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#### August/September 2009

Serving the Active and Retired Members of IAM District Lodge I90

# Now or never for health insurance reform



A lot of angry, over-the-top rhetoric is muddying the discussion of health insurance reform. Before discussing the details of the current proposals, it's important to remember why the current system so desperately needs change.

In recent years, health care spending has grown three times faster than average wages. Premiums have doubled in this decade. Out of pocket costs for people with insurance have gone up by 32 percent. Businesses are buckling under health care costs and every union contract gets bogged down over who will foot the rising costs of health care.

Today, 47 million people have no health insurance at all—this makes them less likely to get routine care, only seeking the most expensive emergency care. It also puts the cost burden on all who pay for insurance.

One out of every six dollars in this country is spent on health care. Soon it will be one in five. If we do nothing, in 30 years, one third of this country's economic output will be tied up in the health care system.

Health care cost is the fastest-growing item in the federal budget and is unsustainable. We have to bring costs under control now.

#### Fixing a broken system

Congress is currently weighing several bills and options. The majority of the initiatives would pay for reform by cutting waste, fraud, and abuse within existing government health programs; ending big subsidies to insurance companies; and increasing efficiency with such steps as coordinating care and streamlining paperwork. The goal of President Obama's reform package is to take money already being spent on health care and re-allocate it toward reforms that would lower costs and assure quality affordable health care for all Americans.

This includes redirecting \$177 billion in the next ten years in unwarranted subsidies to the insurance industry into actual care for people.



Brothers and Sisters,

I am writing today because our union is in a big fight this month that we have to win. The battle to reform our broken health care system is white hot right now and will be decided in the next 30 days. If we win, we roll right on to labor law reform. If we don't

win, working families are going to suffer and our economy will get dragged down further. That's how high the stakes are.

I am going to do all I can this month to make sure we win on health care reform, and I am asking every member of every Local in District 190 to stand with me. Working families and our union have a lot to gain in health insurance reform. And the same folks attacking health care reform are attacking the Employee Free Choice Act. If they win, we lose.

This health insurance reform is worth fighting for. President Obama's Health Insurance Reform Plan:

- Puts you and your doctor—not the insurance companies—in charge of your health care.
- Will help our contract negotiations by lowering health care costs and premiums.
- Will improve health care quality by curbing insurance company abuses, rewarding doctors for improving the quality instead of quantity of care and forcing insurers to compete with a quality public health insurance plan.
- Will help employers by making it easier to provide and pay for health benefits.
- Has a strong public plan option to keep insurance companies honest and drive out waste.
- Means health care will be there for you, no matter what. You can't fall through the cracks.
- Finally, nonunion companies will have to pay their fair share instead of dumping their health care costs on the rest of us.

Trying to kill health care reform are the insurance companies, rightwing Republicans, Fox News, Rush Limbaugh and the Chamber of Commerce—the same crew that's trying to kill the Employee Free Choice Act. This is the make-or-break month for health care. While Congress is at home, the other side will flood the airwaves and scare people into calling members of Congress. We have something stronger than their big dollars—organized people power—and we'd better use it.

Call your congressmember today at 1-877-264-4226. Urge him/her to support health care reform that works for working families, not just insurance companies.



An overflow crowd in Alameda waits in line to attend Congressman Pete Stark's town hall meeting on health care on August 15.

But the Obama reform plan goes further by encouraging the kinds of reforms that will save money in the long run: preventive care; computerized record-keeping; and comparative effectiveness studies to expose wasteful procedures and hospitalizations.

### Don't believe the hype

A few false arguments are stirring up fear and opposition to any health insurance reform. Allowing doctors to counsel their patients on end of life choices—a proposal already passed into law by the Republican Congress in 2003—is not a "death panel," but an important service to the patient and her/his loved ones. In solidarity, Jim Bena

Directing Business Representative IAM District Lodge 190

And, if you're afraid of rationing, remember that there is widespread rationing in today's system. Right now, decisions about what doctor you can see and what treatment you can receive are made by insurance companies, which routinely deny coverage because of cost or insurance company rules. Health reform will do away with many of the rules that result in rationing today.

Health insurance reform will prevent insurance companies from denying coverage because you have a preexisting condition; prevent them from canceling coverage because you get sick; ban annual and lifetime limits on coverage, which often force people to pay huge sums out of pocket if they develop a serious illness; and prevent discrimination based on gender.

The reality is that health care costs are spiraling out of control, and everyone in America deserves quality and affordable care. Health insurance reform simply can't wait.



# UNION PEOPLE

# Grace Honda strikers honored by San Mateo **Central Labor Council**

On August 7, the San Mateo Central Labor Council, at its annual COPE banquet, honored the Local 1414 members who have been on strike for 11 months at Grace Honda. This was an important forum for the strikers, because every politician in the county who wants to curry labor's favor was at the dinner and had the opportunity to learn that the owner had refused to engage in

any meaningful talks about settling a decent contract.

In fact, the week following the dinner, the union finally met with the owner and her representative for the first time since 2008. They scheduled an additional two meeting dates. "I can't say I'm optimistic," says Area Director Tom Brandon, "but at least we're meeting."



Members of IAM Local 1414 and Teamsters Local 665 who are on strike at Grace Honda are recognized at San Mateo Labor Council dinner. Also on stage is former Business Rep Don Barbe (2nd from right), who had represented these workers until he retired in April.

# **Remembering Cliff Homon** October 3, 1939 — April 25, 2009

Clifford T. (Cliff) Homon, retired lodge delegate and President of the President of Local 1546, passed away on April 25. Cliff joined Local

1546 when he went to work for Utility Trailer in 1962. Three years later, he went to work for PMT, where he stayed employed until wellhis deserved retirement 30 years later. Cliff became active in Local 1546

as soon as he was eligible to participate in the activities of the local.

positions of trust. He was a shop children.

Local. He resigned the Presidency in May, 2001. Cliff was active in poli-

tics and worked unceasingly in his quest for better wages and working conditions for the membrs of Local 1546.

Cliff's nononsense manner and dedication to his fellow members will be sorely missed.

Cliff is survived by his wife of 47 years, Carolyn, his two sons, Cliff served Local 1546 in many Cliff III and Scott, and five grand-



# Steve Older wins NHRA drag race

For Local 1546 Business Rep Steve Older, Sunday, August 2 was a great day at the Infineon Raceway. He took first prize in the NHRA Pacific Division Super-Street drag race.

Steve won the first round with an .0029 second margin, and took the final round with a 10.901 second time—just 1/1000 of a second off the goal time. Steve drives a 1969 Chevrolet Chevelle with a 540 big block engine and keeps a big IAM sticker right on its side. Congratulations, Steve!



# Labor Day 2009 marks beginning of real reform for workers everywhere

**By Art Pulaski Executive Secretary-Treasurer California Labor Federation** 

Last Labor Day, union families across California and the country worked harder than ever to create "Change that we can believe in." The election of Barack Obama provided fresh hope for millions of working families after eight years of damage caused by Bush's policies. But we always knew that creating real, lasting change wouldn't be easy.

CEOs and corporate lobbyists have aligned to derail President Obama's agenda and preserve the status quo that's failed so many for so long. We mustn't let them succeed. This Labor Day, it's time for working families to commit anew to turning our country in a different direction.

For most workers across the nation, health insurance is often more of a battle than a benefit. Those who have insurance have seen their rates skyrocket 1000%, and are constantly fighting insurance company abuses. And those who don't have it most likely cannot afford it, or were dropped by their insurers when they got sick. Health care reform would stop insurance companies from doing what they do best-denying your claims because you were sick in the past, dropping your coverage when you get sick, cutting you off when your treatment costs reach some arbitrary amount and refusing to cover checkups and preventative care, along with other unfair practices intended to inflate insurers' already excessive profits. But corporate special interests are trying to block reform by funding right-wing extremist groups to disrupt town hall meetings, intimidate lawmakers who support reform, and generally buck the democratic process.

The voices of opposition to health care reform are familiar ones. They are the same voices that fought regulation of the financial systemwhich led to the housing collapse and a market meltdown. They are the same voices of those who worked to ship jobs overseas while eroding workers' freedom to form unions, and the same people who are funneling millions to prevent the passage of the Employee Free Choice Act.

By restoring workers' freedom to join and form unions without employer harassment and intimidation, the Employee Free Choice Act is crucial to get our middle class back on track and keep it moving in the right direction.

But thanks to an onslaught of aggressive pressure from a small but vocal opposition, Congress is stalling on moving forward with healthcare reform and Employee Free Choice. We have too much at stake to let the opponents of change and protectors of the failed status quo succeed. Reform simply cannot wait; something has to be done to help working families right now. Change is coming, but we need to keep pushing to make it reality. Start today by asking your members of Congress, "Whose side are you on? Working families, or corporate special interests?" Visit http://tools.advomatic.com/8/reform to call your members of Congress today and tell them that you support healthcare reform and the Employee Free Choice Act. It's time to begin rebuilding our middle class and restoring the promise of the American Dream.



steward, vice president, district



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# BENEFITS NEWS

# Changes in health and welfare benefits show need for health care reform

If you want to understand why unions across America are fighting so hard for health care reform, here's the story of the difficult decisions the trustees of the Automotive Industries health and welfare plan just had to make...

Each spring, the Trustees receive proposals from each of their various health insurers for the next year's costs. They then spend a few months negotiating over prices and benefits, and set rates for the following year by July.

This year, HealthNet's first proposal included a whopping 38% rate increase. "We've always offered a Plan A and Plan B," explains Area Director Don Crosatto, "where A costs more and has lower co-pays and deductibles than B. This year, in order to get the rate increase down to 20%, which is still ridiculous, we're only offering Plan B. For members with HealthNet coverage, this will mean higher office co-pays and deductibles."

In the end, the annual health insurance rate was \$816 for Kaiser, \$1,043 for Health Net, and \$686 for a new "Direct Pay" plan. This plan gets coupled with the establishment of Health Savings Accounts which help to defray the additional deductible and co-pays.

#### Health Savings Accounts

A Health Savings Account is like a savings account, only with an HSA, the money can only be used to pay for medical expenses. The money in an HSA is owned and controlled by you, not your employer, health insurer or anyone else. The money deposited into your HSA is deposited pre-tax, meaning that you do not pay taxes on it, unless you use it for medical expenses before you turn 65.

According to the Mayo Clinic, while HSAs do offer people more control over their health care decisions, they tend to favor healthy people. Older, sicker people may pay more. HSAs may also increase flexiblity to shop around for care based on quality and cost.

In the case of the Automotive Industries plan, the employer will deposit \$50 each month to each employee's HSA; employees can use these funds for any medical expenses, including co-pays and deductibles.

The Trustees estimate that onethird of the annual HSA contribution will cover the deductible expense for a person on an individual plan. It will take two-thirds of the HSA to cover the family plan deductible.

"The only way to make the health and welfare plan reasonable for the employers to maintain is to have the employees take on more of the burden. The Health Savings Accounts should help make up the difference between what the plans used to cover and what they'll cover in the future," Crosatto adds.

#### Other plan changes

For those currently with Plan B coverage, either HealthNet or Kaiser, there will be no change in benefits in 2010.

For those with HealthNet Plan A coverage, your benefits will "mirror" those of Plan B. This means that a doctor's visit will go from \$10 to \$20, a specialists visit will go from \$20 to \$40, hospital services will go from \$0 to 20%, and the out-of-pocket maximum increases from \$3,000 to \$4,500.

For those with Kaiser Plan A coverage, any doctor/specialist visit will increase from \$10 to \$20; office visits for well baby care will increase from \$5 to \$10; and prescription drug benefit co-pays will increase from \$5/generic and \$10/brand to \$10/generic and \$30/brand after a \$100 deductible.

"If these prices and benefits don't make you come out strong for health care reform, I don't know what will," Crosatto says.

# *Downsized?* How to protect your Workers' Compensation rights

When facing layoff, whether individually or as part of a larger "downsize" or closure, you need to know what to do to protect your rights to workers' compensation benefits. The employer and/or their insurance carrier does not escape liability if they lay you off, close altogether, or even go bankrupt.

If you have a pending claim form or case filed at the WCAB (Workers' Compensation Appeals Board) at the time of termination of employment (whether by termination, layoff, or closure), the claim or case is not affected by the change in your employment status. Additionally, if you already have an Award—of future medical treatment for instance —that claim is not affected by a change in status and you may be able to re-open that claim before the WCAB if you are still within five years of the date of injury.

What if you put off filing a claim

You may well also have what is known as a "cumulative trauma" injury, which is not affected by the post-termination defense the carrier may otherwise raise. Your back may have been troubling you for months—or years—and you never did anything about it or you've noticed a loss of hearing in a noisy work environment. These are but two examples of the types of situations that would support a valid cumulative trauma claim for benefits despite a change in employment status.

Time limits to file also apply (generally one year from last day worked in a cumulative trauma case), so get advice promptly. The best practice is to immediately consult an attorney about your rights should you receive any notice of change of job status or even if you suspect it may be coming.

Finally, if you already have an Award or have a claim filed, or plan on pursuing a claim described above, the bankruptcy of the employer does not matter. If they had coverage at the time of injury, the carrier is still liable. Even the bankruptcy of the carrier doesn't matter. We have, in California, coverage by CIGA (California Insurance Guarantee Association), that steps in and, in most instances, pays when a carrier goes belly up.

### Investment advisors are honored

Every year, *Research Magazine* inducts a new group into its National Advisor Hall of Fame, recognizing financial advisors for excellence in the industry. District 190 recently learned that their key advisors, Carla Koren and Gena Harper, had been inducted into the Advisor Hall of Fame a few years back. "I thought it was great to learn that the people who are managing our funds are recognized by their peers, because that shows that our money is in good hands," explains Area Director Don Crosatto.

"Candidates who pass our rigorous screens have served a minimum of 15 years in the industry, have acquired substantial assets under management, demonstrate superior client service and have earned recognition from their peers and the broader community for the honor they reflect on their profession," the magazine states in defining how advisors get chosen for the Hall of Fame.

Based in Berkeley and serving as Senior Vice Presidents for Smith Barney, both Carla Koren and Gina Harper began their careers in 1985. In 2006, they had \$470 million under management—including the IAM 401K Plan. The partners say that, although they are opposities in many ways, Gena being the strategist and Carla being the numbers cruncher, they do well because of the synergy created by their varied strengths.

Congratulations to Carla and Gena—and to our members, whose investments are in good hands.

🔰 LETTERS TO THE EDITOR

#### To the editor:

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what if you put on fining a claim because you chose to "tough it out" or were afraid it would affect your job? If it was a specific injury and you received treatment through your group health plan because you didn't want to file a WC claim, you may still be able to file a claim and avoid the "post-termination claim" filing defense since there is a medical record of the injury.

Whether you want to file a claim or not, get the injury or condition documented. See a doctor and get a chart note entered for proof later so as to avoid a "post-termination claim defense." Losing your job is bad enough. Do not believe (if told by management or anyone else) that also means you lose your workers' compensation rights.

John Harrigan, Boxer & Gerson LLP, Oakland, Antioch, Burlingame, Santa Rosa, 510-286-2944 • JHarrigan@Boxerlaw.com. See www.Boxerlaw.com Nice article about going green. But, I think we got off track back in the aftermath of World War 2.

We spent millions fighting a war. Then, we turned right around and spent more millions buying from those same nations that cost us so much. This led to our losing our good manufacturing jobs by using their workforce to manufacI remember people saying that "foreign products were better than ours." Ultimately, all this did was degrade our home-built products and our workers.

ture those products.

I think we should get back on the rail and stop sending money and jobs overseas.

> Walter Brandhorst Local 1101 retired

If something in *The Sparkplug* makes you happy or mad or inspires you to action, write us a letter. All letters 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 fax: 510-288-1346 mail: IAM District 190, 7717 Oakport Drive, Oakland, CA 94621

### Local 93 Open contracts

Local 93 is currently in negotiations with Sam Linder Cadillac Honda, in Salinas—that contract expires on August 31. Business Rep Sam Saiu reports that he'll be opening negotiations next with Burke Industries in San Jose, which has an October 4 expiration date, followed by Chemical Lime Company, Natividad, which expires December 31.

# Local 653

# The business of negotiations continues

Local 653 is in negotiations with Fresno Chrysler Jeep (Committee: Jack Perdue, Lyell Chadwick, and Dan Willems), and Freedom Ford Truck Center (Committee: Wayne Horn and Pete Fina). The union is also getting ready to begin negotiations with Elliott Manufacturing Company.

After a year, Local 653 and the Building Trades Council are still in negotiations with the Fresno Unified School District (Committee: Larry Hawk), reports Business Rep Tom Rotella.

"We completed negotiations with Saturn of Fresno (Committee: Jim Semas), Calaveras Materials (Committee: Bruce Jones), and Hedrick's Collision Center (Committee: Brandon Sandoval)," Rotella adds as he thanks his committees for their help with the talks, "especially in this difficult economy."

If you know anyone who is interested in getting union representation into their shop in the Fresno area, please pass along their name and phone number to Rotella so he can contact them and discuss the process and benefits of union representation.

### **Local 801**

#### **Revolving door at Galley**

The planes at the Naval Air Station aren't the only things flying around. At the Galley, Saperstein had and lost the Navy contract, Moore's Cafeteria took over, but through a challenge to the Navy, Saperstein came back.

"Who suffers in such a chaotic environment?" asks Area Director Mark Martin. "Of course the members do. We struggled long and hard and reached a new agreement with Moore's only to then have it cancelled. We then worked long and hard to reach a new agreement with Saperstein. At least our members are working under a Machinists contract and hopefully we'll have a little more stability going forward."

# **Local 1101** Organizing Victory

In August, with a vote of 5-0, the techs at Sunnyvale Hyundai in both Sunnyvale and San Jose voted for Local 1101 to be their union representative.

"We've started bargaining, but it's been fairly rough going, so far," says Business Rep Richard Breckinridge. The owner has never had a union facility and doesn't really know how to negotiate properly, and he doesn't have a labor negotiator to help him or guide him through the process. As a result, we've already filed charges against him because he's changing working conditions without bargaining with the union and making illegal takeaways."

"We're in the early stages, and I don't see it being a problem in the long run," says Breckinridge. "But this is typical with some employers who just don't get it. We look forward to closing the deal sometime and welcoming these new members.

#### **Contracts open**

Contracts getting ready to open include Coast County Trucks, Bayshore Trucks, and Frontier Ford. "These will likely be tough in a down economy."

### **Local 1414**

#### SamTrans to cut bus routes, raise fares and likely cut jobs

The CEO of SamTrans gets a reported \$327,000/year salary, a car, and a \$2,000/month housing allowance, while the bus company that serves San Mateo County and San Francisco has reported a \$28.4 million dollar deficit.

Twenty-two bus routes in San Mateo County may be cut or have service reductions, impacting senior citizens and the handicapped the most. At the same time, the company has proposed its second increase in fares in 2009.

"This will also impact the technicians, drivers, dispatchers and cleaners that service SamTrans buses," says Business Rep Dave Taylor, who represents the bus technicians. "The service cuts represent the loss of a lot of revenue miles. We don't know how many workers may lose their jobs as a result."

Local 1414's contract with MV Transportation to service the SamTrans buses expires September 30, 2009. MV Transportation has commended the workers several times in the past for the excellent quality service they provide, keeping the buses safe and in top condition.

A July community meeting brought together a small crowd of people who had lots of questions for the company representatives including whether the company was seeking stimulus monies or other government grants. SamTrans gave no responses at the meeting; they just listened and said they will take public comments into consideration when they make their decision in September.

"SamTrans needs more public meetings before any changes go into effect," Taylor added. "If these changes could affect you, leave comments at www.samtrans.com, or call the administrative office from 8 am–5:30 pm at 650-508-6200 (hearing-impaired: 650-508-6448)."

#### SF Chronicle dumps unions

After 144 years of printing a daily newspaper, on July 5, the *San Francisco Chronicle* closed the last of its three printing plants in Union City and subcontracted the work to a Canadian firm, Transcontinental, three miles away in Fremont.

"Twenty members of Local 1414 were working at the Union City plant along with Teamsters who worked as drivers and mailers, and other union members who worked on the website

# AROUND



This show has become a Sacram raised money for the gift of increase

and did numerous other jobs," says Are Director Tom Brandon. "We'd hear that the company was partially union ized in Canada, so we encouraged ou members to apply for jobs there. Unfo tunately, none of the 400 employee were hired by the new subcontrator."

Most of the Local 1414 member were able to retire, but eight are bac out on the job market. "One unio member applied to do maintenanc work. After going through a four-ste interview, they told him he'd be makin \$15-16/hour. He told them to shove it Brandon reports. "The Vice Presider of Transcon told me that the compan wants flexibility—people who wi sweep the floor one day and run th paper the next. But you're never goin to get that and quality for \$15 an hour

The Teamsters may sue the Chron cle for discrimination in hiring based c union affiliation. The IAM is watchin carefully to see how the case unfolds.

### **Local 1484**

# Community training supports union organizing

On June 25, about 20 community an union members spent a half-day wit Local 1484 in a leadership organizin class. But this class was a little differen from those that the union usually pu on. "This class was 100% in Spanish. addressed immigrants' rights, worker rights, and community rights," say

# SHOP TALK: How has the falling economy impacted your life so far?



Joe Millard Cummins West – 36 years Local 1546

"Pretty much nothing. It hasn't affected me. My job's steady. We have a good, strong owner and we stay working and getting union raises."



Bill Loughney Cummins West – 20 years Local 1546

"Fortunately, we've stayed busy enough and had no layoffs. As far as the economy, everybody I've talked to has lost half of their net worth. I'm afraid that our pension plan won't be there when we retire."



Nathan Connell Cummins West – 4 years Local 1546

"Greatly. Our company has stayed busy and we haven't had to worry about layoffs. So I've actually been able to buy a house because it finally became realistic and reasonable. I'm just 23 years old."



Jonas Delamater Cummins West – 4 years Local 1546

"It makes me more grateful that I have a solid place to work and am not worried about losing my job. My wife is a teacher, and she was close to losing her job. I don't know what would happen then."



Louis Huaman Cummins West – 26 years Local 1546

"It hasn't had much impact. We have good employment here. Everybody is working well, and we were able to take a vacation. I certainly see others who are struggling." Cummins Lo "We've beer work's been we haven't I ed. I bought year; I didn' possible, bu dropped."

# IE LOCALS

# ot, hot, hot! 19, 2009 ncho Cordova

### or Guide Dogs of America

IAM for a day of hot cars, hot food and the for you and your family.

t a Guide Dogs of America trainee dog. mong the first 50 members of Local ho attend and receive up to two free tets for the event.

rea tradition and has successfully lependence for the sight-impaired.

usiness Rep Kevin Kucera, who cplained that the long-term goal of iese classes is to develop a trained roup of people who will work to icrease union density in the off-dock rfrigerated container industry.

"Three members of the Local had one to the Winpisinger Center in Marynd for a Spanish-language class in adership development and organizing. hey came back enthusiastic to share hat they learned," Kucera adds. "With ie go-ahead from our Executive Board, usiness Rep Al Lopez worked with iese members and with Grand Lodge rganizer Macario Panoringa to create a rogram to advance the Local's organizig agenda."

"Today, several local businesses in the refrigerated container industry have one under as a result of the bad econmy. And as the business cycle starts to bound, work in the container industry till mostly be going to non-union comanies. We need to organize to keep our nion employers competitive as well as a gain more union members. The torkforce in this industry is largely an nmigrant workforce, so working for nmigrants' rights is key to winning the rganizing drives we need to win."

Kucera says that the local will be cheduling a strategy session soon to love things forward with its first group f trainees, and will offer more classes ind outreach for new people. "We're loking to develop an organizing campaign for the industry, and that involves long-term education for workers who live near the port," he adds.

#### Good agreement at MSA

The 20 members at Metropolitan Stevedoring (MSA) recently ratified a new five-year contract. "Although hard-fought, we came out with a very good agreement that includes wage increases, pension increases, and no out of pocket expenses for health and welfare," says Kucera. "In these economic times, we know we got a good deal. This company is the bright star in this local. While most of our employers are seeking economic relief and givebacks to mitigate layoffs, MSA is doing well and posting profits."

Kucera was quick to thank Eric Chisnall and Mike Sharpe for their hard work on the negotiating committee.

Across the port at SSA, the members have been asked to take voluntary furlough days. "The members have already lost a lot of money from having less overtime, so they tend not to want to accept givebacks until it looks like the next step will be layoffs," Kucera says. "These are tough times, but that seems to be the reality."

## **Local 1546**

#### Finally, after five years

Members at LA Smith and Sons Body Shop in San Leandro finally got a contract after working without one for almost five years. "We got decent wage increases but the members will have to pay substantial health and welfare copays," says Area Director Don Crosatto. "Like many body shops, they're having a hard time making ends meet. The members were happy to finally have a new contract."

#### Service, but no cars

Nelson Chevrolet in Richmond closed. This was the oldest minorityowned dealership in the Bay Area. They are still open for service, but don't have any cars for sale. So far, they haven't laid off any of their 15 techs. Please continue to bring your car there for service.

## **LOCAL 1596** Quick contract update

The three members at Clover Stornetta in Petaluma just ratified a new four-year agreement. Local 1596 is going into negotiations with Fred's Body Shop in Eureka, Bayshore International in Rohnert Park, and Van Bebber Brothers in Petaluma.

# **Local 2005**

#### Grievance win...and more

Local 2005 successfully won the grievance of Juana Santiago, a 23-year Foster Farms employee, shop steward, and loyal union supporter, who was falsely accused of falsifying records. "Even though the company forced us to take the case all the way to the Board of Adjustment, we successfully returned her to work after six weeks," says Business Rep Ralph Meraz. Four hundred of Juana's fellow union members hosted a big celebration in her honor on August 5 with food, music, and a few speeches. Welcome back, Juana!

To date, the union has recovered \$36,000 in back pay to members for holidays, anniversaries, sick pay, vacation, and more that they should have paid out originally, but somehow "overlooked."

The Local's membership campaign is taking off. More maintenance employees are signing than ever before. "We are pleased that such a strong group of maintenance employees want to be united now and will be involved in the union's decision-making," said Business Rep Ralph Meraz.

The Local has "jumped off the cliff" and upped the strategic maneuvers for our membership campaign, and the effort seems to be paying off. Several of our longtime dues-paying members felt that it wasn't fair that their hardearned money gets spent on those who don't pay dues but want representation. "We heard their pleas and answered them," Meraz says. "A few months back, we sent letters to all non-duespaying employees informing them they either need to become dues-paying



"Since our jump into the unknown, our membership has continued to grow," Meraz says.

# **Local 2182**

### A few givebacks stem many layoffs

The City of Sacramento is in the grip of a \$55 million budget shortfall. The City Council approached Local 2182 a year before the contract was set to expire and asked for help.

"To save jobs, we reached an agreement with the City for a four-year package that has some concessions, including one furlough day each month and a wage freeze. After two years, the furloughs should end and our members will get modest wage increases, which, in the end should be okay," explains Area Director Mark Martin.

"One union chose not to deal and now they have about 200 members on layoff and will be back in bargaining at the same time the governor "borrows" even more money from local governments, causing the City even more budget problems. That's a bargaining environment we didn't want to be a part of."

#### New company seems union friendly

Clarklift Teampower is no more. "We'll have to stop calling the company by this name since Joe Hensler, the owner of Teampower, sold his company to Pacific Material Handling Solutions (Yale)," explains Martin. Pacific is nonunion in California, but the IAM has a contract with them in Seattle.

"So far it's looking good. The company hired virtually all of our members and is paying their current rates of pay. The union is meeting with the new company with the goal of reaching an agreement."



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Billy Pierce Cummins West – 12 years Local 1546

"It's been up and down. Here, it's not been bad because we still work. As far as the housing market, I had to get rid of two rentals I had, but when the market dropped, I was able to pick up a new one."



Jaime Torres Cummins West – 5 years Local 1546

"Personally, it hasn't been so bad. I do field service and see that a lot of my customers are impacted really badly. If it's warranty work, we just do it. But if the customer has to pay, they definitely pick and choose which fixes have to be made." Local 1546 "It was much busier last year; we had much more overtime than now. That's affected my income pretty significantly. But everybody has work and I'm grateful for that. Sometimes we get a furlough day, but we all have our jobs."

Juan Martinez

Cummins West – 2+ years



Rene Manzanero Cummins West – 3 years Local 1546

"We've been seeing fewer customers. We have to wait until the budget is within their reach so they'll bring in their units. Our overtime is limited, especially compared to before."



Wes Wahl Cummins West – 6 years Local 1546

"I don't know, really. The housing market has been good for me. I'm about to buy my first house. I was able to wait until the prices came down. I do hope the economy picks up soon."

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# IN THE NEWS

### Chamber dishes it out, but can't take it

Ian Milhiser, ThinkProgress The Chamber of Commerce threw a tantrum after President Obama nominated a union attorney to the National Labor Relations Board.

In a letter to senators laden with criticism, hyperbole and vitriolic rhetoric, the Chamber claims that SEIU Associate General Counsel Craig Becker represents "one of the most aggressive unions in the United States...which has a record of using questionable pressure tactics with the goal of forcing employers and workers to recognize unions." The Chamber labels Becker's views of labor law as "extreme," and warns of his "antipathy to the rights of employers."

Two years ago, however, when President Bush was still nominating NLRB members, the Chamber delivered a very different letter to senators: "[A]n open and honest debate over the merits of Board decisions is a healthy exercise and should be encouraged. However, in recent years, we have seen a disturbing trend in the tone of the debate. Instead of disagreement, we have ad hominem attacks; instead of criticism, hyperbole, and instead of reasoned discussion, vitriolic rhetoric. Compounding this are reports based on shoddy research and half-truths that have been relied on by policymakers, including members of this committee, in attacking the Board and its decisions."

A month later, when President Bush announced that he was renominating labor-busting attorney Robert Batista to chair the NLRB, the Chamber repeated these exact words, claiming that Batista's critics were simply "demonizing" his record as Chair.

Rather than pretend that they are the guardians of discourse when President Bush is in office and the defenders of reason now that he is not, the



Chamber needs to simply admit that their guy lost the last election, and elections have consequences. One of those consequences will be that an actual union lawyer will get a single seat on the nation's most important adjudicator of labor disputes. President Bush got to stack the NLRB with anti-worker union busters when he was in office. Now that he is out of office, the Chamber will have to find a new way to break up unions.

# New OSHA head actually committed to work safety

On July 28, President Obama announced his intent to nominate David Michaels to serve as Assistant Secretary for the Occupational Safety and Health Administration (OSHA) in the Department of Labor.

David Michaels, PhD, MPH, is an epidemiologist and is currently Research Professor at the Department of Environmental and Occupational Health at the George Washington University School of Public Health and Health Services. He has conducted numerous studies of the health effects of occupational exposure to toxic chemicals, including asbestos, metals and solvents, and has written extensively on science and regulatory policy.

From 1998 to 2001, Michaels served as Assistant Secretary of Energy for Environment, Safety and Health, responsible for protecting the health and safety of workers, neighboring communities and the environment surrounding the nation's nuclear weapons facilities. In that position, he was the chief architect of the historic initiative to compensate nuclear weapons workers who developed occupational illnesses as a result of exposure to radiation, beryllium and other hazards.

In an article last year, Michaels gave some hints about his approach to the job of Assistant Secretary of labor in charge of OSHA. He said the agency "badly needs a change in direction and philosophy" and that the primary goal should not be better enforcement but rather "a bold campaign to change the workplace culture of safety." He suggested requiring every employer to set up a program to reduce hazards, assign workers and their unions a clear role in the process, and train the workers for such duties. He also urged a new electronic reporting system to record injuries as they occur, not months later.

#### August/September 2009



### Court Backs Workers in E-Mail Case, Slams Union Buster

by James Parks, AFL-CIO Blog It took nine years, but workers at the Eugene (Ore.) Register-Guard newspaper finally won the right to use company e-mail to discuss union business.

In a sharply worded ruling, the U.S. Court of Appeals for the District of Columbia circuit overturned a National Labor Relations Board (NLRB) decision that the company did not break federal labor laws in 2000, when management disciplined the president of The Newspaper Guild-CWA (TNG-CWA) Local 37194 for using the company's email system to send three e-mail messages about Guild business. The messages were sent after work hours.

The Guild filed unfair labor practice charges, but the then Bush-dominated NLRB sided with the company. The appeals court overturned that ruling.

The company claimed that e-mail could only be used for business purposes, but the Guild showed that the company's e-mail system was used by both employees and managers for a wide assortment of news—from baby shower invitations to requests for United Way volunteers.

The appellate judges had some sharp words for the Register-Guard's union-busting lawyer Michael Zinser. The decision characterized Zinser's arguments as "simply more distortion than the words can bear."

The judges also criticized the NLRB, saying its rationale smacked of "a post hoc invention."

TNG-CWA President Bernie Lunzer applauded the ruling. "The court's decision made it clear that the company had discriminated based on union activity. [The company] tried to argue that the union was a special case and could be barred from communicating by company email, even though everyone else was allowed to use it freely."

# SHOP TALK: How has the economy impacted your life?



Paul Anduja Cummins West – 15 years Local 1546

"It's rough. I've got to make it paycheck to paycheck. We were working four days a week for a while which means less money coming in. And yet prices are only going up."



Sean Gerow Cummins West – 2 years Local 1546

"I've definitely cut back on expenditures. I'm trying to do everything I can to be more budget-conscious."



Allan Cook Cummins West – 34 years Local 1546

"Everything goes up but my salary—fuel, groceries, insurance—it all costs more. With my seniority, the economy hasn't affected me. Other companies have cut back so that sends more work our way."



Hermes Monzon Cummins West – 18 months Local 1546

"I'm worried because I'm one of the new ones here. We have help to keep busy. Then it's day by day."



Tim Hurley Cummins West – 4 years Local 1546

"The possibility of being laid off is always there. Buying a house is suddenly becoming more realistic. Might be ready in a few years if the costs don't jump back up."

# UNION NOTICES



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25th Annual Michael J. Day Memorial Guide Dogs of America Charity Golf Tournament

Friday, August 28, 2009

# Alameda Municipal Golf Course

1 Club House Memorial Drive, Alameda (South Course) Sign-In: 9:00 a.m. • Shotgun Start: 11:00 a.m.

# Francesco's Restaurant

Pardee & Hegenberger, Oakland No-Host Cocktail Party: 4:30 p.m. Dinner: 5:30 p.m. Entry Fee: \$300 per person/\$1,200 foursome Includes: Greens fee, golf balls, tee prizes, awards dinner

Gelebrate the silver anniversary of one of the nation's longest running union charity tournaments!

# Attention Local 1101 Members Notice of Bylaws Changes

Members of Local 1101 will be voting on changes in the Local's bylaws. The first reading of the proposal will be at the the September general membership meeting, held on September 10. The second reading of the by-laws will be at the October general membership meeting on October 8. Both meetings start at 6:30 p.m. and are held at the union office: 2102 Almaden Rd., #105, San Jose, CA 95125.



# ASSOCIATED THIRD PARTY

**A**DMINISTRATORS

### Contact us at 510-836-2484

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

# Moving?

Or to report a member recently deceased ...

Send the mailing label on this newspaper to your local union office. See Calendar on page 8 for your local union's address.

# Fourth Annual Shootout Sponsored by members who work at Serramonte Dodge (Open to all!) Los Altos Rod and Gun Club Sunday, August 30, 2009 • 10 a.m. start

\$12 per person

Lunch at noon at the picnic area that overlooks the ranges. (Bring your own lunch)

Local 1414 Business Rep David Taylor will bring a cake dessert.

For range information and directions go to www.losaltosrodandgunclub.com/

The club does not rent weapons; you must bring your own guns. You may purchase ammo and clay pigeons at the range. (Note: Ammo may be hard to find due to the shortage in California, so try to purchase it in advance.)

RSVP to David Taylor: 650-341-2689

### Attention Local 1584 Members Notice of Nominations and Elections

#### NOMINATIONS

At Local 1584's regular lodge meeting, a Special Order of Business will be called at 7:30 p.m. on Thursday, September 17, 2009. The meeting convenes at 7:00 p.m.

The positions listed below will be opened for nominations: President • Vice President • Secretary-Treasurer • Recording Secretary • Sentinel/Conductor • Three (3) Trustees • Six (6) Executive Board Members • Three (3) Auditors • Four (4) Central Labor Council Delegates • Four (4) IAMBA Building Association Delegates • Two (2) California Conference of Machinists Delegates and One (1) Alternate.

Each office is for a three-year term. Members nominated for office must meet all the "Qualifications of Candidates" as listed in our bylaws and the IAM Constitution.

### **ELECTION DAY**

Election of Officers will be held on Thursday, October 15, 2009 at 8130 Baldwin Street, Oakland, California. Polls will be opened from 9:00 a.m. to 7:00 p.m.

#### **ABSENTEE BALLOTS**

Absentee Ballots will be furnished upon written request to the Recording Secretary of the Local Lodge by delivering or mailing. Members must qualify under the provisions of the Grand Lodge Constitution as follows:

- 1. Reside in an outlying district more than 25 miles from the designated balloting place.
- 2. Be confined because of illness.
- 3. Be on vacation.
- 4. Be on official IAM business approved by the Local Lodge District Lodge or Grand Lodge.
- 5. Be on an employer travel assignment or reserved military leave.

All requests for absentee ballots must be postmarked no later than Monday, October 5, 2009.

# SHOP TALK: How has the economy impacted your life?



James Lommel Cummins West – 26 years Local 1546

"Besides the 401K and pension BS and losing the rule of 85, I still have a job. We've been fortunate that we could escape a lot of the problems."



Carlos Martinez Cummins West – 4+ years Local 1546

"It's changed a lot financially. My wife is not working and neither is my son. Times are getting tight. I'm hoping things will get better because our bills, credit cards, PG&E are just going up. I'm just glad and lucky to be here."



Dylan DeFarcy Cummins West – 3+ years Local 1546

"None whatsoever. The downturn has made my drive to work easier, with less traffic on the road. I haven't seen the effects of it here at all."



Travis Kellerhals Cummins West – 8 months Local 1546

"Actually, it hasn't. I have a job and am thankful for that. Of course, it effects everybody else. Thank god we have a good employer to keep us busy." Lacy Thompson

Lacy Thompson Cummins West – 7 years Local 1546

"It hasn't really affected us at all. We've gotten busier because of the new emission standards. Bu 2010, they have to have a majority of these engines retrofitted, so that keeps us going."

# Union Plus offers a hand for union members in tough times: www.unionplus.org

As a member of the IAM, you are entitled to the benefits offered by Union Plus, a program of the AFL-CIO. Besides discounts and other benefits, Union Plus offers a wide range of financial help for union families facing hardships, including layoffs, in this staggering economy. Here's a look:

#### **Mortgage Assistance**

- The Union Plus Save My Home Hotline may be able to help you avoid foreclosure. Call: 1-866-490-5361.
- If you are a Union Plus mortgage holder and you are laid off, you can also apply for an interest-free loan from the Union Plus Mortgage Assistance Program. Go to: www.unionplus.org/home-mortgage-programs

#### **Budgeting Assistance**

Receive a free budget analysis when you call Union Plus Credit Counseling at **1-877-833-1745**. If you want additional help, you can enroll in a debt management plan (DMP) with no set-up fee and full reimbursement for the first year's monthly fees.

Be sure to take advantage of other consumer advice, tools and calculators at **UnionDebtHelp.org** 

#### Health Care

The Union Plus Health Savings plan includes a free prescription card and discounts at participating pharmacies and other health-care providers.

If you have large, unreimbursed hospital bills, you may be eligible for a hospital care grant.

#### **Bankruptcy Help**

If you need to file for bankruptcy, you can take the required bankruptcy counseling through Union Plus Credit Counseling and the usual \$50 filing fee will be waived. Call the special bankruptcy line at **1-866-279-7197**.

#### Help for Union Plus Cardholders

If you have been out of work at least 90 days within the last six months, you can apply for \$250 through the Union SAFE Job Loss Grant.

You may also be eligible to skip two credit card payments a year. If you find you will be late making a payment or want to take advantage of the skip payment, call the Union Plus Credit Card at **1-800-622-2580**  before your payment is due to see if you qualify.

If you are on a prolonged strike or lock-out, you may be eligible for the special Strike Skip Pay where you can skip up to four months per year, three of them consecutively. Call **1-800-622-2580**.

### Help for Union Secure Term Life Policyholders

If you are unemployed for 30 days or more, you can have your UnionSecure life insurance premium payment waived for up to three months. Call UnionSecure at **1-800-393-0864** for details.

Go to the Union Plus website and search for "Layoff Assistance" for many more resources.

	UNION M	IEETING:	<b>S</b> 🔊
District Lodge 190 7717 Oakport Street Oakland, CA 94621 510-632-3661	Meetings are the fourth Tuesday of each month August 25 • September 22 • October 27 Executive Board Meeting: 6:30 p.m. General Delegates' Meeting: 7:00 p.m.	<b>Local 1484</b> 1261 Avalon Blvd. Wilmington, CA 90744 310-835-6688	<ul> <li>Executive Board Meeting: 6:00 p.m. on the third Thursday of the month August 20 • September 17 • October 15</li> <li>General Membership Meeting: 6:00 p.m. on the first Tuesday of the month August 4 • September 1 • October 6</li> <li>Retirees' Club: 1:00 p.m. on the third Wednesday of the month: August 19 • September 16 • October 14</li> </ul>
Local 93 2102 Almaden Rd., #105 San Jose, CA 95125 408-723-4900 Note: Office hours are no The office remains open d	August II • September 8 • October 15713 16th StreetGrievance Committee: 4:00 p.m.713 16th StreetExecutive Board Meeting: 5:00 p.m.Modesto, CA 95Membership Meeting: 5:30 p.m.209-529-92108 a.m4:30 p.m. Monday through Friday.209-529-9210	Modesto, CA 95354	<ul> <li>Meetings are the first Wednesday of the month August 5 • September 2 • October 7</li> <li>Executive Board Meeting: 6:00 p.m.</li> <li>General Membership Meeting: 7:00 p.m.</li> <li>Women's Committee Meeting: Please contact local 1528 for times and dates of monthly meetings Retiree's Club: 10:00 a.m. on the third Wednesday of the month:</li> </ul>
Local 653	Cal 653Meetings are the third Wednesday of the month August 19 • September 16 • October 21		August 19 • September 16 • October 21 Narcotics Anonymous: 5:30-6:30 p.m. every Tuesday
544 West Olive, Fresno, CA 93728 559-264-2815	<b>Executive Board Meeting:</b> 5:00 p.m. <b>Membership Meeting:</b> 5:30 p.m.	<b>Local 1546</b> 10260 MacArthur Blvd., Oakland, CA 94605 510-638-6705	<ul> <li>Meetings are the first Tuesday of the month August 4 • September 1 • October 6</li> <li>General Membership Meeting: 7:00 p.m.</li> <li>Member Education Meeting: 5:30 p.m.</li> <li>Executive Board Meeting: 6:30 p.m. on the Thursday preceding membership meeting August 27 • October 1 • October 29</li> <li>Retiree Club Pot Luck Luncheon: 12 noon on the first Wednesday of each month August 5 • September 2 • October 7</li> <li>Alcoholics Anonymous: 9 a.m. every Saturday</li> </ul>
<b>Local 801</b> 7717 Oakport Street, Oakland, CA 94621 800-655-2182	Meetings are the third Thursday of the month August 20 • September 17 • October 15 Membership Meeting: 4:00 p.m. Meetings are held at the Carpenters' Hall, in Reno.		
Local IIOI 2102 Almaden Rd., #105 San Jose, CA 95125 408-723-4900 Note: Office hours are no The office remains open of	Meetings are the second Thursday of the month August 13 • September 10 • October 8 Executive Board Meeting: 5:30 p.m. General Membership Meeting: 6:30 p.m. ww 8 a.m4:30 p.m. Monday through Friday. during lunch.	<b>Local 1584</b> 8130 Baldwin Street Oakland, CA 94621 510-635-2064	<ul> <li>Meetings are the third Thursday of the month August 20 • September 17 • October 15</li> <li>Membership Meeting: 7:00 p.m.</li> <li>Executive Board Meeting: 6:00 p.m.</li> <li>Retirees' Club: 12:30 p.m. on the first Tuesday of the month: August 4 • September 1 • October 6</li> </ul>

19 Co	<b>Local 1173</b> 1900 Bates Ave., # H Concord, CA 94520 925-687-6421	<ul> <li>H Thursday of the month August 13 • September 10 • October 8 Membership/Shop Stewards' Meeting: 6:30 p.m. on the third Thursday of the month August 20 • September 17 • October 15</li> <li>Shop Stewards' Meeting: 6:00 p.m. on the first Thursday of the month August 6 • September 3 • October 1</li> </ul>	<b>Local 1596</b> 4210 Petaluma Blvd. No. Petaluma, CA 94952 707-795-0085	Meetings are the third Tuesday of the month August 18 • September 15 • October 20 Executive Board Meeting: 6:30 p.m. Membership Meeting: 7:00 p.m.
	<b>Local 1414</b> 150 South Blvd. San Mateo, CA 94402 650-341-2689		<b>Local 2005</b> 416 Main Street Livingston, CA 95334 209-394-7822	<ul> <li>Meetings are held last Sunday of the month at the Veterans Memorial Hall: 1605 7th Street, Livingston, CA 95334.</li> <li>August 30 • September 27 • October 25</li> <li>Spanish @ 1:00 p.m.</li> <li>English &amp; Punjabi @ 2:00 p.m.</li> </ul>
			<b>Local 2182</b> 967 Venture Court, Sacramento, CA 95825 800-458-9200	<ul> <li>Meetings are the second Tuesday of the month August 11 • September 8 • October 13</li> <li>Executive Board Meeting: 6:00 p.m.</li> <li>General Membership Meeting: 7:00 p.m.</li> <li>Retirees' Club - VISTA CLUB: 11:00 a.m. on the third Wednesday of each month August 19 • September 16 • October 21</li> </ul>