



Governor signs AB5 into law

Teamsters, Labor push landmark bill protecting gig workers over the finish line

For the past several months, Teamsters have traveled to Sacramento to lobby the state senate and assembly with one key goal: to pass AB5 and put a stop to worker exploitation in the “gig” economy. A million California workers are denied key workplace protections—including the minimum wage—because their employers falsely label them as independent contractors. But that practice will now come to an end as the legislature passed the bill and the governor signed it on September 18.

It’s not a new practice, but “gig economy” companies like Uber, Lyft, Doordash and Handy have taken the practice to new heights, claiming that they’re technology companies rather than taxi, delivery or repair companies. The result is that they undercut the competition, particularly union employers, that pay good wages, benefits, unemployment and social security.

“By approving AB5, the California legislature solidified our state’s position as the national leader on workplace rights, setting the standard for the rest of the country to follow,” said California Labor Federation Executive Secretary-Treasurer Art Pulaski in a statement. “The misclassification of workers creates a corrosive effect that ripples through our entire economy, undermining our laws to protect and support working people. AB5 is a powerful counter to the corporate greed and rampant exploitation that’s driving inequality across our state in emerging and traditional industries, alike.”



Teamsters, Building Trades workers, and other union members at a Lobby Day on September 5, to push the State Senate to vote for AB5 without further amendments, and the Assembly to give the final push for passage. Below, larger than life “fat cats” represent Uber, Lyft, Handy and other gig economy companies that are misclassifying employees as independent contractors.

“Today, we are disrupting the status quo and taking a bold step forward to rebuild our middle class and reshape the future of workers as we know it,” bill author and Assemblyperson Lorena Gonzalez said in a statement. “As one of the strongest economies in the world, California is now setting the global standard for worker protections for other states and countries to follow.”

AB5 is based on a 2018 decision by the California Supreme Court that imposed a stricter test for whether a worker could be considered an independent contractor. Companies can’t call workers independent contractors if the work they do is central to the company’s mission or if the company substantially directs their work, the court ruled. The legislation will make enforcement significantly easier, but it also includes a lot of exemptions for professions such as doctors, lawyers, architects, engineers, accountants, insurance agents, hairstylists, and more.

The trucking industry and app-based companies like Uber and Lyft have been screaming for exemptions but so far, their efforts are in vain. “Trucking has some of the worst violators,” said Assemblywoman Lorena Gonzalez, the bill’s author. “We are not going to strip out employee protections.”

Other workers who will be covered by AB5 include janitors, construction workers, manicurists, strippers, and some in the tech industry. Being an employee means protections including the minimum wage, overtime, workers comp, sick leave, family leave, and more, in addition to employer payments for Social Security and Medicare. Companies also don’t pay payroll taxes on independent contractors,

shorting the state of California by an estimated \$7 billion a year on misclassified workers.

App-based companies like Uber, Lyft, and DoorDash tried to negotiate an exemption for themselves, but legislators held firm and the bill was passed and signed with limited exemptions for workers such as Real Estate Agents and hair stylists, who truly are independent contractors. However, those companies are threatening to pour \$90 million into a campaign for a ballot measure exempting them, which could become a massive fight in 2020.

“Misclassification is an attempt to weaken the power of workers, including the thousands of truck drivers in California, who deserve a living wage and full rights as employees. The legislature and governor have taken a strong stand with workers who should earn a living wage and have the protections to which they are entitled,” Joint Council 7 President Dave Hawley noted.



**Teamsters Day at the Ballpark
QUESTION OF THE DAY**

Who do you root for?



John Flores
Local 315—Alsco American Linen Supply Co.
I'm a Bay Area fan. I like both teams. Now, the Giants are the underdog; I'd like to see them win to tie the series.



Gene Durr
Local 856—United Airlines
The Giants because I'm born and raised in San Francisco.



Henry Valladares
Local 350 —Recology
The Giants. I was born and raised in San Francisco.



Tracey Walker
Local 856—Contra Costa County
Oakland A's. I was born and raised in Oakland and they're part of my history. I'm just happy they're planning to stay in Oakland.



Mark Bergendahl
Local 853—Berkeley Farms
I like the A's. Have followed them for years — they have all the good players.

NOTE: Members were chosen at random in the search for a variety of local unions. That they ended up being fans of both teams by a 50/50 margin is just coincidence!



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PRESIDENT'S REPORT

BY DAVE HAWLEY



Good news / Bad news

The good news is that, according to Gallup Polls, public approval of unions jumped to 64% this year, putting it near its 50-year high. The bad news is that since 1979, union representation of workers has dropped by more than half, descending from 27% to less than 11%. Half of Americans believe that the decline in union representation is bad for working people.

"It's been a decades-long attack on working people," said AFL-CIO Secretary-Treasurer Liz Shuler. "It's been a slow decline from our peak in the 70's— trailing off year after year primarily because of our broken labor laws."

Unfortunately, with Trump's election and the Republican's control of the Senate, we have seen a wholesale attack on labor. With the anti-union appointments to the Supreme Court, the Janus decision came down that allows for freeloaders to receive all the benefits of our hard work without paying for them. Trump has loaded up the National Labor Relations Board with anti-union attorneys resulting in the erosion of historic labor laws that protect our right to represent our members and organize new units. Trump summed up his

disdain for unions in his Labor Day tweet saying that "union workers would not only vote for him in 2020 but should dump their union and stop paying 'exorbitant' fees."

Workers are tired of feeling powerless and are ready to take risks to improve their standard of living.

Despite this, we have an excellent opportunity to grow our membership. More and more young workers are seeing the benefits of joining and forming unions. In 2018, half a million people walked picket lines. Workers are tired of feeling powerless and are ready to take risks to improve their standard of living. With the passage of AB5 in California, we will have the opportunity to organize those

workers who, in the past, have been misclassified as owner-operators. Thanks to Doug Bloch, Shane Gusman, and Matt Broad for all their hard work and to all of you who took the time to come to the lobby days to push AB5 across the finish line.

The fight has just begun. With the election coming up we must work to elect labor-friendly candidates in both our local and national races to restore and improve our labor laws. I look forward to working with all of you as we mobilize to face these challenges.

Teamsters Day at the Ballpark



What a tailgate party!

On August 24, more than 4,000 Teamsters and their families—Giants and A's fans by equal measure—came together for a fantastic barbecue meal and baseball game at RingCentral Coliseum. In the end, the Giants won the game 10-5, making half the group very happy. Below left: JC7 officers Dennis Hart, Carlos Borba and Peter Finn welcome the group.





China trade war impacts recycling and Teamster jobs

More than 32,000 Teamsters across the nation work in the Solid Waste and Recycling Division. Every morning, Teamsters are out at the crack of dawn collecting America’s garbage and recyclables.

Unlike other Teamster industries, waste and recycling is concentrated into the hands of a few powerful corporations. Waste Management and Republic Services alone provide collection services to more than half the country. Despite this, the Teamsters are growing and organizing in this industry. Yet our jobs are under threat. We are taking action to protect our jobs in both this industry and the plastic-producing beverage industry—a major source of recyclable materials.

Recycling in this country began in the 1970s and 80s with the rise of curbside recycling and bottle deposit programs. Today about one-third of the waste Americans produce is diverted from landfills toward recycling. San Francisco leads the way for the entire country, diverting more products than any other city. It also leads the way because the workers have the best wages and benefits in this industry, thanks to the ongoing leadership of Teamsters Local 350 which represents all of the workers at Recology. Recology has an exclusive agreement to collect and process all of San Francisco’s waste and recyclables.

Recycling surprise

What most Americans don’t know is that most of the so-called “recyclables” we dispose of end up in landfills, warehouses, and incinerators. That’s because of China trade policy. We hear constant reports of this President fanning the flames of a trade war with China, but little about how this impacts our jobs.

For the last three decades, we sold most of the plastic, paper, glass, metal, and other recyclables that were collected to China. Locally, Teamsters took containers of recyclables to the Port of Oakland for export to China. That country converted those materials into products that were put back on container ships and transported back here and sold to us. That all stopped in 2018 when China adopted the “National Sword” policy, banning the import of certain types of plastic, papers, and solid waste, especially contaminated products.

Contamination is a big problem in the industry as most Americans still don’t know how to sort their waste. For example, many people throw pizza boxes in the recycle bin because they are cardboard. What they don’t realize is that pizza grease contaminates the cardboard. All of these materials are collected and sent to Material Recovery Facilities (MRFs) for sorting. This is some of the most dangerous work in the country, where Teamsters have fought hard to raise standards. The equipment needed to make much of these materials suitable for processing is expensive and frequently faulty.

In most cases, it is cheaper for manufacturers to buy new materials instead of using recycled ones.

Impact on Teamsters

Still, it was China’s National Sword policy that really pulled the rug out from under this industry and our members. Instead of selling these materials to China for a profit, now our employers are paying money to incinerate, warehouse, or simply send the materials to a landfill. With profits down, there is less money to share at the table in bargaining.

Many smaller players in the industry—including Teamster employers—are on the verge of extinction. This is forcing our employers to go back to the cities with which they have franchise agreements to ask for rate increases. Of course, we’d rather see those rate increases go to our members.

The single largest culprit in all of this mess (no pun intended) are single-use plastic containers.

Every year, the average American goes through 250 pounds of plastic materials. This puts our employers in the beverage industry squarely in the eyes of legislators, regulators, and organizations aiming to fix this problem. Why is that? Because about 6 billion pounds of plastic bottles get thrown away every year. Yet only 7% of the plastic our own employer Coca-Cola uses in its bottles comes from recycled plastic. The writing is on the walls.

Need for solutions

This year, California is looking at legislation that would require all plastic and single-use materials sold in the state to be either fully recyclable, reusable, or compostable. We worked with the bill authors to extend the date that the legislation goes into effect to 2030, giving our beverage employers 10 years to transition.

A few pieces of legislation will not fix the industry’s problems. Together with our employers, Teamsters have met with key government officials on this issue over the last few months. These include Jared Blumenfeld, California Secretary for Environmental Protection; Scott Smithline, Director of the California Department of Resources Recycling and Recovery; and Treasurer Fiona Ma. Our ask was simple: to convene a high-level task force to look at the crisis in the recycling industry and come up with solutions. For example, instead of selling materials abroad, California can invest in infrastructure and good jobs by building our own processing plants.

Most importantly, we are demanding that Teamsters have a seat on the task force so we can make sure our jobs are protected. You can expect to hear more on this in the coming months.

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“With Teamster jobs under threat, we are taking action in both the recycling industry and the plastic-producing beverage industry.”
.....

Teamsters Day at the Ballpark QUESTION OF THE DAY

Who do you root for?



Rick Cervantez
Local 517—Land O’Lakes
The A’s. Period. I grew up in Visalia and have rooted for the A’s my whole life.



Luis Verduzco
Local 287—UPS
The Giants. Because I like orange!



Shelly Storkan
Local 137— Butte Cnty Behavioral Health
The A’s. They are the closest to us. And my favorite color is green!



Athena Dryer (with son Michael Armbrost)
Local 137—Butte County Child Support
I don’t pay attention. I just have fun. Growing up, my family rooted for the Giants.



Steve Gould
Local 533—UPS
The Giants. I grew up going to A’s games. When I moved to Reno, there were Dodger fans and I wanted to compete. I just love baseball!



LeNora Piceno
Local 439—Safeway Distribution Center
Oakland A’s. My first live game ever was an A’s game. Ever since then, I was hooked.



Chris Kirstein
Local 70—Waste Management
Oakland A’s. It’s my hometown team. Everybody else is leaving this city; I hope they stay.

AROUND THE LOCALS



Local 315

Member launches podcast



By Jeremy Rich

I felt it was time for a podcast created by and for the rank-and-file, so I created one.

First, let me introduce myself. My name is Jeremy Rich and I am the Chief Steward at UPS' small, but growing, Oakley building. I am also the Warden of Local 315. I have been at UPS for almost 20 years, the last 18 years of it as a package car driver. I originally started in UPS' Concord building as a peak season part-time hire in 1999.

Last October, I started *Thoroughbred Teamsters Podcast* with zero experience. It is a one-man operation. I produce it, host it, write it, promote it, fund it, and research the topics. It can be found on numerous listening platforms such as Apple Podcasts, Spotify, Anchor, and more.

The vibe of the show is mellow and positive. I share my thoughts, opinions, and experiences as a Teamster. It is meant to encourage, educate, and inform members of the topic of the day. My main message is to encourage listeners to give back to the next generation of Teamsters, thus helping to build a stronger union.

To date, the feedback has been outstanding. Listeners have reached out to me from Seattle, Oklahoma City, New England, and Canada. Is it for everybody? No. But I try to provide a balance and perspective that appeals to most who give it a listen. Give it a shot and let me know what you think.

Lastly, I want to thank everyone at Local 315 for offering more support than I even hoped for. This includes my coworkers at the Oakley building, President Alberto Ruiz, Secretary-Treasurer Don E. Garcia, Business Agent Nick Berry, and everyone else at the Local.

LOCAL 856

Local 601 merges, creating new Food Processing Division

In June, with a resounding 90% yes vote, the members of Teamsters Local 601 voted to merge with Local 856. Their goal for the merger is to increase member strength, build on the current Teamster Central Valley infrastructure, and advance organizing opportunities, while maintaining local control. Local 856 is fully committed to meeting those goals.



Members of Local 856's new Food Processing Division.

The merger, effective August 1, establishes the creation of the Teamsters Local 856 Food Processing Division, with a board of rank-and-file leaders headed by Director Ashley Alvarado. Under Alvarado's leadership, the board will offer industry-specific expertise and knowledge to enhance day-to-day representation, bolster union power in negotiations,

and expand union membership to more workers in the food processing industry.

The Teamsters 856 Food Processing Division is headquartered in Stockton with an additional office and union hall in Yuba City.

"We are excited to get started and are ready to leverage the resources of a larger local union to increase bargaining power, provide stronger representation

for all Teamsters 856 members and create the ability to invest in organizing. This will enable the Teamsters to deliver more opportunities for good union jobs in our communities," said Teamsters 856 Principal Officer Peter Finn and Food Processing Division Director Ashley Alvarado in a joint statement.

Local 517

When plant gets named top in nation, workers get the credit

Saputo Creamery, with 11 dairy plants around the nation, awarded the Tulare facility with its "Gold Star Plant" award. Management at the facility credited the workers—members of Local 517—for the honor. The plant has nearly doubled in size over the last three years, and currently have about 140 bargaining unit employees.

The company took many factors into account in designating the Tulare plant as the Gold Star plant. One was that, for the first time, the plant set a record in 2019 of over a million pounds of production. Also, over three years and a million work hours, there was not one lost-time injury.

"This is a great company to work with and we have a great relationship," says Business Agent Steve Nelson. "It just shows what happens when the workers are treated with dignity and respect."

Member is "made whole"

After being wrongfully terminated by Land O Lakes in August 2018, 21-year employee Ron Arcino now has his job back with his seniority restored, and the arbitrator awarded him more than \$100,000 in pay, pension and healthcare.

"When Ron was fired, the union immediately filed a grievance. The company promptly denied it, refusing to do a 2x2 panel as is called for in the contract," explains Business Rep Steve Nelson. "We took the case to arbitration, but Ron was out of work for the 11 months it took for the case to get heard."

Ultimately, the arbitrator ruled that the company bypassed the progressive discipline steps and not only awarded Ron full back pay, they also determined how much overtime he would have earned, covered his health care and pension, and honored his seniority. Today, Ron is back to work, and is pleased to have been moved to the day shift.

That's the value of having a good union contract!



Union and management take pride when Saputo Creamery in Tulare is named "Gold Star Plant." From left: Saputo Shop Steward Lawrence Rodriguez, Local 517 Secretary-Treasurer Greg Landers, Saputo Plant Manager Cliff Young and Supervisor Eddie Silva, Local 517 Trustee Yvonne Saucedo and Business Agent Steve Nelson.

Local 2010

Teamsters shed light on dark side of Merced 2020 project

Teamsters 2010 members handed out about 400 leaflets and talked to dozens of students and residents heading into the Phase II opening of the UC Merced 2020 Project. The leaflet "congratulates" campus administration for selling out the Merced community.

The 2020 Project portion of UC Merced campus is a public-private partnership, which is a fancy way of saying that good, union jobs maintaining the buildings and grounds have been subcontracted out by the Canadian-based developer.

"It was shocking to see how many members of the campus community were not aware of the true nature of the [public-private partnership] 2020 project," said Jeffrey Slayter, Teamsters 2010 Skilled Trades Chief Steward at UC Merced.

LOCAL 350

Los Altos city workers ratify new contract

On July 18, 2019, Teamsters Local 350 members employed by the City of Los Altos unanimously voted in favor of a new three-year Memorandum of Understanding.

“This contract provides the security and advancement our members sought for the next three years,” said Local 350 Recording Secretary and lead negotiator Juan Coca. “This lucrative M.O.U. provides more than just an increase in wages; it delivers full health care coverage, a path to enhancing the retiree benefits and recognition for our unit’s efforts in the form of incentive pay.”

The men and women of this unit provide a broad spectrum of services throughout the City of Los



Members in Los Altos unanimously approve new M.O.U.

Altos, which has a population of just under 29,000 residents. These range from maintaining the streets and parks to repairing the sewer system.

“Our members help the city to preserve the quality of services the community of Los

Altos expects. They are the unsung heroes of the city,” said Coca.

“I’d like to commend our members Robert Jimenez and Matthew Estrella for being advocates for the unit’s needs and sticking together to present an M.O.U. that could be passed unanimously,” said Secretary-Treasurer John Bouchard. “I also want to recognize Juan Coca for getting one of the most rewarding contracts this unit has ever seen.”

LOCAL 431

New contracts and organizing afoot

Members at Valley Fig Growers, Charles McMurry, Coca-Cola and Delta Health Systems have all ratified new contracts that include increased wages and/or improved health and welfare.

Local 431 is currently on the ground organizing several groups including Tapitia Ice Cream and Specialty Sales, reports Secretary-Treasurer Peter Nuñez.

Finally, the Local recently won an arbitration against Bradley Tanks, Inc. resulting in the company having to pay back dues and initiation fees to the Local for failing to inform the Local about 50 new construction employees.



The members at Delta Health Systems were proud to ratify their new contract.

Local 137

Celebrating Labor Day Teamster-style



Local 137 held its 34th Annual Five Counties Central Labor Council Labor Day Picnic at Anderson River Park, near Redding. “It was a great turnout on a gorgeous day,” says Secretary-Treasurer Dave Hawley.

Scholarships

LOCAL 948



Congratulations to Ivy Mendiburu, Teamsters Local 948 scholarship recipient of the 2019 JC 7 Harry Pollard/Robert Morales Scholarship. Pictured here left to right. Her mother Lee Sa (UPS), Ivy Mendiburu, Local 948 Secretary-Treasurer Adam Ochoa.

LOCAL 315

Every year, Teamsters Local 315 gives away five \$2,000 scholarships and these are the winners of the 2019 scholarships:

Gabriel Nelson—Parent: Jennifer Kaiser – Vallejo Flood & Wastewater District

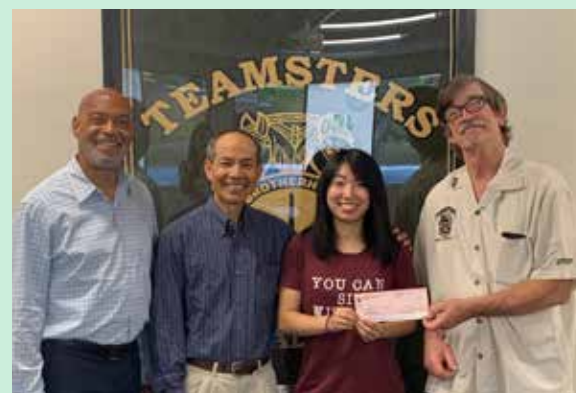
Kathryn Jeffries—Parent: Gregory Stahl – Republic Services

Kendall Hernandez—Parent: Raymond Hernandez – Recology Vallejo

Jacob Guorgui—Parent: George Guorgui – Vallejo Flood & Wastewater District

Sophia Ramirez—Parent: Miguel Ramirez – Republic Services

LOCAL 853



Yemi Grace Mock received a \$1,000 Harry Pollard/Robert Morales scholarship from Joint Council 7. Her dad works for Storer as a driver and his name is Lawrence Mock. She is going to college at Cal Poly San Luis Obispo. Shown here is Local 853 Business Rep Tracy Kelley, dad Lawrence Mock, Yemi Grace Mock, and Local 853 Secretary-Treasurer Dennis Hart.



Local 70

Best ribs in the East Bay



Teamsters Local 70 was glad to be invited to participate in the first annual Barbara Lee Birthday Rib Cook-off. Not only did we attend, but we took home the trophy for best ribs! More important than the trophy is our continued presence at these events to remind the lawmakers who make decisions that working people matter.

Local 2785

Local takes Gate Gourmet contract struggle to the top

Business Rep Terry Mullady had an opportunity to meet with Speaker of the House Nancy Pelosi in August to



talk about the difficulties he and the Teamster reps across the nation are having in getting a new contract for the 4,000 workers at Gate Gourmet.

"The contract expired in December, 2017 and the company is not negotiating in good faith. They offered a sub-par company health plan and sub-standard wages," says Mullady. "However, because this contract is under the jurisdiction of the Railway Labor Act, our members cannot strike and the talks are being slow-walked through mediation."

Mullady says that Pelosi was "very understanding and promised to help." Many thanks to San Francisco Labor Council Director Rudy Gonzalez for setting up the meeting.

State legislature passes many important labor bills

By SHANE GUSMAN

This year's legislative session came to one of its weirder ends in recent memory. Perhaps it was the full moon or the fact that it was Friday the 13th. Whatever the reason, it was crazy.

The halls were packed with protesters, mostly from the so-called "anti-vax" movement. These folks were there to protest the Legislature's passage and ultimately the Governor's signature on two bills to toughen our state's vaccination laws. I've seen many protests over the years—human rights groups, animal rights groups, even Avon ladies—but I've never seen one as disruptive and confrontational as the anti-vaxers. They disrupted hearings and the floor session, banged on office doors and walls, yelled, and, in some instances, got in the face of anyone who looked at them too long. One assaulted a Senator a few blocks from the Capitol. All of this culminated in one of them dumping blood from the gallery onto the Senate floor, hitting five legislators.

Kudos to legislators, their staff, and law enforcement for keeping their cool. While there were many delays, including moving the entire Senate to a large hearing room since the Senate floor became a crime scene, the session finally ended at around 3 a.m. Hundreds of bills were sent to the Governor, including many that we either sponsored or supported. Here are some of the more important measures we worked on that are sitting on Governor Newsom's desk awaiting signature.

Misclassifying gig workers

AB 5 by Assembly Member Lorena Gonzalez (D-San Diego), which codifies the *Dynamex* decision, was the most talked about bill of the year. Our union, along with the State Fed and the Building Trades, pushed this one over the top. It's probably the most important bill for workers and unions in my 21 years of doing this work as it should put an end to misclassification in many of our core industries. And I'm happy to report that the governor signed it as I was writing this article.

Paychecks for UC workers

SB 698 by Senator Connie Leyva (D-Chino) would provide for penalties when our members at the University of California aren't paid on time or correctly or the proper deductions aren't made from their paychecks. The UC system has switched to a new payroll system and there have been nothing but problems, including members not getting a paycheck for months. UC is immune from labor code violations under current law so they have little incentive to get it right. This bill will change that by making UC financially accountable if they screw up.

Healthcare rate reviews

AB 731 by Assembly Member Ash Kalra (D-San Jose) would apply the state's current healthcare rate review law to large group plans like the ones Teamsters have. Any substantial increase in rates would trigger a review by the regulator to determine if the rates are reasonable and justified. This has worked pretty well in the individual and small group health insurance market and our hope is that this bill, if it is signed, will help reign in the outrageous rate increases we've seen over the years.

Ending forced arbitration

AB 51 by Assembly Member Gonzalez would prohibit employers from requiring a waiver of labor or employment rights as a condition of employment. This really goes to the heart of forced arbitration. A worker should not have to waive important employment

protections like misclassification or protection from discrimination in order to work. The growth in forced arbitration is incredible, particularly with so-called gig work. Many of the rights we take for granted can be violated and the aggrieved worker can only go to the arbitrator chosen and paid for by the employer. A fair outcome is unlikely under these circumstances. AB 51 will hopefully put an end to this practice.

Paid release time for public sector unions

AB 314 by Assembly Member Rob Bonta (D-Alameda) would establish minimum statewide standards for paid release time for public sector union activity. The differences and holes in current law have undermined the ability of public employee union members to exercise their rights and participate in their union.

Disclose economic development subsidies

AB 485 by Assembly Member Jose Medina (D-Riverside) would require local governments to disclose the economic development subsidies they grant for building a warehouse distribution center in their jurisdiction. As we've seen the growth of giant distribution centers like those built by Amazon and others, we've seen millions of taxpayer dollars thrown at multibillion dollar companies to locate in a particular place. Many of these facilities undermine the local economy by providing low-wage, no-benefit jobs just so a city or county can increase sales tax revenue. This is short-sighted and economically detrimental to workers and taxpayers alike. A little sunshine on the tax giveaways could go a long way toward smarter development where everyone benefits, especially the workers.

New Oakland stadium

AB 1191 by Assembly Member Rob Bonta paves the way for the new Oakland A's stadium. While this bill was somewhat controversial within labor because of the proposed stadium location at Howard Terminal, it won support in the end because of the importance of retaining a professional sports team in Oakland and number of good union jobs created, including Teamster jobs.

Cap rent increases

AB 1428 by Assembly Member David Chiu (D-San Francisco) would create a statewide cap on rent increases. There's no question that we have a housing crisis in California. Workers, even those with good paying union jobs, are finding it increasingly hard to live near where they work, forcing many to make long commutes, significantly impacting quality of life. Some workers find it impossible to get affordable housing and are forced to live out of their cars or worse. As a result, we are engaging more and more on housing issues and this bill is one important step among many the state needs to take to address this problem.

Local control of charter schools

AB 1505 by Assembly Member Patrick O'Donnell (D-Long Beach) would provide greater school district control of charter schools. We have seen too many fly-by-night corporations come into communities with promises of big improvements to the local education system, only to find out that they siphon our tax dollars for profit and routinely break those promises. They also like to union bust. This bill will help ensure that our children come first and educators and staff aren't sacrificed in order to achieve greater profits.



Changes to Hours of Service Rules

By KENA CADOR

Bowing to complaints from the trucking industry, the U.S. Department of Transportation's Federal Motor Carrier Safety Administration (FMCSA) has proposed revisions to its hours-of-service regulations. Heralded as an opportunity to give drivers "relief from rigid mandates," the proposed revisions are actually a thinly-veiled attempt to allow companies to limit the quality of driver resting time and extend the overall hours a driver can drive.

Teamsters General President Jim Hoffa condemned the proposed revisions stating: "Trucking is already one of the nation's most dangerous jobs. We shouldn't be sacrificing the health and safety of drivers just to pad the profits of their big business bosses."

Current regulations limit commercial drivers to 11 hours of driving time within a 14-hour window after they come on duty. Proposed revisions would allow a driver to pause their 14-hour driving window by using an off-duty break, meaning that a driver could squeeze in a break during a regular shift and extend their time on the road by up to three hours.

In addition, where current regulations permit a driver to come on duty only after they've taken 10 consecutive hours of rest time, the proposed revisions would allow drivers to split their 10 hour break. Rather than requiring 10 hours of rest before returning to the road, the proposed revisions would allow a driver to come on shift after only 7 hours of rest and permit use of the remaining 3 hours at a later time.

Finally, under federal law, drivers are required to take a 30-minute rest break if they've been on duty for eight hours. The proposed revisions would (1) make this break mandatory only after a driver has driven eight hours straight (rather than simply working eight hours since their last break), and (2) allow "on duty, not driving" time to count towards the break requirement. Accordingly, drivers could be forced to use their breaks during refueling time rather than how it was intended—to provide necessary rest and relaxation for drivers on the road for hours at a time.

While the FMCSA claims the rule will have no adverse impact on highway safety or driver health and wellness, it's clear that the proposed changes are an invitation to trucking companies to take advantage of truck drivers and undermine the quality of driver breaks.

If approved, the proposed changes are not likely to go into effect until the end of 2020 or the beginning of 2021.

Joint Council 7 turns out for Teamsters Women's Conference



1,200 Teamster women and a few men turned out for the annual 2019 Teamsters Women's Conference in Montreal, Canada in September. Here's some of the Joint Council 7 delegation pictured with General President Jim Hoffa.

Be the Spark

The IBT Organizing Department put together a panel that highlighted people and Locals that "sparked" change for their members by using collective action to fix a problem. Lani Richardson who started at UC Davis and is now an IBT organizer talked about how Local 2010 is working to get UC to cover staff parking. Previously, staff were collectively paying the university close to \$1 million monthly for parking. "We as members should not hesitate in sharing the benefits that being Teamsters has brought our lives and our families. We need to be the spark for others. UC workers need a Teamster contract now," she said.



Local 70

Acquistapace, James
Aiello, Larry
Bergin, Donald
Bronson, Jr., James
Cabral, Roy J.
Carrillo, Juan
Drago, Samuel
Galletto, Mario
Ghisleni, Samuel
Hein, Ronald
Hickey, Robert
Jackson, Gregory
Jaffe, Bill
Jeans, John
Lewis, Jr., Leroy
McNeese, Spence
Perry, Frank
Rossi, Frank
Stevenson, John
Sylvia, Eli
Ticoulat, Christopher
Zamacona, Joseph

Local 87

Bruce, Thurman
Feeney, Kevin
King, Troy
Powell, Richard
Williams, Don

Local 315

Carter, Willie
Duarte, Joseph
Durley, Charles
Figone, Lewis
Giacomelli, Raymond
Holmes, Jr., Edward
Philips, Vernel
Plumos, John
Recacho, Melwynn
Rote, Paul

Local 350

Vides, Carlos
Waters, Cynthia

Local 386

Russel, Roland

Local 431

Abate, Joseph
Carter, David Allen
Hildebrandt, John

Lopez, Baltazar
Miller, Billy
Perez, James
Ray, Jerry
Smith, Leonard
Vargas, Fred

Local 439

Tum, Joe

Local 517

Benton, Ambrose
Bundick, George
Hammond, Robert
Payne, Daniel
Waltjen, Philip

Local 533

Anderson, Scott
Gregory, Jesse
Miller, Gabriel

Local 853

Culwell, Clifford
Goveia, Barbara
Mejdrich, Dee Ann
Montes, David CH
Tanaka, Kai

Local 853

(formerly Local 15 Mailers)
Blacklaw, Barry
D'Angelo, Everest
Geeslin, Patricia
Lemberger, Warren
Robusto, David

Local 853

(formerly GCC583)
Alvarez, Ronald
Banuelos, William
Bartlow, Frank
Bassett, Lois
Belmonte, William
Caesar, Robert
Colwell, Robert
Diaz, Antonio
Dillon, James E.
Dudoroff, Alex
Duran, Jess
Green, Richard
Isola, John (Jack)
Jurey, Clyde W.
Kyriakis, Nick

Lee, Tony
McManus, James
Moellinger, Robert
Mohring, Kenneth
Mountanos, Venetia
Nakazawa, Lawrence
Otis, Stephany
Pacheco, Joe
Patterson, Edwin
Quintana, Emma
Realyvasquez, Frances
Redman, Donald
Rentillo, Lydia
Rigor, Virgilio
Russell, Earl
Schubert, Betty
Selke, Mitt
Sierra, Martha
Simi, Guiseppina
Tensfeldt, Donald
Tick, Don
Vers, Richard
Washington, Virgil
Whitesides, Robert
Wong, Jerry
Wood, Clark

Local 856

Abadesco, John C.
Faulkner, Phillip K.
Gallagher, Steve B.
Geiger, Dorothy
Golding, Glenn
Valenzuela, Guillermo

Local 896

Torento, Raymond

Local 2010

Zavaleta, Jose

Local 2785

Bell, Clifford J.
Daly, Patrick Enda
Del Mundo, Jeffrey D.
Eldredge, Dennis E.
Groth, James
Linehan, Terry E.
Macaire, Ronald
Manzo, Angel Barragan
Navarro, Emilio
Pierro, John
Vargas, Joseph

RALPH TORRISI

1932-2019

Ralph started his career with the Teamsters in 1956 after proudly serving his country as a Gunner in the United States Air Force.

He helped organize automobile salesmen in El Paso, Texas, and then did the same in San Jose with Locals 576 and 960. He transferred to Local 296 where he rose to the top to become the Principal Officer.

He served in numerous positions on the Executive Board of Teamsters Joint Council 7 and retired as the Secretary-Treasurer. He also served on the Western Conference of Teamsters Pension Trust as well as on several International Committees. He was also proud to have served on the United Way for Santa Clara County, the Sheriff's Advisory Board, and the State of California State Compensation Insurance Fund.

In lieu of flowers, the Torrissi family requests that contributions be made in Ralph's name to the American Heart Association, Donation Processing Center, P.O. Box 742030, Los Angeles, CA 90074-2030.



TAP Holiday

The TEAMSTERS' ASSISTANCE PROGRAM OF NORTHERN CALIFORNIA

Cordially Invites You to Our 38th 2019 ANNUAL HOLIDAY PARTY

Saturday, DECEMBER 14TH

11:00 AM TO 2:00 PM

PIEDMONT VETERANS MEMORIAL

BLDG-RED SUITE

401 Highland Ave

Piedmont, CA 94611

Come celebrate a sober Holiday Season with TAP staff, treatment providers, alumni, family and friends. Santa will arrive and bring gifts to children age 12 and under. There will be crafts for kids, holiday music, raffle prizes, and holiday lunch. Parking is available on the street and is limited.

SEE YOU THERE!

If you have questions, please contact Veronica Valdez at (510) 562-3600

Local 856

Annual Thanksgiving Meeting

Teamsters Local 856's Annual Thanksgiving Meeting and Health Fair will be held on **Thursday, November 21, 2019 at 6 pm** at the Best Western Grosvenor Hotel, 380 South Airport Blvd., South San Francisco
For members who reside in the Sacramento area, the Annual Thanksgiving Meeting will be held on **Wednesday, November 13, 2019 at 6 pm** at the International Association of Aerospace Workers Lodge 946, 2749 Sunrise Blvd., Rancho Cordova.



Commercial Driver's License Drug and Alcohol Clearinghouse established

Everyone with a CDL needs to know about the following new development from DOT: As of January 6, 2020, the Federal Motor Carrier Administration (FMCSA) is establishing the **Commercial Driver's License (CDL) Drug and Alcohol Clearinghouse** (Clearinghouse). This new database will contain information about drug and alcohol violations. All violations of the U.S. Department of Transportation (DOT) controlled substances (drug) and alcohol testing program for holders of CDLs will now be recorded in a central database. Violations include positive drug and alcohol test and refusals to test for both preemployment and employer tests.

The Clearinghouse rule requires FMCSA-regulated employers, Medical Review Officers (MROs), Substance Abuse Professionals (SAPs), consortia/third party administrators (C/TPAs), and other service agents to report violations of the drug and alcohol regulations in 49 Code of Federal Regulations, parts 40 and 382, by current and prospective employees.

The Clearinghouse will require the following:

- Employers to query the Clearinghouse for current and prospective employees' drug and alcohol violations before permitting those employees to operate a commercial motor vehicle (CMV) on public roads.
- Employers to annually query the Clearinghouse for every driver they currently employ.
- State Driver Licensing Agencies to query the Clearinghouse whenever a CDL is issued, renewed, transferred, or upgraded.

The Clearinghouse will provide FMCSA and employers the necessary tools to identify drivers who are prohibited from operating a CMV based on DOT drug and alcohol program violations and ensure that such drivers receive the required SAP evaluation and treatment before operating a CMV on public roads. While other drivers are required to pay \$450.00+ for SAP evaluations, these SAP services are available to members of participating trust funds through TAP and TARP.

Specifically, information maintained in the Clearinghouse will:

- Enable employers to identify drivers who commit a drug or alcohol program violation while doing safety-sensitive duty including driving.
- Identify drivers who get a violation while working for one employer and don't notify their other

employers. This is actually required by current regulations but now there will be a way to check.

- Maintain records of drug and alcohol program violations in the Clearinghouse for five years, or until the driver has completed the assessment by the SAP and followed their treatment recommendations, whichever is later. If drivers do not complete the SAP process the violation will stay in the Clearinghouse forever.

data base. Not providing consent will prevent the driver from performing any safety sensitive work.

- View their records and make corrections to demographic data
- Start the return to work process by identifying the Substance Abuse Professional who will be performing their assessment after a violation.

To do any of these things, drivers must register with the Clearinghouse.

Sign up to get updates at clearinghouse.fmcsa.dot.gov/home/subscribe

All DOT companies and self-employed drivers will be required to establish an online account for the Clearinghouse. Individual drivers that are not self-employed may register for an account but are not required to do so. Owner/operators can choose to use a third-party administrator to act as their employer and all companies can use a third party administrator to manage their Clearinghouse information input.

Companies can begin to register for the Clearinghouse in October 2019 and can pull information and queries from the Clearinghouse beginning on January 6, 2020. After January 6, employers will be required to query the system for violations that would prohibit a driver or prospective driver from performing safety-sensitive functions.

In the interim of the three-year look back, you will be required to query the clearinghouse and also do the current three-year employment DOT drug and alcohol verification process. You must also complete queries during pre-hires. You are allowed 30 days to be in compliance after a hire. All employees must be queried annually.

If you have any additional questions about the Clearinghouse or what changes need to be made to employer policies, do not hesitate to reach out to one of our knowledgeable consultants at TAP: 510-562-3600.

All DOT companies and self-employed drivers will be required to establish an online account for the Clearinghouse.

On January 6, 2020, mandatory use of the Clearinghouse goes into effect. Employers must report drug and alcohol violations and conduct electronic queries in the Clearinghouse every year on every employee. They must also query the Clearinghouse before hiring any new driver. Until January 6, 2023 manual inquiries with previous employers are also required to cover the preceding three years.

The Clearinghouse will only record violations from January 6, 2020 onward. It will not record employer tests that are not Federal DOT tests. Right now the Clearinghouse is limited to FMCSA and not other DOT agencies.

Drivers will need to log into the Clearinghouse to:

- Electronically give consent for prospective and current employers to check for their violations in the



YOUR LOCAL UNION PHONE NUMBERS

| | | | |
|-----------|--------------|------------------|--------------|
| 70 | 510-569-9317 | 533 | 775-348-6060 |
| 87 | 661-327-8594 | 665 | 415-728-0811 |
| 137 | 530-243-0232 | 853 | 510-895-8853 |
| 150 | 916-392-7070 | 856 | 650-635-0111 |
| 287 | 408-453-0287 | 890 | 831-424-5743 |
| 315 | 925-228-2246 | 896 | 707-644-8896 |
| 350 | 650-757-7290 | 912 | 831-724-0683 |
| 386 | 209-526-2755 | 948 | 559-625-1061 |
| 431 | 559-486-5410 | 2010 | 510-845-2221 |
| 439 | 209-948-9592 | 2785 | 415-467-0450 |
| 517 | 559-627-9993 | GCIU, DC 2 | 800-333-4388 |