Local 70: Active when and where it makes a difference

At Local 70, we pride ourselves on being active wherever we feel we can make a difference. Recently, Local 70 has been at the center of events that we expect will have a great impact on workers.

In February, the International held a “Building Teamster Political Power” presentation hosted at Local 70. Our Local was among several that attended earlier meetings to make recommendations on how the International could improve their political program.

In response to our critiques, the IBT developed a new political program and presented it that day. The most exciting aspect of the new program is a smart phone app that will soon be available to all rank and file members. After downloading the app, members will have breaking news, political updates, candidate information, and upcoming Teamster events at their fingertips, well in time for the key November elections.

Taking on the gig economy
In March, we hosted meetings with drivers for the ride service Lyft. There is a class action lawsuit against Lyft by its drivers who are currently treated as independent contractors. Our Local, and the Joint Council are assisting them in their fight to be declared employees.

Many of the arguments being used by our legal team are ones that have been heard in our hall for years. An initial proposed settlement to the lawsuit was ruled inadequate by the judge. We will keep you updated as the case proceeds.

Supporting solid waste workers
In April we sent rank and file members to Sacramento to lobby and testify on behalf of Assembly Bill 1669. Solid Waste workers under contract in Local 70 have contractual rights to retain their jobs should the franchise be awarded to a different company. If passed and signed by the governor, this bill will provide similar protections to workers statewide. We will continue to advocate for these and other causes that benefit workers.

We finally get our say in the primaries…and other important elections

California will absolutely play an important role in the 2016 Presidential election cycle. Normally, we only matter in November because by the time our primary is held, the decisions have already been made. However, this year will be different. Both the Democrats and Republicans have contested primary elections. The outcome probably will not be settled by the time Californians vote on June 7.

However, this is not the only one reason why we need to be active politically all the time. Many local races, measures, and runoff elections will be decided in June as well. I will highlight a few key races.

U.S. Congress District 17: Our longtime friend and champion Mike Honda is being challenged for the second time by Ro Khanna. Ro is one of the “ Moderate” Democrats who are not always as friendly to workers as traditional Democrats. If no candidate receives more than 50% of the vote in June, the top two vote-getters advance to the election in November. Members who live in Southern Alameda county and Santa Clara county will decide this primary race. We recommend a vote for Mike Honda.

City Of Hayward: The June election is final in Hayward; there are no primaries. Hayward was traditionally a very labor-friendly city until recently. The city has negotiated, and in some cases imposed concessionary contracts on workers. Local 70 joins the Hayward Firefighters and other local unions to work towards changing this attitude for the better. We have made some progress, but there is much more to be accomplished. If you would like to help, or are a Hayward resident please call Lou Marchetti (510-406-3688) or Rich Fierro (510-673-0731).

We are making the following four recommendations for the Hayward City Council: Elisa Marquez • Matt McGrath • Al Mendall • Francisco Zermeno Measure D: Yes

The June election is just the beginning; watch for many more updates in the next six months.
Updates around the local

**Acco Engineering**

I recently completed negotiating a new three-year agreement at ACCO that provides wage increases of $0.50, $0.60 and $0.70, along with yearly CPI increases in pension in addition to securing the current TBT Plan 1 medical plan with MOB throughout the life of the agreement. Our members unanimously ratified this agreement.

**Crescent Truck Lines**

Chief Steward Bruce Germaine and I have negotiated a new three-year agreement on behalf of the Crescent Drivers who deliver the See’s Candy account. The new agreement provides for yearly wage increases of $0.50 and yearly pension increases of $0.25 per hour. Health care under the new Agreement is TBT Plan V-A with MOB throughout the term of the agreement.

**Freshpoint**

Business Agent Mark Hawkins, Lou Marchetti and Shop Steward Nick Miller have been in ongoing negotiations with Freshpoint. Ninety percent of the non-economic issues are resolved and the group will start addressing the economic issues in upcoming sessions.

**Xpedx/Unisource/Veritiv**

Business Agent Mark Hawkins and I, along with Stewards Don Cassina, Patrick Hickman and Julian Manjarrez, have been in ongoing negotiations since January with Veritiv Pleasanton, previously known as Xpedx, and now Steward Ken Moudy (Unisource) joins us in the Veritiv Pleasanton negotiations, previously known as Unisource negotiations.

After numerous days of negotiations the company still refuses to increase the pension rate or even allow the employees to divert money to their own pension. The company is adamant about Health and Welfare cost sharing and has not budged from their last offer of 85% of the cost to borne by the company and 15% by the employees. The next meetings are set for May 3 and 4. Unless the company changes its position soon, a strike action may be in the works.

**Upcoming Negotiations**

Local 70 is setting dates to commence bargaining with Pennzoil / Shell Lubricants and Service West.

**Organizing**

Local 70’s Executive Board has made a commitment to aggressively move on any viable organizing targets. Rich Fierro, Kelsey Frazier and Henry Buchanan are geared and ready to pursue the tasks ahead. We ask members who have potential organizing leads to please contact one of them.

**Stewards Meetings**

Vice President Jim Fried has arranged for training and updates for the Stewards and interested members at 9:00 am before each scheduled Saturday Membership Meeting. The April 16, 2016 topic is FMLA; the topic for June 18, 2016 has not yet been determined by the Stewards Steering Committee.

**Political Action**

Business Agent Lou Marchetti and Trustee Rich Fierro are Local 70’s Political Coordinators. We will be pushing for members and their family members who are not registered to vote to register. Those members who have a change of address or want to change to vote by mail also need to re-register. Check out Local 70’s Website for the proper forms.

We must continue to support and vote for the candidates who support Labor. The politicians who are in office affect the wages, benefits and conditions of workers. Rich and Lou are looking for members who have political interest and are willing to attend political rallies, dinners and functions.

**Retiree Club**

Local 70’s Retiree Club meets the Third Wednesday of each month at 11:00 a.m. in Local 70’s Auditorium. Membership cost is $26 per year. Club President Charlie Scano and Vice President Jay Gohl provide important updates that pertain to our retirees. Following the meeting is lunch and a raffle. Great conversation and stories. All retirees are invited to drop by and check it out.

**Reminder**

*The next membership meeting is Thursday, May 26, 2016 at 7:00 p.m.*

Local 70’s Proposed Resolutions to the 2016 IBT Convention...... Local 70’s Proposed Resolutions to the 2016 IBT Convention...... Local 70’s Proposed Resolutions to the 2016 IBT Convention......

Local 70 Resolution: U.S. Post Office

The U.S. Post Office now delivers more packages than any other carrier. They use a high percentage of part-time employees who earn about $15 per hour with virtually no benefits. They are undermining the UPS contract and our members! They also deliver on Saturday and Sunday and are now using subcontractors for residential deliveries.

Solutions:

- Approach postal unions about a level playing field.
- Politically, why should we subsidize the post office with tax monies when they compete with private industry

Local 70 Ontrac (and companies with similar business model) Organizing Resolution

Ontrac’s business model has owner-operator drivers paid by the number of packages they deliver; these are misclassified employees. They are 1099 employees that enable Ontrac to have shipping rates 40% of what UPS charges, which includes air freight that goes over the road. The reason? Ontrac’s business model allows them not to pay payroll taxes, Social Security, Medicare, workers compensation, state disability, health and welfare, pension, vacation, holidays, sick leave, etc. This business model undermines and threatens our tax structure, Social Security and Medicare. It undermines those companies who play by the rules and jeopardizes our
Preparations for IBT Convention going well; delegates elected and resolutions getting set

On behalf of the Officers and Officials, I want to thank you for participating in the voting process to elect delegates to the 2016 IBT Convention. I want to thank you for electing us. Your trust and support is appreciated and we will keep our commitments to best represent Local 70. The delegates are Marty Frates, Dominic Chiovare, Felix Martinez and Mark Hawkins. Due to a recalculation of the number of members in Local 70, we were awarded one additional delegate. The Election Rules provides that the first alternate delegate becomes the fifth delegate, which in this case is be Kelsey Frazier. The alternate delegates are Rich Fiero, Jim Fried and Henry Buchanan.

We have developed three resolutions that will be brought to the convention in order to protect our work and jobs (see below). These resolutions are: The Local 70 Organizing Resolution, The Local 70 Ontra and Companies with Similar Business Model Organizing Resolution, and the Local 70 US Post Office Resolution. The last two relate to unfair competition that undercuts package delivery rates, undermining our members’ jobs. The resolutions are listed below, they were all passed by our members and the unfairness of the tax.

We would all like to see a healthy community and, as Chairman of the Local 70 Health and Welfare Plan, I know diabetes and obesity are major problems and are costly to the plan. The citizens have a choice of what to eat or drink. If there is going to be a tax because of health concerns, then we should tax all unhealthy foods and drinks, not just one of them.

Change of Business Agent Assignments

Mark Hawkins will now take over the beverage industry assignments. I am happy with this change as Mark is visiting the terminals on a regular basis and has worked to develop important relationships. Mark will also take over as a Health and Welfare Trustee for the Beverage Trust.

National Politics

Local 70 has started a voter registration program and an effort to sign up members for D.R.I.V.E.— the Teamsters Political PAC. We cannot use dues money for political contributions, so members have to support our political voice on a voluntary basis.

This presidential race is crucial. Every Republican candidate supports right to work, which is devastating to organized labor, our contracts, and most importantly, to our members. We understand the political rights of everyone and respect them! Our recommendations are based strictly on their political positions for or against us. We will be recommending a democratic candidate for sure this time as Hillary Clinton and Bernie Sanders are both better than the Republicans.

Please join with us to support and protect what we have by registering to vote and join D.R.I.V.E. and consider our recommendations as to who to vote for.

Pension Campaign

Local 70 Officers and Officials will be submitting a Pension Resolution to the membership for approval at the April membership meeting. We anticipate that it will pass. We will then approach other Local Unions for support and will submit it to the Resolutions Committee for our convention. This issue must be dealt with!

Sec-aed Resolutions to the 2016 IBT Convention...... Local 70’s Proposed Resolutions to the 2016 IBT Convention......

Members’ Jobs and Benefits

We need to develop charts that show what UPS pays versus what Ontra and other similar companies. We need to level the playing field.

Solutions:

• Utilize organizing proposal
• Politically, go after Ontra’s business model – key points to formulate support:

1. Fair tax system – it will go broke with the 1099 business model.
2. Social Security – will go broke, because less money is being paid in.
3. Medicare – will go broke, because less money is being paid in.

Local 70 Organizing Resolution

We need to develop an organizing plan that will apply to all organizing drives.

Example – FedEx Freight, the plan – a map of the United States identifying every FedEx freight terminal, highlighting the break bulk terminals. Based on jurisdiction, a local union will be assigned each terminal and be responsible to do their part in the organizing drive. The IBT would then do the research on the company, business model, finances, customer base, etc. and develop a program to approach the employees, provide information, and solicit input. This employee outreach will be done on the same day at every location and employees will be informed that it’s being done at every terminal. The local union that does not do its part would immediately be put into trusteeship, no exceptions; this is a must! This program has a chance because it brings the employees together and gives a sense of unity and limits the employer’s ability to fight the organizing drive.

This program can be used in all organizing drives on a National or Regional basis. It can also be used to protect industries we have under contract, such as solid waste and recycling, grocery, beverage, and more.
Wheels of justice can turn slowly

Teamsters Local 70 has a well-earned reputation of fierce representation. No matter the cost or cause, if a member is in need, Local 70 will respond. Over the last several months Teamsters Local 70 has resolved some cases through arbitration that were long overdue.

In October of 2011, Paul Jefferson was wrongfully removed from his job at Waste Management. Our Local made attempts to resolve the case, but the company utilized every available avenue and forced Local 70 into one of our longest arbitrations ever.

This case potentially could have had a negative impact on all Waste Management workers. Local 70 never blinked and Jefferson was awarded his job back by an arbitrator in February, 2014. After many months, however, the back pay amount was still in dispute. The Local took Waste Management back to arbitration again!

Finally in December, 2015, after more than four years, the arbitrator ruled in favor of the Local and Jefferson was made whole!

Over at UPS Freight, only after several managers left the company did the union finally get to the table to resolve two longstanding grievances.

First was for member Nick Perron, who was being sent home out of seniority. Unfortunately timing prolonged the settlement by more than six months. The UPS Freight panel system allows each side to postpone one time. If a grievance is filed after the panel deadline and the company postpones, we may wait 6-9 months for a resolution.

In Perron’s case, the company's inability to follow seniority was corrected by the panel. The length of the case just made it harder for a bigger smile on Nick’s face after seeing his back pay award.

Next on the docket was an “all affected” grievance filed by Trustee Henry Buchanan. The grievance was over new contract language that has a mathematical/hourly pathway for casual employees to achieve full-time status.

After countless requests for correct information and months of deliberation starting in May, 2015, Local 70 successfully moved 10 members to full-time status. The good news doesn’t end there; eight of the 10 will receive a full-time seniority date backdated to when the grievance was filed.

The wheels of justice turn slowly. But time does not deter the never-waivering ferocity of Teamsters Local 70.

For Local 70 members who are sick or hurt; We want to hear from you—you may have benefits coming.

SICK BENEFIT FUND
Monthly Meetings—2nd Tuesday at 11 a.m.—3 p.m.
1-800-243-1350 or 510-569-9317
To be eligible for Sick Benefits, claims must be filed at Local 70's office within thirty (30) days of disability. Also, dues for the previous month must have been paid on time. For more information, see the Sick Benefit Fund Bylaws, Section 4.