



## Teamsters add construction jobs through political action

Across the country, Republican governors and legislators are working to overturn prevailing wage laws that govern the pay of construction workers. However, here in California, Teamsters and our allies in the building trades are taking the offense and are working to expand prevailing wage coverage for union and non-union workers alike.

So far, AB219, introduced by Assembly member Tom Daly (D-Orange County) and shepherded by the Teamsters, is moving up the legislative ladder. When passed, this bill will finally close a loophole in the prevailing wage law so as to cover ready-mix drivers on public works projects. To date, the bill has passed in the Assembly and is waiting to be heard by the Senate Appropriations Committee.

What's at issue? If a company has a batch plant on the site of their construction job, that work is covered by the prevailing wage. But if the concrete is driven to the job from an off-site facility, the driver doing the very same work is not eligible for the prevailing wage. Known as the "material pro-



Joint Council 7 President Rome Aloise leads a delegation of Teamsters from Locals 150, 315, 431, 601, 665, 853, 948 and 2010 as well as Joint Council 42 to meet Assembly members before the first key vote in May.

vider exemption," this carve-out has ensured that Teamster employers, who pay the higher wage due to their union contract, are at a disadvantage to non-union employers who do not.

"AB 219 will not only put good money in our members' pockets, but it will make our employers more competitive, creating more good Teamster jobs down the line," Joint Council 7 President Rome Aloise told the Teamsters and labor allies at their first lobby day in Sacramento. "We've tried closing this loophole before, but it's only now, that our political campaign has had success getting labor-friendly people elected to the legislature, that we truly have a chance."

Joint Council 7 organized two lobby days in Sacramento in collaboration with the State Building Trades Council and the California Labor Federation. "We turned out more than 100 people including many rank-and-file ready-mix drivers," says Joint Council 7 Political Director Doug Bloch. "It was an education for the legislators to meet face-to-face with real drivers whose jobs and paychecks will be positively impacted by the bill. I firmly believe this got us some critical votes," Bloch adds.

"This is far from a slam dunk," says Local 853 Business Agent and Northern California Construction Committee chair Stu Helfer who first suggested pushing the bill this session. "The opposition, including the non-union sector and even some public agencies, is strong and they've made up numbers about how much this bill will cost the state. Our job is to tell the truth and get workers the wage they deserve. When this bill passes, it will raise the standards for ready-mix drivers across the state to where they should be."

"We expect that we have the votes in the Senate to pass it," adds Helfer. "Then we'll just have to make sure the governor signs it."

### PLAs also generate more union jobs

In construction, another key way to get more

jobs is through Project Labor Agreements (PLAs). Teamsters have been successful in getting PLAs that include on-haul and off-haul trucking, first at the Transbay Terminal in San Francisco, and next at the City of Berkeley and Berkeley Schools. These first agreements served as a springboard to get the trucking language into PLAs for 20 other municipalities and agencies across the Bay Area. "And those contracts, especially in the Bay Area, have the best language in the country on this issue," Helfer says.

The union is now on the offensive in Oakland, trying to get this language into the renewal of the Port of Oakland PLA, known as the MAPLA. "The ready-mix drivers are already covered, but we need to add the on-haul and off-haul truckers. There's probably five years of work for lots of Teamster drivers to bring out dirty soil and bring in clean soil to the old Oakland Army Base," Bloch explains.

"Again, the key is getting labor-friendly people elected to office so they appoint good people to relevant commissions, like the Port Commission," Bloch says. "We worked really hard in Oakland during the last election and swept the Mayoral and City Council races to be ready for this moment. I believe our hard work is going to pay off, resulting in more Teamster jobs."



Teamsters lined the hallways of the Capitol and talked with dozens of Senators about AB 219 in June.

**Important Delegate Nomination information for Local 912 contained on Pages A & C (after page 4).**

**Información Nominación Delegado importante para Local 912 que figura en la página B & C (tras página 4).**



## Why should Teamsters be active in politics?



**Lilia Sandoval**  
Local 890  
Dole Fresh Vegetables  
40 years

Politicians make our labor laws. They can give us better opportunities. We need to support the local politicians who support our members and our unions. They'll be our voice in Sacramento and in Congress.



**Joseph H. Sumlin**  
Local 87  
14 years

It strengthens our collective bargaining. Having that extra bargaining power helps us when we sit at the table. It not only helps our members, but all unions and society as a whole. I was involved in Prop 32 and 30 to get members out to vote and inform members about labor-friendly politicians.



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## Let's stand together for workers

The race for President of the United States is starting earlier and earlier each cycle. At this point, with nearly 16 months until the November, 2016 election, the campaign is already flooding the airwaves. I have told you before, and now I am forced to tell you again, as distant as it seems, this election for President will be the most important in our lifetime as it pertains to your livelihood, your union, and your ability to care for your family.

Just look at the Republican candidates. At this writing, 16 candidates are in line and not one of them cares one thing about working men and women. The reason they can afford to start campaigning so early is that they are all bankrolled by billionaires who are funding the entire group. These wealthy interests, namely the Koch Brothers, Sheldon Adelson and the like, just hope that one of the bunch rises to the top to spew out their particular message of division, hate, racism and attack on workers.

Look at the top two contenders so far—billionaire and television celebrity Donald Trump and Wisconsin Governor Scott Walker. Trump is a racist and a bigot and Walker has proven how much he hates workers by destroying the ability for unions to help the workers of Wisconsin. He takes pride in having made Wisconsin a "right-to-work" state and eliminating the prevailing wage.

My question is, why do people, especially those who work hard to scrape out a living, gravitate to these types of candidates?

Time and time again, history has shown us that workers will vote against their own best interests. Republicans suck in low-wage earners and people at the bottom of the economic totem pole by using religion, race, and issues like immigration and same sex marriage to tickle the prejudices that many people hold and to overwhelm peoples' common sense.

It is very frustrating for those of us who fight for workers' rights every day of our lives. It is hard to convince workers that the Republican money machine blows these side issues out of proportion, and that what is truly important—having a good union job, with decent benefits and a pension—takes a back seat.

Your job and how well you can support your fam-

ily, now and in the future, should be your top priority. Protecting your right to bargain a contract and having a union to protect your hard won wages and benefits is crucial to your future.

***"The labor movement needs to step up and stand against any type of discrimination in our society."***

The Democrats don't always keep their promises to make things better for workers, but at least they are not out to eliminate unions from the face of the earth.

On the other hand, each and every Republican running for President of the U.S., without exception, has pledged to undermine the labor movement. Watch these idiots beat each other up, and hope that we have a Democratic candidate who understands that the working class is on the verge of extinction and that without unions, there is no

viable working class left in the United States of America.

While I am on a roll and on my soapbox, I must mention that, given many of the events of the last year and especially the last month, I believe racism is alive and, unfortunately, well in our country. The massacre in South Carolina was all about race. The debate to take down the confederate flag was nothing but astonishing to me. Debate? That flag has been a symbol of hatred and division since its inception. There should have been no debate.

Remember, we are a UNION. We do not see color; we do not see gender; we do not see sexual orientation. We should only see sisters and brothers who are fighting for the same thing: respect, dignity and the right to have a decent job and support our families. The labor movement—meaning all unions and all organizations that represent working people—needs to step up and stand against any type of discrimination in our society. We are the only spokespersons left who can do it in a credible fashion.

Our history is not clean on this subject, but hopefully we have learned from our mistakes. I hope, as well, that we are all smart enough to know that bigotry and hate only help the employers divide us. We need to fight **for** each other; we need to stand up **for** each other; and we need to unify against any force or ideology that supports hatred, racism or bigotry against any person or religion.

If we are to survive we need to have each other's backs. Plain and simple!

### Shuttle Driver Organizing Timeline

- November 2014:** 87 Loop Facebook drivers vote to join Teamsters
- February 2015:** Loop Facebook drivers ratify contract that provides for average \$9/hour wage increases (from \$18 to \$27.50/hour), fully paid family health care, up to 5 weeks paid vacation, 11 paid holidays, bereavement leave, a pension, and more
- February 2015:** Over 150 Compass Transportation drivers (for Apple, Yahoo, eBay) vote to join Teamsters
- March 2015:** Apple and Google announce 25% pay increase for all contract shuttle bus drivers
- May 2015:** TransDev MTA drivers ratify contract that provides \$8/hour wage increases (a 44% increase), 25 paid days off (up from 12), 5 paid holidays, and a 401k plan with an employer match.



## A rising road lifts all buses

Everyone knows the phrase, “a rising tide lifts all boats.” We hear it a lot when people explain what unions do for workers. The argument goes that when enough workers in an industry get organized, the wage and benefits they negotiate will drive up standards for everyone in that industry, including non-union workers. In the case of shuttle bus drivers in the Bay Area, we are seeing that “a rising road lifts all buses.”

In previous newsletters, we wrote about the victorious organizing campaign of 87 Loop Transportation drivers who drive for Facebook. (That group is now up to 128 drivers.) Starting with an election in November 2014, the workers negotiated an amazing first contract in February that provides for average \$9/hour wage increases (from \$18 to \$27.50/hour), fully-paid family health care, up to five weeks paid vacation, 11 paid holidays, bereavement leave, a pension, and more. That following weekend, more than 150 Compass Transportation drivers for Apple, Yahoo, Ebay, and other companies won their election. They are negotiating a contract right now and hope to wrap it up soon. In the meantime, hundreds more workers for roughly a dozen shuttle companies are on the move.

This organizing, although small in number, set off a chain reaction that nobody anticipated. (See timeline on page 2.) After the victories at Loop and Compass, in March, Apple and Google announced across the board 25% wage increases for all shuttle bus drivers—union and non-union alike. The companies were responding to collective pressure from both the Facebook victory and Silicon Valley Rising, a joint campaign between us, SEIU USWW, UNITE HERE, the South Bay Labor Council, Working Partnerships USA, and community allies.

These wage increases appear to have forced other shuttle bus companies to follow suit just to keep their drivers from going to one of the better-paying companies. One employer estimated to our Joint Council President Rome Aloise that wages have gone up 30% in the market since we started.

Almost overnight, the Teamsters had raised the wages in the Bay Area’s high tech shuttle bus market. But the ripple effects didn’t stop there. The same shuttle companies that service the high tech industry also service airports, transit agencies, and other clients in the Bay Area. For example, we represented Loop drivers at the San Francisco and Oakland airports before the Facebook group organized. All of a sudden, those clients find themselves in a position where they need to raise wages and benefits just to keep their drivers.

Nowhere has this been more obvious than at the San Francisco Municipal Transportation Agency (SFMTA), where Teamsters Local 853 represents about 145 paratransit drivers. They transport San Francisco’s disabled, elderly, and infirm under a contract SFMTA has with TransDev—the parent company for Compass Transportation. Local 853 started bargaining with TransDev in November of last year, and by April, had only secured a proposal for 1% wage increases. After meeting with Mayor Ed Lee, several members of the Board of Supervisors, and the SFMTA staff, we saw some movement. Angry members, led by some very strong stewards, were threatening a strike as a last resort. Nobody wanted to leave the riders stranded, but with median rents in San Francisco hitting a ridiculous \$4,225 per month, something had to be done for our members.

Active members pushed the issues with two active business agents (Efren Alarcon and Adolph Felix), and strong help

from political allies—particularly San Francisco Supervisor David Campos, and in May, things broke. Remember: this was a little more than a month after Apple and Google announced pay raises to try and keep pace with Facebook.

All of a sudden, money seemed to appear out of nowhere. TransDev offered up an \$8 raise over the five-year contract, which amounted to a whopping 44% increase. They upped the paid days off from 12 to 25 and included 5 paid holidays – up from zero!

In a twist, the members voted the contract down by a 90-3 vote. In rejecting the contract, the members were able to push through a 401k plan with an employer match and some changes to disciplinary and attendance policies. That contract was ratified by a 91-2 vote. This huge victory is sure to push up wages in the paratransit industry in the Bay Area!

In a similar manner, we are starting to see proposals for double-digit wage increases for school bus drivers and others come across the bargaining table. For all the naysayers and anti-union people out there, this is proof positive about the union difference. The facts are clear: UNIONS HELP ALL WORKERS.

But just as important as the wages and benefits, the story of the SFMTA Teamsters tells the other story of the difference that unions make for workers. The fact that members could negotiate a contract, vote it down, and threaten to strike, all without any threat to their job security, gave them a collective power that no non-union shuttle bus driver enjoys. That is why we are not stopping until we’ve organized this whole industry!

**Organizing the Loop Shuttle drivers set off a chain reaction that nobody anticipated.**

## Why should Teamsters be active in politics?

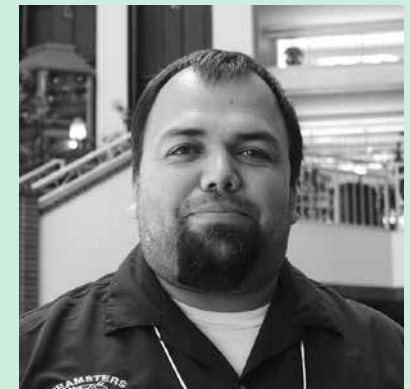
**Cliff Amende  
Local 431  
Republic Waste**

**28 years**  
It gets our voices recognized and acknowledged. It’s a way to create good jobs and benefits.



**Lawrence Heaton  
Local 2785  
UPS**

**28 years**  
We’re pursuing a new prevailing wage ordinance in San Francisco that would mandate



non-union companies to pay prevailing wage. This might push them to unionize. If we don’t all participate in politics, corporations and the wealthy will storm us out of existence. We must all participate—from the rank and file to officers—to keep the middle class in existence.

**Alex Sanchez  
Local 517  
Leprino Foods**

They write the laws. Like with Marquez Bros., our hands were tied in terms of what we could do. We failed for those workers. But we fought for new laws in Sacramento and we won for future workers.



**Nancy Linch  
Local 150  
Costco**

**29 years**  
It’s our livelihood. Getting involved in politics is our voice—for our rights. If we didn’t have that, we’d be a right-to-work state, making minimum wage and having no health care.



# AROUND THE LOCALS



## LOCAL 150

### Fighting for paid sick leave



*Teamsters Local 150 is stepping up by building strong political alliances and making frequent appearances at the Capitol.*

Local 150 members joined Assemblywoman Lorena Gonzalez (D-San Diego) to kick off California's new Paid Sick Days law, which went into effect on July 1. The bill, AB1522, will provide up to three days of paid sick leave each year for workers across the state, no matter the size of the employer.

Estimates are that 6.5 million workers will have the benefit of paid sick leave for the first time, as a result of this new law. All full-time, part-time, per diem, and temporary employees in California's private sector will begin to accrue at least one hour of paid sick leave for every 30 hours worked. Employers can limit the time off to 24 hours or three days.

Paid sick leave may be used for preventive care or care of an existing health condition, to care for a family member, or for specified purposes, such as for victims of domestic violence, sexual assault or stalking. Benefits will not change for employees who already receive paid time off that meets the minimum requirements of this bill.

## LOCAL 431

### Protesting fast track and TPP

Local 431 members were out in force for several action days hoping to show U.S. Congressman Jim Costa of the 16th District, how important his vote and his stance on "Fast Track" and the "TPP" are to working families. Unfortunately, Congressman Costa sided with pro Fast Track and TPP proponents and the bill passed.

"We may have lost the battle but Local 431



*Local 431 members visited Cong. Jim Costa in Fresno to seek his opposition to the TPP trade agreement*

members are always ready to fight for legislation that will improve the lives of working families and not hurt them," said Secretary-Treasurer Peter Nuñez. "Thanks to UPS, UPS Freight, ABF, Harris Ranch Beef and YRC members for taking time to assist in these action days and thanks to Joint Council 7 President Rome Aloise for sending the Teamster truck to assist us."

## LOCAL 853

### New facility and seven-year contract extension at Gillig

Gillig, a 40-year Teamster employer and the last family-owned start-to-finish bus manufacturer in the U.S., will leave their home of 80 years in Hayward and move up the road in Alameda County to Livermore.

Gillig's success has grown, especially since Teamster allies convinced AC Transit, the local bus company, to purchase locally-made buses. A backlog of orders had convinced the company that they'd outgrown their Hayward facility, launching them on a national search for a new site.

#### Using political clout

And that's where the Teamsters came in. The company garnered generous offers from other states, but Joint Council 7 Political Director Doug Bloch was able to help the company raise enough money and concessions from the City of Livermore and from Alameda

#### The value of our members

"It wasn't just the money that enticed them to stay in this area," says Local 853 Vice President Bo Morgan, "it was our members and the company's strong relationship with our union." Even though there were still 18 months left on the current agreement, the company asked for a seven-year contract extension to 2023.

The agreement averages \$2.26/year for seven consecutive years in the economic package that includes health and welfare, pension and wages. "The members can allocate that increase wherever they choose," Morgan explains. "We also got the employer to pay the 13-19 cents/hour restoration surcharge that the AI Pension is demanding of each member."

"We're so glad that the company is staying in Alameda County. We don't know how the move will play out, but the company had been clear that they didn't want any labor unrest during that process," Morgan explains. "If we had been without a contract during the move, it could have been a difficult transition."

Ultimately, Morgan believes that doing the extension was prudent. The membership at Gillig agreed, as



*Members from Gillig fill the house to review and ultimately ratify their new seven-year contract extension.*

County to convince them to stay local.

Building big with an eye for continued expansion, Gillig will relocate to a half-million square-foot manufacturing and office facility on a 38-acre site at the new Oaks Business Park near the Livermore Municipal Airport. They will build a nearly 600,000-square-foot main facility, as well as two smaller structures—a 50,000-square-foot building used for fabrication and assembly and a 27,000 square-foot facility to prepare the buses for delivery.

they ratified their new contract by an 85% margin.

"In 1976, Gillig was the lowest-paid manufacturer in Alameda County. Now they're the highest paid in the country," Morgan says. "By 2023, they'll be at \$40/hour with two pension plans and a 401K."

Morgan wanted to be sure to thank all the shop stewards: Jose Tejada, Joe Bulhouse, Robert Kerry, Joel Bellison, and Lupe Pinedo. "They were involved in supporting it, getting it out on the floor, and explaining it to the members."

## LOCAL 287

### Food bank workers join union

By a two-to-one margin, the employees of the Second Harvest Food Bank in San Jose voted to become Teamsters. Local 287 Secretary-Treasurer Bob Blanchet and Business Agent Merrilee Zerrougui are proud to announce this organizing victory.

"This new 35-member unit had great spirit and courage throughout the campaign," says Blanchet. The union held a meeting of the employees shortly after the election to let the employees submit their contract proposals. Dates and times for negotiations are forthcoming.



The employees at the Second Harvest Food Bank give a big thumbs up to becoming union members.

## LOCAL 665

### San Francisco parking meter collectors vote for Teamsters

Workers employed as revenue collectors for thousands of San Francisco's curb and off-street parking meters voted in June for representation by Teamsters Local 665.

The workers are employed by SERCO, a private company that the City of San Francisco subcontracts with to collect the monies from public parking meters.

The National Labor Relations Board-supervised election on July 2 resulted in a 22-3 victory for the union. Thirty workers are in the bargaining unit.

"These workers stuck together through a tough employer anti-union campaign," said Local 665 business agent Michael Thompson. "This was a strong Yes vote; one that will send a message to SERCO that it's time for real improvements in wages

and conditions".

Parking meter revenue collectors in San Francisco collected tens of millions of dollars last year, almost exclusively coins. SERCO workers push heavy collection canisters up and down the hills of the city, emptying thousands of meters a day. Most SERCO workers in this group currently earn \$14.50 an hour, with minimal benefits.

"San Franciscans who pay a premium for metered street parking might be surprised to know that meter collectors are barely making the voter-approved minimum wage," said Mark Gleason, Secretary-Treasurer of Local 665. "We believe the City will need to review the terms of its contract with SERCO."

## LOCAL 601, 948 & Cannery Council

### Cannery Council brings home a master agreement

Never has it been more difficult to negotiate good contracts than today, as we struggle to recover from the most severe economic recession since the 1930s. Seeing some hope in the economy, we are still dealing with many challenges at the bargaining table, especially with the unpredictable canning industry. Even so, the Cannery Council is pleased to announce the ratification of the CPI master agreement, which members from Locals 601 and 948 ratified by more than 75%.

"Three years ago, we negotiated a contract that, according to the experts, had an overall value of approximately 8.4%," says Local 601 and Cannery Council Principal Officer Ashley Alvarado, who chairs the negotiations. "Our new three-year master agreement has a value of 9% overall, so we are definitely headed in the right direction!"

Alvarado reports that the talks were tough, but the Teamsters on the Cannery Council fought very hard to obtain good wage increases and to protect the great benefits for more than 10,000 Teamster members. Some members will receive a \$2.10 wage increase over the three year life of the contract and, for the first time, Bracket 4 and 5 seasonal workers will get better wage increases. "Significantly, we held



Teamsters vote to ratify the CPI agreement

the line on rising health care costs, which was one of the most difficult tasks in bargaining," Alvarado adds. The Council was also able to fend off dozens of contract concessions that the employers pushed hard for.

"It was great to see our members smile at the ratification meetings knowing that their contractual benefits were protected and that they will be better able to provide for themselves and their families in the future," Alvarado said. "When our members stay strong and united, we can negotiate good contracts and the new Teamsters Cannery Council Master Agreement is a prime example of that."

## LOCAL 2010

### Building legislative support for UC workers



Local 2010 leaders came to Sacramento in May to share their stories about working at UC.

A delegation of Teamsters from around the state, including Local 2010 Secretary-Treasurer Jason Rabinowitz and President Catherine Cobb, took to the State Capitol on May 27 to present their concerns and share their personal stories with the legislators. It was a full work day as Local leaders met with 15 legislators including Assembly Members Jim Patterson and Tom Lackey, and Senator Jeff Stone.

"We want our elected officials to consider the issue of funding higher education as a top priority, not only from the standpoint of educating our great state, but also to make UC, once again, an engine for economic growth and good jobs," said Rabinowitz. "Our elected officials should know that UC does not pay its employees enough to live, and has decreased real pay by 24 percent over the last two decades."

"I work as an early childhood education teacher," said UC Berkeley Steward Elise Magno. "I work with little kids. The children I take care of are the children of faculty and students. Our work is essential to these people. But right now, I am a newlywed living in Berkeley and I cannot afford to start my own family with the wages I am getting paid."

Local 2010's leaders discovered numerous allies throughout their meetings and are set to take their message back home to the local districts of their elected officials.



## An employee by any other name... is still an employee

Employers who have misclassified their employees as “independent contractors” have been in the news lately.

On June 3, 2015, the California Department of Labor Standards Enforcement (DLSE) ruled that Uber driver Barbara Berwick is legally an employee. Under California Labor Code Section 2802, employers must reimburse *employees* for all necessary business expenses. Berwick was awarded \$3,878 plus interest for reimbursable mileage and toll expenses. Uber is appealing the decision in the San Francisco Superior Court. This DLSE decision may force Uber to change its business model, which, in large part, depends on the relatively low expense of its workforce because it saves money by classifying employees as independent contractors.

FedEx has also faced significant legal issues regarding misclassifying its employees in recent years. Last year, the Ninth Circuit Court of Appeals

held that 2,300 FedEx Ground drivers in California were misclassified as independent contractors. The court made this finding based on the fact that FedEx required its drivers to wear FedEx uniforms, drive FedEx-approved vehicles, and abide by FedEx appearance standards. Also, the Court found that FedEx exercised a great deal of control over *how* the drivers work by telling them what packages to deliver, what days and times to deliver, and forbidding drivers from operating multiple routes or hiring third parties to assist in performing the work without FedEx’s consent.

### The problem with misclassification

Misclassification of employees as “independent contractors” is an issue affecting many California workers. When an employer misclassifies an employee as an independent contractor, that employer sidesteps the many

responsibilities placed on employers by federal and state law—Social Security taxes, unemployment insurance taxes, workers compensation coverage and even healthcare. Such an arrangement also causes employees to shoulder the “cost of doing business” ordinarily borne by the employer—for drivers, gasoline, tolls, liability insurance, and normal wear and tear on the vehicle. And independent contractors, unlike employees, have no right to be free from workplace discrimination or to form a union.

How to tell if a worker is an employee under California law? Under California’s “Borello test,” an employment relationship exists where the employer maintains substantial control over the details of the employee’s work. This is shown by many different factors including:

- whether the employer trains the worker,
- whether the worker uses the

employer’s equipment,

- whether the employee is unable to work for another employer,
- whether the work requires special skill, and
- whether the duties performed by the worker are part of the employer’s regular business.

Even without control over work details, the DLSE will also find an employment relationship if

[1] the employer “retains pervasive control over the operation as a whole,

[2] the worker’s duties are an integral part of the operation, and

[3] the nature of the work makes detailed control unnecessary.” (*Yellow Cab Cooperative v. Workers Compensation Appeals Board* (1991) 226 Cal.App.3d 1288.)

Where, as with the case of Berwick, the job does not require a high level of skill, even minimal control over the details of work can be sufficient.



## We kill...bad bills

It’s that time again for the bad bill list. These are the bills that we opposed because they would have been harmful to workers in one of our core jurisdictions or they were just bad for workers in general. We traditionally kill these bills early in the legislative process, but this year it has been much harder because we are finding more and more Democrats introducing really awful bills. Despite that sad fact, we pretty much killed or stalled every bill we opposed. Here is a list of some of the really bad ones.

### ASBESTOS

AB 597 by Assembly Member Ken Cooley (D-Sacramento) would have altered the procedure for making asbestos injury claims by inserting so many hurdles that victims would have died before they ever had their day in court. The idea was to substantially limit liability for cancer caused by asbestos in the workplace because dead victims get much smaller awards. This very cynical bill was sponsored by the Civil Justice Association of California which is a tort reform group funded by billionaires like the Koch brothers. We managed to bottle this up in the Assembly Judiciary Committee. The author decided to make it a two-year bill when he realized he didn’t have the votes.

### DAILY OVERTIME

AB 1038 by Assembly Member Brian Jones (R-Santee) would have ended daily overtime as we know it by allowing individually-negotiated “flexible” scheduling. This would allow an employer to circumvent the 8-hour day as long as an individual employee “voluntarily” agrees to work more than 8 hours without overtime pay. We know how this would go in workplaces where workers are routinely exploited...everybody would be forced to work extra hours and nobody would be paid overtime. We stopped this bill in Assembly Labor Committee.

### HIGH SPEED RAIL

AB 1138 by Assembly Member Jim Patterson (R-Fresno) would have made it nearly impossible for the High Speed Rail Authority to acquire property needed to build the system through the eminent domain process. Big infrastructure projects often require the use of eminent domain because some property is just hard to acquire through the normal sale process for a variety of reasons. Given that this is the biggest infrastructure project in our history, barring the use of eminent domain would have tubed the whole project, and that was the intent. We opposed and the bill was held up in the Assembly Transportation Committee.

### WORKERS’ COMP INSURANCE

AB 1170 by Assembly Member Luis Alejo (D-Watsonville) would have exempted agricultural employers from the workers’ compensation insurance system. The bill would have instead required agricultural employers to pay into a fund where farmworkers could go to get healthcare, whether for an on-the-job injury or not. This bill raised a whole host of problems, most notably, how farmworkers would get adequately compensated for work injuries. We opposed the bill and the author decided not to move forward.

### ALCOHOL SALES

AB 1233 by Assembly Member Marc Levine (D-San Rafael) would have created a loophole in the three-tiered system for the manufacture, distribution, and sale of alcohol. This system prevents an entity from doing more than one of those three things. This, for example, prevents a large alcohol manufacturer from acquiring distribution or retail businesses because, if that was permitted, the large manufacturer might be able to exert enough market power to force smaller players out of business. This system protects our members in the industry. AB

1233 would have given so called “craft distillers” an exemption from the three-tiered system by allowing them to sell directly to the consumer. Such a move would put the jobs of our members on the distribution side in jeopardy. We vigorously opposed this bill and it was killed in the Assembly Governmental Relations Committee. The author has vowed to bring it back though.

### OVERTIME FOR HIGH WAGE WORKERS

AB 1470 by Assembly Member Luis Alejo (D-Watsonville) would have eliminated overtime for any worker earning over \$100,000. In an era where the wage disparity between the wealthy and the middle class is at its highest ever, it defies logic why someone would introduce this bill. I guess the idea is to eliminate the few good paying jobs we have left. We opposed the bill and the author dropped it, for now.

### SODA: WARNING LABELS

SB 203 by Senator Bill Monning (D-Carmel) would have required a warning label on soda and other sugar-sweetened beverages. The concern is that this type of scare tactic on a product, and on an industry where we have many members employed, could drive down consumption and put jobs in jeopardy. We also opposed a similar bill in the Assembly, AB 1357 by Assembly Member Richard Bloom (D-Santa Monica), which would have imposed a special tax on these drinks. While there is no disputing that there can be negative health impacts from drinking too much soda, there is no reason to set it apart from other sugary foods. We killed both bills but the issue is certainly not dead.

These were just a few of the many bills we opposed this year, but they are good examples why we need to remain vigilant.



## LOCAL 856

### The “Sharing Economy” leaves out middle class jobs

Don't let the term “sharing economy” fool you. There is no sharing. It's really just the 1% making money by stripping workers of the rights that the labor movement has fought so hard to secure. Just because the business transactions of these so-called “sharing economy” companies, such as Uber and AirBnB, are accomplished using smartphone apps, doesn't mean they're progressive or new. Instead, these companies are simply recycling old ideas and taking us backwards to a time when workers had no rights on the job.

Much like FedEx, which undermines Teamster jobs at UPS through the systematic use of a non-union outsourced workforce to deliver packages, these “sharing economy” companies are built on anti-worker business models that rely on the use of independent contractors. Unlike employees who are afforded many protections, independent contractors have no rights, no health benefits, no retirement security, no sick or vacation days, no workers' comp, and no state disability insurance. Independent contractors also lack the legal right to form a union, so these workers have no seat at the bargaining table and no voice on the job.

These companies often brag about being “disruptors” in the economy, but what they are truly disrupting are basic worker protections such as the minimum wage, overtime, and FMLA. In doing so they are eroding the cornerstones of good middle class jobs, like healthcare and a pension.

“sharing economy” companies are not just bad to their workers, they are also a real threat to existing middle class union jobs. Taxi replacements, such as Uber, Lyft, and FlightCar, threaten the jobs of Teamster taxi drivers and Local 856 members who work in the car rental industry. New “sharing economy” commuter bus companies, such as Chariot and Leap, are an uninhibited attack on the public transit system, including Local 856 members who work at SamTrans, Golden Gate Bridge, and Contra Costa Transit Authority. Illegal hotels facilitated by AirBnB that violate long-standing rent control and zoning laws undermine Bay Area hotels that employ 1,000 Local 856 members.

Big business shipped manufacturing jobs overseas. Now big money is trying to outsource good service sector jobs right under our nose by circumventing workers' rights through the “sharing economy”. We need to fight back.

While several labor backed lawsuits are still pending in the courts, we recently won a significant victory when the California Labor Commissioner ruled that Uber workers are employees.



*This group of workers from the Park Central Hotel in San Francisco support SB 593, a bill sponsored by State Senator Mike McGuire that would force “home sharing” platforms like AirBnB to comply with local ordinances and report necessary information to collect appropriate transient occupancy taxes. Kathleen Romero (fifth from left) testified for the bill in Sacramento.*

In addition, we continue to work with elected officials at the state level to push legislation that curtails the abuses of the “sharing economy” and protects good middle class union jobs.

In San Francisco, we are moving beyond the foundation set by recent Board of Supervisors ordinances and are utilizing the initiative process to back a ballot measure that would force AirBnB to adhere

to existing laws. We are also joining with labor and community partners to educate the public and inform the dialogue surrounding the independent contractor movement.

As long as these so-called “sharing economy” businesses continue to leave out the middle class by profiting through the use of an independent contractors workforce, we must stand together and refuse to

share our hard-earned money with these abusive companies. Together we have strength in numbers and can make a difference.

#### What you can do to help:

- Don't use these “sharing economy” companies that undermine workers' rights.
- Educate your family and friends about abuses of the “sharing economy”; using Uber and AirBnB are like shopping at Wal-Mart.
- Talk with your co-workers; minor cost savings are not worth hurting working families and threatening good Union jobs.
- Visit [Teamsters856.org/RealStory](http://Teamsters856.org/RealStory) for more info.

**Learn more about your union and get your Teamster news on the web!**



**Joint Council 7:  
[www.teamstersjc7.org](http://www.teamstersjc7.org)**

**International Teamsters:  
[www.teamster.org](http://www.teamster.org)**

#### LOCAL 70

Bonilla, Joaquin  
Callaway, Dewain  
Denby, Leonard  
Fuentes, Manuel  
Hamilton, Allen  
Heether, Ricky  
Holt, Roy  
Izak, Joseph  
Jepsen, Ralph  
Kerrigan, Donald  
Mattos, Gilbert  
Medeiros, Mitchell  
Monroe, Lawrence  
Moore, Leonard  
Prather, Leo  
Pricco, Ernest  
Rames, Jordan  
Schmidt, Rob  
Silva, Carlos  
Silveira, Thomas  
Starr, John, Jr.  
Tiscareno, Carlos  
Wood, Lyndon

#### LOCAL 87

Sheets, Henry

#### LOCAL 137

Arnold, James H.  
Bowers, Novie  
Caetano, Rodney J.  
Clanton, Russell  
Dollar, Dick D.  
Edwards, Herman D.  
Flowers, Charles  
Galba, Charles  
Haker, Steve  
Long, Jay  
Martin, Jack L.  
McIntosh, Joann  
Meeks, Eldridge W.  
Reager, O. L.

#### LOCAL 386

Aguilar-Bautista, Erik  
Anglin, Lloyd Elmer  
Bell, Clement  
Choate, William  
Cobb, Willie  
Couto, George  
Dickey, Clyde R.  
Haanstra, Harry  
Ingram, Rickey  
Martin, Dennis  
Massey, Paul  
Mozier, Richard  
Richard Sr., Travis Lee  
Silveria, Louie  
Spiess, David  
Thompson, Gary  
Traphagan, Jason

#### LOCAL 431

Balderrama, Ken  
Bejarano, Alberto  
Garcia, Jose  
Luce, Gary  
Patterson, John  
Poston, Jerry  
Mike, Tony

#### LOCAL 601

Aichele, George  
Alvarez Cuevas,  
Clementina  
Amaya, Rogelio  
Angele, Goldie Irene  
Casillas, Henry  
Cornilla, Massey  
Corral, Robert  
Crawford, David Wayne  
Fong Joe, Lai  
Frias-Beas, Jesus  
Hill, Mary Eettaa  
Hill, Ronnie  
Hudson, Melvin Jay  
Ibarra Acevedo, Jose A.  
Johal, Lakhbir  
Lockwood, Beverly  
Ma, Yuet L.  
McDowell, Annie  
Mendoza, Antonio  
Munguia, Ricarda  
Nieva, Constantino  
Orello, Anita  
Perez Cortez, Jubenal  
Pina, Henry  
Reyes, Apolonio  
Richardson, Mae L.  
Rodriguez, Genaro F.  
Salas, Andrea  
Sanchez, Maria  
Singh, Gurmail  
Singh, Nirmal  
White, Donald  
Williams, Ricky  
Wong, Yuk S.  
Zavala, Gabino

#### LOCAL 853

Carbone, Gerald  
Galli, Patricia  
Kessler, Monty  
Macias, George  
Panis, Abraham  
Re, Edward  
Valdez, Juan

#### LOCAL 856

Allen, Charlotte K.  
Bacon, Homer D.  
Driscoll, Glenn W.  
Fuller, Agnes O.  
Garcia, Artemio  
Garcia, Frances  
Graham, Lesley O.  
Gurzenski, Peggy L.  
Johnson, Ronald J.  
Kwok, Kenneth  
Maheras, Margaret  
Nevarez, Primo  
Spencer, Theodore

#### LOCAL 912

Castillo, Sergio  
Fernandez, Salvador

#### LOCAL 2785

Accurso, Anthony (Tony)  
Capella, Raymond M.  
Cortez, Frank  
DeLeon Diaz, Rafael  
Devincenzi, Raymond  
Imbellino, William F.  
Levi, Edward J.  
Mephram, Mike  
Rainford, Raymond James  
Ryan, William Patrick

## Local 350

Note new location:

### San Jose General Membership

#### Christmas Meeting:

Wednesday, December 16, 2015, 7:00 p.m.

Location: Holiday Inn Silicon Valley, 1350 North First Street, San Jose, CA 95112

*Larry Daugherty, Secretary-Treasurer*

## Local 896

### 6th Annual Bud Classic Car Show

(a benefit for Families Helping Families—the charity run by Teamsters at the Anheuser Busch Fairfield facility).

Saturday, September 26

10 a.m. to 4 p.m.

Classic cars • Great Food • Live Music • Beer Garden

\$30 pre-registration / \$40 Day-of registration

Register on-line at:

FamiliesHelpingFamiliesSolanoCounty.com

For more info: FHF BudClassic@gmail.com or

707-429-7549



### YOUR LOCAL UNION PHONE NUMBERS

70 .....	510-569-9317
87 .....	661-327-8594
137 .....	530-243-0232
150 .....	916-392-7070
287 .....	408-453-0287
315 .....	925-228-2246
350 .....	650-757-7290
386 .....	209-526-2755
431 .....	559-486-5410
439 .....	209-948-9592
517 .....	559-627-9993
533 .....	775-348-6060
601 .....	209-948-2800
665 .....	888-770-3948
853 .....	510-895-8853
856 .....	650-635-0111
890 .....	831-424-5743
896 .....	707-644-8896
912 .....	831-724-0683
948 .....	559-625-1061
2010 .....	510-845-2221
2785 .....	415-467-0450
GCIU, Dist Cncl 2 .....	800-333-4388

## Summertime and the risks of alcohol use

Summer is a wonderful time for outdoor activities with family and friends—barbecues, pool parties and trips to the lake or beach—during this season of great weather and longer days.

One way people often deal with the heat is to reach for a cold drink containing alcohol, but extreme heat and alcohol can be a recipe for injuries, illness, and even death. Drinking impairs both physical and mental abilities as well as decreases inhibitions – which can lead to reckless behavior and tragic consequences on the water, on the road, or outdoors. In fact, research shows that alcohol use is a factor in up to 50 percent of adolescent and adult deaths associated with water recreation and nearly one-third of boating fatalities involve alcohol use (Center for Disease Control and Prevention).

In the United States, a driver with a .08 blood alcohol concentration (BAC) is legally defined as drunk. But even at .02 BAC a person's tracking abilities can be impaired. At .08 BAC, the effects of alcohol on a person's speech, vision, balance, and reaction time greatly diminish one's ability to swim or operate watercraft safely.

An important thing to remember is that alcohol lowers the body's tolerance for heat and acts as a diuretic, thus speeding up dehydration and affecting the body's ability to regulate temperature. If fluids in the body are not replaced, dehydration can be life threatening. Alcohol also raises the body's blood pressure, increasing the risk of a heat related illness.

### Myths and Facts:

**Myth:** If you drink just beer or wine, you'll be fine.

**Fact:** It doesn't matter what type of alcohol you choose to drink. Alcohol is alcohol. Your blood alcohol content (BAC), meaning the percentage of alcohol in your blood, is what determines how drunk you are.

**Myth:** Drink coffee. Caffeine will help sober you up.

**Fact:** Caffeine may help with drowsiness, but not with the effects of alcohol on decision making or coordination. The body needs time to metabolize alcohol and return to normal. There are no quick ways to sober up. Only time will help.

### Stay hydrated

The key is to stay hydrated, whether you are on the road, or outside by the pool or beach.

- ⇒ Drink plenty of fluids. Don't wait until you're thirsty to drink water.
- ⇒ Choose fluids carefully. A sports beverage can replace the minerals you lose while sweating. Try to avoid liquids that contain large amounts of sugar, which can lead to dehydration.
- ⇒ If you are the host of a party, be sure to provide plenty of cold nonalcoholic drinks to keep your guests well hydrated.
- ⇒ If you know you'll be driving, stay away from alcohol.
- ⇒ If you do plan to drink alcohol at an outdoor venue, make at least every other drink a nonalcoholic one to insure you'll stay hydrated.

You can have fun in the sun and still be safe. Avoiding beverages that cause mental and physical impairment while driving a car, piloting a boat, swimming or enjoying outdoor activities is a good starting place. Think before you drink this summer, so that you and your loved ones can enjoy this summer and many more to come.

Call TARP (Teamsters Alcohol/Drug Rehabilitation Program) at (800) 522-8277 or TAP (Teamsters Assistance Program) at (800) 253-8326 if you or a loved one would like more information on this subject or our services.

## UNION SECURITY NOTICE

*The following notice informs you of your rights and financial obligation to the local union that represents you in collective bargaining.*

The right to join your union and participate in union affairs is an important right, from which you are also entitled to refrain while still meeting your financial obligations to the union that represents you. If your job is covered by a union security clause in your collective bargaining agreement, the law provides three different methods for you to comply with its obligations, and these rules apply without regard to what the union security clause may state:

1. You may become a member of the union by paying the initiation fee and monthly dues required by the Local's Bylaws and enjoy the rights of union membership;

2. You can pay the initiation fee and monthly dues without becoming a member; or

3. You can become a "service fee" or "financial core" payer, which means you can pay the percentage of the initiation fee and monthly dues

that represents your pro rata share of the costs and expenses for representation, collective bargaining and contract administration.

The amount of the service fee is calculated each year by determining the percentage of the union's representational and collective bargaining expenditures in proportion to its total expenditures and applying that percentage to the regular initiation fee and monthly dues. You can obtain this dollar amount by written request mailed to your Local union office. Under the law, if you choose not to join your union, you have the right to challenge the correctness of the Local's calculation of the service fee payment, and procedures for doing this will be provided to you by your Local at that time.

A service fee payer is not a member of the union, and is not entitled to participate or have a say in union affairs.

## Joint Council 7 hosts training seminar



*On June 1-3, representatives from every Local in Joint Council 7, including business agents, trustees and officers, came to Lake Tahoe for an educational and policy seminar. Numerous speakers addressed issues ranging from the latest information about the Teamster pension and health and welfare trust funds, (which are in excellent condition); the impact of Obamacare and changes in workers' comp; the Joint Council's legislative work and political plans; and many legal issues that impact Teamster members on a daily basis. Many thanks to the Beeson Tayer Bodine law firm for organizing the legal workshops.*