



November
2008

Amalgamated Transit Union Local #1576 Newsletter

President's Report by Kathleen Custer, President/B.A.

Many months ago the membership approved two grievances to proceed to arbitration; Vacation Cancelling Arbitration- 06-ATU-OPS-027 ATU Local 1576, Amjad Khalil, 06-ATU-OPS-008 Hinds and Vacation Leave Arbitration- 06-ATU-OPS-032 Rick Jurkovic. This month I'm pleased to report that after many months of negotiating a settlement with respect to these grievances we have resolved these two grievances outside of arbitration.



The first grievance was filed when our member and the union was made aware that Community Transit was denying our members the ability to take their vacation as leave without pay when they had exhausted their vacation leave through FMLA protected leave. Several grievances were filed including one on behalf of our union members. The grievances were denied at first and second step and the membership approved arbitration with an arbitration date scheduled for November 14, 2008. We agreed to the following settlement approximately one week prior to this date:

1. Employees who exhaust their vacation leave through FMLA-protected leave, whether that leave is intermittent or continuous, may, at their option, take up to 80 hours of bid vacation time as unpaid leave.

This agreement resolves the grievances filed regarding this issue. Attempts have and will continue to be made to resolve this global issue through language for a successor labor agreement.

The second grievance was filed when our member, now Vice President Rick Jurkovic filed a grievance asserting that the terms of the vacation article of the Agreement should be applied based on his continuous service. It was discovered that when he reached his milestone of five years, his "continuous service" date was reset because he had switched from full time back to part time then back to full time. He graduated training and began work as a part time operator, changed to full time on April 28, 2002, then back to part time and again to full time and his vacation service date was reset to the latest date of full time service. He last went to full time work on February 2, 2003, and has worked full time ever since. After countless hours of research hard work, an agreement was finally reached as follows:

1. Mr. Jurkovic and all other members of the bargaining unit who moved from full time to part time and back to full time employment any time prior to the October 6, 2005 adoption of the labor agreement shall have their service credit date, used to calculate vacation service credit, reset to their first date of employment in a full time, non trainee position.
2. Service dates hereafter will be unaffected when employees transfer between full and part time employment without a break in service. Their service date will continue to be the date they first entered non-trainee service, the practice established under the contract when it was implemented on October 6, 2005.

This agreement will positively affect several other employees who it was discovered was in the same situation as the grievant. Those whose service dates were reset to the later of the full time dates will have their service dates corrected for vacation purposes.

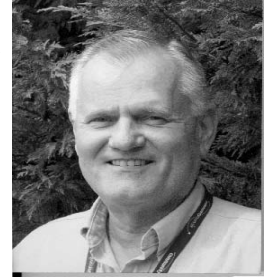
I'm always delighted when we are able to reach an agreement outside of the arbitration process, especially when the agreement is acceptable and reasonable to all involved, and when it can positively affect our membership. In some cases like these, all the hard work and diligence certainly paid off.

My especially warm wishes go to you and yours for a safe and joyful holiday season. In times like these where we are faced with staying at work during our split shifts so we save on gas and skipping that Saturday night out to dinner I reflect on all the things I have to be thankful for and I'm thankful that the list is endless. I hope yours is as well. Take care, Kathleen Custer



Vice President's Report by Rick Jurkovic, Vice President Page 2

I just returned from a two week vacation and read the last newsletter today. I thought the articles were very good. Those of you who don't work for Community Transit, which is half of our membership, learned that our CEO, Joyce Eleanor, wrote a letter to the CT membership. What she did by doing so, was to circumvent the Union and Management negotiation process. This was done while President Custer was out of town and without any advance notice. The intent was, obviously, to drive a wedge between the membership and the Union. If Boeing's CEO had done such a stunt, I am sure there would have been a big bonfire with those letters as fuel at the picket lines.



Joyce's letter had the appearance of making Management look good and the Union bad at first glance. However, our membership is smarter than that. As Recording Secretary John Sainz wrote in his article, a lot of questions were asked, but the wedge didn't work. In fact, it did just the opposite!! When I read the letter I, personally, didn't believe for five seconds that Joyce wrote the letter. Rather, I believe it was written by HR and signed by Joyce Eleanor. Joyce hasn't spent five seconds at our negotiations and the letter was written identically to the way Management repeatedly proposed PTO. It's too bad that the other half of our membership didn't get to read the letter or the responses, because it would have been a good lesson in Labor/ Management relations. Ultimately, all of you at First Transit Everett, First Transit Tacoma and Senior Services are getting the benefit of a well seasoned negotiating staff with all we have been put through for the past year. We are negotiating with a team who seemingly had no intentions of accepting anything but their proposals since day one. This is proven by the fact that the PTO, which was offered in the beginning and rejected immediately, is still on the table one year later.

One of Management's arguments is that everyone else at CT has PTO. Well, our membership is over half of CT's employees, which means over half of CT's employees **DO NOT** have PTO and, if we prevail, over half of the employees **WILL NOT** have PTO. The Mechanics and Supervisors who are represented by the IAM signed off on PTO to get medical benefits; this is how it was presented to us. Besides micromanaging the attendance, PTO also serves to drastically reduce the payoff of the sick leave bank at retirement. This is probably one of the biggest reasons Management wants PTO. Personally, I think payoff at retirement should be 100% of unused sick leave. In the past, retirees have settled for the 50% offer because it was the best they could get. I think there would be less absenteeism if we were able to get 100% payoff because the amount in the sick leave bank would be an incredible incentive. As proof that employees respond to incentives, there is a very large percentage of CT employees that take advantage of the floater they receive for perfect attendance each quarter.

So, I think all our Management should consider bargaining with incentives rather than bullying. In reality, they are using contract negotiations to bargain for more control over the membership and I thank my lucky stars that the team we elected isn't falling for this technique. In the final analysis, we all need to stand together in solidarity. Solidarity made Poland a democracy and solidarity will get us a contract in each of the properties whose members we represent.

In Solidarity,
Rick Jurkovic

From First Transit Tacoma Welcome by Laura Sandoval, Executive Board Officer, ATU Local 1576

I want to welcome to all our new Drivers. For those of you who've been here for a while, please remember that these new Drivers need your knowledge and experience, so please help out where you can, as I know you already do!

Winter is just around the corner and the roads are cold and wet. Please watch your following distance. Please be cautious in bad weather. Heavy rains will make for slick roads, and we want all of you to be safe.

Remember, if you ever need any help or assistance, please contact your Union Reps, Roy Ott, Tony Digilio or myself. We're glad to help in anyway possible.

Have A Safe Thanksgiving!!
Laura

From Patty Ceis, Financial Secretary/Treasurer

Have you ever walked into a business and could tell right away the management must be good or bad from the way the employees treat customers? The effect of management on employees is quite apparent. The one at the top establishes the mode of operation for the whole company. He/she is the leader and sets the example which employees follow. It's the 'trickle down' effect.



How is this relevant to us? Very often, when managers are first hired, they include the ATU in communications. This has value for them in the event an employee calls the office and is relieved to know that what management is doing has already been discussed. This shows the employee/member that the company cares to the extent that they should be included in some of the decision making and their views may be valued. But after they get a bit seasoned, managers usually stop (or are directed to stop) seeing the value of communicating with your officers at all. This course creates poor morale since it demonstrates to the member that management doesn't care how our Union views their actions. It also gives the impression that the management quite probably has something to hide in their actions. Our CEO at Community Transit began this policy years ago. As the saying goes "the fish start stinking from the head first". Even if a Manager does try a good and different approach, we can be sure it'll be shot down by the policies set at the top.

If a boss instills confidence in the managers then the managers in turn will treat their employees with respect and consideration, and then that's how those employees usually treat the customers. On the other hand, if the managers and employees are treated poorly, then they in turn generally don't concern themselves with applying good people skills to those they deal with. Apparently there are many managers who must think good people skills include bullying and threatening. Those are usually the ones which don't do well in the long run, in my experience. The first and best boss I ever had knew how to have a talk with me as an employee, tell me his concerns about some aspect of my job performance and tell me simply and respectfully what I needed to do to remain a good employee. His discussions always left me with more self esteem and eager to do better. As a good manager, he led by example and had a 'do as I do' policy, not one consisting of 'do as I say, not as I do' with bad example setting.

I've been wondering how our members at Community Transit, Senior Services, and First Transit in Tacoma so often can keep taking abuse from management and continue to do our jobs with respect and patience to passengers. Fortunately for our members at First Transit Everett, this isn't such a problem. All I can think of is that it must help our members to have a Union with binding policies to oversee how far managers can go, plus, it takes a particular personality with pride in the jobs we all do with the commitment to serve the public well. And it counts for a lot that we generally try to treat one another with respect. So, I'd like to commend every one of our members and am confident that you'll keep up the good work as always, in spite of poor people skills that may be demonstrated by management.

Yours In Solidarity,
Patty Ceis

Letters to the Editor

by John Sainz, Recording Secretary

As you saw, we've recently included letters from members. We feel this should become a regular feature of our newsletter. It would give voice to issues you feel we need to address as well as messages of support and solidarity.

We ask that you keep the letters short and to the point. Please keep them tasteful and do not use specific names of the individual or individuals you are writing about, unless it's to praise something they have accomplished or done.

In the interest of full disclosure, we will edit the letters, but will do our best to keep the spirit and intent of the letters you submit. Regretfully, we won't be able to get everybody's letters in each issue. If there are several with the same theme, we'll choose the best version. We want to hear from **ALL** of our members, regardless of which property you work at.

As always, BE SAFE OUT THERE!!!!

John

Snohomish County Labor Council Report
by Chris Brydges, ATU 1576 Representative to the SCLC

At the October 22nd Snohomish County Labor Council meeting the up and coming election was the theme of the evening with Dave Aldrich speaking to the Council about his plans for the PUD as position #1 on the PUD Commission. He was running for the position and has since won. He has good enthusiasm and plans for local green and renewable energy resources such as solar, geothermal and wind to help round out our PUD's options to service our community more efficiently.

Our Vice President Rick Jurkovic gave an update on our contract negotiations with Community Transit and informed the Council of our planned Informational Picket this December. At each meeting, on the agenda is a time for any Union in contract negotiations to report on their status. This is very important and informative. Our community is Union and Labor strong and sharing this information gives us added solidarity and support.

A United Way report was given by Suzanne Moreau from the Puget Sound Labor Agency. From July 1, 2007 to June 30, 2008 305,550 people were served in Snohomish County alone by our United Way contributions!! So, we not only move the people of Snohomish County around, we extend a much needed helping hand!! Thank you for your contributions.

The Snohomish County Labor Council is inviting everyone to the Holiday Open House this year on Wednesday, December 3rd from 5 to 7 PM at the Everett Labor Temple, 2812 Lombard. Stop by for a nibble and to say HI. Their number is 425-259-7922 for more information.

Thank you,
Chris Brydges



Commentary

by John Sainz, Recording Secretary

Remember those Union pins you got during Orientation after surviving Training? Now would be an excellent time to dig them out and wear them on your sweater, fleece, parka or bomber jacket. It is legal to do so and it will be a further show of solidarity. Break them out and put them on. If you have the ability to attach the Union’s patch to whatever you plan to wear to the Informational Picketing (You are joining in, aren’t you?) that would be wonderful. It’s SOLIDARITY TIME!!!!

Let me extend a big THANK YOU from your Executive Officers. Your support makes our job so much easier. We’ve received overwhelming support for our position as we head toward Arbitration. President Custer has said repeatedly, if CT has something new and constructive to discuss, we’re more than happy to sit back down at the bargaining table and see if we can reach an agreement. Nobody “wins” if this goes to Arbitration; not the ATU, not CT. An outside Arbitrator will decide what he/she feels is equitable, not what’s best for us. We were told at the All Members Meeting that CT’s lawyer had something to present to our lawyer. We finally received it late this past Friday and are reviewing it.

I had a question from a member who, like me, is rarely sick for more than a day. For us, and I suspect for many of the rest of you, it would be quite easy to use up all your PTO and never be able to touch that Major Sick Leave bank. After two years, CT can tie up **96 hours** in this bank. After four years that figure becomes **192 hours**. **By your tenth year, CT could conceivably have “locked up” 480 hours of Major Sick Leave you may never get to use.**

Another thing to consider is CT’s proposed Attendance Policy. The company would have the ability to look at every minute you take off. This would include PTO, excused absences, unpaid time off, your attendance at Employee Association meetings, etc. and if, in their opinion it is too much time off, they want to be able terminate you for a horrible attendance record. Even though they cannot use FMLA against you, I’m sure they’d find a way to include it in your total number of absences.

As for going sick at the window, would it be possible for our CEO to take your temperature and verify you have a fever of 101 degrees? Could you then involuntarily vomit on an Assistant Manager’s shoes and that Assistant Manager still determine your going out sick is an unexcused absence? Based on CT’s history, this isn’t all that far-fetched. Everything will be totally up to their discretion. Regarding leave; they can decide there is a manpower shortage, regardless of whether there really is or isn’t, and decide you cannot have your leave. The only requirements now are that there are no more than 18 Operators off in the Daybook (and they have allowed more than 18 in recent months) and that you have some sufficient leave time available.

I welcome more of your comments. We need to hear from as many of you as possible.
In Solidarity,

From First Transit Everett

The Oath by Patrick R. Hill, Executive Board Officer, ATU Local 1576

It has come to the attention of the Executive Board that there are some people encouraging our drivers to Tattle-Tale on each other over small petty issues through the use of the Company provided Injury Prevention Program (I.P.P.) books we are required to carry. They want us to use the I.P.P. books to record information which will ultimately be used for discipline. Members have been told to write the offense in the I.P.P. book of the individual who committed the transgression, then turn in the top sheet of the two part form to Dispatch.

IT IS a U.S.D.O.T., W.S.D.O.T. and First Transit requirement to report gross safety violations and crashes, especially those witnessed by our drivers and concerning the coaches we drive. IT IS NOT a requirement to tattle on each other. In fact, when we joined our local, we signed the Oath stating, among other things, and I quote “reporting fellow Union members to the employer if it is not in your job description”. Being an active participant in the I.P.P. program, writing up your brothers/sisters, places you in a very dangerous position. **The danger is if charges are filed against you for snitching, you will go on trial, experience a verdict and sentencing. Should you be found guilty, you will be dropped from the Union. What that means is you will no longer have a job because we are a closed shop and subject to required union membership.** It is necessary to report CRASHES and GROSS SAFETY violations. Do not tattle-tale on each other over the small stuff.

Should you need to complain about a brother/sister over some infraction, the correct method is to write it up on Union Memo paper and turn it in to your Shop Steward or Executive Board member or, just let it go. Never use the individual’s name. Always use the Coach number and then give the details. This way the Union is involved with trying to bring a driver back into the fold who has made a mistake.

LET’S BE PROFESSIONALS!

Remember: **“Some succeed because they are destined to, but most succeed because they are determined to”** - Source Unknown



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WEINGARTEN RIGHTS
"If this discussion could in any way lead to my being disciplined or terminated, or affect my personal working conditions, I respectfully request that my Union Representative, Officer, or Steward be present at this meeting. Without representation present, I choose not to participate in this discussion."

Upcoming Meetings

Sunday December 21, 2008 ~ 1:00 P.M.
(2810 Lombard, Everett)

Sunday December 21, 2008~ 5:30 P.M.
(IBEW Hall, 3049 S. 36th, Tacoma)

Tuesday December 23, 2008 ~ 10:00 A.M.
(2810 Lombard, Everett)

Our Local has sent flowers to Linda Steen of Customer Information Services.

If you are not receiving the In Transit Magazine, we probably don't have your correct information. Please take the time to fill out a form:

UPDATE YOUR INFO FOR THE UNION HALL

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