



Amalgamated Transit Union

Local #1576 Newsletter

July 2009

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“Distance has the same effect on the mind as on the eye”

Website: www.atu1576.org



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

This month, rather than write an article in ‘story’ form, I’d like to highlight some issues I’ve been dealing with in recent months. Of course, as I’ve said in the past, you’ll receive the most detailed information in my report at the monthly Charter meetings so I encourage you to attend those so that you receive the most information that cannot always be published in our union newsletter.

Community Transit Contract Negotiations and Interest Arbitration:

As you know, the membership has given the union leadership the direction to move forward to Interest Arbitration with regard to the contract dispute with Community Transit. The arbitration is now confirmed and slated for September 21 -25. I’ve been diligently working with our attorney’s over the past few weeks attempting to narrow our issues and prepare our cases. We will be devoting the summer to preparing for the arbitration and as you can imagine will take up the majority of my time until then.

Tacoma First Transit Contract Negotiations:

We have been in contract negotiations with our First Transit Para-Transit property in Tacoma for the past few months. It’s been somewhat difficult to schedule these negotiations since the chief negotiator for the company flies in to conduct our session from out of state, however we were able to wrap up most of the non-economic issues during our last session. We meet again at the end of August and hope to start economic discussions at that time. I remain hopeful that we will be able to present a proposal to you soon that the negotiating team can endorse. Special recognition should go to Executive Board Officers Roy Ott and Laura Sandoval for their hard work and persistence during this time. If you see them, tell them so!

Senior Services Accident Policy:

The Union has been engaged in negotiations with the agency regarding the Accident Policy.

We have been exchanging proposals over the last few months and will be meeting again soon to continue these negotiations. At this time there is little to report since we are currently in the negotiations process but I assure you that the union is focused on your best interests in mind and will do our due diligence to make sure this happens.

Unfair Labor Practice- Community Transit:

A hearing was held on June 8th with regards to the ULP the Union filed against Community Transit over the company’s insistence to include Article 18.2 (SOP language) with the list of issues to be submitted for Interest Arbitration. Based on the contract language which constitutes a “waiver” of the union’s right to negotiate performance codes/ SOP’s, it’s the Union’s position that the “waiver” does not continue after the contract expired on December 31, 2007, particularly because the Union didn’t sign a contract extension. We don’t expect to receive the ruling until September. I will be reporting to you further as information becomes available.

First Transit Handbook:

Recently First Transit Inc. issued a company Handbook and instructed all First Transit properties across the country, including those who are unionized to implement. Because we represent two First Transit properties the union has filed a grievance with both locations and we’re in the process of filing Unfair Labor Practice charges as well. We have since voted to proceed to arbitration at our Everett location and in the process of scheduling that now. In the meanwhile, I encourage all members to be especially careful since the new handbook is much more unforgiving than the old. Stay tuned... more to come on this. Thanks for your patience as we work through this mess.



President's Report (continued)

I often say (if I even had the time!) I could write a book about all the issues, matters and for lack of a better word, outrageous and unreasonable decisions that the union is forced to deal with. Since these are just a few highlights, continuing any further could be the start of that book. But as I have always said, it's because of the patience, encouragement and trust that you have shown that make it possible for us to keep up the good fight.

In closing, many of you have expressed your well wishes for my father Lance Norton, who retired on June 30th as President/Business Agent for ATU Local 587- King County Metro. He asked that I thank you for your kind words. My Dad, whom you know I am so proud of, has been a proud ATU member for over 44 years. He had served as President of his New Jersey Local years ago and the membership of Local 587 in the capacity of an Executive Board Officer for many years and the Union President for nine years.

He will without doubt be missed by so many. For those of you who know him, know of him or hoped to get to know him, you know that he was highly respected for countless reasons. Perhaps on the forefront was his devotion and dedication to the union, what it stands for and its membership. Although some may say that a new era is about to begin, I hope that is not true. I hope we will continue what my father started over 44 years ago. I've been lucky to have had such a wonderful teacher and I'm honored to be tasked with carrying on his legacy that has made me so very proud.

During my Father's term as Union President for Local 587 he wrote hundreds of (sometimes controversial) newsletter articles. He always closed his article in the same way, "Regards to all... Be Safe..." Now that he's retired, I think it only appropriate that I to carry on that tradition and hopefully so many more. I look forward to seeing you all soon and hope that you have a safe and exciting summer.

Regards to all... Be Safe...
Kathleen M. Custer



Vice President's Report by Rick Jurkovic

19 Months Without A Contract

I get asked so many times during the course of the day by Drivers at Community Transit what's going on with our contract that I thought I would share with you what I know. I hope that it helps you understand where we are in the process of getting a contract. First Transit and Senior Services in Everett, although they have a contract, also wonder what's going on at CT and why it is that way. At First Transit in Lakewood, we are currently in contract negotiations and although things seem to be dragging out, we will be discussing economics at our next meeting, so it is not the same as the situation we have with CT.

The history at CT is an age old "union busting" tactic of dragging out negotiations to drive a wedge between the Union Membership and the Union Negotiating team. I don't believe that a contract has ever been settled in less than a year since Joyce Eleanor has been CEO. Some think that because she is from Texas, a right to work state, that she was a Union buster from the very beginning. There is also a school of thought that Lynn Starcher was recruited specifically to bust the Union. I have worked at CT since 2001, and have spent more time working without a contract than with one.

Union Busters spend tons of **public** money on legal fees. Recently, there was a grievance response which sat in their lawyer's office for a month and a half before it was given to us. Obviously HR has to outsource to their legal advisors at about \$300.00 an hour because they are not capable of making a decision without wasting public funds.

CT insisted that article 18.2 be included in Interest Arbitration, so we filed an Unfair Labor Practice. This was heard on June 8th, but unfortunately, the Arbitrator was scheduled for vacation immediately after the hearing and we will be lucky to get the finding by September. Meanwhile, our Interest Arbitration hearing is scheduled for September 21-25.

I have always been an optimist and my hope is that we can continue this fight. Hang in there, we are almost there, you have all been very patient. Neither ATU nor CT will get what they want in Interest Arbitration, but CT has made the decision this is where we must go.

I can't be prouder than to be part of a team that doesn't give up. President Custer has led the charge and I don't believe this is her last stand.

In Solidarity,
Rick



Commentary by John Sainz, Recording Secretary

Transit Safety

Last year, one of our brothers at CT was badly assaulted. The Lynnwood Police Department wouldn't send an officer until our Operator gave them the address of the Lynnwood Transit Center. Good Lord! There's what? Two blocks between the police station on 194th and 44th and LTC? The thug that assaulted our Operator got a ridiculous 18 DAYS IN JAIL. BIG WHOOP. So much for it being a felony to assault a Transit Operator. In June, an Operator in Spokane was assaulted in the downtown area. It took NINE MINUTES for a police response. In New Orleans, LA a passenger dumped a bottle of baby formula on the Operator then stabbed her with a 4 inch blade. The reason given: the Operator told the passenger she had to fold up her stroller. In Boston, MA a passenger who refused to pay the fare threw a handful of change at the Operator's head injuring one of the Operator's eyes. In Toronto, Ontario, an Operator was struck several times on the head leading to eye injuries and stitches. In Edmonton, Alberta, an Operator was assaulted by a group of teens and struck in the back of the head with a skateboard.

I read in the recent issue of In Transit that FEMA and the Transit Security Administration reported only \$23.1 million out of \$758.4 million available for improving Transit security was used. That's a paltry 3%. The going explanation is there are too many state and federal regulations to follow before the money can be spent. Our International President, Warren George, reported our brothers and sisters on the Canadian Council are pushing for passage of two bills before the House Of Commons which would help Transit Workers. President George reported Transit Workers receive very little protection under federal and state or provincial laws. In most cases assaults on Transit Operators are treated as simple misdemeanors. It is time for our Members of Parliament in Canada and the Congress of the United States to change this. What's next if they don't act? Say assaulting the Operator doesn't do it for the attacker so they decide to attack the passengers instead. Think it can't happen? Some time back a passenger on a Canadian Trailways coach attacked and killed another passenger who was asleep while the Driver was trying to get passengers off the bus before the attacker could carry out his threats.

President George said Transit Workers deserve to work in a safe and secure environment and asks for our support. Washington's two U S Senators are Patty Murray, who is on the Senate Transportation Committee, and Maria Cantwell. For most of, us U S Representatives Rick Larsen, Dave Reichert, Jay Inslee, Norm Dicks and James McDermott speak for us in the House of Representatives. I intend to send letters to each these individuals demanding action. We pay them to do "the peoples' business". Keeping us safe would certainly seem to me to be some of the peoples' business. Although it certainly seems they don't hear us, I guarantee if Members of Congress and Members of Parliament start receiving letters from thousands of Transit Workers across the United States and Canada, they will pay attention. They all want to stay in their cushy jobs with all the prestige and benefits they receive while they are in office and after they return to private life. The longer they stay in, the more money they receive at retirement. As I've said before, the safety of our Members is top priority for me. I am closely following the International's progress on the issue. I'll keep you posted.

Be safe and enjoy the great weather.

In Solidarity,

John



What Has the Union Done for Me Lately by Laura Sandoval, Executive Board Officer, First Transit Lakewood

First, a quick thank you to Management for the food for our bid on June 27th. Also, Executive Board Officer Roy Ott and I would like to welcome our new Drivers.

Lately, I have been hearing a lot of negativity about the Union which happens a lot during negotiations. Let me run down a short list of things Unions have done for the working class. The concept of "weekends" is brought to you courtesy of Unions. We have a history of guaranteed wage increases, medical benefits, paid vacations, health and safety policies such as OSHA, a grievance procedure, jury duty pay and we even have bereavement leave. The Union is only as strong as its Membership. Union Reps Roy Ott, Tony Digilio, the Executive Officers and I are doing what we can to improve working conditions for the Drivers. But again, we cannot help you if you don't let us know there's a problem BEFORE you go into a meeting with Management. Please, do not waive your RIGHT to be represented. Even a seemingly harmless "let's talk" type of meeting can come back and bite you later. There's been a lot of issues about getting write-ups 30 days or more later. You do not have to accept it until you ask for Union representation. They cannot deny you that right. Once you waive representation and accept the discipline they give you, we can't help you if we don't know about it. If you have a problem, come to one of us or write it up and drop it in the Union mailbox. A lot of work on our part goes on behind the scenes most of you are not even aware of because of the right to privacy of those facing discipline.

We all need to remember when you call out or are put on Light Duty status, we are "all" held accountable in some way. Let's all be careful out there and do things in the safest way possible. Look before you back up.

Lastly, please remember there is "NO SMOKING" in or around the shuttles. Also, there is no smoking within 25 feet of any entrance or window.

Have a safe and great summer,

Laura Sandoval



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Upcoming Charter Meetings

**Sunday August 16, 2009 @ 1:00 P.M.
(2810 Lombard, Everett)**

**Sunday August 16, 2009 @ 5:30 P.M.
(IBEW Hall, 3049 S. 36th, Tacoma)**

**Tuesday August 18, 2009
@ 10:00 A.M.
(2810 Lombard, Everett)**

Amalgamated Transit Union

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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.”

Shop Steward Training

Open to all Shop Stewards and Executive Board Officers

“Handling grievances as though you are going to arbitration”

The dates are August 1st and August 29th, 2009

The times are 10:00 AM to 4:00 PM

There will be two classes at each date, 4 different classes total

The training will be held at the Labor Temple– 2810 Lombard Ave. in Everett.

Please remember, only trained Shop Stewards will be considered to represent our Members. If you will need to be relieved from work that day please let Rick know as soon as possible so arrangements can be made. Food’s on us. See you there.