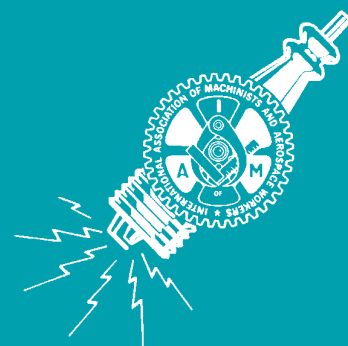


The IAM District 190 Sparkplug



VOL. 9 NO. 2

February/March 2007

Serving the Active and Retired Members of IAM District Lodge 190

The Ford Store loses NLRB appeal, must repay pension and post workers' rights notice

In November, 2005, while negotiations with the East Bay Auto Dealers Association were going hot and heavy, The Ford Store in San Leandro suddenly changed the rules of the game, opting out of the pension plan and unilaterally modifying working conditions. On January 29, the National Labor Relations Board (NLRB) ruled in favor of the union on the company's last appeal.

Ultimately, the company's gambit did not pay off. They not only have to repay all pension monies that they owe for the last 13 months—with interest—they also have to restore the previous contract conditions, go back to the bargaining table, and post a sign informing members of their union rights.

"This is an important and precedent-setting ruling," said Local 1546 Business Rep Craig Andrews. "They can't just break the contract and walk away from their collectively bargained agreement. Now they have to pay everything back."

When the company illegally declared that the bargaining had reached impasse, in late 2005, the union immediately fought back and has won every ruling over the last 14 months. First, after the NLRB conducted a six-month investigation, they issued a complaint against the company in June and set a trial date. The union won the trial in September. And now they've won the final appeal.

Area Director Don Crosatto had told *The Sparkplug* back in June that, "It's just not legal to eliminate the pension in the midst of negotiations without having reached impasse on any subject." Clearly the courts and the Labor Board agreed with him.

"There was no impasse," adds Andrews. "Therefore the company is obligated to pay all pension monies that they stopped paying in the previous year."

The company never had a case

In its appeal, The Ford Store asked the judge to reopen the record so the court could consider the

The Ford Store must post this notice, so all employees are fully aware of their union rights...

FEDERAL LAW GIVES YOU THE RIGHT TO:

- Form, join or assist a union.
- Choose representatives to bargain with us on your behalf.
- Act together with other employees for your benefit and protection.
- Choose not to engage in any of these protected activities.

WE WILL NOT refuse to bargain collectively by unilaterally withdrawing from the Automotive Industries Pension Plan.

WE WILL NOT refuse to meet and bargain with the Union as the exclusive collective-bargaining representative of our employees ... with respect to rates of pay, hours of employment, and other terms and conditions of employment including contributions to the pension plan.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce employees in the exercise of the rights guaranteed them in Section 7 of the Act.

WE WILL, on request by the Union, rescind any unilateral changes we have implemented in our employees' terms and conditions of employment.

WE WILL, on your behalf, make whole the pension plan, with interest.

PAULUS ENTERPRISES, INC. D/B/A
The Ford Store, San Leandro

new information that the unfunded pension liability had increased in 2006. The judge refused because the company had stopped paying into the pension in 2005. Even if they speculated correctly that the unfunded liabilities would increase, it was impossible to know for sure what would have happened.

The decision, written by NLRB Chairman Bob Battista, one of the Board's most conservative members, upheld the trial judge's original ruling and denied The Ford Store's appeal. "It was a very short ruling, which means that the company did not

raise significant issues of judicial wrongdoing," explained Crosatto. "The decision was cut and dried. Basically, the company didn't have a case. Even Battista notes that the employer was out of bounds to claim impasse and walk away."

The ruling orders The Ford Store to cease and desist from refusing to bargain collectively and from "interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them" in the National Labor Relations Act.

The company must recognize Local 1546 as the bargaining agent for its employees and must meet and bargain with the union. The company must also rescind any unilateral changes they implemented in its employees' terms and conditions of employment. And it must resume making contributions to the pension plan as well as making whole the pension plan. The company must also make payroll and other applicable financial and payroll records available to

the union, so that the union can analyze and determine back pay that may be due.

And finally, within two weeks, the company must post the leaflet on this page, informing members of their right to have a union to represent them.

On February 9, the employer's attorney e-mailed Local 1546 to say that they will not appeal the case to the 9th Circuit. "He told us that they intend to restore the status quo and start bargaining again," Crosatto said.

"I'm retiring in a month, and this is definitely the best present I could have gotten from the NLRB," Andrews added.

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A few thoughts about labor ... through the years

- The end of labor is to gain leisure. — Aristotle
- No business which depends for existence on paying less than living wages to its workers has any right to continue in this country. By living wages I mean more than a bare subsistence level—I mean the wages of decent living. — Franklin D. Roosevelt
- When the rich concern themselves with the poor, that's called charity. When the poor concern themselves with the rich, that's called revolution. — William Winpisinger, President, IAM 1981
- When people ask me, 'Why can't labor organize the way it did in the thirties?' the answer is simple: everything we did then is now illegal. — Thomas Geoghegan
- "I think younger workers—first of all, younger workers have been promised benefits the government—promises that have been promised, benefits that we can't keep. That's just the way it is." — George W. Bush, 2005

UNION PEOPLE

Craig Andrews retires with a victory

For 26 years, Craig Andrews has been a Business Rep at Local 1546, but with just a few more months to go on the job, he's already planning a six-week vacation. "My son and I will go back up into Wyoming, Yellowstone Park and Glacier, then we'll go across the Canadian border to Banff and down into Seattle and Oregon." They also plan to go to Arizona and hike into the Grand Canyon. After all that hiking, Craig plans to go back to school and study photography—the hobby he hasn't had time to devote himself to for years.

Craig joined the IAM in 1974 after finishing three tours in Vietnam. He started his apprenticeship at Clarklift in Oakland. For a short stint, he worked on the waterfront for SeaLand, but then went back to Clarklift, where he received his journeyman papers.

Being part of the union came easy to Craig. "My father, Ernie Andrews, was Secretary-Treasurer of Local 1546 and he was also President of the District. As a kid, I grew up with people like Ernie Vernon and Bud Williams. I remember going to the old Labor Temple on Valdez Street in Oakland to drink 7UP with cherries and eat steak."

Craig came onto the IAM staff as a Business Rep in 1980. "It's been a fantastic job, a fulfillment of my entire life. Of course it's got its bad points and good points, but overall it's been very rewarding," Craig said. And he was quick to quote former DBR Frank Souza, who said "what better job can you have that allows you to go to work every day and help out your fellow working man—and get paid to do it!"

Craig said there's nothing like getting an education from attorneys from Harvard, Boalt and Yale, but even better was the opportunity to work with and learn from some of the most outstanding reps in the industry: Michael J. Day, Bernie Tolentino, Nick Antone, Claude Carnahan, Rick Spencer and Frank Souza.

"A lot of people underestimated Craig because he was always joking," said Area Director Don Crosatto. "But he consistently brought in the strongest agreements. He is a very creative negotiator and has found all sorts of ways to restructure percentages to get more money in our members' pockets and for their benefits."

And with the recent Ford Store legal ruling (see page 1), Craig can go out with a huge victory. Congratulations and here's to a great retirement!

Dave Taylor joins staff for Local 1414



Dave Taylor at his first District staff meeting

District Lodge 190 is pleased to welcome Dave Taylor to its staff of Business Reps for Local 1414. Dave has a long history with the IAM. He started as an apprentice at South City Dodge in 1985 and worked there until 1998. He moved over to Serramonte Dodge and has worked there until taking this new position.

Dave comes from a union background and admits that he always puts the workers' needs before his own. "Frank Souza got me into this. I met him on the strike line and after talking to him for about four hours, he got me thinking that I wanted to go farther with my involvement with the union. That inspired me to take Labor Studies and eventually, to go for this job."

Taylor has honed his union skills through his work with the Local as well as at school. He has served as shop steward and team leader; he has worked on many committees for Local 1414 as well as serving on the Executive Board. In addition, he has been a delegate to both District 190 and the Alameda County Labor Council. And, on top of his four years of apprenticeship at Skyline College, Taylor went to Chabot College to get his welding certificate, and put in three years at Laney College to get a Labor Studies certificate.

In 2003, Taylor was picket captain for 100-day strike with Sonic Automotive, the owners of Serramonte Dodge. "When the strike was finally over, they brought everybody back to work but me. We had to go through arbitration to get my job back," Taylor said.

"I believe in trying to fight for the rights of the people and make their work life better. If we can educate our current members about what's really going on and get them involved, that will make this job easier. And of course, if we can keep our members serviced and happy, that can only help bring our numbers up."

Taylor gives great credit to Local 1414's Business Reps—Don, Pedro and Art—for training and expert advice. He's also quick to acknowledge the women in his life. My wife Leah has made it easy for me to make the transition from being a mechanic to holding a 24-hour job. And the women at District 190 and Local 1414 are truly the backbone of the union. They have a lot of information and they really help out all of the Business Reps."

One of Dave's first duties is to assist in the negotiations with Serramonte Dodge, his former employer.

Nick Antone: dedicated to IAM and family

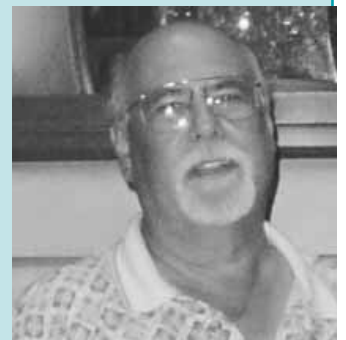
After serving two tours of duty in Vietnam, Nick Antone played semi-pro baseball for the Fremont Merchants. In 1964, he started working on the Oakland waterfront, and worked most of his early career as a parts man at PMT, with a brief stint at SeaLand. He was active as a shop steward and led a few strikes in the 1970s. Following in his father's footsteps, he became a business rep for Local 1546 in 1979 and then became Area Director in 1989. In 1994, he became Area Director for Local 1173, where he stayed until he retired to Las Vegas in 2000. In that time, he also served as President of the California Conference of Machinists.

"Nick was the best," said former Area Director Vern Dutton. "He was a great boss to me—in fact, he will always be my boss. I didn't want him to retire—but his health deteriorated fast."

Dutton said he first met Antone when they were in negotiations at Lucky Stores. "He slammed his fist on the table and threw coffee all over the place. I was just a shop steward at the time, and I thought this was the way you're supposed to be."

"Nick was a brilliant mathematician and a very good business rep," adds Craig Andrews, who worked with Antone on the waterfront and at Local 1546. "He always protected the membership to the best of his abilities."

Antone loved being surrounded by his large family. He is survived by his wife Cheryl, his four children and their partners, and four grandchildren.



Nick Antone
1942-2006

Robby Pintos becomes business rep for Local 1546

District Lodge 190 is pleased to welcome Robby Pintos to serve as a Business Rep for Local 1546.

Pintos hails from a union background. "My father was in the carpenters union in San Francisco. I started walking a picket line at a young age, and back in those days, they didn't mess around!"

Pintos got his first union job at Grand Auto, about 20 years ago. "But everybody knew that the company wasn't doing well, so I decided to leave and work for an independent shop." But when he realized they didn't offer medical benefits, he started looking for a union position. "I was able to go to Central Chevrolet as an apprentice and ended up staying there for almost 20 years, specializing in electronics and Corvettes."

Pintos has served as assistant shop steward and shop steward and has been through many negotiations with the East Bay Motor Car Dealers Association. Local 1546 named him Shop Steward of the Year in 2005. He's given testimony at the National Labor Relations Board and participated in federal mediation sessions. In October, he went on disability for an arm injury and took the opportunity to get some early job training by shadowing the Business Reps at Local 1546. "I've gotten well-immersed in what it takes to do this job."

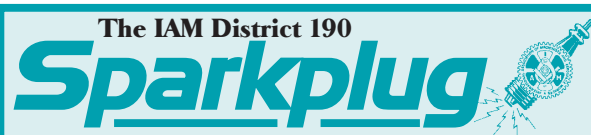
Pintos said his goal is to "make sure that when we come up for contracts, we don't lose more benefits for our members and their families. I want to see the members go forward, not backward, and stay in the middle class."

Pintos' first day on the job was busy—after visiting six different employers, he attended his first Executive Board meeting as a Rep. His duties will be to take most of the shops that Craig Andrews represented.

"I've been with the union for 20 years and I hope to work for the members for 20 years more!" he adds enthusiastically.



Robby Pintos at Local 1546's 2006 Steward's Dinner



Debra Chaplan,
Managing Editor



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ORGANIZING WINS

Sometimes, when you're provoked, you have to open up a can of whoop-ass!

Drama in Vallejo as Team Chevrolet employees seek to join union

In January, the techs at Team Chevrolet in Vallejo moved ahead, dramatically, for union representation.

This isn't the first time the IAM has had dealings with techs at this dealership. "We represented the shop about 10 years ago," said Area Director Jesse Juarez. "First we lost our shop steward and then we lost the shop. The employer made a lot of promises but he broke most of them."

Juarez said that techs at this shop have approached him over the years, but it's never gotten this far. "This time it's less about economics and more about respect and dignity."

After several meetings with Juarez, 10 of the 11 mechanics decided to launch a campaign. "We were supposed to meet with the owner one Tuesday at about noon to let him know that there was going to be an organizing campaign. We wanted to tell him personally to show him that respect. Our intent was to say, 'We want a union. Don't take it personally.'"

However, that same morning, the owner, Kenny Ross, brought the union's lead contact, Rob, into his

office to express how hurt and backstabbed he felt because he knew that a union visit was imminent.

At first Ross said he would initiate an investigation about whether Rob was being a negative influence. When Rob asked to be present at any investigation meetings, the owner refused and then fired him.

Juarez was called and came to the dealership within a few hours. "The techs and I went to the boss to ask for union recognition and also to ask that he reinstate our lead organizer. We explained that we were disappointed that he fired Rob, because we knew it was because of his union activity."

When the boss said he would think about it, Juarez decided to put him on the spot. "I told him we needed a decision right away. He tried to shoo us out of his office, so I told him that we would go on strike immediately. He went ballistic and then I went ballistic."

Prepared for the worst-case scenario, the techs locked up their tool boxes and hit the street with a bullhorn and a banner. The owner was stunned.

Juarez reports that while the techs



were on the sidewalk engaging in peaceful picketing, the owner organized his sales staff to confront them. The police were called in, and ultimately the service department was shut down for the rest of the day.

"I'm getting tired of dealing with employers who act unlawfully. If he chooses to violate federal labor laws, we're within our rights to strike him," Juarez said.

The techs went back to work the next day. The owner stayed away from the facility for two days. When he did come back, he distributed a prepared statement about his stance on unionizing. "He hired an attorney and will fight his own workers," Juarez adds.

In the weeks since the strike, the employees at Team are wearing union buttons and a button that says

"We support Rob." Juarez said that those guys passed the character and fortitude test big time. "This was a big step and they were up to the challenge."

The union has filed unfair labor practice charges which are being investigated by the Labor Board. A union election has been set for February 28.

"We've since learned that the owner is offering bribes to the techs here, so the election will probably be close. He's also making all kinds of promises to the techs at his other dealership if they don't go union. They know it's only because the Vallejo shop is organizing," Juarez explained. "We may be calling on our members to help with this campaign because this owner has already shown that he'll stop at nothing."

The EFCA: when winning cases isn't enough

When the techs at Fremont BMW tried to unionize, the owner immediately fired the lead organizer. The union filed unfair labor practice charges; a trial was scheduled for January 9, but Auto Nation settled before trial. "The guy was a good mechanic and got another job," Area Director Jesse Juarez said. "We were able to get him a chunk of change and take care of him, but in the end, the organizing campaign fell apart."

Similarly, two of the lead mechanics at Fairfield Ford were fired for their interest in unionizing. The union filed charges and the Labor Board issued a complaint just before Christmas, setting a March trial date. "We reached a settlement there as well. The two guys split about \$60,000—a grand slam by any definition. Except the settlement included a clause saying that the two techs could never come back to work at this dealership, so we lost our strongest supporters and the organizing campaign is over, for now." Juarez said that the union could have gone to trial and won the case but the company would have undoubtedly appealed. "And how many years would that have taken?"

Unfortunately, those two cases are just the tip of the iceberg as to how the National Labor Relations Board works—or doesn't work—for working people. And that's why Juarez and the IAM are such strong supporters of the Employee Free Choice Act. "If the EFCA passes,

it'll help us organize shops rather than just win cases," said Juarez.

The EFCA was written two years ago and collected hundreds of sponsors in the U.S. Senate and House of Representatives. Unfortunately, the Republican congress would never let the bill come up for a vote.

In January, Senator Ted Kennedy (D-MA) and Congressman George Miller (D-CA) reintroduced the bill, which they believe will "not only streamline unionizing, but also assure newly organized workers a contract, and sanction lawbreakers who deny workers the right to organize."

A 2005 survey found 53 percent of nonunion workers—that's more than 50 million people—want to join a union, if given the choice. But according to Human Rights Watch, "Legal obstacles tilt the playing field so steeply against freedom of association that the United States is in violation of international human rights standards for workers."

The EFCA would work to break down the barriers workers face when they unite to bargain for better wages and benefits from their employers. "Corporate executives are able to negotiate lavish pay and retirement packages for themselves," a spokesman for Miller said. "Workers ought to at least have the ability to bargain for better wages and benefits."

House Majority Leader Steny Hoyer (D-MD) has said the House will vote on the bill this session.

New union shop in Novato

Local Lodge 1596 signed a new collective bargaining agreement with Genuine Motors in January in Novato that brings two more workers into the union. "Two former members opened their own shop and decided that being union was the way to go," said Area Director Tom Brandon.

The partners had previously worked at Bianco Cadillac and Collins Buick, and then they worked non-union for a while before opening their own place. "They're in our health and welfare plan and the AI pension plan. We're pleased to welcome them back."

The key to a strong union is ORGANIZING and you can help keep District 190 strong!

Do you know people who work in your industry but don't have a union? Talk to people in non-union shops about the benefits of having a contract, a grievance procedure, a pension and good union benefits. If they're interested, ask if one of our organizers can call them. (Remind them that the call will be completely confidential.)

YOUR Name: _____

Where you work: _____

Your phone number: _____

ORGANIZING LEAD'S Name: _____

Company: _____

Home or cell phone Number: _____

Best time to be reached: _____

Please return this form to: District 190, 7717 Oakport St., Oakland, CA 94621. (Feel free to copy this form, or put the info on your own paper.)

Local 653

Sorry about that!

Due to clerical error, the December/January issue of the Sparkplug never made it to the homes of Local 653 members. We apologize and promise it will never happen again!

Long slog at Sara Lee

Business Rep Tom Rotella reports that Sara Lee negotiations have not gone well, but after six months of talks, the company finally made an offer of \$3.60/hour in pension, a \$1 increase in wages, and an \$850 cap for health and welfare.

Anxious for talks

Some Fresno-area shops can't wait to get to the table. Our members at Hedrick's Chevrolet have already had their first proposal meeting and their contract is not open until June. Sun-Maid Raisin had a proposal meeting on January 27th and their contract is not up until December.

Organize early

CarMax is coming to town and Rotella says that the large used car dealer is bigger than some of the Local's truck shops. "It looks like they might have 20-30 techs between the repair shop and body/paint. We know they're trying to steal techs from other shops."

While the company is offering good wages, Rotella has heard that they are not offering benefits and the work is flat rate. "I hope we can get a lead into this shop because they're ripe for getting a decent contract."

If you know anybody who's working at any of the new production plants and warehouses popping up in the Central Valley, call Tom Rotella at 559-264-2815. All calls will be confidential.

Local 1173

A lousy deal in Brentwood

The contract with Brentwood Dodge has expired and talks are continuing. "It's a lousy proposal," said Area Director Mark Hollibush. "The company has many takeaways on the table. We're still in negotiations to move the guys forward instead of backwards."

New owner at Soscol

Soscol Auto Body in Napa has been a union shop for many years, but there was an ownership change in 2006. "We've only met with the company a few times," said Hollibush. "We're hoping the new owner takes care of the guys like the old owner did, but we'll soon see what he has in mind."

New faces at Albertsons

Albertsons was bought out by the Save-Mart Corporation in 2006 and their contract with Local 1173 expires this year. "I look forward to meeting with the new company to find out how they'll take care of the guys in the future," said Hollibush. "As of now, I have no idea if they'll treat the guys well or ask for concessions."

Benicia Terminal to close

Hadley Auto Transporters has begun the process of shutting down its Benicia terminal. Final closure is expected around March 1. Of the five members who had worked there, one has already been laid off and the others are looking for work.

Local 1414

Health and Welfare Meeting March 3 • 10 a.m.

On Saturday, March 3, at 10 a.m., Local 1414 will host a special meeting with representatives from the Automotive Industries Trust Fund. This will be a great opportunity to have the experts answer all of your questions about your active (non-retiree) participant healthcare benefits. Spouses are urged to attend. Refreshments will be served.

At a later date, the Local will hold meetings for the retirees to discuss the Automotive Industries and IAM National Pension Trusts. If you would like to request a meeting on any pertinent subjects, please contact your business representative or Don Barbe.

Sick leave reminder

Members are responsible for advising the benefits coordinator of the trust fund, as well as the union financial office, that you are taking sick leave. You must immediately notify both offices when you start your leave and when you return.

Lots of contracts open

Local 1414 business reps will be busy this year, negotiating 36 open contracts.

Local 1484

Rotten tomatoes for ConGlobal; Oscars for waterfront workers

It seemed like the four-month old strike at ConGlobal in Wilmington might be settled just before Christmas, but it wasn't to be. Three days after the employer bought the strikers a Christmas tree, they cancelled scheduled talks with federal mediators, and the strikers were back at square one.

"We were hoping that everybody could be back to

Steve Older named Local 1173 Steward

Local 1173 was honored to name Steve Older its 2006 Shop Steward of the Year at the Local's December shop steward/membership meeting.

Why? "Steve did freaking everything that was ever asked of him," explains Area Director Mark Hollibush. "He wore 12 hats at the same time. He's a delegate to the District Executive Board and he serves as delegate and Executive Board member of the Central Labor Council. He's President of the Local, he walked precincts every weekend and manned phone banks. And of course, he's also shop steward of Concord Toyota, handling many grievances successfully. Basically, Steve is an all-around nice guy. He represents everything that's good about this union and everything that others should be emulating."

work for the holidays," said Local 1484 Business Rep Kevin Kucera. "This was really a blow."

But Kucera added that the strikers' anger was tempered by the huge show of support from their fellow workers at the waterfront. "In just four days, our members raised \$5,900 to buy additional holiday presents. We also got help from the L.A. County Fed's Community Services office, and SAG/AFTRA adopted our strike. In all, we were able to provide food and \$100 for each striker."

Kucera reports that mediated talks resumed in January. "The economics are now at a point where our members feel somewhat comfortable. But the replacement worker issue is holding everything up."

Kucera explained that 42 members are on strike, but the company says it only has 31 positions available. "They want to give their 14 scabs preferential seniority status. That's a deal breaker."

Payroll change is at hand

ITS is rolling out a new payroll system for its employees at the Port of L.A. in February that's reputed to be the wave of the future. "They're going from the old punch card system to a biometric system," explains Kucera. "Basically the machine takes a picture of your hand and works out a mathematical equation to identify each hand. To punch in and out, you put your hand on the machine and punch in a pin code."

In addition to getting rid of 'buddy punching,' this system creates numerous efficiencies for the company. "Our members were concerned that this might be like a fingerprinting system, but in fact, it doesn't take a handprint, fingerprint or thumbprint. We researched the process and talked to several other unions whose shops have it, and they swear by it," Kucera said.

SHOP TALK: If you make New Year's resolutions, how are you doing so far?



Mike Giordano
KVAL Machinery
Local 1596—Petaluma

"I made the typical resolution to lose some weight by hitting the weights. So far, I'm doing pretty bad. I have a set-up in the garage, but I've only done it a few times. That's pretty standard."



Rich Stuart
Henry Curtis Ford
Local 1596—Petaluma

"My resolution is to stop chewing tobacco, after 10 years. So far, so good!"



Brian Roe
KVAL Machinery
Local 1596—Petaluma

"I didn't make any resolutions. I never do. My goals for the year are to stay healthy and keep my kids out of trouble."



Keith Marchando
Henry Curtis Ford
Local 1596—Petaluma

"I didn't officially make any resolutions but this might count... I'm an amateur cyclist (mountain bike/single speed), so my goal is to place in the top 10 in four races in the state."



Josh Bonagofski
KVAL Machinery
Local 1596—Petaluma

"I didn't make any resolutions and never do. But my goal is home ownership. Maybe I'll try to buy a condo. I don't know how realistic that is, but it's a good goal."



Vic Henry
Curtis Ford
Local 1596

"My goal is a good year away from Brandon!"

THE LOCALS



Shop Steward of the Year



Steve Older proudly displays his Shop Steward plaque, with Area Director Mark Hollibush at left and Rick Rodgers at right.

"But I have reserved the right to bargain over it if we see that the system isn't working as promised."

Local 1528

Another oops—Sorry, Catherine!

In the last issue of *The Sparkplug*, we incorrectly stated that IAM Sister of the Month Catherine Litel was a five-year IAM member. In fact, Litel joined Local Lodge 1528 in 1979 and is a 28-year member.

Local 1546

The year so far

The 28 techs who work at Groth Chevrolet in Livermore ratified their new three-year contract in December. "The contract has some plusses and minuses," said Business Rep Craig Andrews. "On the up side, there was no reduction in the pension contributions and we were able to keep the premium health and welfare plan. On the other side, the employees agreed to a 3% co-pay, based on their wage rate, as well as a wage freeze."

Over at Dublin Pontiac-GMC, Andrews reports that the 24 guys also took a freeze in their pension contribution and a 3% health co-pay based on their wage rate. But the three-year agreement they ratified calls for wage increases in January of 2008 and 2009.

Responding to three locals

In January, about 20 members of Locals 1414, 2182 and 1546 in Sacramento, San Mateo, Concord and San Leandro ratified their new Master Agreement with American Medical Response. Their joint three-year contract includes wage increases of 4.5% the

first year and 3.5% in years two and three, with additional increases in on-call pay.

The six members at San Leandro Disposal ratified a four-year deal in December. The company picked up the full cost of health and welfare in 2006 and the employees have a guaranteed cost-of-living increase with a minimum of 3% for each of the next four years. Negotiations continue at Nelson Chevrolet and Auto West Honda. The companies proposed offsetting pension reductions with wage increases and switching to an inferior company health care plan.

The year to come

Local Lodge 1546 reps will be busy negotiating in many different industries throughout the year, reports Area Director Don Crosatto. Between May and November, 27 contracts will open for negotiations, in addition to those still pending from 2006, and several from 2005 that are in litigation.

This is a big year in the trucking industry, with contracts opening at Golden Gate Freightliner, East Bay Ford Truck and Bayshore International in August. The following month, joint negotiations with Locals 1101 and 1414 will kick off for members employed at Penske Truck Leasing.

Members at Waste Management will be at the table trying to make up ground lost over the last six years.

In the construction industry, the union will be be sitting down with Right Away Redy Mix, Bay Line Concrete Cutting and the Rock Sand and Gravel agreement with Cemex.

Many motor car dealer agreements will be up, including Hayward Auto Chrysler, Ford of Dublin, Crown Chevrolet-Cadillac, Marina Pontiac-GMC, Honda of Hayward, and Mercedes Benz of Oakland.

Talks will also take place in the rent-a-car industry, as both the Hertz and Avis-Budget pacts expire in 2007.

Tough talks are anticipated at ConGlobal in Alameda, the same company that has been on strike in Wilmington since August. Smoother sailing is expected on the waterfront with Harbor Reefer, Marine Mechanical and GBB Maintenance in Alaska.

Local 1596

Driving a deal in Solano

The 17 Special Ed bus drivers who are employed by the Solano County Office of Education have a new three-year agreement. "Their contract expires in July, 2007 but we settled on January 8. We're always a year behind because of how the state reimburses the county," explained Area Director Tom Brandon. "They got a 6.25% wage increase for this year retro back to July, 2006 and we'll do interest-based bargaining each coming year for benefits and wages."

Local 2005

The 'getting to know you' dance

Local 2005 Business Rep Ralph Meraz reports that the IAM and Foster Farms are continuing to get to know each other. "Sometimes we work smoothly and sometimes it can be aggravating, especially when they try to deny us information that we should get. Our job is to keep the pressure up."

Meantime, in January, the Local brought out Marie Box from the IAM's national office to train shop stewards. Meraz repeated that training in Spanish a week later. "Now, we're visiting all departments and all shifts. We're trying to get everyone to know our core group of union reps—me, Al Lopez, Jesse Juarez and Pedro Mendez—so they feel more connected to the union."

The Local is also running a major campaign to get all employees to re-sign up as union members. "About 1,000 members signed so far and we're confident that we'll reach about 70% of the employees. The momentum is good."

Meraz also reports that the Local has filed grievances around holiday pay, seniority and job posting and will have some Boards of Adjustment on issues of pay—"but they're not huge." He said that they're also looking into line speed staffing. "None of this stuff will go away until we fix it. We believe the members can see that, unlike their previous union, we're taking representation seriously."

Local 2182

Belt tightening at Ford stores

Area Director Mark Martin reports that negotiations are continuing at Harrold Ford in Sacramento, but as with most Ford stores, things are tight and the talks have been tough.

Across town at Elm Ford, the company has begun its first layoffs in 10 years. "With Ford reporting \$12 billion losses in 2006, its no wonder," Martin said. Fewer cars sold means fewer cars being repaired at the dealership. Hopefully, we'll ride out this storm."

Adventure continues at Hubacher

First an employee at Hubacher Cadillac filed for a decertification election, "but he withdrew it and we were able to move past that," says Business Rep Skip Hatch. "But now, the company has put together a settlement agreement that would have us withdraw all of our outstanding unfair labor practice charges. If it were a decent agreement, we might agree to drop the charges, but it's just not. So the charges are still filed and the attorneys are in a slugfest about where we're going to go next."

Note: this question was asked on January 19!



Farr Curtis Ford
—Petaluma

just to have
r and stay
Tom



Chris Weyl
KVAL Machinery
Local 1596—Petaluma

"I resolved to try to
save money for stuff
I've been wanting for a
while. So far, the sav-
ings are adding up,
slowly. We're heading
in the right direction."



Chris Albinana
KVAL Machinery
Local 1596—Petaluma

"I didn't make any res-
olutions but my goal is
to quit smoking some
time this year."



Arnold King
KVAL Machinery
Local 1596—Petaluma

"I didn't make any reso-
lutions. I just hope we
keep producing quality
machinery here and
shipping it out. I didn't
set any personal
goals."



Dave Williams
KVAL Machinery
Local 1596—Petaluma

"My resolution is to
lose weight. So far I'm
doing okay—watching
what I eat and eating
differently."



Rusty Miller
KVAL Machinery
Local 1596—Petaluma

"I didn't make any New
Year's resolutions and
yes, I have goals...but
not any that I'll have
written up in the news-
paper!"



PENSION UPDATES





Retirement plans have new reporting requirements

This past August, Congress passed the Pension Protection Act of 2006 (PPA), often described as the most sweeping retirement plan legislation since 1974's Employee Retirement Income Security Act (ERISA).

The PPA makes changes for multi-employer labor/management (so-called Taft-Hartley) plans, such as the AI pension plan, as well as single-employer pension plans and 401(k)s, IRAs and other "defined contribution" retirement plans. The overall purpose of PPA is to make funding rules stricter and to increase ramifications for failing to satisfy funding rules.

For Taft-Hartley plans, the Act imposes greater liability on employers if a plan fails to meet the PPA's much stricter pension funding requirements. Importantly, for plans found to have an "endangered" or, even worse, a "critical" funding status, the Act requires bargaining par-

ties to negotiate corrections to a sustainable level. If the bargaining parties reach an impasse, future accrual of pension credits must be reduced.

The Act also expands the amount of information that plans must provide to participants, unions and employers on an annual basis.

The notices must now inform participants of the funding level of the plan—expressed as a ratio of projected assets to projected benefit liabilities. No matter how well-funded a plan is, the notices must also include an explanation of the level of benefits that are federally-insured should the plan go under, as well as an explanation of the limits of the federal guarantee. Thus the new notices may, in many cases, unnecessarily alarm members and retirees.

Members are advised not to be alarmed by the notices you receive about your pension plan. They are providing funding information regarding the plans, whether or not the plan is in hardship.

No matter how well-funded a plan is, the notices must also include an explanation of the level of benefits that are federally-insured should the plan go under.

Update on AI Plan

If you listen to stock reports, you know that having great earnings might not be enough—if a company earned 10%, but analysts projected they would earn 11%, then the company could suffer a major sell-off of their stocks.

Fortunately, that's not the case for the AI Pension Plan. In 2006, the AI Pension did extremely well. "Our earnings were close to 14%, which is nearly twice the actuarial assumption rate," said Directing Business Rep and Trustee Jim Beno. "When the consultants release the actuarial evaluation report in May, we will be able to provide our members and employers with more detailed information."

With the Fund's investment returns now moving in the right direction, the Trustees will finally be submitting the dispute over contribution levels to arbitration. Many pension trust funds have plan provisions that establish the negotiated employer contribution in the collective bargaining agreement as the minimum acceptable contribution. Through collective bargaining, an employer can increase or freeze contributions to the fund, but can in no way reduce their current level of contributions.

"The AI Pension had never addressed this specific funding issue, due in part to the fund's exceptional performance for more

than 50 years," Beno explained. However, when the dot-com bubble burst, followed by the 9/11 disaster that depressed the markets for four consecutive years, "we had to explore enacting more protective provisions for the Fund. The Union Trustees proposed enacting this provision as a way to stabilize the fund's cash flow. The Employer Trustees didn't agree, forcing a deadlock" and subsequent appeal to arbitration.

Some employers have tried to reduce their contributions to the bare minimum in an attempt to reduce their exposure to the unfunded liability without completely leaving the Fund. If they left the Fund, they would have to pay their portion of the unfunded liability. "This position is only counter-productive to the ultimate goal of eliminating the unfunded liability completely," Beno advised. "If we maintain stable contribution levels and cash flow and continue to experience investment returns like 2006, we will be able to neutralize those bad investment years and eliminate the unfunded liabilities."

The arbitration hearing has been scheduled for February 26, and if needed, a second date has been set for March 29, 2007.

Moving? Send the mailing label on this newspaper to your Local Union office. See Calendar on Page 8 for your local union's address.



**ASSOCIATED
THIRD PARTY
ADMINISTRATORS**

ATPA is the administrator for the Automotive Industries Health & Welfare and Pension Trust Funds.

Contact us at 510-836-2484

SHOP TALK: How are you doing on your New Year's resolutions so far?



Steve Key
KVAL Machinery
Local 1596—Petaluma

"I didn't make New Year's resolutions, but I'm on the hunt for a new truck right now. Maybe that's my goal."



Chris Denny
KVAL Machinery
Local 1596—Petaluma

"I didn't really make any New Year's resolutions, although I do sometimes. My goal for the year is to complete my heavy metal band. I need a vocalist, and then we can be on our way."



Jake Yetter
KVAL Machinery
Local 1596—Petaluma

"Any resolutions that I'm going to stick to? Well, I'm going to try to go to the gym 3-4 days minimum. I haven't started yet, but when February comes, I'll be prepared."



Tony Zamagni
KVAL Machinery
Local 1596—Petaluma

"I don't make New Year's resolutions. I haven't thought about goals for the year beyond maybe improving my job."



Matt Cullins
KVAL Machinery
Local 1596—Petaluma

"My resolution was to try to work out more and get in better shape. I haven't started yet!"

IN THE NEWS

Bush end runs agencies protecting worker health, environment

The Bush White House has found a new way to step over the scientists and experts charged with protecting the public's health, worker safety and the environment. In an Executive Order signed Jan. 18, President Bush ordered that each federal agency must have a regulatory policy office run by a political appointee who supervises the development of rules and documents providing guidance to regulated industries. The job of this new political bureaucrat will be to analyze costs and benefits in a way that ensures that the agencies carry out the president's priorities.

"The Executive Order allows the political staff at the White House to dictate decisions on health and safety issues, even if the government's own impartial experts disagree. This is a terrible way to govern, but great news for special interests," Rep. Henry Waxman (D-CA) explained.

The New York Times reports that the administration was particularly concerned about rules issued by the Environmental Protection Agency and the Occupational Safety and Health Administration (OSHA).

An analysis of the order by the group [Office of Management and Budget] OMB Watch says "...The Bush administration has regularly appointed industry representatives or allies to oversee agency regulatory activities. Often this has been dubbed 'foxes in the hen house.' The [Executive Order] adds a new dimension—by having the foxes control the hen houses.

*adapted from Mike Hall
AFL-CIO Weblog*

It takes a decade to increase minimum wage

While the House of Representatives passed a minimum wage



increase as part of its "first 100 hours" package, it took a few extra weeks and a few incentives to get a wage increase through the Senate. In the end, the Senate voted 94-3 to boost the federal minimum wage by \$2.10

to \$7.25 an hour over two years.

The Senate bill includes tax cuts for small businesses and higher taxes for many \$1 million-plus executives. According to Senate Democrats, including the tax breaks was neces-

sary to overcome a potential Republican filibuster and presidential veto.

According to the Labor Department, 479,000 workers earned exactly \$5.15 an hour in 2005, the most recent estimate available. Most are young and unmarried and more likely to be women, minorities and part-time workers. According to the Economic Policy Institute, the increase would affect 5.6 million who make less than the proposed minimum of \$7.25.

"Passing this wage hike represents a small but necessary step to help lift America's working poor out of the ditches of poverty and onto the road toward economic prosperity," said Sen. Edward Kennedy (D-MA).

IAM helps launch Union Sportsmen's Alliance

The IAM, along with 19 other labor unions representing more than 3.2 million workers, is joining forces with the Theodore Roosevelt Conservation Partnership to form the Union Sportsmen's Alliance (USA). The purpose of the new organization is to conserve large portions of federal land so that ensure outdoorsmen have places to hunt and fish.

A recent poll found that 70% of union members hunt or fish and 72% of those polled said they were concerned about the loss of places to hunt or fish.

The USA's primary goal is to keep pressure on the Bush administration and Congress to increase federal funding for protecting wildlife while simultaneously guaranteeing access for hunters and fishermen. "Quality places to hunt and fish are disappearing—threatening America's sporting heritage," said IAM President Tom Buffenbarger, a TRCP board member. "The USA will help turn the tide by unifying union sportsmen and women across the country to form a strong voice of influence."

Wal-Mart's \$4 scripts: Big flash in the pan

Wal-Mart announced with great fanfare last fall that it was going to sell prescription drugs for \$4 at its Tampa, Florida stores. The company soon took its cheap drug program national. But like everything at Wal-Mart, the program is not as good as it might seem.

- The Food and Drug Administration (FDA) has approved 11,487 brand-name and 8,730 generic drugs for sale. Of these, Wal-Mart selected 143 different generic drugs (1.6 percent of generics and 0.7 percent of all drugs) for its program, although, due to differences in dosage, 331 total offerings appear on the list. In addition, many drugs on Wal-Mart's list are older generics that are no longer commonly prescribed.

- Drugs on the Wal-Mart list are offered in specific dosages, and many are available only in a single dosage. Further, for all drugs and dosages on its list, Wal-Mart is selling 30-day supplies—and only 30-day supplies—for \$4. However, some drugs on the list, such as antibiotics, are frequently prescribed in less than 30-day amounts, so their inclusion is inappropriate, at best.

Before details of Wal-Mart's program became clear, many commentators thought it might prove a real service to health care consumers. It now appears that it is nothing more than an advertising ploy to draw more customers into the stores.

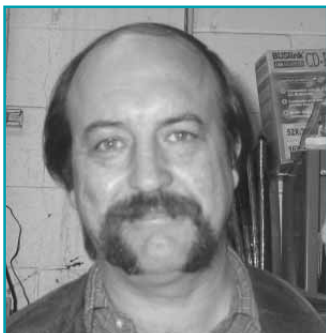


SHOP TALK: How are you doing on your New Year's resolutions so far?



Ken Jensen
Henry Curtis Ford
Local 1596—Petaluma

"Everything went smoothly last year, so my goal is to stay the course this year."



Victor Liuzunie
Henry Curtis Ford
Local 1596—Petaluma

"Last year I said I'd quit smoking, and I'm still smoking... This year, I just want to make more money than last year."



Steve Anderson
Henry Curtis Ford
Local 1596—Petaluma

"I don't make resolutions because I never stick to them. And I don't have any specific goals, either."



Bill Redmon
Henry Curtis Ford
Local 1596—Petaluma

"I don't have any resolutions, but my goal is to make more money than last year."



Rafael Kirkland
Henry Curtis Ford
Local 1596—Petaluma

"Yes, I resolved to have a year of consistency and stability. So far, so good!"



2007 Transportation Day of Action
Enough is Enough Rally
May 17, 2007

Washington, D.C. Mall

Pre-rally starts at 10:00 a.m. Rally starts at Noon

Sponsored by the International Association of Machinists and
Aerospace Workers

Contact your Local Union if you're interested in attending.

On May 17, tens of thousands of Machinists and other union members will gather at the Mall in Washington, D.C. for the National Transportation Day of Action to declare “Enough is Enough.”

End the assault on transportation workers!

Workers aren't a priority in our country today. Transportation workers have been under assault for years by ineffective management and anti-worker laws:

- ⇒ Airline bankruptcies have had disastrous effects on employees
- ⇒ Pension terminations have dramatically altered the retirement lives of tens of thousands
- ⇒ Jobs are being sent overseas
- ⇒ Congress has refused to fully fund Amtrak and commit to the future of passenger rail in the United States
- ⇒ Freight railroads are making astronomical profits while refusing to bargain fairly with employees
- ⇒ The National Mediation Board has become a puppet agency of an anti-worker White House

UNION MEETINGS		
District Lodge 190 7717 Oakport Street Oakland, CA 94621 510-632-3661	Executive Board Meeting <i>Fourth Tuesday of each month at 6:30 p.m.</i> February 27 • March 27 • April 24 General Delegates' Meeting <i>Fourth Tuesday of each month at 7:30 p.m.</i> February 27 • March 27 • April 24	Local 1528 713 16th Street Modesto, CA 95354 209-529-9210
Local 653 544 West Olive, Fresno, CA 93728 559-264-2815	Executive Board Meeting <i>Third Wednesday of the Month at 5:00 p.m.</i> February 21 • March 21 • April 18 Membership Meeting <i>Third Wednesday of each month at 5:30 p.m.</i> February 21 • March 21 • April 18	Executive Board Meeting <i>First Wednesday of each month at 6:00 p.m.</i> February 7 • March 7 • April 4 General Membership Meeting <i>First Wednesday of each month at 7:00 p.m.</i> February 7 • March 7 • April 4 Women's Committee Meeting <i>Please contact local 1528 for times and dates of monthly Women's committee meetings</i> Retiree's Club <i>Third Wednesday of each month at 10:00 a.m.</i> February 21 • March 21 • April 18 <i>Narcotics Anonymous: Every Tuesday, 5:30-6:30 p.m.</i>
Local 801 7717 Oakport Street, Oakland, CA 94621 800-655-2182	Membership Meeting <i>Third Thursday of the month at 4:00 p.m.</i> February 15 • March 15 • April 19 <i>Meetings are held at the Carpenters' Hall, in Reno.</i>	Local 1546 10260 MacArthur Blvd., Oakland, CA 94605 510-638-6705
Local 1101 3777 Stevens Creek Blvd., Suite 320 Santa Clara, CA 95051 408-551-2280	Executive Board Meeting <i>Second Thursday of each month at 5:30 p.m.</i> February 8 • March 8 • April 12 General Membership Meeting <i>Second Thursday of each month at 6:30 p.m.</i> February 8 • March 8 • April 12 <i>All meetings are held at the above address. Check union office for room.</i>	General Membership Meeting <i>First Tuesday of each month at 7:00 p.m.</i> February 6 • March 6 • April 3 Shop Stewards' Meeting <i>First Tuesday of each month at 5:30 p.m.</i> February 6 • March 6 • April 3 Executive Board Meeting <i>Thursday preceding membership meeting at 6:30 p.m.</i> February 1 • March 1 • March 29 Retiree Club Pot Luck Luncheon <i>First Wednesday of each month at 12 noon</i> February 7 • March 7 • April 4 <i>Alcoholics Anonymous: Every Saturday, 9 a.m.</i>
Local 1173 1900 Bates Ave., # H Concord, CA 94520 925-687-6421	Executive Board Meeting <i>Second Thursday of each month at 6:30 p.m.</i> February 8 • March 8 • April 12 Membership/Shop Stewards' Meeting <i>Third Thursday of each month at 6:30 p.m.</i> February 15 • March 15 • April 19	Local 1584 8130 Baldwin Street Oakland, CA 94621 510-635-2064
Local 1414 150 South Blvd. San Mateo, CA 94402 650-341-2689	Shop Stewards' Meeting <i>First Thursday of each month at 6:00 p.m.</i> February 1 • March 1 • April 5 Executive Board Meeting <i>Second Thursday of each month at 6:00 p.m.</i> February 8 • March 8 • April 12 General Membership Meeting <i>Third Thursday of each month at 6:30 p.m.</i> February 15 • March 15 • April 19 Retirees' Club <i>First Wednesday of June, Sept., Dec., March at 11:00 a.m. All are welcome!</i> March 7 • June 6 • September 5 • December 5	Local 1596 4210 Petaluma Blvd. No. Petaluma, CA 94952 707-795-0085
Local 1484 1261 Avalon Blvd. Wilmington, CA 90744 310-835-6688	Executive Board Meeting <i>Third Thursday of each month at 6:00 p.m.</i> February 15 • March 15 • April 19 General Membership Meeting <i>First Tuesday of each month at 6:00 p.m.</i> February 6 • March 6 • April 3 Retirees' Club <i>Third Wednesday of each month at 1:00 p.m.</i> February 21 • March 21 • April 18	Local 2005 416 Main Street Livingston, CA 95334 209-394-7822
		<i>Meetings of the general membership are held at the Livingston Portuguese Hall, usually on the Second or Third Sunday of the month.</i> <ul style="list-style-type: none">• English & Punjabi—at 1:00 p.m.• Spanish & Portuguese—at 2:30 p.m. Check with the Local office to find out the meeting schedule.
		Local 2182 967 Venture Court, Sacramento, CA 95825 800-458-9200
		Executive Board Meeting <i>Second Tuesday of each month at 6:00 p.m.</i> February 13 • March 13 • April 10 General Membership Meeting <i>Second Tuesday of each month at 7:00 p.m.</i> February 13 • March 13 • April 10 Retirees' Club - VISTA CLUB <i>Third Wednesday of each month at 11:00 a.m.</i> February 21 • March 21 • April 18