



## Taking UPS to the streets (and Capitol)

How would you feel if, one day in January, you opened your pay stub and saw that your wages were cut by up to \$6/hour? You'd probably be angry, wondering how a company that's been going gangbusters since the start of the pandemic and has recently raised its prices to customers could do this to you. That's just what happened to about 4,000 part-time workers at UPS—most at big-city hubs where the cost of living is highest, who discovered on their paychecks in January that the “Market Rate Adjustment” (MRA) was being revoked and their wages were dropped to \$17.50/hour from \$21.50/hour. The company also announced that part-timers would get a \$150 bonus for perfect attendance, but this bonus is not available to everybody and does not get paid if a worker misses a day for vacation or because they're sick.

As soon as the Nor Cal Teamsters UPS Committee learned of the cuts, they organized the first of several actions—rallies at eight UPS hubs across Northern and Central California and Reno, NV, all held on January 27. The next action, held on February 23, brought about 500 UPSers from the Greater Bay



Local 315 part-timers stand up to wage cuts in San Francisco.



“We are Teamsters” rang throughout the California Capitol as 600 members protested UPS wage cuts in Sacramento on Mar. 24.

Area and the Central Valley together for a rally at the San Francisco UPS hub. In addition, these actions sparked rallies in Ontario, CA (Feb. 24) and in Philadelphia, PA (Feb. 28).

Capping off the actions was a rally at the California Capitol building in Sacramento on March 24, where nearly 600 Teamsters and friends heard from numerous state legislators who all pledged their support to UPSers across the state. The group also heard from several UPS part-time workers who shared stories about how the cuts are impacting their lives.

The night before the Sacramento rally, UPS issued a statement touting the great benefits it pays, falsely asserting that the Attendance Bonus paid more than the MRA, and proudly listing part-timer wages at \$15-17.16/hour—just barely over minimum wage and far from a living wage in the larger cities.

### How the cuts came about

UPS uses MRAs to increase wages to help attract and retain workers in high-cost areas and tight labor markets yet the company stripped these wages from part-time workers in January. Because the raises weren't negotiated into the contract, the union can't use the grievance process to fight the cuts.

“It's disgraceful that UPS would slash wages of its lowest-paid workers when the company has raked in



Demonstrating at San Francisco UPS hub in February

record profits from their labor,” said Teamsters Joint Council 7 President Jason Rabinowitz at the San Francisco rally in February. “The 325,000 Teamster essential UPS workers throughout the country have been working hard on the front lines throughout this pandemic, keeping America mov-

ing and making the company billions [reportedly \$13 billion in operating profits in 2021 alone].

Rabinowitz added that with the cost of living skyrocketing, many part-timers are already struggling financially. “UPS Teamsters have fought for decades to win a labor contract that provides fair pay and benefits for our hard work, unlike non-union companies like Amazon that pay poverty wages and offer minimal benefits. Teamsters will fight UPS' efforts to transform our good union jobs into Amazon-like poverty jobs.”

“Teamsters will not back down from this fight,” said Peter Nuñez, Chair of the Teamsters Northern California UPS Committee to the rally crowd, explaining that the \$6/hour pay cut comes out to about \$5,500/year. “It probably doesn't sound like much to UPS CEO Carol Tomé, who makes millions, but it's pulling the rug out from under thousands of families.”

“The [Teamsters Nor Cal UPS] Committee is committed to keeping up the fight until UPS restores the MRA,” said Nuñez. “We need to be in a position of strength when we start negotiations for a new UPS contract later this year.”



Local 853 members rally in San Jose on January 27.



Local 533 members demonstrate in Reno on January 27.





## Annual Joint Council 7 Harry Polland/ Bob Morales Scholarship Program – Applications Due

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

### Eligibility

Applicants are eligible for scholarships to attend a college, university, or trade school when they or their parent or legal guardian (proof may be required) is an active member in good standing of one of the previously-listed Local Unions. Elected officials and employees of Teamsters Local Unions and Joint Councils, and their families, are not eligible.

### Criteria

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

### How to Apply

Applicants must complete an application and return it to a Joint Council 7 office or to the office of any of the Local Unions affiliated with the Joint Council (see above) by no later than July 1, 2022, along with the following:

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

### Where to Get Applications

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

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



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## Building together for an even stronger Teamster future

I'm honored and humbled to be elected to lead our great Teamsters Joint Council 7 into the future. Our union faces unprecedented challenges and tremendous opportunity to build power, win strong contracts, and organize thousands of workers into the Teamsters.

Corporate greed is on the rise; the super-rich keep getting richer, and working people are left behind. Amazon, one of the richest corporations in history—and one of the most anti-union—is expanding its non-union, unsafe, exploitative operations throughout the country, threatening every good union job, and lowering standards for all workers. UPS, the largest Teamster employer, while making record profits off our work, unilaterally slashed the pay of part-timers, signaling that we are in for the fight of our lives when the UPS contract comes up for negotiations next year. Greedy billionaires are on the attack, bankrolling anti-worker ballot initiatives such as Prop. 22, which was aimed at legalizing misclassification and exploitation of contract workers, and the Draper Initiative, which would ban unions for public workers.

Meanwhile, the Teamsters Union in this moment can build our numbers and power like never before. Union organizing is on the rise. More workers than ever want to join a union. Unions are more popular today than we have been in decades, especially among younger workers – and the Teamsters are the most popular of all. The COVID pandemic showed clearly that it's better to work union – to have power in the workplace, job protection, and a voice at work – always, but especially when our lives and livelihood are on the line.

Here in Northern California and Nevada, the 20 powerful Locals comprising Teamsters Joint Council 7 are uniting to meet these challenges.

Joint Council 7 is taking on Amazon everywhere in our jurisdiction, to make sure they come with a guarantee of good union jobs and responsible policies, not poverty jobs that wreck our communities – or they're not coming. We have already prevented Amazon from opening non-union facilities in numerous cities across Northern California. In San Francisco, where Amazon

has purchased a parcel of land to construct a new distribution center, we are building a mighty coalition of labor and community to ensure the project includes labor peace, a project labor agreement, and community benefits.

Joint Council 7 is leading the way in taking on UPS greed. When UPS slashed part-timer pay, the locals of JC 7 jumped into action. Our NorCal UPS Committee called a series of powerful actions, and thousands of members picketed, rallied, and signed petitions demanding that UPS reverse its decision. Teamster Locals across the country followed our lead. JC 7 will keep on fighting until we win fairness for UPS part-timers, and we are building solidarity for the battle next year when the UPS contract is up for negotiation.

The Principal Officers of our Joint Council met recently, and agreed the time has come to unite our Joint Council, and to chart our course forward. Over the coming months, we will be reviewing every aspect of our work, and developing a strategic plan to improve our work and build our power.

- We must gear up for the huge **electoral battles** coming in 2022 and 2024 that will determine the direction of our country and the future of the labor movement.
- We must build our **organizing** capacity to bring thousands of workers into the Teamsters Union in every industry.
- We must beef up our **communications** infrastructure, so we can talk with our members on every platform where they can be found, from print to text to internet to social media.
- We must increase and improve our **training** program, to educate our members about our rights, and the need to stand together as Teamsters.

We are a great Joint Council with an unmatched history of winning for workers. I believe that the powerful locals and members of Joint Council 7 – united and working together – are up to the great tasks ahead.

### About JC7 President Jason Rabinowitz . . .

The Executive Board of Teamsters Joint Council 7 has elected Jason Rabinowitz to the position of Joint Council President, upon the resignation of long-time President Rome Aloise that took effect on January 30.

With decades of experience and activism in protecting the rights of workers, Jason is the Principal Officer of Teamsters Local 2010, which represents about 15,000 clerical, administrative and skilled trades workers throughout the University of California and California State University systems. Under his leadership, Local 2010 has transformed into a powerhouse for workers' rights: increasing membership dramatically; leading successful strikes and contract campaigns that have won strong contracts; and organizing more than 4,000 new workers into the Teamsters.

As Director of the 200,000-member IBT Public Services Division, Jason led the successful effort to maintain membership and build Teamster power in the face of the Janus decision and other anti-Union attacks. He has served as a Trustee on the Joint Council 7 Executive Board since July, 2019.

Jason has been in the forefront of the fight to protect members' safety and jobs during the COVID crisis. He is a strong advocate for equality and diversity in our union.

Before coming to the Local in 2013, Jason served as a Teamster lawyer for 16 years. His success in winning justice for workers in challenging cases made him one of the pre-eminent union lawyers in California. For four years, Jason served as a Professor of Labor Law at UC Davis Law School.





## Success in stopping Amazon's expansion in its tracks

Last September, Joint Council 7 launched our campaign challenging Amazon's rapid expansion plans in the Bay Area. In particular, we set our sights on the company's plans to build a giant distribution center in San Francisco on property purchased from one of Teamster Local 350's largest employers, Recology. This project directly threatened 1,400 Teamster Local 2785 members at UPS.

Our campaign won on March 22 when the San Francisco Board of Supervisors unanimously passed legislation imposing interim zoning controls on that project and on all parcel delivery stations in San Francisco for the next 18 months. Shortly afterward, Amazon put out a notice saying they were pausing development on the project and considering their options. In short, we stopped them. As expected, the campaign won local and national press coverage and will surely influence the way other cities in California and the nation look at these projects.

This follows similar victories in San Jose, Hayward, Contra Costa County, Gilroy, Fremont, and Santa Rosa. Altogether, our collective work has stopped or sidetracked nine proposed Amazon delivery stations in the Bay Area.

At the same time, in the last three months, Joint Council 7 put thousands of members on the street

as we challenge UPS' horrific pay cuts against our part-time members. Our actions have spanned nine cities from the coast to Reno and drawn tremendous political support.

The new IBT leadership promises a more militant approach to UPS and Amazon as we gear up for a national contract campaign. Joint Council 7 is leading the way.

This work began under one Joint Council President and continues under our new one. The San Francisco victory came on the same day that the new IBT leadership were sworn into office.

The glue that has held

our work together is the leadership of our local unions who worked together despite any sort of internal divisions, spending their time, resources, and political capital to move the work forward. It is a testament to what Teamsters can do when we are united in a righteous fight against a bad employer. It has been an honor to work on this project.

### The 2022 Elections

As we head into this election year, our local unions are busy making endorsements and lining up support for politicians who support us. There will be big political turnover in our state legislature, which always triggers lots of movement at the local level as politicians jockey to move around. Look for a special election issue of this newsletter coming soon.



Teamsters rally with several other unions in San Francisco before the City Council votes an 18-month moratorium on parcel delivery service facilities.

## Scenes from the Sacramento Rally against the UPS wage cuts



Crystal Padilla, a part-timer in the Concord Hub and Local 315 member said that a UPS manager told her she should be happy about the cut because she still has her benefits. "But the benefits don't pay the rent!" she told him.



Shannon Negron, a part-timer in Oakley and Local 315 member, said she couldn't be happier being a Teamster and looking out at how many supporters she saw at the rally. "With the cuts, going to work cancels out my daycare."



Assembly Member Wendy Carrillo brought numerous legislators to the stage when she addressed the rally. "During the pandemic you were essential and front line, and you continue to be that. We will not forget. We are with you in solidarity," she said on behalf of the legislators.

## Joint Council 7 congratulates the new IBT officers

The officers of Teamsters Joint Council 7 heartily congratulate the newly elected International Brotherhood of Teamsters Executive Board, including General President Sean O'Brien, and Local 856 Secretary-Treasurer Peter Finn who was elected Western Region Vice-President.

Also, congratulations to Local 70 President Felix Martinez, who was appointed Deputy Director of the Solid Waste Division.

## California Primary Election Endorsements

California has big elections coming up this June and November. The June primary election will be for U.S. Senate and for all Statewide Constitutional offices (Governor, Lt. Governor, Attorney General, Secretary of State, and more).

Also, half of the California State Senate and all of the Assembly members will be up for election—many in newly defined districts, following the 2020 census redistricting. Plus, there will be numerous local/county/municipal elections.

Joint Council 7 is proud of the numerous endorsements that we have made over the years. These are made with great deliberation after thorough interviews. We often follow these endorsements with financial contributions.

However, timing is everything. We will be completing our endorsement process in April—well after this paper goes to press.

We ask that you check out our website: [www.teamstersjc7.org](http://www.teamstersjc7.org) to see your union's recommendations before you vote.

### Election Deadlines

Ballots mailed to all voters: May 9, 2022

Last day to register to vote: May 23, 2022

Election Day: June 7, 2022



# AROUND THE LOCALS



## LOCAL 315

### Many firsts at TransDev Napa

Joyful sounds of celebration rang throughout the Teamster Union Hall in Vallejo on Sunday, February 27 when the 78 members at Transdev Napa voted to ratify a five-year agreement, reports Business Agent Dustin Baumbach.

Although this location has been under Teamster contract for decades, there were several “firsts” in this contract, Baumbach reports. “It was the first long and secure five-year agreement, and the first time these fixed-route drivers, paratransit drivers, and maintenance mechanics saw wage increases anywhere near these percentages.”

The first that sent the membership over the top with excitement though, is the first time adding the Western Conference of Teamsters Pension to their contract. “After decades of proposals to add the pension, only to be shot down, now these members can hold their heads high knowing that they have voted to improve the futures for themselves as well as for those who come behind them,” Baumbach adds. “Congratulations to the Local 315 Teamsters members at Transdev Napa!”

## LOCAL 150

### Great concrete contracts

Local 150 ratified a historic agreement with Cemex in February. Ron Cannizzaro served as chief spokesman, backed up by a tough fighting committee, reports Local 150 Secretary-Treasurer Dale Wentz proudly. “The end result of these negotiations was double-time pay, and \$8 an hour over three years—the highest wage increase that the members have ever seen.”

Similarly, at Syar Concrete, Wentz reports that members were able to secure a \$5 an hour raise the first year of the contract, with more money to allocate in upcoming years for wages and pension. This agreement was jointly negotiated with Local 315. Ron Cannizzaro and Dustin Baumbach were the chief spokesmen of these negotiations.

## LOCAL 665

### Looking for a contract, Local chases down AAA in Utah



The Joint Council 7 and Joint Council 3 (Utah) trucks outside the AAA meeting.

In June 2021, more than 400 AAA insurance agents organized with Teamsters Local 665 in a hard-fought campaign that covered 77 separate locations from Merced up to the Oregon border. Nine months later, these workers still don’t have a contract and AAA recently proposed a 40% wage reduction.

For the past 30 years, AAA has held its annual membership meeting in Walnut Creek or San Francisco, but this year, the company took the unprecedented step of moving the meeting to Farmington, Utah to avoid having Local 665 and its bargaining team show up. On March 2, the union took its campaign to Utah.

“They’ve been stalling the negotiations,” Jeff Wilkinson, a sales agent and union member from San Francisco who traveled to Utah with dozens of other California-based agents told the *Salt Lake Tribune*. “We want to demonstrate and exercise our rights as workers,” he added, “and show to other workers that we want the company to respect our rights in organizing a union and giving us a contract.”

Moments before the meeting started, AAA published the agenda. Although the meeting is open to all AAA members and usually allows for public comment, AAA shut that down this year. The meeting was sched-



uled to last for only 10 minutes, but AAA adjourned it after only two minutes.

Local 665 Business Agents Tom Woods and Joe Matekel and the members came out of the truncated meeting and they were furious.

The Local held a press conference outside the meeting and got a great article in the *Salt Lake Tribune*. Local 222 showed up in support and Joint Council 3 sent their truck along with the Joint Council 7 truck.

Finally, we went to do some informational leafletting at the local AAA branch office around the corner, but discovered that it was closed due to an “emergency.” “AAA’s cowardice is unbelievable,” says Joint Council 7 Political Director Doug Bloch. “This is not the end of this fight by any means.”

Bloch gives big props to Tony Delorio and the whole team from Local 665, Ricardo Hidalgo from IBT Organizing, Spencer Hogue from Local 222, Kara Deniz and her team from IBT Communications, and of course Mike Fritz and Gary Briggs for making the drive to Utah in the Joint Council’s truck. “The members are fired up!” he adds.

## LOCAL 533

### Keolis Transit settles 40 labor board charges

Keolis Transit has come to terms and settled 40 labor charges with Teamsters 533 for violations of the National Labor Relations Act.

“These 40 charges, all resolved in the union workers’ favor, paints a clear picture of how the contractor for the Regional Transportation Commission mismanages public transit operations,” said Teamsters Local 533 President Gary Watson. “The settlement agreement was obtained as a result of our members’ dedication and resilience by standing strong together.”

The agreement includes a monetary settlement for two members who were retaliated against for honoring the picket line. “I am incredibly grateful for my union,” said member Rachel Drum. “They diligently protected me from retaliation by Keolis, who tried to coerce and intimidate me to cross the picket line. I refused and was terminated.” Drum will be returning to the job shortly, recouping all back wages and benefits.

During the contract fight, which lasted months and involved three strikes, the company committed numerous labor law violations specifically against female workers. “It is appalling that anyone be subjected to such draconian treatment. All of our members deserve safe working conditions free from harassment—this settlement is a victory for them all,” added Watson.

## LOCAL 431

### Sysco Fresno drivers vote for union representation



After multiple attempts over the last 15 years to organize one of the last remaining non-union Sysco Foods in California, Teamsters Local 431 is proud to announce that on February 16, 2022, the 54 Sysco employees in Fresno voted 2-1 to join the Teamsters family.

“Thank you to the hard work and partnership with our JC7 organizers for making this finally happen,” says Local 431 President Peter Nuñez. “Now it’s time to knock out the first agreement for these hardworking drivers.”



## LOCAL 853

### After pandemic delay, great contract for liquor salespeople

It may have taken over a year and a half, but the thousands of members across California who do sales for Southern Glazer Wine & Spirits & RNDC (formerly known as Young's Market) ratified their richest contract to date. Local 853 alone has about 684 workers under this contract who received huge wage increases, full maintenance of benefits on their health and welfare, additional holidays, and more.

Business Rep Steve Beck was quick to acknowledge that the bargaining committee, which consisted of many locals and stewards, made a big difference in the negotiations. "Having those members at the table gave us the kind of information we needed to build the case for a lucrative contract." Also participating in the talks were Southern California Locals 166, 186, 683, 848, and 986 and their stewards.

"Without the stewards and the knowledge that they provided and their 100% support, we would not have been able to get such a great contract," Beck says. "Our members stayed out in the field calling on customers even though there were COVID restrictions. But due to their vast knowledge of their customers and the industry, they were still able to continue to service their accounts. Our members were brought back to work sooner than any other company in the liquor industry."

Importantly, for the first time in the history of the sales group, they have a pandemic-proof contractual guarantee that will make them whole if something like this were to occur again. "If there's a



Steward Kadi Ingram works with an RNDC customer to finalize her liquor buy.

fire, flood, or pandemic, they'll revert to their 2019 earnings. That's an amazing contract clause!" Beck says with pride.

Beck also completed a five-year contract for the DSD merchandisers & Inside Sales members. "They also saw significant gains across the board and for the first time, they got full maintenance of benefits for their health and welfare plan over the full duration of the contract. Previously, their company package had a \$6,000 deductible, forcing many to pay out hundreds of dollars a month before the plan kicked in. That's now money that they get to keep," Beck adds.

## LOCAL 2785

### Local fights to get member's job back after management error



Silvina Flores is happy to be back to work after Business Reps Troy Mosqueda and Jose Lopez fought for her.

Members don't often think about their union until management screws up and they need some support. When Silvina Flores went to work on a bright November morning at the UPS South San Francisco Hub, something that she'd been doing for five years, she had no idea that a dumb mistake made by a manager would result in her getting fired. But that's what happened, and even though it took a few months, her union reps made sure that she was brought back to work and made whole for the wages and benefits she should have earned.

The incident took place in early November. "I didn't think it was a big deal when a manager made a mistake on my time card. It showed that I had worked more than my allotted hours," Silvina

recounts. "But what should have resulted in a simple fix turned into a bullying session about the quality of my work. They belittled me and caused me severe emotional distress. I asked my shop steward to put in for a sick day for me. When I got back, I was fired for job abandonment."

"From beginning to end, I had followed the process. I talked to my shop steward, the union rep, and even went to the doctor, but," Silvina adds, "nobody in management cared. The District Manager told me that he was ordered to fire me."

Silvina was off the job for four months and in that time she worked closely with her Business Reps to fight back. In February, she was with her union reps ready to go to panel when UPS offered to settle the case. The company agreed to bring her back to work and make her whole for all back pay and benefits she had lost, starting from the day of the incident. She returned to work on March 7.

Silvina wanted to give special thanks to Business Reps Troy Mosqueda, Jose Lopez, and Local 2785 Secretary-Treasurer Joe Cilia, who all fought for her. "When you're dealing with such a large company and they have that mindset, we all have to be very thankful for the union and for the support of our Local," Silvina says. "Without them, we'd be in big trouble. UPS would be a revolving door and there would be no longevity."

## LOCAL 856

### Local's organizer to take reins of IBT organizing dept.



Chris Rosell with UPS workers.

Teamsters General President Sean O'Brien has named Local 856 Director of Organizing Chris Rosell as the International Brotherhood of Teamsters National Director of Organizing.

Rosell started his career as a rank and file UPS Teamster in 1999, became a Project Organizer with the IBT in 2003, and was promoted to International Organizer in 2007. He has led and won major national campaigns in the Waste, Transit, Airline, and Warehouse Divisions, and more. In 2007, Rosell was introduced to Local 856 when he successfully led the national United Airlines campaign, bringing 9,000 new members into the Teamsters including 3,000 mechanics and related employees at the airline's San Francisco Maintenance Base.

In 2019, Rosell joined the Local 856 staff to head its organizing department.

"I am honored to accept the challenge and get to work on rebuilding the IBT Organizing Department that can deliver on the change that members voted for," said Rosell.

"In Teamster organizing, we can start winning more and winning bigger," he continued. "Unions are more popular than ever before in most of our lifetimes, but union membership is at the lowest point in this country in 100 years. In the next era of the Teamsters, we have a once-in-a-generation opportunity to turn workers' anger into real union power."

"We are excited that Chris has been tapped by President O'Brien to lead the future of national Teamsters organizing," said Local 856 Principal Officer Peter Finn. "He has a proven track record of winning at the local and national level, and we are proud to see one of our own take on this critical role at the IBT and the labor movement as a whole."

"Congratulations to Chris Rosell on his appointment as IBT Organizing Director," added Joint Council 7 President Jason Rabinowitz. "The Joint Council looks forward to working closely with Director Rosell to organize thousands of workers into the Teamsters Union in Northern California and Nevada."





## LOCAL 350

### Bringing solid waste workers up to par with the rest of the county

After almost nine months of talks and hard-bargaining on economics, the members at Recology of the Coast ratified their new five-year successor collective bargaining agreement by a 94% margin on March 3, 2022.

“There was a considerable gap between the offers we were getting from the company and where we needed to be. We were set to vote a strike authorization but at the 11th hour, we received a proposal which stayed our vote and allowed us to resume bargaining,” said lead negotiator and Business Representative Robert Sandoval.

“Our position, from day one, was that we were not going to accept anything less than the respective surrounding units doing similar work. For too long, this group had been trailing, and now I’m happy to report that is no longer the case,” Sandoval adds. “In fact, this unit will now set the standard in wages and pension effective 2024 in the North San Mateo County area.”



Recology of the Coast members are pleased with their new contract.

The 26 members at Recology of the Coast service El Granada, Pillar Point, Miramar, Princeton, Montara, Moss Beach, Pacifica, and Half Moon Bay, with their yard, nestled right against the Pacific Ocean in Pacifica.

Noe Maguina, a 29-year veteran and shop steward, was an integral part of the bargaining committee. “His historical knowledge of this unit and how

the operations ran when he first started was vital in making the company improve worker protection language,” Sandoval adds.

Key highlights from the newly-ratified agreement contain the addition of temporary vacancy language, which will allow floaters to have a “home” in the event a fellow member is out for an extended period of time, complete retro-pay for all hours worked, full maintenance of benefits that add lifetime health and welfare coverage for retirees, and overall improvements to non-economic language to strengthen worker protections.

“For far too long, our members in the North San Mateo County region were historically making less than their counterparts in the Southern area of San Mateo County,” said Local 350 Secretary-Treasurer John Bouchard, “When I took over this local, I made it one of my priorities to ensure we brought those workers up to par, and we’ve systematically achieved that vision over the last several years.”

## LOCAL 2010

### UC Admin Officer 2 workers get salary increases, better pay ranges, and more



AO2 workers explain their plight to UC Berkeley students and staff.

agreement for this worker classification that became part of Local 2010 in late 2020, includes:

- 3% across-the-board pay increase, which was received by AO2s starting July 1, 2021.
- New Union-negotiated pay ranges including pay steps for each location, effective January 1, 2022.
- Workers will be placed at the step closest to, but not less than, their current pay.
- All AO2s will receive an additional 1-step increase (approximately 2.25%), effective January 1, 2022.
- \$800 lump-sum payment within sixty (60) days of ratification.

The Teamsters Local 2010 Bargaining Team for Administrative Officer 2 (AO2) workers held the line on improved salary ranges and step increases for AO2s across the state and came to a tentative agreement with the University of California in early March.

After more than a year of negotiations and 21 bargaining sessions, the

“Bargaining these wage increases is a good step in showing the AO2s the value of having a union,” says Local 2010 Secretary-Treasurer Jason Rabinowitz.

## LOCAL 890

### Dole contract update



Local 890 members who work at OLAM count the votes accepting their one-year extension.

Dole farmworkers who are members of Local 890 are currently making their way back from harvesting vegetables from the desert to continue harvesting vegetables in the Central Valley through mid-April. Those vegetables are then sent for consumption all around the U.S. and Canada.

As of early March, Dole farmworkers who had been laid off received work orientations at Teamsters Local 890 and started work harvesting broccoli and cauliflower. Meanwhile, other Dole farm workers are still in Oxnard, harvesting celery; they plan to return to Salinas in the middle of May when the harvest is finished.

### Contract extended at OLAM

OLAM and Teamsters Local Union 890 reached an agreement to extend the current contract for one year, into 2023. The extension includes a 6% wage increase.



### YOUR LOCAL UNION PHONE NUMBERS

70.....	510-569-9317	533.....	775-348-6060
87.....	661-327-8594	665.....	415-728-0811
137.....	530-243-0232	853.....	510-895-8853
150.....	916-392-7070	856.....	650-635-0111
315.....	925-228-2246	890.....	831-424-5743
350.....	650-757-7290	896.....	707-644-8896
386.....	209-526-2755	948.....	559-625-1061
431.....	559-486-5410	2010.....	510-845-2221
439.....	209-948-9592	2785.....	415-467-0450
517.....	559-627-9993	GCIU, DC 2.....	800-333-4388

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## Big COVID victory even before launching aggressive Teamster agenda

By SHANE GUSMAN  
California Teamsters  
Public Affairs Council

The 2022 legislative session has kicked off and our union is moving an aggressive agenda to improve the lives of our members and their families. We have eight sponsored or co-sponsored bills which are summarized below. However, before I get into those, it's important to mention a big victory that happened earlier this year.

We have worked very hard since the beginning of the pandemic to push for policies that protect workers from unnecessary exposure and to reduce negative economic consequences when workers need to protect themselves. To that end we have worked with the Governor's office and the Legislature to make sure that employers are required to provide their workforce with sick leave to stop or slow the spread of COVID without requiring workers to make a choice between their health and a paycheck.

In February, the Governor signed a new COVID sick leave bill into law. Beginning February 19, full-time workers are entitled to 40 hours of leave to take care of themselves, a family member, or vaccine-related issues. Full-time workers are also entitled to an additional 40 hours of leave if they or a family member test positive for covid. Part-time workers are also entitled to both buckets of leave, however, the hours allotted are reduced based on an average hours worked formula. The law is retroactive back to January 1, 2022, so if unpaid qualifying leave was taken after that, the worker is entitled to reimbursement. If vacation, sick leave, or other personal leave was taken, the worker is also entitled to reimbursement.

### 2022 Teamster Sponsored Bills

#### Prevailing wages for construction on-hauling

**AB 1851** by Assembly Member Robert Rivas (D-Salinas) would clarify that California law requires the payment of prevailing wage for on-hauling of materials for paving, grading, and fill onto a public works construction site.

#### Healthcare for striking workers

**AB 1878** by Assembly Member Jim Wood (D-Santa Rosa) would ensure that striking workers and their families do not lose their healthcare during a strike by making them immediately eligible for Covered California, paid for by the state.

#### Database on waste and recycling franchises

**AB 2048** by Assembly Member Miguel Santiago (D-Los Angeles) would create a state waste haul franchise agreement database so that all local franchise agreements for waste and recycling are easily accessible to the public.

#### Bargaining over transportation automation

**AB 2441** by Assembly Member Ash Kalra (D-San Jose) would make the introduction of new technology, including automation, affecting bargaining unit work in public transit a mandatory subject of collective bargaining.

#### Alcohol delivery by employees only

**AB 2896** by Assembly Member Miguel Santiago (D-Los Angeles) would require alcohol delivery from retail to consumer be performed by an employee rather than an independent contractor.

#### Changing education funding formula

**SB 830** by Senator Anthony Portantino (D-Burbank) would change the way K-12 public education is funded from attendance-based to enrollment base, which would dramatically increase public education funding.

#### Penalties for public sector ULPS

**SB 931** by Senator Connie Leyva (D-Chino) would provide meaningful monetary penalties for unfair labor practices committed by a public sector employer.

#### Communication during emergencies

**SB 1044** by Senator Maria Elena Durazo (D-Los Angeles) would prevent an employer from restricting an employee's ability to communicate with family or leave a dangerous worksite during emergency conditions.



#### Local 70

Barham, Stephen  
Breedon, Lenard  
Congi, Sam  
Evans, Warren  
Figone, Kent  
Fitzpatrick, Frank  
Gohl, James  
Gould, Dennis  
Morris, Jr., Dennis  
Pelosi, Len  
Perry, Melvin  
Tragegen, Curtis  
Villasenor, Domingo

#### Local 87

Chavez, Monica  
Coburn, John  
Leon, David  
Membrede, Marcel

#### Local 137

Delzell, Cecily  
Gouldsmith, Weston

#### Local 315

Blunt, Leonders  
Byrd, Jack  
Faapouli, Joshua  
Flores, John  
Holland, Brian  
Ibarra, Armando  
McAllister, Robert  
Martin, Thomas  
Rios, Ramiro  
Spera, Angelo  
Unpingco, Frank

#### Local 350

Johnson, Rudolph  
Silvestri, Benny  
Soares, Oliver  
Vieira, Louis

#### Local 386

Broyles, Stephen  
Diaz, Alejandro  
Hurst, Russell  
Kwan, Leon  
Levine, Ronald  
McGlade, Henry  
Perez, Jesus  
Pometta, Milton  
Rios, Jose  
Tascon, Julian

#### Local 431

Chavira, Frank  
Cox, David  
Stoltenburg, Cliff  
Watson, Don

#### Local 439

Barker, David  
Brower, Martin  
Garcia, Nick  
Hellmandolar, Mark  
Heredia, Cesar  
Howard, Kevin  
Kho, Johnny  
Lafi, Noa  
McLaughlin, Jim  
Moreno-Martinez, Francisco  
Nguyen, Tommy  
Reyes, Richard  
Rogers, Rick  
T, Tommy

#### Local 517

Gainey, Jr., Reloy  
Josephs, Ralph  
Ramirez, Robert  
Rocha, Jose  
Shockley, Robert  
Soares, Ramero  
Worthington, Richard

#### Local 665

Hawkins, Jesse  
Navarro, Martin

#### Local 853

Bishop, Kevin  
Brizuela, Abel  
Herron, Frances  
Johnson, Martin  
Maranan, Hector  
Martin, Richard  
Palacios, Sr., Joshua  
Pique, Alan  
Sivongxay, Wilson  
Sullivan, Lonnie  
Thorpe, Lita  
White, Kirk G.  
Wu, Ze

#### Local 853/GCC 583

Arguello, George E.  
Berry, Samuel  
Bullene, William  
King, John  
Levet, Julian  
Love, Richard  
Matamoros, Amanda  
Miller, Esther  
Ratto, Silvio F.  
Robinson, Jr., William  
Roche, James  
Rozewski, Sharon  
Sergeef, George  
Smart, Irene  
St. Charles, Robert  
Zabriske, Dennis

#### Local 856

Duque (Hogan), Ruth  
Greene, Edward  
Ortstadt, Colin  
Peterman, Andrew  
Strong, William  
Tanimura, David  
Williams, Kimberly

#### Local 890

Aguilar- Cardona, Luis  
Manuel  
Perez, Benjamin  
Rivera, Manuel  
Rodriguez, Myrna  
Tapia, Gloria

#### Local 896

Manopichetwatana,  
Stephanie

#### Local 948

Barrera. Audon  
Brown, Dennis  
Rios, Yolanda

#### Local 2785

Bolden, Christopher  
Bonnici, Charles A.  
Casey, Arthur  
Curtis, Jack  
Damato, Gaetano  
Guerrero, Mario K.  
Heggum, Kenneth W.  
Nunez, Ruben  
Pogetto, Lee J.  
Robinett, Moses





## Masks on/masks off – yet again

Now that the courts have blocked the Biden Administration’s COVID-19 vaccination or weekly testing requirements for employers of 100 or more employees and for federal contractor employers, and now that California has largely removed its masking requirements, is masking and/or proof of vaccination finally a thing of the past? This article explains where masking or vaccinations may continue to be part of the California workplace.

- California law continues to require masks for workers in public transit, health care, and long-term care/adult care/senior care settings.
- CalOSHA continues to require masking after a substantial workplace COVID-19 outbreak.
- No other industries are legally required (for now) to impose masking or vaccination requirements.



- Employers can adopt their own masking and vaccination requirements. For example, the City of San Francisco and the University of California have imposed mandatory vaccination requirements.

If an employer wants to impose its own mandatory vaccination or masking rules the first question is, does it have the right to do so under the Union

Contract’s management rights clause? A weak management rights clause creates grounds for a demand to bargain. The Union can always demand to bargain, whatever the management rights clause says, but in most cases, the employer can bargain to impasse over a mandatory vaccination or masking clause and impose their proposal after bargaining is exhausted.

Why haven’t more employers imposed vaccination or masking requirements? Because (1) finding qualified workers is hard; (2) the transmission rate for COVID-19, at least for now, appears to be on the wain because of vaccinations and the number of people who have already had COVID; and (3) neither federal nor state law is forcing them to undertake the hassle and expense.

But, with COVID-19, expect the issues discussed here to change in another few months.



## Department of Transportation proposes oral fluid testing for drugs

On February 28, 2022 the Department of Transportation (DOT) issued a Notice of Proposed Rulemaking (NPRM) proposing to amend the transportation industry drug testing program procedures. Several changes are being considered but the proposed regulation most worth noting would add oral fluid testing to the existing urine drug testing procedures for safety-sensitive workers including commercial truck drivers.

The public was given 30 days to submit comments on this proposal, all due by March 30, 2022.

The idea of oral fluid testing for drugs is not new. The Department of Health and Human Services (HHS) and DOT first asked for comments about directly observed alternative testing methods such as oral fluid, hair, and sweat testing in 2004. DOT states that although science supporting oral fluid testing did not meet HHS standards in 2004, research studies now demonstrate that the oral fluid testing method is now acceptable for identifying illicit drug use in the Federal workplace.

In 2019, HHS issued oral fluid testing guidelines for Federal Workplace Drug Testing Programs using Urine stating that oral fluid testing provides “the same scientific and forensic supportability of drug test results as the Mandatory Guidelines for Federal Workplace Drug Testing Programs using Urine.” Federal employees (not those under DOT testing) became subject to oral fluid testing for drugs on January 1, 2020. Split specimen testing of oral fluid collections will still be available upon donor request for positive test results.

DOT is not requiring employers to use oral fluid testing instead of urine testing, nor is there a proposal for the type of test (e.g., pre-employment, random, reasonable suspicion, return-to-duty or follow-up) and there is no proposal to eliminate urine testing.

The NPRM asserts that giving employers flexibility in the type of specimen they collect will provide several benefits including being able to conduct oral fluid collections at the scene of an accident.

Oral testing and urine testing do, however, provide different windows of detection that employers should consider when deciding whether to use a

Category of drug *	Oral fluid testing window of detection	Urine testing window of detection
Amphetamines	1-3 days	1-9 days
Methamphetamines	1-4 days	2-4 days
Cocaine	1-4 days	1-5 days
Opioids	1-2 days	2-4 days
Marijuana	Up to 24 hours	3-67 days
Phencyclidine (PCP)	1-3 days	Up to 5 days
* Detection windows depend upon amount of drug ingested, situations such as regular heavy use, and cutoff concentrations used.		

urine or oral fluid test. The biggest detection window difference is for marijuana. With oral fluid testing, marijuana can be detected for up to about 24 hours of being used compared with a 3-day minimum for urine testing, and beyond 90 days when marijuana is used daily for many weeks.

Employers interested in detecting recent drug use in cases of reasonable suspicion or post-accident situations may opt for oral fluid testing. But, in pre-employment, random, return-to-duty, and follow-up testing where an employer is more concerned with a pattern of drug use or relapse, the longer detection window provided by urine testing may be preferable. DOT asked for comments regarding whether oral fluid or urine should be mandated, or prohibited, for certain tests.

Another advantage of oral fluid testing is the directly-observed collection it provides versus most urine collections, which are unobserved. Observed urine specimen collections are the most effective method for preventing specimen donor cheating on drug tests by substituting or adulterating specimens, but can only be done in certain circumstances. Also, the observation required when collecting oral fluid is much less intrusive than for urine.

Other advantages, according to the DOT, include oral-fluid testing being 20-40% less expensive than urine testing, the possibility of employers training company personnel to become qualified oral fluid collectors and eliminating costs for “shy bladder” collection procedures, and required related medical examinations. The DOT asserts that employers could

save billions of dollars using oral fluid testing.

A potential disadvantage of the proposal is that if less expensive oral fluid is chosen by an employer for all testing situations, particularly pre-employment and random testing, it could diminish the effectiveness of the testing program to identify lifestyle drug users and will inadvertently increase the risk of injury to the public.

Hair testing is not being considered at this time. HHS proposed to set up standards for the use of hair testing for drugs in 2020 but the idea was severely criticized by the trucking industry because it would have required another sample, such as urine or oral, as a backup.

Two other noteworthy proposals are included in the NPRM. Comments are requested regarding a proposal to allow direct observation of urine collections by any licensed or certified medical professional legally authorized to take part in a medical examination in the jurisdiction where the collection takes place.

Also, the proposal would allow Substance Abuse Professional (SAP) evaluations to be conducted virtually. SAP evaluations are currently permitted to be done virtually because of a temporary exception created because of the COVID-19 pandemic. This proposal would make that method of evaluation permanent.

Above is comparison of oral fluid vs. urine specimen detection windows.

*If you or a friend or loved one is seeking assistance for a substance abuse problem, please call TARP at 1-800-522-8277, or TAP at 1-800-253-8326.*