press, workers at one of his hotels are on strike because the company is attempting to force them to pay for their healthcare.

As I have said over and over, as a worker you need to vote with your pocketbook and not be fooled by his lies and ranting and raving. While you may not like Hillary Clinton's personality or some of the things that she and her husband have done, you can at least depend on the fact that what you have will be protected. She is not anti-union or anti-worker; she understands the plight of the working class, and can be persuaded to work with us, rather than trying to destroy us as her opponent would do.

It is imperative that working people—whether they be male or female, black, brown, white, yellow or purple, gay, straight or transgender—work to get out the vote against the Republican machine and this dangerous candidate.



## Teamster truck parade takes over the Las Vegas Strip



Joint Council 7 Truck



Local 439 Truck



## Updates from the campaign trail

### Elections

The only surprise about the June Primary elections was how few surprises there actually were. Joint Council 7 broke records for the number of candidates we endorsed in local elections. For the most part, our endorsed candidates won or moved on to the November election, with only a few disappointments.

November looks to be very busy as we will not only make even more endorsements but will also walk precincts and make phone calls. Almost every local union in JC7 has gotten involved, which is good because every day politicians make decisions that impact our jobs, our families, and our communities. If we don't get involved, then we have no right to complain when they make decisions we don't like.

Many of you are asking about the presidential election. The Teamsters are the one remaining major union that has not endorsed a candidate.

Keep in mind that the next President will select at least one Supreme Court justice and the Court will decide on important legal challenges that impact our ability to represent workers and collectively bargain. Depending on who wins, our rights could be maintained or this could be the nail in the coffin for the Teamsters and unions in America, effectively destroying your wages, benefits, and retirement. So look for the candidates' positions on unions, collective bargaining, and so-called "right to work" policies. Your future depends on it.

### Fighting Bauer's

I've previously reported on our campaign to organize Bauer's Intelligent Design, another tech shuttle bus company. I am happy to say that our campaign to highlight the company's bad behavior is working. Not only has Bauer's lost several accounts, in April, the San Francisco Municipal Transportation Agency denied Bauer's a new permit to operate in San Francisco! This was based on complaints about the company and the fact that they do not have labor harmony. Bauer's is appealing, so the fight will go on. But this is a perfect example of why we get involved in politics. We win policies that help workers organize and help us get good contracts.

Our campaign to organize high tech shuttle buses was featured at the Teamsters convention in Las

Vegas. Joint Council 7 President Rome Aloise shared our victories to thunderous applause. We are keeping our eyes focused on Bauer's and the other non-union companies going forward.

### Campaign at Taylor Farms continues

The campaign to win justice for Taylor Farms workers in Tracy was also featured prominently at the Convention, and for good reason. We are now several years into this campaign to organize 900 immigrant food processing workers and the fight goes on. Teamsters Local 601 Secretary-Treasurer Ashley Alvarado addressed the convention along with Taylor Farms worker Jose Vega.

While the National Labor Relations Board (NLRB) did not grant us a bargaining order, they did come down hard on Taylor Farms and its temp agencies for numerous violations of the National Labor Relations Act, including firing, spying on and threatening workers. The NLRB agreed with us that given the company's behavior, a fair union election wasn't possible. The case was settled before we went to trial. Taylor Farms agreed to pay over \$267,000 to the fired and suspended workers and to post a public notice saying they agree not to commit these violations again.

Since then, Cal/OSHA has fined the company \$95,000 for recent chemical spills and other health and safety violations. The San Francisco Board of Supervisors is boycotting Taylor Farms products, and the San Francisco School District instituted a Good Food Purchasing Policy, a model policy that promotes doing business only with local companies with good labor standards, healthy food, environmental sustainability, and good animal welfare treatment. Taylor Farms workers provided the case study of why this policy was needed. I've always said that good organizing helps us win good policy, and good policy helps us win more organizing!

Now, we are taking our campaign to the streets. Teamsters from almost every local in Joint Council 7, many Southern California locals, and from throughout the country have been leafleting in front of Taylor Farms customers including Chipotle restaurants and Safeway/Albertson's/Von's grocery stores. If you can, please join the picketing and stand up for your brothers and sisters at Taylor Farms.

### Union unites behind Teamster family to fund drug treatment facility

Travis Bornstein, President of Teamsters Local 24 in Akron, Ohio spoke at the Convention about the loss of his son Tyler to a drug overdose. Tyler, an accomplished college student and athlete, became addicted to drugs after being prescribed pain medication for injuries.



Travis Bornstein gets union support.

After Tyler's death, the Bornstein family formed "Breaking Barriers—Hope is Alive" in his honor. The non-profit organization brings awareness, educates the public and inspires breakthroughs in treating people suffering from addiction.

After Bornstein's presentation, the International Union, Joint Councils and local unions pledged more than \$1.4 million over the course of an hour to the fight

against addiction. The money will fund a drug treatment facility built in Tyler Bornstein's honor. The plan is to build it on the current vacant lot in Akron, Ohio where Tyler was left to die in September 2014.

"Listen, brothers and sisters, I've never had a moment like this in my life," an overwhelmed Travis Bornstein said after taking in the response of his fellow Teamsters. "We are going to stand up and fight, and we aren't going to let you down."

See the full video of Bornstein's moving speech at [www.teamster.org](http://www.teamster.org) and join the fight. Donations may be made on-line at: [www.NowWeFightForYou.com](http://www.NowWeFightForYou.com).

## What does "Teamster Strong" mean to you?



Catherine Cobb  
Local 2010

"It means empowerment. When you learn about your rights as a union member, you can be more confident and not have to worry about retaliation."



Fred Willshaw  
Harris Ranch Beef  
Local 431

"It's simple: I have a voice. I matter and I'm not a number."



Lacey Johnson  
UPS  
Local 665

"It means a lot to me. It's about the unity. As I learned the ropes about being a union member, I realize the power we have. Coming here, I learn how things work at the higher levels of the union."



Lisa Chin  
Delta Dental  
Local 856

"When a group of people get together, lots of us become very strong. Many of us need help from being abused at work, and the Teamsters are there for us."



Gary Briggs  
Young's Market (Ret.)  
Local 853

"It's about the power that the Teamster leadership has to get important bills passed and to negotiate good contracts. Being a union member, we have rights...and a pension."



Ken Moudy  
Veritiv/Unisource  
Local 70

"It means that everybody's working together to make this a bigger union. The convention has been inspirational and educational every day."

# AROUND THE LOCALS



## LOCAL 853

### Local expands in state-of-the-art building



*Local 853 returns to its Oakland roots in a new, larger building near the Oakland Airport.*

After more than 15 years in San Leandro, Local 853 has returned to the union's Oakland roots in a very big way.

"Our local has grown substantially over the last decade and we needed more space, not only for offices, but for meetings with members and employers," says Secretary-Treasurer Rome Aloise.

At 22,000 square feet, the new building is nearly twice the size of the Local's old property. After a complete gutting and renovation, the building includes 21 business agent offices, multiple conference rooms, and a large meeting hall. "Plus, we were able to create a mini-Labor Temple," Aloise adds. "Our two tenants on the first floor, the Alameda County Central Labor Council and the Alameda County Building Trades Council, bring the strength of Alameda County's unions into our space."

Building out the space to meet the Local's specifications was a greater challenge than anyone anticipated. "Even now, six months later, final details are still being completed, but we've got state-of-the-art facilities that should make our members proud, and should impress any employers who might want to take us on."

## LOCAL 431

### Helping members become citizens

Teamsters Union Local 431 is assisting members who want to apply for U.S. Citizenship. With the help of local attorneys, Local 431 has begun reaching out to those members of our Local who are not legal citizens by holding workshops, providing legal assistance and supporting them through the process.

"Many of our packing house workers are living in the shadows," says Secretary-Treasurer Peter Nuñez. "Empowering them with legal citizenship instills hope and hopefully an understanding that being part of the process strengthens their place in society."

If you are a member of Teamsters Local 431 and need more information, please contact our office.



*Ismael Martínez, a Local 431 member has worked for 10 years at Sun-Maid Growers of California. He's now a U.S. citizen.*

### Family Fun Day at Wild Water Adventures

Saturday,  
August 27, 2016

Get your tickets at the union office and enjoy a great day of family fun, barbecue, drinks, games, and water rides all for one price of \$25. With all the hot weather on the way, plan to spend a cool weekend with your fellow Teamsters.

## LOCAL 856

### Teamster rep runs for office in Alameda

Teamsters 856 Staff Attorney Malia Vella is the type of citizen who will stay at a city council meeting that lasts past four in the morning. Tenacious, determined, and always on point, Vella is the type of union representative who doesn't back down from a fight. These are the exact qualities that will make her an excellent Alameda City Council member, a position for which she announced her candidacy in May.

One of the major issues facing Alameda residents—like most residents in the Bay Area—is the lack of affordable housing that is displacing young families, senior citizens and people of color. In fact, that was the subject of the fateful 4 a.m. city council meeting that convinced Vella she needed to do something and run for office.

"My job as a Teamster representative is to create and keep people in the middle class," Vella said. "However, housing costs are outpacing cost of living adjustments and wage increases. There needs to be a solution. Preserving affordable housing is a desire to preserve community."

Fellow Alameda resident and Teamsters 856 Shop Steward Elena Hernandez agrees that the cost of housing is putting a squeeze on working families. "It's a great city to raise a family, and such a special place in the Bay Area. I want to keep it that way, but there's a continual tug of war between maintaining our small town charm and development," said Hernandez, who got to know Vella at the Next Up Young Worker Summit in Chicago last year.



*Assembly member Rob Bonta, Local 856 Attorney Malia Vella, Former Assembly member Nancy Skinner and former Alameda Mayor Marie Gilmore at Vella's campaign kick-off event.*

cal campaigns, and prior to joining the 856 staff, she worked for both Assembly member Bill Quirk and former California Senate Majority Leader Ellen Corbett. In addition to her staff attorney role, she also serves as Local 856's public policy coordinator.

"I consider being a Teamster representative the best kind of public service there is—it's something I'm naturally passionate about," she said.

"Anyone who's met Malia knows how incredibly driven and passionate she is about improving the lives of working families. She'll make an extraordinary council member," said Teamsters 856 Principal Officer Peter Finn. "Our Local is incredibly proud of this step she's taking toward furthering her commitment to public service. She has the full support of Teamsters 856 and the Local Unions that make up the 100,000 member-strong Joint Council 7," he said.

Hernandez is excited about the prospect of having Vella on her city council.

"Malia is very down to earth and approachable. I feel she would have an open door policy, and residents wouldn't have to jump through hoops to communicate with her," she said. "That's something to look forward to."

"Malia's an outstanding role model and very inspiring," the Fairmont San Francisco Teamster said. "She's privy to labor issues and problems facing working families. She has that special insight that other politicians may lack," Hernandez added.

Vella has always been drawn to public service. While in college she worked on political

## LOCAL 2010

### Workers and students protest layoff of 30-year clerical employee

More than 50 UC Berkeley workers and students rallied on May 5, 2016 in support of Janette Reid, who received a layoff notice after three decades of service at the UC Berkeley Molecular and Cell Biology Department. Reid is the first administrative support worker to receive a layoff notice under Chancellor Nicholas Dirks' recently-announced plan to eliminate 500 jobs at UCB. Supporting Local 2010's fight back



*Demonstrating on May 5 to save one clerical worker's job, union highlights numerous problems with UC's proposed budget.*

against these cuts were Berkeley students, and fellow union workers from UPTE-CWA and AFSCME 3299.

"The lowest-paid workers and students should not be made to pay the price for the irresponsible decisions of administrators that created the budget shortfall," said Alicia Flores, Teamsters Local 2010, UC Berkeley Chapter Coordinator.

"UC workers are already working harder for less," said Jason Rabinowitz, Teamsters Local 2010 Principal Officer. "Students are paying triple tuition for fewer classes and reduced services. This cynical, disastrous plan will only compound the problems. We call on Chancellor Dirks to stop the cuts and withdraw the unjust layoff of Janette."

"It will not make the workers afraid," quipped City of Berkeley Councilperson Kriss Worthington, of the layoffs. "Perhaps the management may be surprised.

It will make the workers and the entire community angry and it will make them organize!"

The demonstrators marched down the Free Speech Bikeway to deliver their message to Janette Reid's supervisor. Carrying signs and chanting slogans decrying the proposed layoffs, they demanded justice and

suggested instead the layoff of Chancellor Dirks.

Administrative support workers, who are primarily women and people of color, are among the lowest-paid in the UC system, and have seen their real income drop by 23% over the past two decades. At UC Berkeley, 98% are paid too little to meet basic household expenses according to a recent study.

Concerns of participants centered around the leadership crisis at Berkeley. In hopes of addressing so-called structural budget problem, Chancellor Dirks plans to cut essential student services, libraries, housing offices, academic departments, childcare centers, medical clinics, and the BearWalk public safety program.



## LOCAL 665

### No strike needed to get new Lake County Transit agreement

In a turn-around from the month-long strike of 2013, Lake County's public transit drivers, members of Local 665, have unanimously approved a new three-year agreement which includes wage improvements of 5% annually.

"The committee did an outstanding job of presenting the membership's interests and sticking to demands for a better contract," said Ralph Miranda, President of Local 665.

Miranda described tense negotiations, with the memory of a bitter month-long strike during a hot summer three years ago, on the minds of union members and management.

"Everyone wanted to avoid a repeat of that strike, but the members were not going to be backed into a corner either," Miranda said.

Along with wage increases, improvements were also found in overtime language and sick leave.

Lake County Transit drivers have also received an 8.16% wage increase in September, provided by the Lake County Transit Board of Directors from State Emergency Funds for Teamsters at Lake County Transit, for providing emergency evacuation services during the "Valley Fire" on September 12, 2015.

Miranda noted the special efforts of Local 665 members Dante DeAmicus, Bob Dugan, April Allen, Nicky Smith and Toby Anderson. Local 665 Recording Secretary David Rodriguez assisted Miranda in the talks.

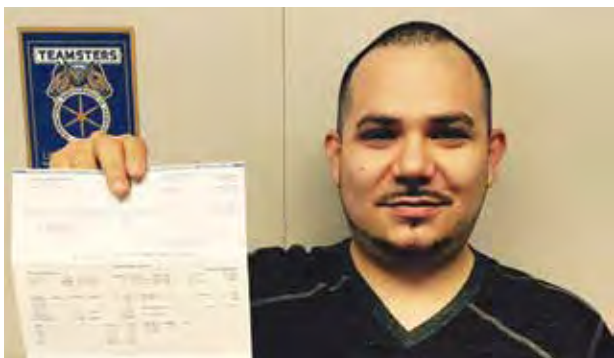
## LOCAL 386

### Union fights for member's job

Mario Banuelos, a Crystal Creamery employee for 10 years and member of Local 386, was terminated for allegedly miss-shipping product to a customer in July of 2014. After months of delay, a Two-By-Two Committee was convened to hear the case, but was unable to make a decision. This forced the union to proceed to arbitration. Eighteen months later an arbitrator returned Mario to his former job, minus a short suspension.

Mario's patience paid off. On May 27, 2016 Business Representative Gaylord Phillips presented Mario with a back-pay check for lost wages.

Mario expressed his appreciation for the support of the union and his co-workers who stood behind him. Without the testimony of several of his co-workers, this win would have not been possible.



*Mario Banuelos displays his check for back-pay. He's back to work at Crystal Creamery.*

## LOCAL 601

### Taylor Farms workers honored



*For their efforts to highlight and organize around the safety and health violations at Taylor Farms, the Justice at Taylor Farms campaign was honored by Worksafe, an Oakland-based nonprofit that fights for safety at work in California. Accepting the award in Berkeley on June 2 were Jose Vega and Brenda Vega (Center). Worksafe board member and Local 853 member Debra Chaplan (L) presented the award. Local 601 Secretary-Treasurer Ashley Alvarado (R) also spoke about the Taylor Farms campaign and the tenacious workers who are fighting for union representation.*

**LOCAL 70**

Blackstock, Dennis  
Cordova, Jr., Manuel  
Halverson, Michael

**LOCAL 150**

Henry, Richard  
Soto, Val

**LOCAL 287**

Aparicio, Ruben  
Barreras, Severo  
Bryant, James A.  
Burggraff, Nicholas  
Caloca, Romelia  
Clark, James  
Cook, Charles H.  
Devincenzi, Anthony A.  
Dominguez, Ferd  
Giordano, James  
Greco, David  
Helton, Jerry D.  
Iaconis, Frank  
Lillo, James A.  
Lunardelli, Ronald J.  
Lynas, Michael  
McDonald, Clarence E.  
Morse, Paul  
Nunes, Joseph  
Russell, Franklin  
Russo, Angelo  
Shah, Ashok  
Sharp, Duane  
Toomalatai Faitasi F.  
Valdez, Ramiro S.  
Vallino, James F.

**LOCAL 350**

Dieu, Hua  
Richmond, Frederick Lee

**LOCAL 386**

Barker, Brockie  
Borba, Mary  
Campilongo, Richard  
Casey, Al  
Couto, Frank  
Crosier, Max.E.  
Cruz, Francisco  
Day, Oriand  
Dillman, William  
Frederickson, Harold  
Gerue, Norman  
Girardi, James  
Harkins, Charles  
Husman, Irwin  
Lee Catherine  
Mello, Joseph  
Ochoa, Rudolph  
Pilgrim, Robert  
Rodriguez, Richard  
Terranova, Anthony  
Warren, Micah J.  
Woodward, William

**LOCAL 431**

Ritter, Dennis

**LOCAL 439**

Albrecht, Terry  
Chan, Donald  
Kelley, George  
Peresson, Mainel

**LOCAL 517**

Holder, Michael  
Whitehill, Debbie

**LOCAL 601**

Salcedo, Maria Elena  
Vasquez, Domingo  
Trejo, Trinidad  
Robles, Manuela T.  
Martinez, Connie  
Brusseau, Thomas  
Devora, Maria  
Ambros, Ivone

**LOCAL 665**

Thayer, Hal

**LOCAL 853**

Brown Lee, Edward  
Espinoza, Joe

**LOCAL 856**

Cedeno, Raymond

**LOCAL 912**

Hernandez, Maria  
Rios Sr., Alfredo

**LOCAL 2785**

Cedeno, Raymond J.  
Chaplin, Peter John  
Jackson, Sukia

**For first time, California primary was almost relevant**

BY BARRY BROAD  
California Teamsters Public Affairs Council

For the first time in a half-century, California's presidential primary was almost relevant. Hillary Clinton clinched the nomination just one day before Tuesday's election. Maybe next time. In any event, she beat her rival Bernie Sanders by 10 percentage points, a much wider margin of victory than the polls predicted.

Now it is time for the Democrats to come together and back Hillary so we can defeat Donald Trump. The stakes couldn't be higher. If Trump is elected and the Republicans remain in control of both houses of Congress, there is no question that he will attack labor. His appeals to racism are so vile and virulent that he will set civil rights back 80 years if elected.

At the state legislative level, we continue to see the negative impacts of the so-called "Open Primary," which replaced the traditional primary election for each political party with a system

where the top two candidates in June face each other in the fall. It is working as its conservative "business" Democrats beating more labor-friendly democrats in "Dem on Dem" runoff elections in November.

The more conservative Democrats are frequently winning those contests by appealing to Republican voters. The result is that more business-friendly Democrats are getting elected in some of the most liberal parts of the state. This was exemplified in June when business Democrats killed a labor-supported bill to give farmworkers overtime pay after eight hours in a day like all other workers. Two of the "no" votes came from members of the Assembly representing probably the two most liberal districts in the state, one in Santa Monica and the other in Marin County.

Business interests are pouring millions of dollars into independent expenditure campaigns, where there are no limits on the size of donations.

**Teamsters Day at the Ballpark**

On May 21, more than 3,000 Teamster members from across Joint Council 7 enjoyed a huge tailgate party before the Oakland As vs. New York Yankees game at the Oakland Coliseum.



Bar

Barbecue lunch for 3,000 anybody?



Calif. Teamsters Public Affairs Council is on hand to help members register to vote and sign up for DRIVE.



Joint Council 7 President Rome Aloise welcomes Teamsters and their families to the event.

## Teamsters don't hesitate to step in where needed

### Stopping an attack in progress

If you hear someone screaming, do you run towards them, or away? Hopefully, you don't have to be in that position, but for Bill Gaito, 21-year member of Local 315 before becoming Executive Director of the Teamsters Assistance Program, having to make that choice became real on June 19, and he rushed in to help.

Gaito was in his backyard in San Rafael, coaching a 9-year-old budding softball player, when he heard blood-curdling screams. Neither he nor the player's father, Keith Hessleton, could tell exactly where the screams were coming from, but they both ran towards the sound. Hessleton arrived first at a house across the street; he jumped the 6-foot backyard fence and saw a woman on the ground. He quickly realized that there was a man, partially hidden by bushes, who was choking her and stabbing her with gardening shears. Hessleton pulled the man off of the woman and pinned him down.

When he realized that Hessleton had the man in check, Gaito went to check on the woman, who was gushing blood from being stabbed on the neck and shoulders. He broke open the gate and pulled the woman to the street to check her injuries. She alerted Gaito that the man had a gun. Hessleton found the man's holster, but it was empty. In the case that he was laying on top of the gun, Gaito went back to help restrain him until the police arrived.

The man, later identified as Charles Tooker, had previously dated the woman and



*Bill Gaito runs toward the screams to help.*

was violating a restraining order that she had out against him. The Marin County Sheriff's Office arrested the man and quickly found the gun under the bushes.

With bail set at \$650,000, Tooker remains in jail facing several charges, including attempted murder, assault with a deadly weapon, and domestic violence. The woman was released from the hospital the following day, but is clearly nervous about Tooker if he gets out of jail.

After the incident, Hessleton and Gaito went back to finish the softball lesson, but you can be sure that this is an incident that neither will soon forget.



*Dan Sullivan gets support from co-workers as he becomes emotional when talking with the media at his workplace*

### Responding to an accident

Dan Sullivan, a Local 853 member who works for Central Concrete Supply, was driving a concrete mixer through an industrial area of San Jose, like a lot of days on the job.

As reported by the *San Jose Mercury News*, he heard a "big bang" and thought someone hit the back of his truck. Then he saw a cloud of dust appear in the roadway. "When the dust cleared, I witnessed a police motorcycle lying on its side," he said.

And there in the roadway was a severely injured Officer Michael Katherman. In

seconds, Sullivan said he used his 50-foot rig to block traffic and protect him and rushed to his aid. "I was out of my truck in two seconds and ran across the street as fast as I could."

Another man was with the officer and had commandeered the officer's police radio to call for help. Then he handed the radio over to Sullivan, who offered more details to dispatchers.

But Katherman, a 34-year-old married father of two young sons and 11-year member of the force, succumbed to his injuries. He was the 13th San Jose Police Department officer to die in the line of duty and the second while patrolling on a motorcycle.

Sullivan said he's haunted by the images of what he saw. "When you see a police officer down in the line of duty, it's something I'll never forget," Sullivan said. "It all happened so fast."

What the police department will never forget is how Sullivan and at least two other witnesses sprang into action to help Katherman.

"We can't lose sight of the fact that we had residents of the city that didn't just make a call on their cellphones, but physically tried to save his life and picked up his police radio," police Chief Eddie Garcia said Wednesday. "I'm still in awe about that."

## YOUR LEGAL RIGHTS

### What's the difference between protected and unprotected activity?

BY SHEILA SEXTON

Beeson Tayer & Bodine

Unions and their advocates have been fighting nationwide for paid sick leave, with California implementing a new leave law in 2014. In Minnesota, there is no paid sick leave law—yet—but one group of sandwich-shop-franchise employees campaigned for paid sick leave through a creative poster campaign.



The campaign caught the attention of store management, who walked the streets to pull down the posters and encouraged employees to join their removal efforts. Management also fired the workers responsible for the "Union Sick Days" campaign. These workers responded by filing an unfair labor practice charge with the National Labor Relations Board. The NLRB issued a complaint asserting the campaign poster was protected and thus that the termination of the employees for circulating the poster was unlawful.

There was no dispute that the "Union Sick Days" campaign was part of a legally protected employee organizing campaign, but the employer argued the posters were so disloyal, reckless or maliciously untrue as to lose the protection of federal labor law. The Board rejected the employer's defense, and now so has the 8th Circuit Court of Appeals.

To lose the labor law protection under the "disloyalty" doctrine, conduct must be divorced from a labor dispute. The "Union Sick Days" sandwich posters were unquestionably related to and a very effective part of a campaign to improve working conditions and thus, did not constitute "disloyalty," such that the legal protection was lost.

The law's protection can also be lost if activity is deemed to be recklessly or maliciously untrue. The employer lost on this defense, too. When the campaign began, the employer had no paid sick days, required employees to find their own replacements if they needed to take an unpaid sick day, and the employees were subject to discipline for taking unpaid sick days. As a consequence, a large majority of the employer's workers reported having worked while sick. Plus, the employer's stores had been the subject of at least two food poisoning incidents, the telling of which can turn stomachs years later.

These workers, who now must be offered reinstatement and full back pay, deserve our congratulations for their creative campaign and their years' long struggle for full vindication of their rights.

*The following notice informs you of your rights and financial obligation to the local union that represents you in collective bargaining.*

The right to join your union and participate in union affairs is an important right, from which you are also entitled to refrain while still meeting your financial obligations to the union that represents you. If your job is covered by a union security clause in your collective bargaining agreement, the law provides three different methods for you to comply with its obligations, and these rules apply without regard to what the union security clause may state:

1. You may become a member of the union by paying the initiation fee and monthly dues required by the Local's Bylaws and enjoy the rights of union membership;
2. You can pay the initiation fee and monthly dues without becoming a member; or
3. You can become a "service fee" or "financial core" payer, which means you can pay the percentage of the initiation fee and monthly dues that represents your pro rata share of the costs and expenses for representation, collective bargaining and contract administration.

The amount of the service fee is calculated each year by determining the percentage of the union's representational and collective bargaining expenditures in proportion to its total expenditures and applying that percentage to the regular initiation fee and monthly dues. You can obtain this dollar amount by written request mailed to your Local union office. Under the law, if you choose not to join your union, you have the right to challenge the correctness of the Local's calculation of the service fee payment, and procedures for doing this will be provided to you by your Local at that time.

A service fee payer is not a member of the union, and is not entitled to participate or have a say in union affairs.



**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



*A tremendous change on the horizon*

**Legalization of Marijuana in California?**

A measure to legalize marijuana for recreational use in California appears headed for the Nov. 8 ballot. A coalition has collected 600,000 signatures, more than enough to qualify the initiative. Democratic Lt. Gov. Gavin Newsom and other supporters of the measure plan to campaign for voter approval of the Adult Use of Marijuana Act.

The measure would allow adults ages 21 and older to possess, transport and use up to an ounce of marijuana for recreational purposes and would allow individuals to grow as many as six plants. It will also place a 15% tax on retail sales of the drug. Most observers are predicting that this measure will pass. Despite the defeat of a 2010 legalization initiative, a poll last year by the Public Policy Institute of California found that 55% of likely voters in California favor full legalization.

**Legalization in the Workplace**

When marijuana use becomes legal in California many members will think that decriminalization means that use of marijuana on their off hours will have no relevance at work. They could not be more mistaken. Even in states that have already legalized marijuana, the courts are siding with employers, and employees who test positive for marijuana (which remains in the system far longer than many other controlled substances) lose their jobs. Safety sensitive employees are not the only employees at risk: Testing positive for marijuana on pre-employment and post accidents tests, which most nonregulated employers use, will result in termination for non-safety-sensitive employees.

The complicated and confusing arena of marijuana in the workplace is the clearest for employers who are subject to federal requirements that require employers to maintain drug-free workplaces in compliance with federal laws. Marijuana remains an illegal Schedule I drug under federal regulations. The Department of Transportation (DOT) continues to ban the use of marijuana for all safety sensitive testing designated positions, as do the DOD and DOE.

We are all looking toward Oregon and Washington to determine how legalization will impact California. The most recent figures from drug-testing company Quest Diagnostics show that positive tests for marijuana use in the national workforce rose 6.2 % in 2014. This contributed to the first rise in positives for overall drug testing since 2003. In the two states that legalized recreational marijuana use before the report was issued, the increase was even more pronounced: in Washington, use was up by 23% and in Colorado by 20%. A recent *Washington Post* article reported that marijuana prices have declined in states where recreational use became legal.

When recreational use became legal in Colorado, a survey by the Denver-based Mountain States Employer Council reported that slightly more than one in five companies were making their drug-testing policies "more stringent," with harsher consequences for positive drug tests.

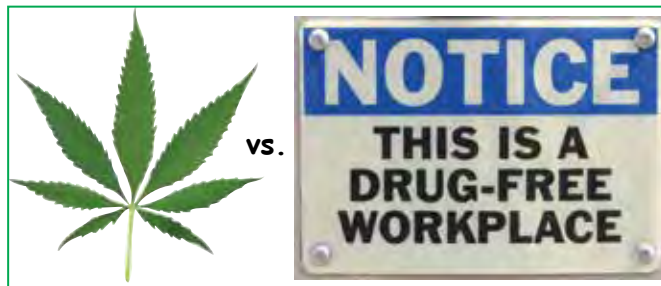
Courts are consistently ruling in favor of employ-

ers on the subject of off-duty marijuana use, even when such use is permitted by a state statute, such as in Colorado and Washington. In *Coats v. Dish Network, LLC*, a quadriplegic employee licensed to use marijuana under Colorado's medical marijuana act alleged that his termination, which was effected after he tested positive for marijuana in violation of his employer's drug policy, violated Colorado's Lawful Activities Statute,

which prohibits employers from discharging an individual for engaging in lawful, off-duty conduct. The Colorado Supreme Court rejected the employee's claim, despite the fact that the employee was not in a safety sensitive position, had used medical marijuana within the limits of his license and had never used marijuana on the employer's premises or while performing work-related functions. The court held that in order to be deemed "lawful" within the meaning of the Lawful Activities Statute, the activity must be legal under federal and state law, and that smoking marijuana, which remains prohibited under the federal Controlled Substances Act, did not qualify. In *Swaw v. Safeway, Inc.* (W.D. Wash. 2015) the court pointed to an earlier 2011 decision from the Washington Supreme Court, which held that Washington's medical marijuana law "does not regulate the conduct of a private employer or protect an employee from being discharged because of authorized medical marijuana use." This has not changed in Colorado or Washington, where legalization provides criminal protection, not employment protection, and it cannot be assumed that California courts will take a different view.

Teamsters need to understand the law prior to what seems like eventual legalization of recreational marijuana use. Many will think that there are no possible legal or job consequences if they use marijuana legally on their own personal time. Believing that to be true could be a costly mistake.

TAP will be holding seminars and educating business agents regarding this matter in anticipation that California laws will change should the measure pass on the November ballot.



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



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

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