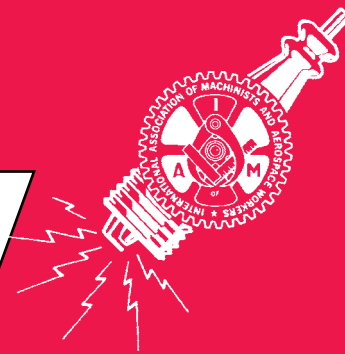


The IAM District 190

# Sparkplug



VOL. 22 NO. 4



December 2020/February 2021

Serving the Active and Retired Members of IAM District Lodge 190

*California proposition results disappoint*

## Machinists Union vows partnership with Biden-Harris administration

“The American people have spoken and democracy has prevailed,” said Robert Martinez, Jr., International President of the International Association of Machinists and Aerospace Workers (IAM), in a statement about the election of Joe Biden and Kamala Harris as the next President and Vice President of the United States.

“We sincerely congratulate President-Elect Biden and Vice President-Elect Harris and all of the pro-union candidates who won races from coast to coast. The Fighting Machinists Union was proud to endorse you in a membership vote and looks forward to building a better future with you. I am also grateful for every Machinists Union member who voted in this election, no matter how they cast their ballot,” the statement continues.

“The Machinists Union can be counted on to serve as a trusted partner in building back our nation better than ever before. Working together, we can preserve and create good union jobs that will power us to a brighter future. We can ensure that every American has access to quality healthcare and a secure retirement. We can create opportunity for each and every one of us—no matter our race, religion, national origin or who we love. We can and will accomplish great things together. The next chapter of this great American story begins now.”

District 190 shares in the sentiments expressed by President Martinez. “We need to heal the divisions in our country and our communities and move forward to a better future,” says Directing Business Rep Jim Beno. “We face many immediate problems that need to be addressed, including the pension underfunding crisis that is looming on the near horizon. The prospects for a legislative solu-

tion to this problem are now greater than ever with a unified Congress that will focus immediately on this issue.”

Beno adds that he is hopeful that Congress will pass a new pandemic relief program that will aid laid-off members and those small businesses that have been impacted by the lockdowns. “There is a lot of work left to be done and together we will continue to fight for workers into the future,” Beno says.

***“We need to heal the divisions in our country and our communities and move forward to a better future.”***

Getting to this place wasn’t easy. District 190 sent six business reps to the Phoenix area for two weeks before the election “to help saturate that City and it’s surrounding bergs with a reminder to vote “BLUE,” says Business Rep Mark Jayne, who was among the group who went to Arizona.

District 190 was not alone in sending out an Arizona contingent. According to the AFL-CIO Arizona Working Families Rising Campaign, 543 volunteers and 76 released staff members accomplished the following:

- 21,956 Door Lit Dropped
- 175,581 Phone Calls
- 20,500 Local Mailers
- 80,541 Text Messages

“The District also participated in phone banking, texting, and sending out a mailer about key California propositions, particularly Props 22 and 15,” Beno adds.

Unfortunately, the results locally did not go as well. Due to being outspent by a margin of 20 to 1, unions lost the very important Proposition 22 vote, which will impact gig drivers immediately and everyone else down the line.

This proposition was ultimately bought and paid for by its sponsors—Uber, Lyft, Doordash, and Postmates—as a way to get around AB5, a 2019 law strongly supported by unions that recognizes gig workers as full employees, entitling them to labor rights like unemployment insurance, paid sick leave, overtime, and a path to unionizing.

Not only did these companies have unlimited funds, spending nearly a quarter of a billion dollars to pass the one law, they also had access to lobby their drivers and customers on their apps.

While polls taken since the election show that many people voted for Prop 22 in the belief that it would be good for workers, the truth is that Prop 22 exempts the gig companies from AB5, and instead creates a “third category” of independent contractors with a few perks. Drivers will now receive limited health benefits, but only for those who log enough hours, and an hourly pay “guarantee” that a UC Berkeley Labor Center study found to be worth \$5.64. The law requires the near-impossible support of seven-eighths of California’s legislature to make any changes, including any measure that would let workers collectively bargain.

*Continued on Page 2*

¡Feliz año nuevo! ★ Bonne année! ★ 新年快乐 ★  
Maligayang bagong Taon!  
नया साल मुबारक हो! ★ Chúc mừng năm mới!



Merry Christmas!

Happy New Year!  
From the staff and officers of  
IAM District Lodge 190

Happy Kwanzaa!  
Happy Hanukkah!





## Time to apply for an IAM scholarship

The 2020 IAM Scholarship Competition is now accepting applications. The deadline for submissions is February 12, 2020.

Get online and go to:

<https://www.goiam.org/departments/headquarters/scholarships/2021-iam-scholarship-competition/> to download an application and see eligibility rules.

The IAM awards scholarships to:

- IAM members applying for college
- Children of IAM members (parent or guardian) applying for college, vocational or technical school

Awards to members are \$2,000 per academic year. They are granted for a specific period from one to four years to enable the member to earn a Bachelor's degree or a two-year vocational/technical certification.

Awards to children of members are: College – \$1,000 per academic year, renewed each year until a Bachelor's degree is obtained up to a maximum of four years. Vocational/Technical School – \$2,000 per year until certification is reached up to a maximum of two years.

Call the IAM's scholarship department, at 301-967-4708 to request an application packet. You may also get one from your local or district lodge.



## LETTER TO THE EDITOR

Retired and active members: Please write in if something in *The Sparkplug* makes you happy or mad or inspires you to action. All letters from members will be used, space permitting. They may be edited for length or grammar, but not for content. Letters may be submitted as follows:

**e-mail:** [dchaplan@mindspring.com](mailto:dchaplan@mindspring.com)

**mail:** IAM District 190  
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Oakland, CA 94621

The IAM District 190

## Sparkplug

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Postmaster: Send address corrections to: The Sparkplug, 8201 Capwell Street, Oakland, CA 94621.



Debra Chaplan, Managing Editor



## UNION SHOPS

### The last axle at FABCO



Shop Stewards Bob Ecklund and Israel Reyes display the last axle that will have been produced at FABCO.

After 103 years of building trucks and fabricating heavy-duty truck parts, first in Emeryville and then in Livermore, FABCO will be calling it quits and shuttering.

In the 70s, when Shop Steward Bob Ecklund started at FABCO, there were several truck manufacturers in the East Bay including Mack Truck, International, and Peterbilt and business was booming. As the truck manufacturers closed or moved, most of the suppliers did the same. "In fact, the company was going to move to Texas," says Area Director Don Crosatto, "but the members took some cuts and the company only moved as far east as Livermore."

Unfortunately, the supply industry has been hammered by the pandemic. With tight margins, any delays or snafus are hard for a company to bear. In this case, Meritor decided that this facility, the smallest in its portfolio, was the one to close. "This is a good facility with a great crew," said Crosatto. "But from the company's perspective, it offered few economies of scale. Also, being located here in the Bay Area, the costs are high and they struggled to recruit qualified employees."

In June, Meritor called a meeting for Business Rep Pat Woodward and Ecklund to meet the new Director of Human Resources. "We expected a meet and greet," says Woodward. "Instead, we were informed that they planned to close the facility by July 2021, at the latest. They were forthright. When they acquired FABCO in 2017, they hoped

for some business opportunities on the West Coast, but these never materialized. Business had slowed before COVID hit, and then COVID just made things worse."

Woodward says it'll be a phase down. The company offered some bonus money for people to stay on until the end. "Under the circumstances, I can't fault them for how they've handled it," he says. "They started their first wave of layoffs in December."

Having worked at FABCO for 42 years, Ecklund—the longest-serving employee at the company—has had to adapt to 10 different owners in that time.

"The current owner, Meritor, may have been the best of the bunch," he says.

"We currently build front-drive axles for heavy trucks. In the past, we also built transfer cases for heavy trucks," Ecklund says. "The company started in 1918, building pumps for 55-gallon drums for Shell Oil. In its early years, they built tugs for the Port of Oakland for roll-on roll-off containers, a tunnel washer for the Caldecott Tunnel, fire engines for the Emeryville Fire Department, and wide-track 6x6 'lettuce trucks' used in the Salinas Valley and Arizona for harvesting field crops. We also built the High-Guy for PG&E that washed the glass insulators on utility poles and we built all-wheel-drive conversions for PG&E and AT&T."

Ecklund says that in 2010, FABCO had about 75 employees when they got a military contract to build transfer cases for MRAP vehicles used in Afghanistan. "Now, we are down to about 12 people in the shop."

The contract included a severance agreement. "Back when we were negotiating, there were no plans for a closure and we had no idea how important this would become," says Woodward.

Ecklund is currently working part-time as he recuperates from a second bout of cancer. "I had hoped to stay here until I turned 65...but that's not quite to be. Hopefully, I can find something part-time for the next few years until I can get on Medicare," he added.

### California election results are a challenge

*continued from Page 1*

"Prop 22 is great for employers, but it's a huge loss for workers," said Robert Reich, a UC Berkeley professor of public policy and former U.S. secretary of labor. "This will encourage other companies to reclassify their workforce as independent contractors, and once they do, over a century of labor protections vanish overnight."

Labor's other priority, Prop 15, sadly also did not pass. This proposition would have taxed commercial properties worth over \$3 million and given the proceeds – some \$12 billion a year – to local governments and schools. Perhaps people feared that the next step would have been to increase tax rates for homeowners, even though that was neither part of this proposition or the long-term game plan.

"As difficult as 2020 was here in California, we have reason to be hopeful about 2021," says the IAM's partner, the California Labor Federation.

California labor is united in its commitment to passing strong new laws to protect workers, add good union jobs, increase access to health care, tackle income inequality, promote racial and social justice and continue building power in our labor movement.

"While we know that the pandemic is already severely impacting the economy, we can only be hopeful that with quick distribution of the vaccine, the effects will be short-lived," says Beno. "Then we can go back to the business of creating jobs and getting more workers organized."

In the meantime, Beno wanted to recognize and thank all IAM members who are deemed essential workers, encouraging them to work as safely as possible. And to those who are laid off, he promises that the union will engage in all possible efforts to get them back to work.

**"As difficult as 2020 was here in California, we have reason to be hopeful about 2021."**





# HEALTH & WELFARE UPDATE

**Blue Cross Self-Funded Medical Plan Participants**

Annual Wellness Program – Health Dynamics Testing Requirement Suspended for 2021

The Board of Trustees has made the decision to suspend the wellness program Health Dynamics testing requirement for the Calendar Year 2021 (January 1 – December 31).

If you are on the lower deductible plan effective December 31, 2020, there is no action to be taken. You will remain on the lower deductible plan for the Calendar Year 2021.

If you are on the higher deductible plan effective December 31, 2020, or became a new participant anytime in the calendar year 2020, you will have the opportunity to move your coverage to the lower deductible plan in the Calendar Year 2021 by having a routine physical exam performed. Only the member needs to have the routine exam, there is no requirement for the dependent spouse to receive an exam.

An Exam Certification Form will be mailed from the Trust Fund office toward the end of November and is also available on the Trust Fund Website [www.aitrustfunds.org](http://www.aitrustfunds.org). Please note that due to the National Emergency due to the COVID-19 pandemic, the Trust Fund office will accept electronic signatures in lieu of physically signed forms. Forms received in the Trust Fund office on or before February 28, 2021, will have deductibles reduced for claims incurred on or after January 1, 2021. Forms received on or after March 1, 2021, will have deductibles reduced for claims incurred starting the first of the month the form was received by the Trust Fund Office.

**Scheduling a Surgery? Remember to Verify Benefit Coverages and that All Providers are In-Network**

Having surgery is a stressful event and fortunately, the Plan covers a wide range of surgery benefits for our members. However, it is important to check that all your providers, not just your surgeon, are in-network providers under the Plan. An in-network surgeon may have privileges at an out-of-network hospital or surgery center, which are covered at a much lower level than in-network providers. You should not assume that the doctor is automatically selecting an in-network facility. You will save yourself money and give yourself peace of mind by taking the time to confirm that each provider and facility is in-network.

You can access the Blue Cross Provider Network online at [www.anthem.com](http://www.anthem.com) or you can call directly at 800-810-2583.

**HRA Debit Card Confirmation Letters - Why is the Trust Fund mailing these?**

If you utilize an HRA Debit Card with your medical benefits, you probably have received a letter

from the Trust Fund Office asking for additional information on services that were charged to the card. The question most asked about these letters is, “Do I really have to send the information requested to the Trust Fund office?”

The letter is known as a “substantiation letter” and is being sent by the Trust Fund office because the IRS requires the Welfare Plan to verify if all charges and purchases made using the HRA card were for an eligible medical expense (as defined by the IRS). Substantiation letters are not generated for all card transactions. They are usually generated when the amount that is paid through the card does not match the Plan information. Information that is being confirmed is:

- Service Date or Purchase Date
- Description of Service/Item Purchase
- Name of Provider/Merchant
- Claim Amount

As a participant in the Plan, you are required to complete the substantiation letter and provide documents that will confirm the information required by the IRS. In most cases, the Explanation of Benefits (EOB) from the medical provider or HMO will be enough information to fulfill the substantiation letter requirements. If you have any questions about the letters or what documentation needs to be provided, please call the Trust Office.

**2020 Retiree Tax Information**

The Trust Fund Office will be mailing the Pension Plan 2020 1099-R Tax Forms no later than January 31, 2021, to all retirees receiving monthly pension payments. If you have moved in the last year, please make sure your address is updated with the Trust Fund Office before December 31, 2020.

After January 31, 2021, the 1099-R Tax Forms will also be available on the Trust Fund website at [www.aitrustfunds.org](http://www.aitrustfunds.org) and can be downloaded or printed directly from the website. If you don’t already have access to the website, creating an online account is simple and takes minutes to complete. Visit [www.aitrustfunds.org](http://www.aitrustfunds.org) for details on how to create an account so that you can review your benefit information.

**Reminder: Keep Your Personal Information Updated at the Trust Fund Office**

Always remember to update your personal information as soon as possible with the Trust Fund Office. Life events such as marriage, divorce, or the birth of a child are time-sensitive and could cause problems with your benefits if you don’t take the required action. All forms are located at the Trust Fund Website at [www.aitrustfunds.org](http://www.aitrustfunds.org). Call the Trust Fund Office at 800-635-3105 if you have any questions or need help completing the forms.

**IAM introduces new Group Medicare Plan**



The IAM has worked for months to negotiate a new Group Medicare plan for Medicare-eligible retirees, spouses, surviving spouses and Medicare-eligible dependents.

In October, the IAM announced a new partnership with Employee Benefit Systems and TLC Insurance Group. This plan can help serve the Medicare needs for our Medicare-eligible retirees, their spouses, and surviving spouses. This new best-in-class IAM Group Medicare Advantage plan, offered through Humana, is rich in benefits.

Visit [iam4.me/iamhumana](http://iam4.me/iamhumana) for more information. Here are some of the benefits that IAM retirees are so excited about:

- Available in all 50 states, plus Puerto Rico and the District of Columbia;
- National Passive Group Medicare PPO Plan that allows members to use the doctor and hospital of their choice nationally;
- In-network and out-of-network benefits are identical;
- Robust Prescription Group Plan included;
- Low out of pocket maximum;
- No deductibles on the IAMAW Group plan;
- Low copays! Primary Care Physician – \$0 copay Specialist – \$30 copay

By now, you should have received an announcement letter, followed by a group enrollment packet with details on the new group plan. If you have questions, feel free to call the Humana Enrollment Department toll free at 1-800-833-2411 for questions and enrollment assistance.

Retiree participation is not mandatory. Enrollment into the plan is by self-choice. The IAM recommends that all retirees compare the benefits of this new IAM Group Medicare plan with their current coverage prior to making any decision on their 2021 Medicare health-care options. Visit [iam4.me/iamhumana](http://iam4.me/iamhumana) for more information.



## Get your IAM news on the web!

Visit the District 190 website at: [iamdistrict190.org](http://iamdistrict190.org)  
The International IAM website is at: [goiam.org](http://goiam.org)

**Local Lodge websites:**  
Local 1101: [www.iamlocal1101.org](http://www.iamlocal1101.org)  
Local 1414: [www.iam1414.org](http://www.iam1414.org)  
Local 1584: [www.iamlocal1584.com](http://www.iamlocal1584.com)

**Facebook pages:**  
Local 1101: [facebook.com/Local1101](https://facebook.com/Local1101)  
Local 1173: [facebook.com/pages/Machinists-Union-Local-1173](https://facebook.com/pages/Machinists-Union-Local-1173)  
Local 1546: [facebook.com/iam1546](https://facebook.com/iam1546)  
Local 1584: [facebook.com/IAMLocal1584](https://facebook.com/IAMLocal1584)

**Twitter**  
Union Organizer: [@union1484](https://twitter.com/union1484)





Local 801 - Nevada

Fighting favoritism

Area Director Mark Martin reports that the union has had to step in at UPS Freight, to confront management on issues of favoritism concerning discipline. “The local management team has been playing the role of Sergeant Shultz— ‘I see nothing!’ Martin says. But he adds that now that Labor Relations is involved, “hopefully, we’ll begin to see a level playing field.”

Local 1173

Good deal for one member

Currently, Syar Industries in Napa employs one IAM member to maintain and repair a wide variety of vehicles. The company produces aggregate, asphalt, and ready-mix for the construction industry. Area Director Steve Older reports that the union and company were able to come to an agreement on a 3-year contract with annual wage increases of 5.3%, 4.8% and 4.6%.

Local 1414

COVID troubles

For the first time since 2003, the Golden Gate Bridge, Highway and Transportation District is laying off 242 positions (including drivers, IAM mechanics, and other union employees), all due to the lack of ridership and bridge cross-

First contract at WestCAT

After a six-week organizing drive, the techs at WestCAT, which runs the buses in the Pinole area, unanimously voted in February to join the union. Then the pandemic hit. First, there was the lockdown, and then the negotiator for the employer was on no-fly orders. “Negotiations for a first contract were ultimately held over Zoom, and that seemed to do the job,” says Business Rep Robbie Pintos.

“We had an established relationship with MV Transportation, so getting the general contract language was a fairly seamless process,” says Pintos. Agreeing to the wages, however, was much tougher, especially due to



the impact of the pandemic on ridership. “We finally got a deal that we felt was fair. The members voted unanimously to accept it – socially distanced out in the parking lot.” Local 1546 welcomes the techs at WestCAT.

ings because of the pandemic. This number includes nearly 100 jobs that had been budgeted for but were already vacant. Business Rep Mark Jayne reports that ferry service is down by about 90% and bus ridership is down by about 70%. “The real issue is about traffic on the Bridge,” he says. “The majority of every toll dollar offsets Bus and Ferry Operations and Maintenance. Bridge traffic is down to roughly 50%-60% of pre-COVID numbers.” Jayne adds that attempting to keep the District honest has taken a lengthy struggle. “This is a very rough time, made no less so by the surge of COVID cases. Most of the members who will be laid-off on January 4 have young families. The stresses are big.” All of the employees will have at least two years of recall rights,

and some IAM members will have more, based on their length of service. Jayne says that the District is offering a severance as well. Where possible, the union is trying to get members set up with other jobs within the District. Finally, a new contract at TMH The union contract at Toyota Material Handling had been expired for almost a year. Through intensive negotiations, “we got it done,” says Area Rep Don Crosatto. TMH employs 56 machinists in Livermore and Salinas, and has separate contracts for its Fresno and Sacramento locations. Among the several improvements are getting a much larger wage increase than in the last contract (\$1.25/hour for years one and

two, and \$1/hour for year three). The union was also able to create a more structured pathway for an in-house apprenticeship program that will enable new hires to move toward becoming journeymen. And, the members will see huge savings in their health and welfare plans. “They were previously paying \$632/month, but by moving them to Plan C and restructuring a fair cap, they will now pay \$94.82/month, which is a \$534/month savings,” Crosatto says. “This reflects a \$3.10/hour increase, which is not bad during a pandemic.” He adds that the employer will pay the entire deductible through the HRA. When the pandemic started, the company had laid off about eight members. But, Crosatto reports not only have they brought everybody back, but they’re now looking to hire a few journeymen mechanics.

ORGANIZING WINS

First Student

The four mechanics at First Student, a school bus company in San Jose, voted unanimously to join Local 1101. Business Rep Richard Breckenridge reports that the group voted by mail in October, and the ballots were counted on October 30. He and the members have developed their proposals and are just waiting to hear back from the company to set bargaining dates.

Tracy Toyota

After losing the union election handily, this dealership has filed objections and is challenging the unit, saying that the two foremen should not be included. As this paper goes to press, Area Director for Organizing Jesse Juarez is in Day 6 of the trial, which he expects will go on until the end of December. “Even after we organized, there have been so many legal obstacles to overcome,” Juarez says. “Many are frivolous and the court has already tossed them out.”

Ryder Truck, Stockton

Area Director Mark Martin reports that the union is negotiating a first contract for the techs at Ryder Truck in Stockton who recently voted for union representation.

“We’re making significant progress on the overall agreement and anticipate settlement soon,” Martin says. “This is a great group and we’ll be proud to add these new members to the Machinists Union!”

Penske Honda Chula Vista

In the last issue, we reported that the union won the election here, but the employer is still trying to dilute the unit. “We had to go to a hearing,” says Juarez. “It took almost three months from the time we filed to learn that we prevailed.” With no challenges to the election results, negotiations got started. “However, our old nemesis John Boggs is working as the employer’s counsel. His tactic is to file frivolous objections, refuse to bargain, and create delays. When he shows up, it’s not a good signal.”

Lexus of San Diego

This is a good news/bad news story. Since the techs voted to unionize, the company has refused to bargain a first contract. “We know they’re trying to buy enough time that the workers give up and they can hold a decent vote,” says Juarez. “The Labor Board keeps filing charges against them, but this doesn’t seem to have any effect.”

The good news is that the union was able to get two furloughed guys recalled to work. “We’re not going to give up on these guys,” he adds.

Concord Toyota

Attorney John Boggs is also representing the employer at Concord Toyota. “We won this election back in February,” says Juarez. “Boggs filed charges and the Labor Board dismissed all of them. But he’s still refusing to bargain. This is all about delay.”

Making a splash in Arizona

While several of the District 190 staff went to the Phoenix area to work on the Biden campaign, Juarez enlisted them to blitz some Penske shops in North Scottsdale. “As soon as we left, the employer responded by calling meetings and giving everyone a \$1000 employee appreciation bonus, a \$1/hour raise, and the promise of \$.75/hour more for those who raise their efficiency to 120%,” Juarez says. “The employer got spooked by our being there. It was a great trip—not only did I help turn Arizona blue, I turned it green because of all the money the employer handed out. The techs are now calling me ‘Jesse Claus,’ a name I’ll proudly accept.”



Local 1484

Goodies at Bragg Crane

“It’s refreshing to be at the table with someone who respects unions and who will give the members a fair shake,” says Area Director Kevin Kucera of Bragg Crane President M. Scott Bragg. “He’s a consummate professional who respects unions and the process,” which is how the union was able to get such a good contract.

The 13 members in Stockton, Long Beach/Paramount, and Fontana will see respectable wage increases, an additional holiday, “and some other goodies,” Kucera reports.

Kucera wanted to recognize and thank Shop Steward Corey Keitz. “He was our lead negotiating member and always does a great job for the IAM in representing his members.” Also on the negotiating team were Jesse Gutierrez and Jose Flores. “I can’t thank them enough for their contributions to our contract improvements.

Talks finished and starting

Kucera says that he just inked a deal with Wilmington Iron Works that includes decent wage increases. “In these challenging COVID times, we’re very pleased,” he says. “This company has been challenged, but they were able to work with us to get us these types of increases.” Kucera also wanted to thank Ed Bartkus who served as the chief negotiator for the members.

Negotiations have just opened with Honda Chula Vista Penske.

And talks with Auto Nation that had started before COVID hit are getting re-started now.

Local 1528

Getting ready at Silgan

With contracts coming due at Silgan Containers, at both the Riverbank and Doherty locations, the union plans to distribute surveys to find out member priorities. “Unfortunately, with COVID going on, we’re still working through the logistics on how to handle our proposal meetings, which may have to be done virtually on Zoom,” says Area Director Mark Martin.

“We’ll post notices in the plants on where, how, and when.”

Local 1546

New owner, new contract

When a dealership gets sold, it’s always a question if they’ll keep the mechanics. If they do keep a majority of them, then the union negotiates a contract with the new owner.

Area Director Steve Older reports that Hayward Honda, previously a Sonic store, was sold to the Ken Harvey Group in Dublin. “They hired all of our members back, so we’re starting negotiations. While they don’t currently have other shops under contract, they’re being fairly cooperative,” Older adds.

Local 1584

Short-lived contract

The work at the Phillips 66 Carbon Plant in Rodeo is to take the by-products of the oil refining processes and turn them into other products, such as calcined petroleum coke, or coke for short, that’s used in other industries.

At the end of June, the 19 members there ratified a three-year deal, with annual wage increases of 3.5% in year one, 4.0% in year two, and the third year wage increase would match the first year of the next USW area agreement.

“Unfortunately, six weeks later, the employer informed the union that they intend to close the plant sometime in 2023,” says Older. “Dates are not yet certain, but as we get closer to the closing of the plant, the union will demand that we do what’s called ‘effects bargaining’ for the severance package.”

Good increases

Chemtrade Logistics, located in Richmond, produces acids used in oil refining and other industries. “Our 19 members ratified a three-year deal in early August, that includes annual increases of 3.25%, 9.00% and 4.00% each year, respectively,” says Older.

The 9% increase in year two is not a typo. Older adds that this location has been challenged with attracting and retaining talent. “This was addressed during negotiations and resulted in that substantial wage increase in the second year. We also won improvements in compensation for being on call and for meal allowances.”

Locals 1584 & 1596

Aerospace is slow

“All of our aerospace shops—including Henckel (Local 1584) and Donal Machine (Local 1596), have seen a turndown, but so far, we haven’t had any mass layoffs,” says Area Director Steve Older. “Most are doing scheduling reductions.”

However, it may be coming. “We’re just negotiating one-year extensions now due to COVID and the challenge of negotiating over Zoom,” Older says. “Holding talks on-line can be tough because you lose some of the nuance. But it’s better than doing it over the phone.”

Local 2182

Contract before COVID

Area Director Mark Martin reports that the union recently settled a contract with Harrold Ford. “The implementation of the new terms came off pretty well but now we’re dealing with a pretty heavy COVID outbreak,” he says. “Thankfully everyone seems to be coming through it.”

You can’t get there from here

The City of Sacramento implemented a policy forcing vehicle transfers on employee time. “The problem is, when management directs you to take a vehicle home for a week while you’re on call for, say, Rain Patrol, you don’t have the use of your personal vehicle and you can’t use the City truck for anything that’s not City-related,” Martin says, adding that he’s in the process of getting this resolved, one way or another.

BUY UNION

IAM-made products

The IAM may or may not be the brewmasters, but IAM members work at a lot of breweries, and they make some other consumer products. Here’s a list from Labor 411 of the products that your brothers and sisters in the IAM work on. (We’re sure the list is not comprehensive!)



Beers:

- Alexander Keiths
- Anheuser-Busch
- Bass Ale
- Beck’s
- Budweiser (all types)
- Czechvar
- Double Dread Imperial Red Ale
- Flor de Jamaica
- Green Valley Brewing Company
- Hamm’s
- Hoegaarden
- Humboldt Haze Imperial Wheat IPA
- Icehouse
- Jamaica Sunset IPA/Red Ale
- John Barleycorn Barleywine
- Keystone Light
- Kirin
- Leffe Blond
- Landshark Lager
- Mad River
- Michelob (all types)
- MGD 64
- Miller (all types)
- Milwaukee’s Best (all types)
- O’Doul’s (non-alcoholic)
- Rolling Rock
- Serious Madness Black Ale
- Shock Top
- Sharp’s (non-alcoholic)
- Staropramen
- Steelhead (all types)
- Stella Artois

Other Products

- American Stationery Company
- Avery Office Supplies
- Lasko Products (space heaters & fans)
- Ocean Spray – Whole Berry Cranberry Sauce
- Sherwin Williams Paints
- Timex Watches

For many more great tips about union products and services, go to Labor 411 at **Labor411.org**. This great resource tracks and promotes a wide range of union-made consumer products.





## IN THE NEWS

### New OSHA rule for people with COVID

Many Americans affected by the coronavirus outbreak will benefit from new workplace protections and relief offered by the Families First Coronavirus Response Act.

If you work for a private employer with fewer than 500 employees and are in one of the situations described below, you may be eligible for paid sick leave and/or paid family leave:

**Paid sick leave up to two weeks or 80 hours at the employee's regular rate** or the minimum wage (whichever is higher),\* if one of these scenarios applies:

- You're under a government quarantine or stay-at-home order.
- You've been advised by a health care provider to self-quarantine.
- You're seeking a diagnosis for COVID-19 symptoms.

**Paid sick leave up to two weeks or 80 hours at 2/3 of the employee's regular rate** or the minimum wage (whichever is higher),\* if either scenario applies:

- You're caring for somebody under quarantine or a stay-at-home order.
- You're caring for your child whose school, child care provider, or place of care is unavailable due to COVID-19.

**Paid family leave up to 10 additional weeks at 2/3 of the employee's regular rate,\*\*** if both criteria apply:

- You're caring for your child whose school, child care provider, or place of care is unavailable due to COVID-19; and
- You've been employed at least 30 calendar days.

\*Paid leave is capped at specific maximum amounts per worker.

\*Paid family leave does not apply to all public sector employees.

An eligible employee working for a covered employer can access paid leave under the Families First Coronavirus Response Act by checking with their employer, requesting the leave, and letting their employer know which of the qualifying conditions applies.

### COVID-19 deaths lower in unionized nursing homes

The coronavirus pandemic has affected everyone in some way, but it has hit nursing homes particularly hard. Through the end of October, COVID-19 deaths among residents and staff at nursing homes and other long-term care facilities stood at over 87,000. This accounted for almost 40 percent of COVID-19 deaths in the U.S., even though cases in nursing homes only made up about six percent of cases nationally. In 17 states, the number of residents and workers at these facilities made up at least half of all COVID-19 deaths.

Because COVID-19 presents a greater danger to people over the age of 65 and to people with underlying health conditions, nursing home residents are clearly a high-risk group. Unfortunately, the numbers bear this out, with death rates in nursing homes at 16 percent – much higher than the national average of three percent. In addition to these residents being at higher risk, the indoor setting and relatively dense living conditions are also likely contributors to the increased spread of the virus.

COVID-19 isn't only affecting residents at nursing homes and long-term care facilities



though – it's also having a big impact on their workers. Over a four-week span in August and September, cases at these facilities were almost evenly divided among staff and residents, with 26,945 staff members testing positive compared to 28,405 residents. Studies have suggested that cases among staff are one of the biggest drivers of transmission to residents since workers need to travel from room to room to perform their jobs. Nursing home staff working at multiple locations may also be contributing to the spread of the virus among residents.

"These are folks who are not getting paid well at all, who don't have access to sick leave and who may be working between multiple homes to make ends meet, unknowingly transmitting the virus from nursing home to nursing home," says Bill Sweeney, AARP's senior vice president of government affairs. "I'm not blaming the staff – they're doing their very best – but I do blame the nursing home industry and companies that were too slow to provide the testing, the support, and the compensation that's needed to attract and retain high-quality staff."

What can be done to better protect residents and workers? Nationwide, a major ongoing issue is the lack of personal protective equipment (PPE). Across the U.S., more than 25 percent of nursing home facilities are reporting shortages of both PPE and staffing. In many states, at least half of facilities reported having less than a one-week supply of N95 respirators, surgical masks, eye protection, gowns and gloves.

After a lack of PPE, the main issue affecting many states is a shortage of workers. In 11 states, at least 40 percent of facilities reported not having enough nurses or aides. Having adequate staffing drives better care and reduces person-to-person contact. One reason for the lack of staffing may be the large number of COVID-19 infections. During the four-week study spanning August and September, all 50 states reported COVID-19 infections among nursing home staff. In 19 states, at least half of nursing home facilities reported COVID-19 infections among staff.

In the midst of this national crisis, a study of over 350 nursing homes in New York state shows

that unionization and a focus on safety and health makes a difference. In nursing homes with unionized staff, residents had 30 percent lower death rates compared to facilities without unionized staff. That translated into at least 1,000 lives saved in New York state in the first few months of the pandemic alone.

What's the reason behind this? First, and perhaps most importantly, union facilities were associated with PPE being more available to workers. Union facilities had about 14 percent greater access to N95 respirators and about seven percent greater access to eye shields. The study notes that union facilities also generally have better staff-to-patient ratios, paid sick leave, higher wages, and benefits that reduce staff turnover, along with better implementation of infection control protocols. These differences led to a 42 percent decrease in the COVID-19 infection rate among residents.

These results are why labor unions have continued to advocate for strong infection control policies, adequate staffing levels that protect both workers and residents as well as access to the PPE that is effective at stopping the spread of the virus. Protecting the safety and health of the frontline workers in these facilities goes hand in hand with protecting the safety and health of the residents in our country's nursing homes and long-term care facilities.

### Tyson Foods supervisors allegedly bet on how many plant workers would get coronavirus

In April, as the true danger of the coronavirus became abundantly clear to most Americans, food processing plants across the country continued to operate. With large teams of workers, often operating in cramped conditions in order to keep Americans' grocery aisles brimming, the plants also became early hubs for transmission of the virus. Workers and unions complained unsafe conditions were jeopardizing the health of low-income workers, many of whom are immigrants.

At one Tyson Foods pork processing plant in Waterloo, Iowa, six workers ultimately died from the virus. The company is facing a number of wrongful death lawsuits over its conduct during the pandemic. One new allegation is particularly chilling. An amended complaint filed in November accuses supervisors at the Tyson plant not only of keeping the plant open with dubious safety protocols—they then placed bets on the number of workers that would contract the virus. A plant manager "organized a cash buy-in, winner-take-all betting pool for supervisors and managers to wager how many employees would test positive for COVID-19," according to the suit.

By the end of April, the outbreak had grown severe enough that the company closed the plant for two weeks. More than 1,000 of the 2,800 workers at the Waterloo plant tested positive for the virus at the time. The allegation of supervisors betting on workers contracting the virus is part of a wrongful death suit filed by the family of plant worker Isidro Fernandez, who died in April due to complications from the virus. The suit alleges that workers were forced to work long hours in tight quarters without adequate social distancing and no personal protective equipment in order to stay safe.

In December, Tyson fired the managers reputed to have bet on worker's deaths.

*Elliot Hannon, Slate*





## IN THE NEWS

### Virus Cases Rise, but Hazard Pay for Retail Workers Doesn't

With coronavirus cases rising across the country, retailers are preparing for another rush from shoppers worried about new lockdowns and pandemic shortages. But many retail workers, heralded as heroes during the first wave of the pandemic, are not being provided with the same level of bonuses and raises this time, even as the health risks for them increase. Even as some companies have announced new hazard pay in recent days, some industry observers say many retailers are not sharing enough of the profits they have earned during the pandemic with their workers, but are instead benefiting shareholders through stock buybacks. Amazon, which said in October that its quarterly profit had increased nearly 200 percent, ended its \$2-an-hour pay raise for workers earlier this year and then provided a pandemic-related bonus in June, but a spokeswoman said no new hazard pay was planned. Walmart, which reported another big increase in quarterly sales on Tuesday, had paid a series of special cash bonuses, but the company has not raised wages broadly as a way to reward workers during the pandemic.

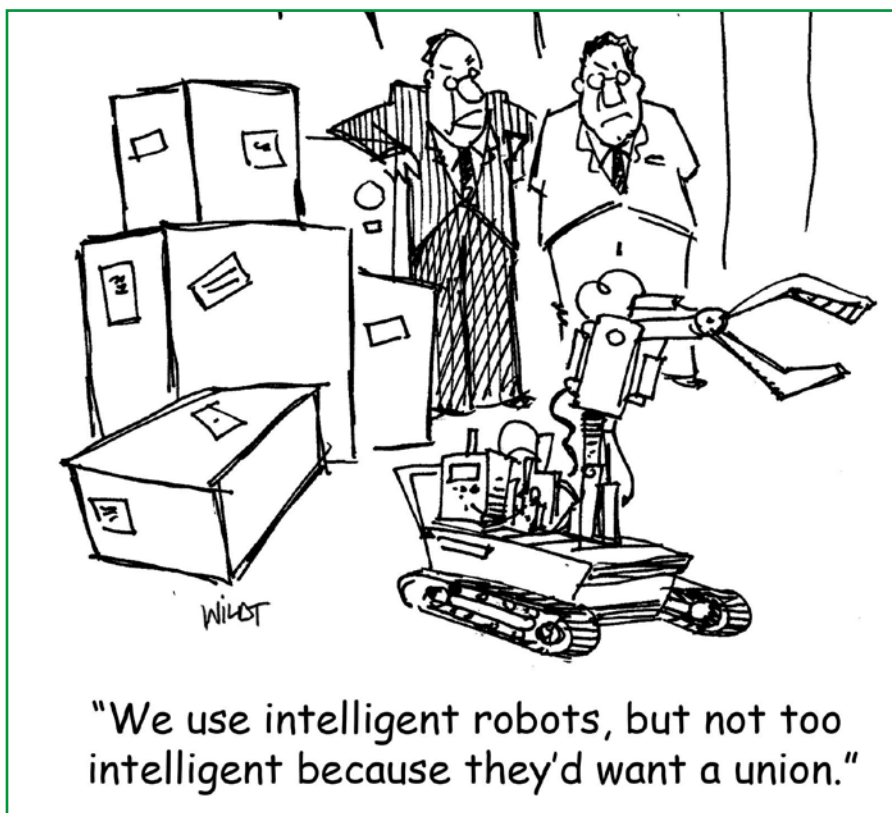
Michael Corkery and Spana Maheshwari, *New York Times*

### US judge blocks Trump Administration rule inhibiting unions

A federal judge blocked a Trump Administration rule that opponents said would have harmed the bargaining rights of more than 500,000 home healthcare workers in California and several hundred thousand additional workers across the nation.

In November, San Francisco-based U.S. District Judge Vince Chhabria found that the U.S. Department of Health and Human Services rule changing Medicaid state payment requirements would have made it tougher for states to deduct employee benefits and union dues from workers' paychecks. That in turn would have made it tougher for Medicaid in-home workers to unionize and seek higher wages and better conditions as they help low-income seniors and people with disabilities bath, eat, get dressed, take medication and move about, said California Attorney General Xavier Becerra. Chhabria denied the federal agency's motion to dismiss the lawsuit and instead issued a summary judgment blocking the rule adopted in 2018, which had not yet been enforced. The challenge was filed in May 2019 by Becerra and attorneys general in Connecticut, Illinois, Massachusetts, Oregon, and Washington.

Don Thompson,  
*The Associated Press*



### Tesla workers may not be paid for part of factory shutdown

Tesla factory workers could reportedly be forced to take up to three days of unpaid leave while the company idles some production lines at its Fremont, CA plant. The electric-car maker plans to shut down production of its Model X and Model S vehicles for two and a half weeks from Dec. 24 through Jan. 10, according to an internal announcement published by CNBC. Tesla told affected workers that they'll be paid for the second full week of the break from Jan. 4 to Jan. 8, as well as the holidays of Christmas Eve, Christmas Day, New Year's Eve, and New Year's Day.

But the world's most valuable automaker is reportedly classifying three days of the shutdown — Dec. 28 to Dec. 30 — as "unpaid time off." That means the sidelined workers could have to dip into their own paid time off to cover those days or else go without pay. Tesla said it will provide "limited paid opportunities" for affected staffers to work in other parts of the factory over those three days, CNBC reported. They can also "volunteer" to help with vehicle deliveries between Christmas and New Year's, though it's unclear whether they'll be compensated for that time in any way. Tesla announced the shutdown despite billionaire CEO Elon Musk pleading to staffers in a separate email to "increase production for the remainder of the quarter as much as possible," according to CNBC. Musk — the world's second-richest person — reportedly said demand for Tesla cars is "quite a bit higher" than the company's current production levels.

Noah Manskar, *New York Post*

### Reinventing Workers for the Post-Covid Economy

The labor market has recovered 12 million of the 22 million jobs lost

from February to April. But many positions may not return any time soon, even when a vaccine is deployed.

This is likely to prove especially problematic for millions of low-paid workers in service industries like retailing, hospitality, building maintenance, and transportation, which may be permanently impaired or fundamentally transformed.

What will janitors do if fewer people work in offices? What will waiters do if the urban restaurant ecosystem never recovers its density?

Covid is abruptly taking out a swath of jobs that were thought to be comparatively resilient, in services that require personal contact with customers. Automation will most likely accelerate as employers seek to protect their businesses from future pandemics.

And the jolt will land squarely on workers with little or no education beyond high school, toiling in the low-wage service economy.

Eduardo Porter  
*New York Times*

### Job growth will slow during a Biden presidency: easy gains are almost gone

The easy part of the job recovery will be done and dusted by the time President-elect Joe Biden moves into the White House, a key metric shows, leaving a particularly difficult environment for an administration seeking to right the economy. While the economic recovery tops Biden's agenda, the torrid job gains of the past few months will inevitably slow, as they already have. There's little chance that the loss in momentum will be the fault of the new president. Deeper economic trends are afoot. Job growth has decelerated every month since June, and there are signs from the hard-hit travel and restaurant industries that the fast-spreading novel coronavirus

could put economic growth into reverse. President Trump's single term in office is poised to end with apocalyptic job losses followed by a string of impressive monthly job gains. That has less to do with policy and more to do with how the coronavirus crisis hit swifter and deeper than anything before it, giving plenty of room for a rapid early recovery, as businesses reopened and \$4 trillion in federal aid washed through the economy. In April, as the U.S. shutdown deepened, 18.1 million laid-off workers said they expected to be called back to their employers, Labor Department data shows. As of October, there were only about 3.2 million of them left — the rest were either rehired or, in some cases, laid off permanently. That flood of workers returning from temporary layoffs translated into rapid employment gains. Over the same period that temporary layoffs ended for 14.9 million workers, the economy gained 16.4 million jobs.

Andrew Van Dam  
*Washington Post*

### Scabby the Rat heads to showdown as NLRB weighs protest limits

The National Labor Relations Board will review the circumstances under which unions can display a massive inflatable rat at protests, despite court findings that its use is protected by the First Amendment.

The announcement follows a campaign against "Scabby"—a symbol used by unions at demonstrations for decades—by NLRB General Counsel Peter Robb. The general counsel, who is said to loathe the image of the rabid rodent with bloodshot eyes and bared teeth, has advocated for banning its use when workers are protesting someone other than their direct employer.

In a party-line vote, the NLRB said it will solicit public briefs on whether it should restrict the use of Scabby. An administrative law judge (ALJ) in July ruled that the Operating Engineers Local 150 didn't unlawfully coerce workers when it displayed a 12-foot inflatable rat and two large protest banners on public property during a Trade Show, a view that's been affirmed by federal courts in similar cases. While there was some disagreement over which companies the union could picket, the ALJ found that the displays "in no way caused a confrontation" that would have wrongfully intimidated customers.

Ian Kullgren  
*Bloomberg Law*



IAM LOCAL UNION MEETINGS

A note about the meeting schedule:

The International IAM has given the okay to hold Local membership meetings over ZOOM or another video conferencing tool. Some Locals will be doing it that way; others may choose to tailgate—meeting six feet apart outdoors to meet the guidelines for social distancing.

If you wish to attend a union meeting, the first step is to contact your Local and find out how they’re holding it. Unless otherwise notified, they will continue with the current schedule (see below).

If your Local is holding on-line meetings, you’ll need to contact them in advance to ensure that you’re registered to join them on-line. See the list below to find the email address of the Local and let them know that you want to participate in your on-line union meeting.

**\$4 trillion**

The current wealth of the **651** billionaires who call the United States home.

**\$2.1 trillion**

The combined net worth of the **165 million** Americans in the poorest half of the nation

Source: Inequality.org and Americans for Tax Fairness

MOVING? Or need to report a member recently deceased...

Send the mailing label on this newspaper to your local union office. Please note: If you send your notice to the Pension Fund or the Health and Welfare Trust, that won't change your address as the union has it. Be sure to contact your local union!

See calendar below for your local union’s address.

UNION MEETINGS			
<div></div> <div><b>District Lodge 190</b> 8201 Capwell Drive Oakland, CA 94621 510-632-3661</div>	<p><i>Meetings are the fourth Tuesday of each month</i> December 16 • January 26 • February 23 • March 23</p> <p><b>Executive Board Meeting:</b> 6:30 p.m. <b>General Delegates’ Meeting:</b> 7:00 p.m.</p> <p><i>(Note: The December meeting was changed due to the holidays.)</i></p>	<div><b>Local 1484</b> 1261 Avalon Blvd. Wilmington, CA 90744 310-835-6688</div>	<p><b>Executive Board Meeting:</b> 6:00 p.m. on the third Thursday of the month Dec. 17 • January 21 • February 18 • March 18</p> <p><b>General Membership Meeting:</b> 6:00 p.m. on the first Tuesday of the month Dec. 1 • January 4 • February 1 • March 1</p> <p><b>Retirees’ Club:</b> 1:00 p.m. on the third Wednesday of the month: Dec. 16 • January 19 • February 16 • March 16</p>
<div><b>Local 93</b> 2102 Almaden Rd., #105 San Jose, CA 95125 408-440-8716</div>	<p><i>Meetings are the second Tuesday of each month</i> December 8 • January 12 • February 9 • March 9</p> <p><b>Grievance Committee:</b> 3:30 p.m. <b>Executive Board Meeting:</b> 4:30 p.m. <b>Membership Meeting:</b> 5:00 p.m.</p> <p><i>Meetings will be held on the Bluejeans App for the foreseeable future. Email rbreckenridge1101@sbcglobal.net to learn how to join in.</i></p>	<div><b>Local 1528</b> 713 16th Street Modesto, CA 95354 209-529-9210 machinists2182@gmail.com</div>	<p><i>Meetings are the first Wednesday of the month</i> Dec. 2 • January 5 • February 2 • March 2</p> <p><b>Executive Board Meeting:</b> 6:00 p.m. <b>General Membership Meeting:</b> 7:00 p.m. <b>Shop Steward Meeting:</b> 10 a.m. on the third Saturday of each month Dec. 20 • January 15 • February 19 • March 19</p> <p><b>Narcotics Anonymous:</b> 5:30-6:30 p.m. every Tuesday</p>
<div><b>Local 653</b> 5726 E. Shields Avenue Fresno, CA 93727 559-264-2815</div>	<p><i>Meetings are the third Wednesday of the month</i> Dec. 16 • January 19 • February 16 • March 16</p> <p><b>Executive Board Meeting:</b> 5:00 p.m. <b>Membership Meeting:</b> 5:30 p.m.</p>	<div><b>Local 1546</b> 10260 MacArthur Blvd., Oakland, CA 94605 510-638-6705</div>	<p><i>Meetings are the first Tuesday of the month</i> Dec. 1 • January 4 • February 1 • March 1</p> <p><b>General Membership Meeting:</b> 7:00 p.m. <b>Member Education Meeting:</b> 5:30 p.m. <b>Executive Board Meeting:</b> 6:30 p.m. on the Thursday preceding membership meeting January 4* • January 27 • February 24 *date changed due to holidays</p> <p><b>Retiree Club Pot Luck Luncheon:</b> 12 noon on the first Wednesday of each month Dec. 2 • January 5 • February 2 • March 2</p> <p><b>Alcoholics Anonymous:</b> 9 a.m. every Saturday</p>
<div><b>Local 801</b> 8201 Capwell Drive Oakland, CA 94621 800-655-2182</div>	<p><i>Meetings are the third Thursday of the month</i> December 17 • January 21 • February 18 • March 18</p> <p><b>Membership Meeting:</b> 4:00 p.m.</p> <p><i>Meetings are held at the Carpenters’ Hall, in Reno.</i></p>	<div><b>Local 1584</b> 8201 Capwell Drive Oakland, CA 94621 510-632-3661</div>	<p><i>Meetings are the third Thursday of the month</i> Dec. 17 • January 21 • February 18 • March 18</p> <p><b>Membership Meeting:</b> 7:00 p.m. <b>Executive Board Meeting:</b> 6:00 p.m. <b>Retirees’ Club:</b> 12:30 p.m. on the first Tuesday of the month: Dec. 1 • January 4 • February 1 • March 1</p> <p><b>Note:</b> Address for meetings and sending dues checks: 8201 Capwell, Oakland, 94621</p>
<div><b>Local 1101</b> 2102 Almaden Rd., #105 San Jose, CA 95125 408-440-8716</div>	<p><i>Meetings are the second Thursday of the month</i> December 10 • January 14 • February 11 • March 11</p> <p><b>Executive Board Meeting:</b> 5:30 p.m. <b>General Membership Meeting:</b> 6:30 p.m.</p> <p><i>Meetings will be held on the Bluejeans App for the foreseeable future. Email aab1101@att.net to learn how to join in.</i></p>	<div><b>Local 1596</b> 1900 Bates Ave., #H Concord, CA 94520 925-687-6421 LL1173@sbcglobal.net</div>	<p><i>Meetings are the third Tuesday of the month</i> Dec. 15 • January 18 • February 15 • March 15</p> <p><b>Executive Board Meeting:</b> 6:00 p.m. <b>Membership Meeting:</b> 6:30 p.m.</p>
<div><b>Local 1173</b> 1900 Bates Ave., # H Concord, CA 94520 925-687-6421 LL1173@sbcglobal.net</div>	<p><b>Executive Board Meeting:</b> 6:00 p.m. on the second Thursday of the month December 10 • January 14 • February 11 • March 11</p> <p><b>Membership/Shop Stewards’ Meeting:</b> 6:30 p.m. on the second Thursday of the month December 10 • January 14 • February 11 • March 11</p>	<div><b>Local 2182</b> 967 Venture Court Sacramento, CA 95825 916-929-1040 machinists2182@gmail.com</div>	<p><i>Meetings are the second Tuesday of the month</i> Dec. 8 • January 12 • February 9 • March 9</p> <p><b>Executive Board Meeting:</b> 6:00 p.m. <b>General Membership Meeting:</b> 7:00 p.m. <b>Retirees’ VISTA CLUB:</b> 11:00 a.m. on the third Wednesday of each month: Dec. 16 • January 19 • February 16 • March 16</p>
<div><b>Local 1414</b> 150 South Boulevard San Mateo, CA 94402 650-341-2689</div>	<p><b>Shop Stewards’ Meeting:</b> 5:30 p.m. on the third Thursday of the month December 17 • January 21 • February 18 • March 18</p> <p><b>Executive Board Meeting:</b> 6:00 p.m. on the second Thursday of the month December 10 • January 14 • February 11 • March 11</p> <p><b>General Membership Meeting:</b> 6:30 p.m. on the third Thursday of the month December 17 • January 21 • February 18 • March 18</p> <p><b>Retirees’ Club:</b> 11:00 a.m. on the first Wednesday of March, June, Sept., Dec. All are welcome! March 3 • June 2 • September 1 • December 1</p>		