



# TEAMSTER

## Northern California

Serving more than 70,000 Teamsters and their families

Volume 51, Number 5

December 2006/January 2007

## Working families shake up Washington and California

On November 7, working families voted and their participation made a huge difference—in California and across the nation.

Labor's endorsed candidates won seven of the nine statewide offices. In the two races that labor lost, Governor and Insurance Commissioner, polls show that the Republican candidates won not because they embraced a hard-right agenda, but because they tried as much as possible to hide the fact they were Republicans.

Arnold Schwarzenegger spent the last several months campaigning on issues that unions have championed for years—a minimum wage raise, prescription drug reform and education funding.

“Our job will be to keep Arnold focused on doing the right thing for working families and not return to his pre-election year, anti-union self,” said President Chuck Mack.

Nationally, with the House and Senate now led by Democratic ma-

majorities, labor has an opportunity to gain positive action on issues such as universal health care, retirement security, the Employee Free Choice Act, fair trade agreements, safe highways and national security. With long-time friends such as Nancy Pelosi serving as the first female Speaker of the House, and Congressman George Miller appointed to lead the House Education and Workforce Committee, Teamsters will be heard again in Washington.

“The new Congress can and must reverse action on the Bush administration's misplaced priorities,” Mack added.

Across the Bay Area, Teamsters were active in local races and most Labor-endorsed candidates won handily. Local 665 thanks Teamsters and their allies for their help in defeating Prop E, which would have displaced hundreds of Teamster jobs.

### Hoffa re-elected Teamsters General President

Armed with the power of democracy, Teamsters across the nation cast their ballots for their international officers, giving General President James Hoffa and General Secretary-Treasurer Thomas Keegel another five year term. With a month to complete mail-in ballots, members voted by a two-to-one margin for the Hoffa slate. The official tally was released on November 20.

“This was an overwhelming victory,” says President Chuck Mack who was re-elected by acclamation as Western Region Vice President. “The election shows tremendous support for the Hoffa administration and those who ran with him. The strength of the victory gives Hoffa a mandate to expand on his successes and continue to fight on behalf of the members' best interests.”

Mack added that Teamster elections are unique in the union movement. “We're one of only a few unions whose members have an opportunity to elect their national officers directly; that process gives the organization a dynamic that most others unions don't have. I only wish that more members participated because the process is very expensive.”

“The members have spoken,” Hoffa told hundreds of supporters at his victory party. “Together we will continue leading the fight for all working families. We are organizing the unorganized, fighting for strong health care, good wages and a secure retirement, and holding employers accountable to our members.”



Locals 350 and 665 went barnstorming in a cable car across San Francisco to bring out the vote on Election Day. (Above) Local 350 Secretary-Treasurer Robert Morales and Local 665 Secretary-Treasurer Ernie Yates flank U.S. Senator Dianne Feinstein and are joined by members and officers of both Locals. At Right, U.S. Senator Barbara Boxer joins the festivities. San Franciscans overwhelmingly rejected Prop E which would have put many Teamsters in the parking industry out of jobs.



¡Felices Fiestas! • Happy Holidays

The officers and staff of Teamsters Joint Council 7 and its affiliated locals wish you much happiness this holiday season and peace in the new year!

节日快乐 • Feriados Felizes! • Bonnes Fêtes!

### Important Notice

To: Participants and Beneficiaries of the Teamsters Life With Dues Benefit Plan (Trust Fund)

Important information about your rights under the Plan, and under the Employee Retirement Income Security Act, is included in this newspaper. This information should be read by you and retained for future reference.





## UNION PEOPLE

### Farewell and thank you to Commercial Driver's Training Lead Instructor Gary Payton

After serving as Lead Instructor for Joint Council 7's Commercial Drivers Training Program for four years, Gary Payton is leaving to return to his previous job at ABF. The Joint Council's officers thank him for his service, as do the many students that improved their careers due to his hard work and dedication.

Gary first joined the Teamsters in 1975 in Southern California. When he moved to the Bay Area in 1989 he became a member of Local 70.

Besides training many Teamsters to become commercial drivers, Gary also made the school a resource for the Employment Development Department and various vocational rehabilitation programs.



Drivers Education Program Lead Instructor Gary Payton enjoyed working with voc rehab students most.

When asked about the most rewarding aspect of the job, Gary didn't hesitate: "Training Teamsters in a new skill and improving their job opportunities was great, but the vocational rehabilitation students made me feel the best. Many felt they would never get a chance to make good; now they have good jobs and a new attitude."

The three students pictured at the left graduated from



L to R: Pepsi Shop Steward Carlos Tiscareno, new graduates Eddie Johnson, Marlon Mejia, Chao Wright Balm, Business Agent Lou Marchetti, and new instructor Ron Hermanson.

Gary's last class. Business Agent Lou Marchetti was able to secure grant money from Alameda County's Job Training Program to convince Pepsi to utilize the JC7 program. "Pepsi does a good job training the merchandisers to drive, but you can't beat the JC7 Program," said Marchetti.

To date, seven merchandisers have completed the program with more to follow. Once they complete the class, they fill driving bids that pay \$3.00 an hour more and double their current

pension contribution rate. "Shop Steward Carlos Tiscareno has done an excellent job coordinating between the merchandisers and the school to keep the program running," said Marchetti.

Ron Hermanson will take over as the school's new Instructor. Ron is a longtime Local 70 member and is looking forward to his new job. The Joint Council is confident that Ron will maintain the program's tradition of success.

## APPLY NOW



CONTACT

YOUR LOCAL FOR AN APPLICATION

### Free Hazardous Materials Training

New standards for transporting hazardous materials are coming into effect. To enable Teamsters to comply, we offer free training:

- ✓ 4-hour DOT (HAZMAT) Hazardous Materials Awareness course and refresher
- ✓ 40-hour (HAZWOPER) Hazardous Waste Materials course
- ✓ 8-hour (HAZWOPER) Hazardous Waste Materials refresher

To sign up, call Barbara at 415-344-0085.

### Success is a Journey...

#### James R. Hoffa Memorial Scholarship

International Brotherhood of Teamsters  
2007-2008 Academic Year Scholarships

##### What is the deadline?

Deadline for Application March 31, 2007\*

##### Who should apply?

High School Seniors who are children or grandchildren of Teamster members

##### What are some of the basic requirements?

- Rank in the top 15% of high school class
- Have or expect to have excellent SAT or ACT scores
- Demonstrate financial need

##### How many scholarships will be awarded?

One hundred scholarships will be awarded: 31-\$10,000 awards, 69-\$1,000 awards. Applicants compete in one of five geographic regions where the Teamster parent's/grandparent's local union is located.

##### Where are the forms?

Complete information and forms are available for download online:

<http://www.teamster.org/resources/students/scholarship/scholarship.htm>

This website also contains information on other scholarship and student loan resources for union families. Members are encouraged to investigate all of the resources available on this website.

James R. Hoffa Memorial Scholarship forms will also be available on request at the Local's Business Office.

\* Because all completed forms must be submitted to and processed by your Teamster Local prior to their being forwarded to the IBT, it is suggested that forms be mailed to your Local by March 17.



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**When sending in your address changes, please include your Local number.**

Debra Chaplan, Managing Editor



## YOUR LEGAL RIGHTS

### State can't fund anti-union campaigns

In October, the Ninth Circuit Court of Appeals issued an opinion that will make it harder for California employers to oppose union organizing campaigns.

In *Chamber of Commerce v. Lockyer*, the Court held that a California law that bars employers from using state funding to assist, promote or deter union organizing is not preempted by the federal National Labor Relations Act and does not violate the First Amendment. In other words, the California law is not blocked by conflicting or superior federal law.

#### Law evens the scales

California enacted Assembly Bill No. 1889 in 2000 to ensure state neutrality in union organizing. By prohibiting an employer from using state money to finance an anti-union campaign, the law attempts to avoid "tipping the scales" in favor of employers.

AB 1889 forbids the employer from using any state funds to influence the decision of its employees regarding whether to support or oppose a labor organization or whether to become a member of any labor organization.

The law further requires that employers certify that no state funds will be used to assist, promote or deter union organizing. If an employer makes any such expenditures, they must maintain records which demonstrate compliance with the law. An employer who makes such expenditures and who commingles state funds and other monies is presumed to have used state funds to assist, promote or deter union organizing. Employers who vio-

late this law are subject to fines and penalties, which includes the return of state funds used for prohibited purposes and a stiff civil penalty.

#### Employers lose challenge

A group of employer organizations challenged the validity of the California law. They argued that the law impermissibly regulated employer speech about union organizing and conflicted with federal law.

The court held that although the law regulated employer speech in the context of union organizing, it did not interfere with the employers' First Amendment rights. The court emphasized that the law did not regulate the use of the employers' own funds, it merely prohibited the use of state funds. California employers are under no compulsion to seek state contracts or grants. If they voluntarily choose to do so, the state may attach a reasonable spending restriction that does not bar employer conduct and only limits the use of state funds from financing one side of a union organizing drive.

The *Chamber of Commerce v. Lockyer* decision is a major victory for California unions. Any private employer who receives state funding will have to segregate and account for such money, or take a position of neutrality in labor disputes. Employers that receive state funds will have to choose between complying with burdensome accounting and reporting requirements or remaining neutral in union organizing campaigns.



## NEWS FROM TAP

### TAP responds to rising rates of stress and anger in the workplace

Acts of workplace anger and aggression cost companies and organizations billions of dollars annually, while placing a tremendous toll on the emotional and physical health of employees and their families. In 2003, a Society for Human Resource Management (SHRM) study showed that more than half of U.S.-based companies have experienced some sort of workplace violence, with verbal threats being cited by 41% of respondents as the most common form.

Employers who ignore warning signs that lead to a violent incident, can be held legally liable. However, many employers and managers fear litigation and do not intervene when anger surfaces in the workplace. The average cost for a lawsuit is \$700,000, therefore, it is clearly in a company's best interest to deal with hostile employees before they become aggressive or violent.

Anger management saves companies money. Studies show that anger management programs also account for an increase in morale, an increase in workplace performance, a reduction of sick-day usage, and a dramatic decrease in workplace conflicts.

#### TAP classes help members cope more effectively

Over the last 10 years, TAP has seen a steady increase in the number of supervisor and business agent referrals for anger and stress problems. Each year we help more and more Teamsters who, following an incident in the workplace, must complete anger management in order to keep their jobs.

More and more, a "problem employee" is not simply referred to the Employee Assistance Program (EAP); he or she is now mandated to comply with the EAP recommendation before the company will allow them to return to the job. Since anger is not, by itself, a diagnosable mental disorder, health plans typically don't cover anger management treatment. Some plans do, such as Kaiser, but anger management classes are sometimes offered only every three months.

TAP recognized the importance of stress management and has been conducting on-site training since 1998. Such trainings are part of the services TAP provides at no cost to employers through participating Teamsters health and welfare plans.

Recognizing that employees may be reluctant to attend any program that might imply mental or emotional disturbance, TAP classes are designed to teach skills in managing stress and anger, improving communication, and increasing empathy.

Stress and Anger Management Classes are quickly becoming one of the most recognized methods for effectively helping individuals learn to manage and control anger, stress, hostility and aggression, as well as increase awareness in skills that can produce more positive outcomes. Anger is a normal human emotion; however, if it is not expressed appropriately it can have devastating and lasting effects on any relationship.

Anger and stress management classes teach participants how to:

- Recognize and appropriately respond to normal angry feelings;
- Improve judgment and impulse control as well as manage stress and anger more effectively;
- Experience less conflict with managers, co-workers, family members, parents & teachers;
- Increase capacity to create positive outcomes in relationships;
- Improve ability to communicate with others in a way that clearly states feelings, moods and needs;
- Learn effective stress management techniques to stay calm and reduce anger-aggression;
- Develop the capacity to influence others by one's own behavior;
- Enhance skills in empathy and emotional awareness to make more positive connections with others;
- Decrease absenteeism, increase teamwork and productivity, reduce liability for self and employers;
- Gain skills in forgiveness as well as how to more accurately manage expectations.

Through our outreach and training programs, TAP tries to assist Teamsters and their families before anger, stress, or substance abuse problems arise with managers, co-workers, family, the police or child protective services.

We are willing to go to any workplace or Union meeting at any time to inform Teamsters who are insured through participating Health and Welfare Trust Funds about our services and how to confidentially access them. Call us at 510-562-3600 or 800-253-8326.





## President's Report

by  
**Chuck Mack**

### Who would have thought?

It was a "who would have thought" election. First, who would have thought Arnold Schwarzenegger would overwhelmingly be reelected Governor?

Just a year ago Californians handed him his head when they dumped several anti-labor propositions he placed on the ballot in a special election. His approval rating fell like a rock; his demise all but assured. In one of California's most remarkable political comebacks, Schwarzenegger not only won, he wiped out Phil Angelides.

He'll begin his term of office with a bipartisan appearance and his popularity restored. Working people, even those who voted for him, have to feel uneasy. Who is this guy? What does he really stand for? Who does he listen to and what will he do? Time will tell. Our position: hope for the best – prepare for the worst.

"Who would have thought" – Democrats take control in the House of Representatives. January's fantasy became November's reality. They needed to win 15 seats; they won 28. Democrats have a solid majority.

That's good news for workers. It means the anti-union pro-corporate agenda Republicans were pushing has been derailed. Privatization of Social Security is dead and the attempt to shift health care and pension costs from the corporation to the individual, while not dead, has taken a near fatal hit. Look for Democrats to push a minimum wage increase and get something going on health care. It will be great to go from being reactive to being proactive.

"Who would have thought" three – Democrats take over the Senate. What many believed impossible has happened. It will be a different Washington, D.C. come January. Hey, it will be a different country come January.

For Teamsters who live in California, the change in power is a plus. Many California Democratic House members will have important committee assignments because of their seniority. They

### Pension accrual rate increased for 2007

The Western Conference of Teamsters Pension Trustees are pleased to announce that they will increase the accrual rate from 1.2% (where it's been for three years) up to 1.65% for the year 2007.

"We know that our members watch this rate closely," says Chuck Mack, who serves as a trustee along with Local 853 Secretary-Treasurer Rome Aloise. "The rate has been as high as 3.5%, but due to the economic downturn, we were forced to cut it to 1.2% to stay fiscally prudent."

On the positive side, Mack continued, "we

will be able to influence, even direct, policy on work related matters that affect our members and their families. George Miller, Pete Stark, Tom Lantos, Barbara Lee, Sam Farr and Zoe Lofgren will chair full committees or important sub-committees. On the Senate side, Dianne Feinstein and Barbara Boxer are also expected to chair committees and play major roles in Senate policy development.

We know the players; we've worked with them and supported them for a long time. It gives us an unprecedented opportunity to provide member input in national decision making.

One more thing—committee hearings. The majority party has the right to schedule all congressional committee hearings. We saw how important that is in the Safeway dispute 15 years ago. The company was closing its Fremont and Richmond warehouses and moving the work to Tracy.

They refused to take the contract and the Teamster members who, in some cases, had been company employees for a lifetime. Tom Lantos called a hearing in San Francisco that focused congressional and public attention on the company's outrageous plan to abandon its workers. The hearing was a major reason the company changed their position and allowed Teamster members to move with their jobs, and it's a major reason why we represent 1,300 people at the Tracy Distribution Center today.

Finally, "who would have thought" Nancy Pelosi would be elected Speaker of the House of Representatives or moreover who would have thought any woman could be elected Speaker. Her election is deserved. She worked long and hard to build a majority. She's visionary, tough, smart, articulate and compassionate—all qualities a great Speaker needs. Her election is historic—it advances not just the cause of women, but of all Americans.

And "who would have thought" Northern California Teamsters would be able to call the Speaker of the House of Representatives "friend."

haven't had to make any benefit cuts. Our plan is very healthy, when measured by any standard. From an actuarial standpoint, it's close to being fully-funded, which helps ensure that all members will receive full benefits through their retirement years.

The trustees were able to increase the rate based on good investment experience over the past few years. By late 2007, they will assess whether they can maintain or even increase the accrual rate in 2008.

See the article on page six for more information about the state of the pension plan.

*With Democrats taking charge of the House and Senate, we have "unprecedented opportunity to provide member input in national decision making."*



### Local 890's new Executive Board



Local 890's new Executive Board: (L to R) Trustee Eleanor Pineda, F. Roberto Sanchez, Secretary-Treasurer Tony Gonzalez, Recording Secretary Paul D. Staudt, President Crescencio Díaz, Trustee Ramiro Navarro.

### Local 315

#### Change at the top

On August 31, 32-year Teamster member Steve Gutierrez retired as President of Local 315, a position he held for eight years. Jim Sveum was unanimously appointed by the Local's Executive Board to fill the mid-term vacancy as President of Local 315.

"Steve was a great president and an excellent organizer—and now he'll have time to enjoy his Teamster pension. I look forward to working with Jim," said Secretary-Treasurer Dale Robbins. "He's got great energy and enthusiasm."

### Local 287

#### Justice for Teamster operator at Sentinel Transport

Local 287 won an arbitration in November that may be the largest back pay payout the Local has won for any member. "We're still computing the final numbers," said Business Agent Bob Blanchet, "but we know this will be a sizable settlement."

On November 10, 2005, Transport Operator Joe O'Brien was driving the company truck for delivery in Monterey when the vehicle's trailer struck a guardrail which destroyed the tire and resulted in \$27,000 in repairs to the trailer. The truck and trailer were fully loaded with gasoline.

The company discharged O'Brien for various reasons including violation of safe work practices and causing a major preventable vehicle collision.

Blanchet protested the company's position claiming that they failed to meet the burden of proof under just cause. "The company

bears the burden of proof. Although its cause the No. 1 cause there is a lack of showing that t out such com cannot be four

After care Paul D. Staudt O'Brien must position with res and benefits v legal rate.

Sentinel Transport organized by been under co has been a tan tinel employee since the comp

"This was a Local 287," B

#### New office

The memb following off serve a three y 2007: Bill H Blanchet, PR Recording-Ser President. Th Jerry Cordov Sandoval. Bol Jerry Sweeney for the Local.

#### Park an

With a 74 drivers, cashie at Park and FL on September



# AROUND THE LOCALS

## Local 78 stands proud



President Frank Gallegos, Trustee Secretary Robert Barragan, Vice

den of proof," Blanchet said. theory of what happened to November accident is attractive, lack of concrete evidence clearly the grievant was at fault. With- convincing evidence, just cause and to exist."

ful consideration, Arbitrator dohar awarded the following: be reinstated to his former po- storation of seniority, back pay with interest at the prevailing

transport, based in San Jose was Local 287 four years ago and contract for three years. O'Brien driver for 21 years, a Sen- e for 10 years and a Teamster company was organized a huge win for O'Brien and for Blanchet added.

## Local 78

ers for next three years ers of Local 287 elected the icers and business agents to year term beginning January 1, oyt, Secretary-Treasurer; Bob resident; Jack C. Hampel, cretary; Marvin Jones, Vice- e Local's three Trustees are a, Victoria De Leal and Ken b Blanchet, George Netto and y will serve as Business Agents

## Local 78

### Local 78 Fly the union way

% margin, the 30 shuttle bus ers and valet parking attendants y at the Oakland Airport voted 29 to be represented by Local

78. The campaign was led by Business Agents Ron Paredes and Dan Varela.

"We're confident the contract negotiations will be favorable," said Varela, "because they're already organized in San Francisco."

### Cal is the challenge

The 40 employees at U.C. Berkeley Park- ing Concepts, Inc. had their choice of being represented by Local 78 recognized through card check agreement.

"We won an election with this company at Oakland's Franklin Street lot, and were able to get a contract there," said Business Agent Ron Paredes. "We know that this employer is willing to give their employees a decent contract, but U.C. Berkeley won't agree to it. In fact, U.C. is fighting this all the way. We'll have to get some political assistance if we're ever going to win this."

## Local 890

### Organizing victory at River Ranch Fresh Foods

On November 15, 2006, Teamsters Local 890 informed management at River Ranch Fresh Foods that a majority of the company's receiving, cooling, and production forklift operators working in Salinas and El Centro have signed cards designating Local 890 as their representative. There are 72 workers in the unit, and the Local has authorization signatures from 75%.

Local 890 Vice President Crescencio Diaz stated: "These workers want to stabilize their wages and benefits, and get the same protections all the other River Ranch union

members have. Getting a card majority and demanding a card-check is a huge step in the right direction for all of them. The Union expects the Company to do the right thing and commence negotiations to cover these employees under our existing contract." Over 800 Local 890 members employed at River Ranch Fresh Foods are already covered by a Teamsters 890 contract. The forklift operators were the only large group of non-union employees at the River Ranch salad plants.

"We also want to thank the IBT Organizing Department for promptly sending in their trained organizers to assist the Local in our drive to unite these workers. IBT organizers Esperanza Torres and Suzy Madera were instrumental in organizing this group of Spanish-speaking workers, many of whom actually live across the border in Mexicali, Mexico," Diaz added. "Si Se Puede!"

### Taylor employee elected

Ramiro Navarro, an eight-year employee at Taylor Farms was elected in September to the post of Trustee on the Local 890 Executive Board. The Executive Board decides the policies of the Local Union, and is elected by the members every four years .

"By serving on the Board, I will be able to speak for my co-workers at Taylor Farms and the other salad plants," said Ramiro. "I will go to the Executive Board meeting every month, but I will still work every day at the plant, and will be talking every day with my co-workers. In 2008 we will be negotiating a new contract for Taylor and the other salad plants, and it's important for the salad plant workers to have a voice on the Union Executive Board."

## Local 278 retirees enjoy another great picnic



The 278 Retirees Club had its annual picnic on September 22 at Coyote Park in San Mateo. The planning committee reports that the food was delicious, the Bay Area weather cooperated and the prizes were, once again, outstanding. A good time was had by all!

## Local 70

### Bestway San Leandro employees sign their union cards

In August 2006, approximately 60 employees at the USF Bestway San Leandro terminal voted to become members of Teamsters Local 70. An overwhelming 67% signed pledge cards requesting union representation in an effort to gain increased job security, seniority rights, a way to address favoritism and improved pension benefits.

Because a majority of workers signed authorization cards, the company recognized their wish to form a union. The card-check neutrality clause allowed Local 70 to organize the workers in less than 30 days.

This victory came on the heels of two other recently organized terminals— Modesto and Sacramento.

The recent purchase of USF Bestway by Yellow Roadway Corporation (YRC) paved the way for a Teamster card check neutrality agreement with the company. Under this agreement, the company agrees not to harass or enter into any negative campaign against the union or the employees in its efforts to organize.

With this agreement in hand, Local 70 was able to organize the San Leandro workers in less than 30 days.

The organizing drive was a joint effort by Chuck Mack, Bob Bell and Bob Aiello. We also got support from IBT Organizers Rob Nicewonger, Andy Budai and Jesse Casqueiro.

Our momentum continues to build because USF Bestway workers want more security for themselves and for their families. USF Bestway workers know that Teamster contracts will make their lives better.

Contract negotiations begin in December. We will begin working with the volunteer Organizing Committee in December and holding classes and seminars to ramp up for the next campaigns.

## Local 853

### SF Printers union merges

In August, the members of Local 583, a San Francisco-based printing union that had been part of the Graphic Communications Conference, voted to merge with Local 853. (The GCC was formed when the 60,000 member GCIU merged with the Teamsters in 2005.)

"We're proud to have these 520 highly skilled printers choose to join with us," said Local 853 Secretary-Treasurer Rome Aloise.

Former Local 583 President and now Local 853 Business Rep Lee Lahtinen agreed. "Printing is an ever-changing industry and our members wanted the strength and stability of a strong Local behind us."



## TEAMSTERS JOINT COUNCIL 7

### Executive Board

Chuck Mack—President  
Steve Mack—Vice President  
Robert Morales—  
Secretary-Treasurer  
Rome Aloise—  
Recording Secretary  
Ernie Yates—Trustee  
Carlos Borba—Trustee  
Franklin Gallegos—Trustee



### Delegates' Meetings:

The regular delegates' meetings are held the first Tuesday in February, April, June, August, October and December.

**Please note:** The **Bulletin Board** is included in the paper only once each year, in the Feb/March issue. We print address and meeting changes on an ongoing basis.

## Reminder

General meeting notices were posted in the June/July issue of this paper. For meeting dates and locations, refer to that notice or call your Local Union.

15 . . . . .	510-487-1386	490 . . . . .	707-643-0387
70 . . . . .	510-569-9317	624 . . . . .	707-542-1292
78 . . . . .	510-889-6811	665 . . . . .	650-991-2102
85 . . . . .	415-344-0085	853 . . . . .	510-895-8853
278 . . . . .	415-467-0450	856 . . . . .	650-635-0111
287 . . . . .	408-453-0287	890 . . . . .	831-424-5743
315 . . . . .	925-228-2246	896 . . . . .	707-644-8896
350 . . . . .	650-757-7290	912 . . . . .	831-724-0683



## BULLETIN BOARD

— Meeting changes only —

### Local 15

Due to the Christmas Holiday, the December Membership meeting will be held Monday, December 18. The location will be at Local 853's meeting room, 2100 Merced Street, Suite B, San Leandro.

### Local 70

The December Stewards Council Meeting will be held Saturday, December 9 at 8:30 a.m. The December membership meeting will immediately follow at approximately 10:00 a.m. The January, 2007 meeting will be held the fourth Thursday of the month at 7:00 pm.

### Local 78

Due to the Christmas Holiday, the December Membership meeting will be held Monday, December 18.

### Local 665

Due to the Christmas Holiday, the December Membership meeting will be held Tuesday, December 19.

**NOTICE:** Per Section 29 of the Local Union bylaws, changes in the Local Union initiation and re-initiation fees will be reviewed and voted on the fourth Tuesday of January, February and March 2007 at the regular monthly membership meeting: 7:00 p.m., 295 89th Street, Suite 306, Daly City CA

*Ernie Yates, Secretary-Treasurer.*

### Local 856

The December Membership meeting is cancelled. The January, 2007 Membership meeting will be held Tuesday, January 30, 7:30 p.m. at Local 856.

## Pension plan update

*The failure of pension plans in the airline industry and in manufacturing has raised a level of concern about defined benefit pensions. No matter what terminal, warehouse, or worksite, members want to know if their pension is secure and if it will be there when they retire.*

*The good news—the Western Conference of Teamsters Pension Plan is solid, secure and performing well. Pension Plan Trustees on the union side asked Union Caucus Chair Tony Lock to provide an update on the Western Plan. That information follows. It should provide members a level of comfort for the future.*

► Plan assets now stand at \$29.6 billion—the highest level in the Trust's 51-year history.

► The Plan continues its drive toward full funding, having added hundreds of millions of dollars of funding strength over the past three years. On a market value basis, the Plan's vested benefit liabilities are 100% funded, and the level of investment returns required to create future actuarial gains decreases in each upcoming year through 2010.

► Participation in the Plan has increased in each of the past two years, with the number of employees reported in an average month up over 2% from 2003 levels. In fact, over 6,000 members of new groups not previously in the Trust have voted to join in recent years.

► The Plan received a record \$1.2 billion in employer contributions in

2005. This is an increase of 7.1% over the prior year...and demonstrates again the ongoing strength of the Plan, as bargainers continue to voluntarily designate increases to the Pension in each contract settlement.

► The Plan paid \$1.8 billion in benefits to over 190,000 recipients in 2005—new highs in both categories.

Trust investment performance ranked in the top 3% of the Wilshire Cooperative Universe of Employer-Union Pension Funds nationwide.

► A Participant who draws an Age Retirement Benefit on average receives, in the first 39 months of retirement, an amount equal to every dollar of contributions made during his working life. After 39 months, investment earnings and interest pay the benefits, which is why it is so impor-

## In Memoriam

*Joint Council 7 officers extend condolences to the family and friends of the following Teamster members who died recently*

TEXERA, Richard, Local 15	SALINAS, Arturo, Local 287
CRACKBON, Charles, Local 70, 85	SALINAS, Paul, Local 287
GORMAN, William, Local 70	TERRON, Michael, Local 287
PORCH, Mitchell, Local 70	TOLOSANO, Calvin, Local 287
RODGERS, William, Local 70	VACCARO, Michele, Local 287
VASE, Ray D., Local 70	VIERRA, Albert, Local 287
GIPPETTI, Steve, Local 78	WYATT, Dewitt, Local 287
LAMENDOLA, Carmelo, Local 78	CANARIO, Antonio, Local 315
MERTZ, Alvin, Local 78	DELGADO, Benjamín, Local 315
THOMPSON, Rodney, Local 78	MOONEY, Charles, Local 315
BORG, Julian, Local 85	PHILLIPS, Ormond, Local 315
HESS, Karl, Local 85	TONNEY, Lane, Local 315
MADRONICH, Paul, Local 85	WATSON, Elven, Local 315
MILOS, Richard, Local 85	BIRD, Wilbur, Local 484
PARAVAGNA, Charles, Local 85	DEL GRANDE, Virgilio, Local 484
RIOS, Richard Acevedo, Local 85	GONZALEZ, Demetrio, Local 484
ROGERS, Joseph, Local 85	MUZIO, A.J., Local 490
REDMOND, William, Local 278	GULLY, Nathan, Local 665
SBRAGIA, Frank, Local 278	SCALICE, Gary, Local 665
ALVARADO, Matilde, Local 287	CORDENIZ, Manuel, Local 853
BANNISTER, John, Local 287	BERGER, Catherine, Local 856
CHANDLER, William, Local 287	CAUSI, Joseph, Local 856
COMPOZ, Ignacio, Local 287	DELANEY, Elizabeth, Local 856
DALTON, Betty, Local 287	MAYORAL, Raul, Local 856
DUTTON, John O., Local 287	CASTRO, Leo F., Local 890
GLASS, John, Local 287	GODINEZ, Raul, Local 890
HIGGINS, Floyd, Local 287	HARDIN, Bonnie, Local 890
LINDA, Robert, Local 287	MARTINEZ, Jovita, Local 890
NEILSON, Greg, Local 287	MEZA, Juan, Local 890
NGUYEN, Huong, Local 287	POLANCO, Ruben, Local 890
OLSHASKIE, Thornton, Local 287	SALINAS, Everado, Local 890
PERI, Patty, Local 287	URIBE, Jose Jesús, Local 890
QUINTAL, Edward, Local 287	ZAPATA, Marcos Antonio, Local 890
QUINTANA, Jose, Local 287	BENNETT, Larry, Local 896
QUINTARARO, Carl, Local 287	ANDERSON, John, Local 921
REYES, Tony, Local 287	BRIGGS, Robert, Local 921
RODRIGUEZ, Albert, Local 287	COMINI, Robert, Local 921
RODRIGUEZ, Ruben, Local 287	SANCHEZ, Lionel, Local 921
ROSE, Arthur, Local 287	STICKLES, Monte, Local 921

tant to have professionals such as ours working on the Participants' behalf.

► With every dollar contributed to the Plan on their behalf, Participants increase their eventual retirement benefit level. Once earned, a benefit level can never be lost or reduced—or outlived. Benefits are payable over Participants' lifetimes—and, depending on the form of benefit chosen, over their spouses' lifetimes. This is the ul-

timate in retirement security.

► Your Plan collects contributions from over 5,000 Employers. Companies in more than two dozen industries support the Plan. This diversity adds strength to the funding base and avoids the problems encountered in single employer OR single industry plans, such as seen in the airline and steel industries, where the future of the plan is tied solely to that industry.



# ELECTION NOTICE

## LOCAL 912, Watsonville

General Membership meetings are held the fourth Tuesday of each month at 12 Noon, 22 E. 5th St., Watsonville, and at 7:00 p.m. at VFW, 1960 Freedom Blvd., Watsonville.

### NOTICE OF NOMINATIONS AND ELECTION OF OFFICERS AND BUSINESS AGENTS

Notice is hereby given of the nomination and election of the following officers of Local Union 912: Secretary-Treasurer (Principal Officer), President, Vice President, Recording Secretary, Trustees (3). The terms of office for these officers will commence on January 1, 2007, and conclude on December 31, 2009.

#### Nominations

Nominations will be accepted at a special meeting to be held Saturday, November 18, 2006 at the Local Union Hall at 22 East 5th Street, Watsonville, California, at 10:00 a.m. Nominations must be made and seconded from the floor by members of Local 912 other than the nominee. Nominators and seconders must be members in good standing with dues paid through October, 2006. Nominees must accept nomination in person, or if absent, in writing for only one office. Written acceptances must be submitted to the Secretary-Treasurer, or his designated representative.

#### Eligibility to Nominate, Vote and Run for Office

Rules for eligibility to nominate, vote and run for office are printed at the beginning of the Bulletin Board section of the Newspaper, above. In order to nominate a candidate, dues for the month of October, 2006 must be paid prior to the nomination meeting. In order to have your ballot counted, dues for the month of November, 2006 must be paid prior to 5:00 p.m. on Friday, December 22, 2006. The eligibility of seasonal workers in the seasonal food industry to nominate and to vote is governed by Article XXII, Section 4 of the IBT Constitution. Such persons are eligible for these purposes if they:

- 1) were in regular employment during some period of the twelve (12) months prior to the election, and
- 2) produce satisfactory evidence that their dues were paid up through the last month of employment.

Potential candidates are encouraged to check their eligibility, and the eligibility of their nominators and seconders, prior to the nominations meeting. Requests should be submitted in writing to the Secretary-Treasurer or his designated representative.

#### Election

The election shall be by mail ballot. Ballots will be mailed on or about December 5, 2006, to the last known address of all active members and new applicants eligible for membership in Local 912. All ballots must be received in the post office

in accordance with the instructions contained in the envelope that includes the ballot no later than December 26, 2006. Ballots will be picked up from the post office, taken to the Union office and counted beginning at 9 a.m. on December 29, 2006.

#### Protests

Any pre-election protests must be filed with the Local Union Secretary-Treasurer in accordance with the provisions of Article XXII, Section 5(a) of the International Constitution. Any post election protests must be filed with the Secretary-Treasurer of the Joint Council #7, in accordance with the provisions of Article XXII, Section 5(b) of the International Constitution.

Copies of these Articles of the International Constitution, the Local Union #912 By-laws and the rules governing the conduct of this election are available, upon request, from the Local Union.

### AVISO DE NOMBRAMIENTO Y ELECCION DE LOS OFICIALES Y AGENTES DE NEGOCIOS DE LA UNION

Por la presente se da este aviso con respecto al nombramiento y la elección de los siguientes oficiales del Local 912 de la Unión: Secretario-Tesorero (Oficial Principal), Presidente, Vice-Presidente, Secretario de Actas, Fiduciarios (3). Los terminos de los puestos de estos oficiales comenzarán el 1° de Enero, 2007 y concluirán el 31 de Diciembre del año 2009.

#### Nombramientos

Se aceptarán nombramientos en la Reunión Especial de Miembros que se hará el sábado, 18 de Noviembre, 2006 en el Salón del Local de la Unión en 22 East Fifth St. Watsonville, CA, a las 10:00 de la mañana.

Los nombramientos se tienen que proponer y secundar desde el piso de la asamblea por miembros del Local 912

que no sean la misma persona nombrada. Los nombradores y secundadores tienen que ser miembros acreditados que han pagado sus cuotas de membresía hasta Octubre de 2006. Los Nombrados tienen que aceptar su nombramiento por escrito y por solo un puesto. Las aceptaciones escritas se tienen que someter al Secretario-Tesorero, o a su representante designado.

#### Elegibilidad para nombrar, votar y correr por un oficio

Las Reglas de elegibilidad para nombrar, votar y correr por un oficio se encuentran al principio de la la sección "Bulletin Board" de este periódico. Para nombrar a un candidato, la cuota del mes de octubre de 2006 se tiene que pagar antes de la junta para nombramientos. Para que se incluye su balota en la cuenta oficial se tiene que pagar su cuota para el mes de noviembre de 2006 antes de las 5:00 de la tarde, vienes el 22 de diciembre de 2006. La elegibilidad de trabajadores temporales de la industria de procesamiento de alimentos se gobierna de acuerdo con el Artículo XXII, Sección 4 de la constitución de la IBT. Tales personas se considerarán elegibles con estos propositos con tal de que:

- 1) Se contrataron en un trabajo regular durante alguna parte de los doce (12) meses antes de la elección; y 2) Provean evidencia satisfactoria de que pagaron su cuota hasta el último mes en que trabajaron.

Se aconsejan a los candidatos potenciales que revisen su elegibilidad y la de sus nombradores y secundadores antes de la junta para nombramientos. Se debería de someter cualquier solicitud por escrito al Secretario-Tesorero o a su representante designado.

#### La Elección

La elección se conducirá por balota por correo. Se enviarán las balotas en aproximadamente el 5 de diciembre a la última dirección conocida de cada miembro o candidato elegible para la membresía en el Local 912. Todas las balotas se tienen que recibir en la oficina del correo de acuerdo con las instrucciones que se encuentran en el sobre con la balota no después del 26 de diciembre de 2006. Las balotas se recogerán de la oficina del correo y se llevarán a la oficina de la unión para contarse a las 9 de la mañana el 29 de diciembre de 2006.

#### Protestas

Cualquier protesta de antes de la elección se tiene que entregar al Secretario-Tesorero de acuerdo con los provisos del Artículo XXII, Sección 5(a) de la Constitución de la IBT. Cualquier protesta después de la elección se tiene que entregar al Secretario-Tesorero del Concilio Conjunto #7, de acuerdo con los provisos del Artículo XXII, Sección 5(b) de la Constitución de la IBT.

Se pueden solicitar al Local 912 copias de tales artículos de la Constitución de la IBT y las Reglas del Local 912 que gobiernan la conducta de esta elección.

*Brad Sebring, Secretary-Treasurer*

## Nominations & Elections: International Constitution December, 2006

The following excerpts from the International Constitution apply to all nominations and elections in Teamster Locals:

#### ARTICLE XXII, Section 4(a):

To be eligible to nominate and otherwise participate in the nominations meeting, a member must have his dues paid through the month prior to the month in which the nominations meeting is held. Nominations shall be made at the meeting by a member in good standing other than the nominee by motion seconded by a member in good standing other than the nominee. Candidates must accept nominations at the time made either in person, or, if absent, in writing, and may accept nomination for only one office. A member may also run for and be elected as a Business Agent or Assistant Business Agent as provided in Article XXII, Section 8, and may hold both the office and the position if elected to both.

#### ARTICLE XXII, Section 4(b):

The Local Union Executive Board shall have the authority to establish all rules and regulations for the conduct of the election to supplement the provisions of the International Constitution and the Local Union Bylaws, including the authority to use mail referendum balloting or absentee balloting without membership approval. Absentee voting by mail shall be permitted only upon application of members who are ill or absent from the city or town where they are normally employed at the time of voting because on vacation or on employment tour of duty.

The Local Union Executive Board may permit additional reasons for absentee balloting if they so desire. Application for absentee ballots shall be made to the Secretary-Treasurer of the Local Union not less than five (5) days prior to the date set for election and shall contain the grounds therefor. Absentee ballots shall be valid only if they are received by noon of the day on which the polls close.

(NOTE: The International Union recommends that prospective nominees be advised to verify, in advance of the nominations meeting, the eligibility of the nominators and seconders).

#### ARTICLE XXII, Section 4(c):

To be eligible to vote in the election, a

member's dues must be paid up through the month prior to the month in which the election is held.

#### ARTICLE II, Section 4(a)(1):

To be eligible for election to any office in a Local Union, a member must be in continuous good standing in the Local Union in which he is a member and in which he is seeking office, and actively employed at the craft within the jurisdiction of such Local Union, for a period of twenty-four (24) consecutive months prior to the month of nomination for said office, and must be eligible to hold office if elected. "Continuous good standing" means compliance with the provisions of Article X, Section 5, concerning the payment of dues for a period of twenty-four consecutive months, together with no interruptions in active membership in the Local Union for which office is being sought because of suspensions, expulsions, withdrawals, transfers or failure to pay fines or assessments. Provided, however, that if a member on withdrawal deposits his card in the month immediately following the month for which it was effective and pays his dues for both months in a timely manner as provided in Article X, Section 5(c), such period of withdrawal shall not be considered a break in continuous good standing in the Local Union.

(NOTE: In addition to the foregoing Constitutional provisions, the International advises that: Elected officers of the Local Union, shall, by virtue of such election, be delegates to any Joint Council with which the Local is affiliated as well as to any convention of any subordinate body which may take place during their term of office.

Elected Local Union officers shall be delegates to such conventions in the order of priority set forth in the Local Union Bylaws. If the Bylaws do not set forth an order of priority, the principal executive officer shall have first priority, followed by the remaining elected officers in the order determined by the Executive Board.

Members are advised to consult the Bylaws of their Locals for additional rules concerning nominations and election procedures).





## SACRAMENTO REPORT

### At end of 2006 legislative session, Governor signs some labor bills and vetoes more

**BARRY BROAD**  
Legislative Director

After the legislature passes its slate of bills each session, the Governor has 30 days to sign or veto them. Here is a final report on some of the Teamster-supported bills passed in 2006.

It's a mixed bag. Last year, the Governor moved far to the right and his special election agenda was repudiated by the electorate. In response, he made the conscious election year decision to move back towards the center of the political spectrum to get himself reelected.

As a result of his abrupt shift, Governor Schwarzenegger decided to sign some labor-backed bills—most of which he had vetoed the year before. Despite his drift toward the center, the Governor vetoed many good bills.

#### Rail safety—signed

Despite vetoing a lesser bill in 2005, the Governor signed into law AB 3023 by Assembly Speaker Fabian Nunez, (D-Los Angeles). The bill requires the railroads to comply with their own track safety rules and requires them to formulate and implement plans for responding to acts of terrorism and other emergencies. It provides for whistleblower protection of employees who report deficiencies to the appropriate government authorities and authorizes significant fines when rail employers fail to do the right thing.

The new laws enacted as part of AB 3023 are the first of their kind in the nation and the Teamsters are proud to have achieved this victory for their brothers and sisters in heavy rail.

#### Minimum wage goes up

AB 1835 by Assembly Member Sally Lieber, (D-Mountain View), increases the state's minimum wage by \$1.25 over the next 18 months. While we lost the battle to have the minimum wage annually increased via a cost of living adjustment, this law helps ensure that companies like Wal-Mart can't continue to benefit from an artificially low minimum wage and that the working men and women of this state are better able to afford life's necessities.

#### Workers' comp—a mixed bag

The Governor signed AB 2068 by Assembly Member Pedro Nava, (D-Santa Barbara), enabling workers to continue to exercise their right to pre-designate a treating physician for workers' compensation treatment until December 31, 2009. The bill also enables workers to pre-designate an entity like

Kaiser, instead of only being able to pre-designate a single physician. The bill clarifies the right of workers to be referred to other doctors and specialists by their treating physician. Finally, the bill eliminates the cap on the number of workers who are allowed to pre-designate. This bill is a huge victory for us as many of our members have been illegally denied their right to pre-designate since SB 899 was implemented in 2004.

The Governor vetoed SB 815 by Senator Don Perata, (D-Oakland). This bill would have revised the formula for computing payments for injuries causing permanent disability.

#### NAFTA & trucking—vetoed

Since NAFTA was enacted, we have struggled with what to do about the influx of Mexican trucks that will further erode the economic viability of unionized trucking companies. At the federal level, Mexican trucks entering the U.S. have to follow certain safety, environmental, and insurance rules and are prohibited from operating point-to-point within the U.S. However, enforcement has been close to impossible.

As a tiny solution to this very large problem we managed to sneak in an amendment to a California Highway

Patrol omnibus bill. The CHP will now be able to put a Mexican truck out of service if it is being operated in violation of the above-referenced rules. AB 3011 by Assembly Member John

*While the Governor signed some labor-backed bills, most of which he had vetoed the year before, he also vetoed many good bills.*

Benoit, (R-Riverside), simply cross-references the federal regulations that deal with these issues in the normal CHP out-of-service rules. The bill, signed by the Governor, will be effective in January.

#### Trucking industry meal and rest break bill vetoed

At the urging of various employer groups, the Governor vetoed—for the second time in three years—AB 2593 by Assembly Member Rick Keene, (R-Chico). The bill would have allowed unions representing commercial drivers to work out in collective bargaining the circumstances under which they would be allowed to have paid, on-duty meal periods.

#### Port bills vetoed

The Teamsters have taken an active interest in port-related legislation where there is potential to improve the lives of port truck drivers.

SB 1213 by Senator Joe Dunn, (D-Santa Ana) was a re-introduction of the bill we sponsored last year, SB

848. These bills would have provided independent contractor port truck drivers with the ability to engage in collective bargaining activities on economic and safety issues. As with SB 848, the Governor vetoed SB 1213 stating that it was likely preempted by federal law and would only result in litigation.

SB 927 by Senator Alan Lowenthal, (D-Long Beach), would have imposed a small per-container fee at the Ports of Long Beach and Los Angeles to fund infrastructure improvements, security enhancements, congestion relief, and environmental mitigation. We felt this bill, vetoed by the governor, would have improved the quality of life for the drivers and the surrounding community at those two ports.

#### Unemployment Insurance bills vetoed

AB 1884 by Assembly Member Judy Chu, (D-Monterey Park), which was co-sponsored by the Teamsters and the United Food and Commercial Workers' Union (UFCW), would have granted eligibility for Unemployment Insurance benefits to workers who were locked-out by their employers during a trade dispute. This bill would have evened the playing field between employers and employees so that employers could no longer use the fact that our workers are not entitled to unemployment insurance as leverage.

AB 2209 by Assembly Member Fran Pavley, (D-Woodland Hills), also co-sponsored by the Teamsters and the UFCW, would have prohibited an agreement between an employer and an employee preventing the employee from filing a claim for unemployment compensation benefits. The bill also would have imposed a penalty on employers who had been found guilty of fraud or misconduct during a lockout.

The Governor vetoed both bills.

#### Health care reform and Wal-Mart bills—vetoed

The Governor vetoed two bills targeted at large employers, such as Wal-Mart. One, by Senator Carole Migden, would have required employers to spend a specified percentage of their payroll on health insurance benefits and the other, by Senator Richard Alarcon, required economic impact reports prior to construction of a superstore retailer.

The Governor also vetoed Senator Sheila Kuehl's "California Health Insurance System" bill, which would have created a single-payer health care system that provided health insurance coverage to all Californians.

## NOTICE TO MEMBERS

The California Teamsters are represented at the California Legislature and before state administrative agencies by the California Teamsters Public Affairs Council. Barry Broad, Shane Gusman and Liberty Sanchez are the Legislative Representatives and Marsi Newman is the Public Affairs Administrator.

#### Per Capita Tax

All Teamsters affiliated with Joint Councils 7, 38 and 42 support the California Teamsters Public Affairs Council through a per capita tax of 25 cents per member per month, from union dues. Twenty-five percent (25%) of this is set aside in the Political Action Committee from which the Executive Committee makes campaign contributions.

#### Executive Committee

Chuck Mack, president of Joint Council No. 7, is the chairman of the Executive Committee, Jim Santangelo, president of Joint Council No. 42 is treasurer and, John P. Souza, president of Joint Council No. 38 serves as a member of the Executive Committee, which supervises the staff of the Council.

#### Policy Committee

A policy committee of eight members from each Joint Council is responsible for the development of the Council's long-term political, legislative and education policy, screening candidates and making recommendations for endorsement for statewide offices. The Policy Committee members are:

**Joint Council of Teamsters 7:** President Chuck Mack, Franklin Gallegos, Robert Morales, Jack Booker, Dale Robbins, Michael McLaughlin, Carlos Borba, Ernie Yates.

**Joint Council of Teamsters 38:** President John P. Souza, Rob Pellettieri, Dave Hawley, Darrell Pratt, Sam Rosas, Lucio Reyes, Vic Shada, Jim Tobin.

**Joint Council of Teamsters 42:** President Jim Santangelo, Randy Cammack, John Harren, Shannon Silva, Ray Whitmer, Lynn Swenson, Patrick Kelly, Ron Herrera.

Any questions about the California Teamsters Public Affairs Council may be addressed to the chairman of the Executive Board, California Teamsters Public Affairs Council, 1127 11th St., Ste. 501, Sacramento, CA 95814. Phone: 916-446-0291, FAX: 916-446-9321. E-mail: info@teamsterctpac.org.