



Local 350 lawsuit sets new precedent for organizing

In a decision that could have widespread implications for subcontracting, franchising, and temporary staffing agencies, the National Labor Relations Board ruled on August 27 that the owner of a California recycling plant was a “joint employer” with the contractor that hired workers at the plant, essentially forcing both to bargain with the union together or risk violating U.S. labor law. The case was brought by Local 350 against Browning-Ferris (BFI), now owned by Republic Services, and their subcontractor, staffing agency Leadpoint.

The union contended that the definition of what it means to be an “employer” must be expanded beyond the staffing agency, to take into account the larger company that determines the conditions of the working environment.

In its 3-2 ruling, the NLRB agreed with the union. “With more than 2.87 million of the nation’s workers employed through temporary agencies in August 2014, the Board held that its previous joint employer standard has failed to keep pace with changes in the workplace and economic circumstances,” the Board said in a release accompanying its decision.

The story begins in 2014, when the workers at BFI’s recycling facility in Milpitas decided they wanted union representation. Local 350 filed an election petition naming both the staffing agency,

Leadpoint Services, and BFI as joint employers of the sorters. The election was held in April, 2014. However, the ballots were impounded for 16 months until the Labor Board could reach a decision on their

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legal case concerning joint employer status of Leadpoint and BFI. Following the Labor Board’s ruling, those ballots were opened on September 4, 2015, and the workers had voted by more than a 4-1 margin in favor of Teamsters representation.

“This is a great day. We look forward to negotiating a contract with both Republic and Leadpoint that will ensure the best working conditions for our members,” said Larry Daugherty, Secretary-Treasurer of Local 350.

“This is a big victory for these workers who patiently stood together to change their own lives for the better, and helped millions of other workers in the process,” said Ron Herrera, Director of the Teamsters Solid Waste and Recycling Division.

Implications for other campaigns

This ruling paves the way for gains across a range of industries, given the widespread use of subcontracting by the manufacturing and service sectors to lower costs.

“It’s certainly a game changer,” said Teague Paterson, a partner at Beeson Tayer & Bodine, the law firm representing the union in the NLRB case.



Recycling sorters at BFI, now Republic Services, won their union election after the National Labor Relations Board ruled that BFI and its staffing agency are ‘joint employers’.

“Unions and workers have been frustrated by these triangulated relations that the board condoned in the past. It certainly opens the door to more organizing.”

Local 853 recently won an election to represent warehouse and shipping workers at Google Express, the technology giant’s shopping delivery service. The workers are employed through staffing firm Adecco. Joint Council 7 President Rome Aloise said the Browning-Ferris ruling means Google will now have to be part of the discussions about working conditions with the union and the contractor. “This is a classic case. We won and are going into negotiations and now Google will have to come to the table.”

“Employers will no longer be able to shift responsibility for their workers and hide behind loopholes to prevent workers from organizing or engaging in collective bargaining,” Aloise adds.

Take me out to the ballgame – Teamster-style!



On Saturday, September 26, more than 3,200 Teamsters and their families enjoyed a fabulous BBQ and game at O.Co park in Oakland. And what an exciting game it was: Giants: 14; As: 10.



Local 315's grievance settlement used for TAP



Local 315 Business Agents Alberto Ruiz and Nick Berry presented a \$5000 check to TAP Program Director Terry Campaglia. The funds were generated by a recent grievance settlement that the Local had won.

Local 350 members address the 2015 women's conference



Sheila Domdoma (left) and Michelle Ramirez (right), who both work at Recology in San Francisco, told the Teamsters Women's Conference in Boston about Local 350's recent victory for recycling workers. "Be aware of what you throw into recycling, because workers are on the other side of it."



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We've raised standards for organizing through legal and political victories

Joint Council 7 continues to lead the country in organizing and in making new law to help workers seek and join a union. Locals throughout our Council have set new standards for organizing and have won cases that can affect all workers throughout the U.S.

Local 350, along with our Joint Council law firm, Beeson, Tayer & Bodine, prevailed on an eminently important case, *Browning & Ferris*. In this case, Local 350 was attempting to organize recycling workers in San Jose. These workers ostensibly worked for a third party employer, but were doing the work for the waste company Browning & Ferris, which has since been taken over by Republic Services. Local 350 claimed that Browning & Ferris was a joint or co-employer with the third party company based on the amount of control and input into the work that Browning & Ferris had. The election was held in April, 2014, but the NLRB impounded the ballots until the question of whether or not these companies were joint or co-employers was decided. Finally, in September, the NLRB's five member panel in Washington, D.C. issued a decision that set new precedents in labor law.

The NLRB decided that Browning & Ferris was the joint employer, making them equally responsible for what happens to the workers and the laws that cover them. This case will affect thousands of employer relationships with third party contractors all over the nation. It will allow us to hold the employer responsible when contractors attempt to claim poverty or that they cannot negotiate for a fair contract. This will give us and other unions much more leverage in the future. To add a little frosting on the cake of this case, after the ruling came down, the NLRB counted the impounded ballots and Local 350 won the election with the workers overwhelmingly! This case, along with a key California law we helped pass last year, now protects third party workers in almost every instance.

Joint Council 7 turns out for "Boston Strong/Teamster Strong" women's conference



Women from across Joint Council 7 went to Boston in August for the "Boston Strong/Teamster Strong" women's conference. Here the group poses with President James P. Hoffa and Secretary-Treasurer Ken Hall.

Important victory at Bauer

In another important victory in the tech industry, Local 665 began organizing Bauer Transportation, a bus company that provides shuttle services to Cisco and other Silicon Valley tech companies. This organizing drive was sparked by the successes of Local 853 to organize the workers at Loop and Compass Transportation who run the shuttles for Facebook, Apple and many more high tech companies.

Bauer utilized a unique strategy to fight the union drive. The company started a phony union by requiring the drivers to sign untitled pieces of paper, which were then used to make believe that they signed up to support a sham company union. The NLRB saw through this ruse and forced Bauer to disband the phony union and

agree to an election with Local 665. This is an important case as it shows the lengths to which unscrupulous employers will go to prevent their workers from gaining the advantages of union representation. The election is pending and hopefully we will inform you of a victory in our next edition.

Teamsters get good laws passed

On the legislative front, the Teamsters in California, and especially Joint Council 7, have pushed through every piece of legislation that we have sponsored or supported this year. I want to speak about the process by which we've been able to achieve this success.

In the last few years we have been able to make extraordinary progress on our ability to talk to our political representatives and make them understand the importance of workers' rights and the need for many of the people we represent to have more protections, both in and out of the workplace.

Our victories have been accomplished due to a few things. First of all, many of you have seen the importance of contribution to our DRIVE fund. Without money from our members, given voluntarily, the employers would run wild through the political process, and we would be

doomed. Your contributions are vitally important to the process.

Secondly, and equally as important, is the participation of many of our members in Sacramento. We have conducted numerous lobby days around our bills. Having our members there to speak directly to our representatives in the Assembly and Senate made the difference. In short, member participation, on every level of our union, makes us stronger and better.

Let's keep up the good work.

Member participation, on every level of our union, makes us stronger and better.



Joint Council 7 at the forefront of fight for subcontracted workers

When I was a kid, my dad told me that when I grew up I would get a job. And if I worked hard, my employer would take care of me. I could raise my own family and some day retire. If I got sick or injured, I would be okay. He told me hard work breeds loyalty, and that is how this country was built.

I saw plenty of evidence of this in my family and still see it with some of our employers. But unfortunately, for most workers today, that deal is a thing of the past. Everywhere we look, employers are creating new systems to avoid responsibility for their workers. No union in America has seen this as well as the Teamsters. And no one is fighting back as hard as Joint Council 7 under President Rome Aloise.

Take the case of Taylor Farms, a high profile effort of Joint Council 7, Local 601, and the International Brotherhood of Teamsters, to organize 900 immigrant vegetable processing workers in Tracy. This campaign has received a lot of coverage in our paper in the past. Part of the issue at Taylor Farms is that about half of those workers in Tracy work for two staffing agencies as so-called “temps,” even though some people have been there for five, ten or even more years. Nothing is temporary about their employment. But when one of the “temps” gets injured at Taylor Farms, files a claim with a state agency, or has a complaint, the staffing agency and the company both point their fingers at the other one.

Taylor Farms workers took their stories to Sacramento last year in a series of high profile lobbying events that included hundreds of Teamsters and a visit by President Hoffa. We were pushing a bill that would hold employers responsible when their staffing agencies and contractors get caught violating major California labor laws like overtime, meal and rest breaks,

workplace safety, and workers’ compensation. No more asking, “Who’s the boss?” We know who it is.

Every industry association in California said the law would drastically harm their business. The Chamber of Commerce listed it as number one on their “Job Killer” list. The Governor had never signed a bill on that list. Everyone said we were crazy to push this bill in an election year.

Scores of Teamsters and Taylor Farms workers swarmed the Capitol, held political meetings in districts with legislators, and along with skilled lobbyists from the California Teamsters Public Affairs Council and the California Labor Federation, we helped push the bill to Governor Brown’s desk. He signed it into law and AB 1897—the strongest joint employer liability bill in the country—went into effect on January 1, 2016.

While AB 1897 goes a long way toward protecting subcontracted workers when their basic rights are trampled, it doesn’t deal with questions of organizing and collective bargaining. Those are things the federal government controls.

Take the case of Republic Services, the second largest solid waste and recycling company in the U.S. Teamsters Local 350 has negotiated the nation’s best contracts in this industry, so when Republic hired a few hundred new workers in San Jose to sort recycling materials, the Local stepped in to organize them. But here was the rub: Republic brought in a staffing agency called Leadpoint to hire the workers and process their payroll. Sorting recycling is dirty and dangerous work, so we knew Republic was calling the shots. But in a strange twist, the local National Labor Relations Board (NLRB) told us our election had to be with Leadpoint, not Republic. We appealed, asking for an election with Republic and Leadpoint as joint employers.

The case went all the way to the NLRB in Washington DC. As with AB 1897, every industry association in the country signed on to briefs opposing our position. They were like Chicken Little of the story books, running around saying “the sky is falling!”

Momentously, the NLRB ruled in our favor last month, with implications for the army of staffing agency, contracted, and fast food workers nationwide. Thanks to the Teamsters and our crack legal team at Beeson, Tayer and Bodine, now, when contracted workers want to organize a union or bargain a contract, they get to do it with both employers. And that is what we intend to do with Republic Services now that the case is settled and we won the election.

Everywhere we look, employers are creating new systems to avoid responsibility for their workers. No union in America is fighting back as hard as Teamsters Joint Council 7.



Teamsters are helping out in a time of need, as massive wildfires spread across Northern California. Local 665 and Joint Council 7, in conjunction with Sonoma Media Group, are delivering aid to the victims of the Lake County fire. Donations were solicited across Sonoma Media Group’s five radio stations, collected at Local 665 and delivered by the Teamsters Joint Council 7 truck.

Teamster scholarships help members’ kids pay for college

Local 287



(From left) Robert Ramirez, a Local 287 member who works for Granite Rock and his wife Lucy join their son Joseph Ramirez, who won a \$1,000 Harry Pollard Scholarship. Presenting the check was Local 287 Secretary-Treasurer Bob Blanchet, and former Joint Council 7 President Chuck Mack.

Local 517

Cade Silva, whose father Joseph works at Land O’Lakes, receives his \$1,000 California Teamsters Hispanic Caucus scholarship from Local 517 Secretary-Treasurer Chester Suniga.



Local 853



From left: Maurice Snyder, who works at Youngs Market with his daughter Monika, who got the Hispanic Caucus scholarship. Monika will be attending San Francisco State. Local 853 Secretary-Treasurer Rome Aloise made the presentations. Bailee Hyatt whose dad Chris does sales at Southern Wine and Spirits. Bailee will be attending Seattle University. Also receiving \$1000 scholarships but not pictured: Mitchell Nunes and Yagan Deep Singh.

Local 948



Local 948 Secretary-Treasurer presents a \$1,000 California Hispanic Caucus Scholarship to Manuel Lujan (3rd from left). Manuel is the son of Gilbert Alvarez, who is a shop steward at Cemex, and Veronica Campos. Manuel plans to study veterinary medicine at UC Davis.

AROUND THE LOCALS



LOCAL 890

Workers receive \$48,000 in retroactive pay



Guillermo Montañó receives his check from Local 890 Secretary Treasurer Cresencio Diaz.

On August 21, Local 890 was proud to present a settlement check totaling \$48,000 to union members Ruben Tapia and Guillermo Montañó. In 2014, both drivers had been illegally fired by the trucking company Fresh from D'Vine. The union filed charges and Local 890 attorney Susan Garea processed an appeal to the General Counsel of the National Labor Relations Board in Washington D.C.

Tapia has been a long time Local 890 member and activist, participating in the Basic Vegetable strike in 1998. Montañó is a Local 890 member working at Taylor Farms.

LOCAL 2785

Local wins UPS settlement

Local 2785 Secretary-Treasurer Joseph Cilia and Business Agent Ed Lynch successfully argued a grievance about supervisors working in the place of bargaining unit members at the UPS National Panel in Minneapolis, MN on June 2. The National panel award was for \$45,000.

The Local had pursued the grievance since the peak season of 2013 on behalf of several of its members.

"Congratulations to all involved," Cilia said. "This proves that enforcing our contracts works."

LOCAL 665

Fighting Bauer's phony union

More than 70 Teamsters and allies blocked two Bauer's buses in San Francisco's Mission District on September 21 to protest how the company is illegally hindering Local 665's efforts to organize the drivers.

Bauer's has built a company serving high tech companies such as Cisco, Yahoo, and Twitter. The union began its organizing drive following Local 853's successful drives for tech shuttle drivers at Loop and Compass Transportation. Bauer's drivers have been increasingly demanding to earn a living wage and form a union. After their efforts stepped up this spring, the company responded with a number of "unfair labor practices," according to the NLRB complaint.

The National Labor Relations Board alleges that Bauer's broke federal labor laws when the company surveilled workers and blocked them from talking to Teamster organizers. Shortly after, a company manager allegedly created a fake union by circulating a blank piece of paper and telling drivers to sign it. Within the week, the drivers had a new contract with a phony union that they hadn't voted on or even seen! Called the Professional Commuter Drivers Union, a company supervisor served as the PCDU's chief union representative. The company entered into a collective bargaining agreement within days of collecting the signatures..

The Labor Board has since ruled that Bauer's has "dominated and interfered" with the creation of an out-



Local 665 Secretary-Treasurer Mark Gleason talks about Bauer's tactics and why the union is blocking buses with KTVU TV News.

side union while "rendering unlawful assistance" to its own in-house union.

At press time, Local 665 is anxiously waiting on the Labor Board to set a date for a new election for a legitimate union.

"The drivers need and deserve better wages, better benefits, and more respect," says Local 665 Secretary-Treasurer Mark Gleason.

LOCAL 856

Members appreciate good steward training

Nearly 50 Teamsters 856 members packed the Local's Union Hall for an all-member training on rights in the workplace on a September Saturday morning.

"It was excellent!" said United Airlines Member Keri Martin via the Local's Facebook page. "I would recommend that everyone try to make it for the next one!"

The workshop focused on protected leaves, workplace rights afforded to union members, workers' comp, and members' rights to concerted activity when it comes to using social media and work e-mail.

"There was so much helpful information," said new UPS Shop Steward Ula-Latoya Hughes. "I have six pages of notes!"

Hughes also appreciated the relaxed atmosphere of the workshop. "I felt very comfortable asking questions, and participating in the discussion," she said. "It wasn't intimidating at all."

The workshop was Pedro Hernandez's first union member training. "Our old union never had anything like this for us," the Mount Diablo Unified School District member said. Members from this school district

had left their previous association to become Teamsters 856 members in 2014. "I can't wait to go back to work and share this information with my co-workers," he continued.

As the father of a 4-year-old, Hernandez was particularly interested in kin care laws. "It's really valuable to know that certain time off is protected to take care of my family," he said.

Teamsters in attendance included members from every industry covered by the Local, including public sector, airline, hotel, car rental, benefit administration and healthcare.

"An educated membership is one of the most powerful tools we have as a union," said Teamsters 856 Principal Officer Peter Finn. "It's impressive and inspiring that our members dedicated their Saturday morning to learn more about protecting and standing up for their rights in the workplace," he said.

San Francisco Fairmont Shop Steward Geoffrey Brown also used the Teamsters 856 Facebook page to praise the workshop. "A wealth of information," he commented. "Thanks to our members and leadership!"



Local 856 stewards pose after their Saturday morning training.

LOCAL 853

Adecco/Google Express workers vote for union

When the votes were counted following the two-day election at Adecco (August 19 and 21), the employees at this temp agency who work for Google Express overwhelmingly chose to have union representation.

The employer has filed objections to the election, but Local 853 Organizer Rodney Smith is confident that the 153 warehouse workers will soon become union members.

“The employer ran a terrible anti-union campaign,” explains Smith. “First, they threatened to close the San Francisco and Palo Alto locations. But when their employees didn’t buy those illegal threats and still voted for Local 853, the company filed objections

to the bargaining unit. Of course, this was something that we had agreed to before the election.”

“We’ll see this through, and I’m confident that the union will prevail,” Smith adds.

LOCAL 431

Inaugurating Union Park on Labor Day

On Monday September 7, members of Teamsters Local 431 joined labor organizations throughout the valley to celebrate the Annual Labor Day Breakfast at the Fresno Fairgrounds. More than 800 union members were treated to a delicious pancake breakfast with eggs, sausage, potatoes and fresh fruit. Participants enjoyed a raffle, music and numerous activities for kids to enjoy.

Immediately after the breakfast, labor leaders and allies participated in a ribbon cutting ceremony dedicating “Union Park,” a beautifully landscaped oasis in the middle of the fairgrounds, commemorating the labor organizations in the valley. In addition to the completed park, a labor memorial is in the works.

LOCAL 431 & 517



Summer fun at Water Park

More than 600 Teamsters Local 431 and Teamsters Local 517 members enjoyed the Annual Teamster Picnic at Wild Water Adventures in Clovis on August 8. In addition to staying cool in the park’s many water activities, the two Locals served a bountiful BBQ lunch.



LOCAL 2010

Teamsters end member discrimination on incentive programs across UC

Teamsters Local 2010 won another victory for our members, ending the discriminatory exclusion of Teamster members from receiving incentive awards under the University’s STAR program.

This victory could not have been won without the concerted effort of our members. After hundreds of signatures, thousands of leaflets, and countless hours of outreach done by volunteer leaders, we are proud to say we won the fight against bargaining unit discrimination.

“No employee should ever be punished for being in their union,” said Local 2010 Secretary-Treasurer Jason Rabinowitz. “Through the efforts of Teamsters through-



out California, we have once again shown our strength and the power of working together for justice.”

As all other employees in the UC system have enjoyed the benefits of incentive programs, such as the STAR Award, Local 2010 members experienced consistent exclusion from receiving these bonuses. Management would claim that members were ineligible because they were Teamsters, despite the fact

that the union contract clearly allowed for participation in such incentive programs.

“Thank you to all the leaders who made this victory possible,” adds Rabinowitz. “We will continue to fight to protect the rights of all our members.”

LOCAL 912

Threshold workers fight for their union, again



Back in 2012, Local 912 organized more than 300 workers at a vitamin manufacturing, warehouse and distribution facility called Threshold Enterprises. Threshold is the second largest distributor of nutritional supplements in the entire country and has been expanding, doubling its workforce and acquiring more facilities throughout the nation. Their CEO Ira Goldberg bragged, “During the worst recession, we’ve been growing steadily. We never stopped our growth pattern.” Although the privately-owned company does not release its sales figures, Goldberg has reported multimillion-dollar sales.

However, this isn’t enough for him. In the late 1990’s, Threshold entered a plea to two counts of corporate tax evasion, acknowledging that they evaded a total of \$1.18 million in taxes.

As is the story with far too many successful companies, our members don’t see their employer’s profits reflected in their paycheck. Many of them make minimum wage, can’t afford their health insurance and can’t afford to live in the upper class communities of Scotts Valley and Santa Cruz where the company operates.

Now that Threshold’s first contract is due to expire, a few select workers, favored by management and aided by the National Right to Work Committee, have submitted a decertification petition. Local 912 has filed unfair labor practice charges on the employer for their involvement in assisting, encouraging and instructing the favored workers on how to decertify the union. The National Labor Relations Board is investigating.

Karla Negrete, a Local 912 member who works sorting pills for Threshold, believes the company should bargain a fair contract with a livable wage, not come up with union-busting tactics to evade their responsibility to their workforce. “Me and my co-workers deserve more. Threshold not only underpays us, but it also controls my life, from what I can afford to eat, to what part of town I can afford to live in. I can’t afford to be sick or take a day off to spend with my family, because if I do, I would be struggling later to pay my bills,” said Negrete.

As the NLRB continues its investigations, Threshold is required to begin negotiations this fall, and Local 912 will be bargaining aggressively to fight for a living wage for their members.



LOCAL 896 - Fairfield

Notice of Nominations & Election of Officers

This is the official notice of scheduled nomination and election for the offices of Secretary-Treasurer (Principal Executive Officer), President, Vice President, Recording Secretary, three (3) Trustees and one (1) Business Representative – Northern California. These officers will serve a three (3) year term commencing on January 1, 2016 and expiring on December 31, 2018.

Nominations meetings will be held on November 7th and 8th, as follows: Branch 1 (Northern CA Soft Drink) Saturday, November 7th, 9:00 am, TAP Office, 300 Pendleton Way Oakland, CA 94621. Branch 2 (Anheuser-Busch, Fairfield) Sunday, November 8th, 9:00 am, 318 Mergenser Drive, Suisun, CA 94585. Branch 3 (Southern CA Beer) Sunday, November 8th, 9:00 am, 3303 Wilshire Blvd., 2nd floor, Los Angeles, CA 90010. Branch 4 (Southern CA Soft Drink) Saturday, November 7th, 9:00 am, 3303 Wilshire Blvd, 2nd floor, Los Angeles, CA 90010.

To be eligible for election to any office in Local 896, a member must be in continuous good standing and actively employed at the craft within the jurisdiction of Local 896 for a period of twenty-four (24) consecutive months prior to the month of nomination for said office (November 2013 thru October 2015), and must be eligible to hold office, if elected.

For Local Unions with quarterly dues, good standing for the quarter requires dues to be paid by the last business day of the first month of the quarter. So to be in good standing in November, the dues for the last quarter have to be paid by 4:00 pm on October 30th 2015.

Every member whose dues are paid up through the month which is prior to the month in which the nominations or election is held shall have the right to nominate or vote for the candidate of his/her choice. No member whose dues have been withheld by his employer for payment to the Local Union pursuant to his voluntary authorization provided for in a Collective Bargaining Agreement shall be declared ineligible to nominate or vote for a candidate for office in the Local Union, by reason of delay or default in the payment of dues by the employer to the Local Union. However, a member who is on checkoff shall be under a duty to pay his dues directly to the Local Union if he has insufficient monies owing to him by his employer which are subject to his checkoff authorization on the date when the employer deducts the dues of other members.

Periods of unemployment during the twenty-four (24) month period preceding the nomination shall not be considered a break in active employment in the craft within the jurisdiction of the Local if the nominee was actively seeking and available for employment in the craft and not working outside the craft during such periods of unemployment.

The election will be conducted by mail referendum balloting. It is anticipated that ballots will be mailed to the membership on or about November 16, 2015 and all ballots must be received in the Post Office box by 5 p.m., Tuesday, December

8, 2015 in order to be counted on December 9, 2015 at the Local 896 Los Angeles office. Observers are welcome. Any member not receiving a ballot by November 30, 2015 should immediately contact the Local Union office.

It is each member's responsibility to ensure that the Local Union has his/her correct address. If you have moved recently or if you have not received correspondence from the Local Union, or the International magazine, please notify the Local Union of your correct address immediately.

Since the nominations and election will be governed by the International Constitution and the Local Union bylaws, it is strongly suggested that all members familiarize themselves with the applicable provisions in those documents, which are available upon request.

LOCAL 912 Watsonville

General Membership meetings – 22 E. 5th Street, Watsonville

Notice of Nominations & 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, 2016, and conclude on December 31, 2018.

Nominations

Nominations will be accepted at a special meeting to be held Tuesday, November 10, 2015 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

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Nominations & Elections: International Constitution

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).

Local 912 Nominations & Election Notice

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by members of Local 912 other than the nominee. Nominators and seconders must be members in good standing with dues paid through October, 2015. 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, 2015 must be paid prior to the nomination meeting. In order to have your ballot counted, dues for the month of November, 2015 must be paid prior to 5:00 p.m. on Tuesday, December 20, 2015. 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 1, 2015, 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 24, 2015. Ballots will be picked up from the post office, taken to the Union office and counted beginning at 9 a.m. on December 28, 2015.

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.

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



**Joint Council 7:
www.teamstersjc7.org**

**International Teamsters:
www.teamster.org**



AROUND THE LOCALS

LOCAL 287

Learning the benefits of a good pension



Local 287 Pension Seminar with Chuck Mack was a huge success. "Chuck Mack and his staff did a fantastic job giving the history of the plan, the current condition of the plan and the great benefits upon retirement! We are looking forward to doing this again next year," reports Local 287 Secretary-Treasurer Bob Blanchet.

LOCAL 315 and UPS Locals

Celebrating Business Agent Frank Coppa's retirement

The IBT UPS Nor Cal committee hosted a retirement dinner for Local 315 Business Agent Frank Coppa on September 1, 2015. Frank served on and occasionally chaired the Nor Cal UPS Negotiating Committee. "If you have to go to war you want Frank Coppa on your side," said Nor Cal UPS Chairman Marty Frates. The Committee wishes Frank the best in his retirement.



LOCAL 912 Watsonville

Aviso de Nombramiento y Election 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 1º de Enero, 2016 y concluirán el 31 de Diciembre del año 2018.

Nombramientos

Se aceptarán nombramientos en la Reunión Especial de Miembros que se hará el Martes, 10 de Noviembre, 2015 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 2015. 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 sección "Bulletin Board" de este periódico. Para nombrar a un candidato, la cuota del mes de Octubre de 2015 se tiene que pagar antes de la junta para nombramientos. Para que se incluya su balota en la cuenta oficial se tiene que pagar su cuota para el mes de noviembre de 2015 antes de las 5:00 de la tarde, Martes el 20 de Diciembre de 2015. 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 propósitos 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 1 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 24 de Diciembre de 2015. Las balotas se recojerán de la oficina del correo y se llevarán a la oficina de la unión para contarse a las 9 de la mañana el 28 de Diciembre de 2015.

Protestas

Cualquier protesta de antes de la elección se tiene que entregar al Secretaria-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.

LOCAL 856

Teamsters Local 856's Annual Thanksgiving Meeting and Health Fair will be held on Wednesday, November 4, 2015 at 6 p.m. at the Best Western Grosvenor Hotel, 380 South Airport Blvd., South San Francisco. Kaiser Permanente will be on-site giving flu shots to members starting at 5 p.m.

For members who reside in the Sacramento area, the Thanksgiving Meeting will be held on Thursday, November 5, 2015 at 6 p.m. at International Association of Aerospace Workers Lodge 946, 2749 Sunrise Blvd., Rancho Cordova, CA 95742.

TAP Holiday Party

The Teamsters Assistance Program's Annual Holiday Party will be on December 12, 2015 from 11 a.m. to 2:00 p.m. at the Piedmont Veterans Memorial Building (Red Suite), 401 Highland Avenue, Piedmont.

Celebrate a sober Holiday Season with the TAP staff, treatment providers, family and friends. Enjoy a holiday lunch, raffle, and activities for kids. For questions, call TAP @ 510.562.3600.



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 |

Obamacare's "Cadillac Tax" impacts union members most

When the Affordable Care Act ("ACA" or "Obamacare") was passed in 2010, its "Cadillac Tax" got relatively little attention compared to other aspects of the law, like the "individual mandate" and the Healthcare Exchanges. However, when the Cadillac Tax first applies in 2018, it will likely hit union members—whose unions fought for and won strong benefits—very hard.

What is the "Cadillac Tax"?

The Cadillac Tax is a 40% tax imposed on the cost of healthcare coverage that will start in 2018. In 2018, if a union plan costs more than \$27,500 a year, everything over that limit is taxed at 40%. For example, if in 2018, the plan costs \$30,000 per year, that's \$2,500 over the \$27,500 Cadillac threshold. The Plan will have to pay a tax of 40% of \$2,500, which equates to \$1,000 per member.

The intent of the tax is to generate revenue to fund other aspects of the ACA, (such as the subsidies available to individuals who purchase coverage on the Exchange), and to encourage employers to eliminate health coverage perceived as "too generous" in the hope that this would reduce healthcare costs overall.

How Does the Cadillac Tax Affect You?

Your health benefits are the product of hard bargaining with management. Keeping those benefits strong has meant balancing the cost of the health

plan against other costs of the contract such as wage increases and pension improvements. For many Joint Council 7 Locals, the contracts obligate the employer to "maintain the benefit," meaning that the benefits cannot be reduced even to keep from being forced to pay Cadillac Taxes.

The Cadillac Tax will make it harder for the union to keep negotiating strong benefits because it adds a huge tax burden to the cost of the plan. The tax will also give employers even greater reason to leave union plans and cut benefits.

The Cadillac Tax will also fall most heavily on plans in expensive markets like Northern California. According to a study commissioned by the National Education Association, (the teachers' union), the Cadillac Tax is likely to be triggered not simply by "rich" benefits, but also by a plan's geographic location, its participants' average age and the plan's gender mix. In other words, between a plan in the Bay Area and the Central Valley and a plan in Toledo, Ohio offering identical benefits, the California plan is much more likely to exceed the Cadillac Tax threshold than the Ohio plan.

Will the Tax be Repealed?

Unlike attempts to repeal other parts of the ACA, repeal of the Cadillac Tax has bipartisan support. Major corporations, unions, and insurance companies have joined together under the name "Alliance to Fight the 40" to formally campaign against the tax.

Trends in drug and alcohol use and abuse

The National Institute on Drug Abuse (NIDA) conducts an annual national survey on substance use, abuse and dependence among Americans 12 years old and older, asking about whether respondents ever used specific substances in their lifetime, over the past year and over the past month. The following information comes from the revised June 2015 report based on a survey of approximately 67,800 people in 2013.

Increased use of marijuana:

Illegal drug use has been increasing with 9.4 percent of the population having used an illegal drug in the last month in 2013 compared to 8.3 percent in 2002. The increase is largely due to an increase in the use of marijuana which is now readily available by prescription in many states (including California) and is legal in four states. Several more states will likely legalize marijuana over the next few years.

The popularity of "vape pens" has helped increase the use of marijuana and made the drug more dangerous in some ways. With vape pens, the potency of marijuana's psychoactive ingredient (THC) is much higher. Some vape pens deliver 70% doses compared to smoked marijuana, which range from 7 to 30 percent potency.

Prescription and other drugs: While marijuana use has increased steadily since 2007, rising by almost 2% to 19.8 million users in 2013, use of most other drugs has stabilized over the past decade or declined. Prescription drugs, including pain relievers, tranquilizers, stimulants and sedatives, were used by 6.5 million Americans in the last month. Drug overdoses from opiates (obtained illegally and legally) have increased over the last 15 years. Cocaine use has

gone down in the last few years while illegal methamphetamine use and illegal prescription drug use (mostly opiates) has increased. Methamphetamine use increased from 353,000 current users in 2010 to 595,000 in 2013.

Getting started: More than half of all new illegal drug users begin with marijuana and most people use drugs for the first time when they are teenagers.

Fifty four percent of new drug users in 2013 were under 18 years old. However, underage drinking (ages 12-20) has declined from 28.8 to 22.7 percent between 2002 and 2013 as did binge drinking and heavy drinking. Driving under the influence among licensed drivers has also decreased.

Who's partaking: Drug use is highest among people in their late teens and early twenties, although it

is increasing in baby boomers (in their 50's and 60's) whose rates of illegal drug use have historically been higher than those of previous generations.

The trends: The popularity of certain drugs varies as trends change. What does not change is the overall picture in which over 10% of the American population is dealing with a drug or alcohol problem at any time.

The Teamsters Assistance Program (TAP) is a service to participating Trust Funds that helps members and their families deal with problems associated with substance abuse. If you know anyone who has a drug or alcohol problem or a family member who is impacted by a loved one's addiction, please have them call TAP for confidential assistance at (510) 562-3600.

"Over 10% of the American population is dealing with a drug or alcohol problem at any time."