

Serving the Active and Retired Members of IAM District Lodge I90

Across nation, union supporters rally for rights, pledge recalls

GOP governors launch all-out attack on union rights

Don't ever believe that elections don't matter. The November, 2010 elections not only swept in a wave of conservative congress members, but also moved 20 state legislatures and numerous governors to the far right. As soon as those newly-elected leaders took office, they acted quickly to reduce taxes on the rich and claim that the resulting deficit needed to be paid for by public sector workers. And more—in several states, they sought to end the collective bargaining rights of public sector unions.

The first, and nastiest battle was launched in Wisconsin. Here, Governor Scott Walker and his Republican legislature passed \$140 million in tax give-aways to corporations and the wealthy. Then they declared that there was a \$137 million deficit that required solving through a "Budget Repair Bill." That bill included two key components: first, cutting public workers' wages and pension contributions, and second, ending the rights of public sector unions (except for firefighters and police) to collectively bargain on all but cost-of-living wage increases.

In a remarkable act of civil disobedience and courage, the 14 Democratic Senators left the state to deny the Senate a quorum to vote on the bill. For three weeks, they made it impossible for the Senate to pass that particular legislation. At the same time, Wisconsin workers took over the state Capitol building as thousands rallied daily during a cold and snowy February. Weekend rallies brought out more than 100,000 demonstrators.

Unfortunately, the Republicans did a work-around; they removed the budget parts of the bill and were able to vote just on gutting union rights. Their action, done too quickly to comply with the state's open meetings law, is now tied up in court.

Similar fights were also launched by Republicans in Ohio, Florida, Alaska, Indiana, Maine and Michigan. Ohio's legislature passed a bill that enacts sweeping changes to the state's existing collective-bargaining law, allowing only "wages, hours, and terms and conditions" to be subject to collective bargaining, while health care benefits, pensions, and other issues would not be.

They may have won the battle in Wisconsin and Ohio, but they have not won the war that they launched against workers who seek to join together in a union. At presstime, it appears as if Indiana beat back the unionbusting challenge.



On March 26, nearly 20,000 union members and allies rallied in Los Angeles to "Save Our Jobs and Save Our Communities," in solidarity with the Wisconsin workers.

unions in Ohio, Wisconsin and other states is ostensibly about the right of public workers to bargain together over pay, benefits, pensions, job safety and working conditions. What is really at stake, however, isn't labor's income. It's labor's influence—not just in the American workplace but in American politics.

Unions play a role beyond fighting for their members—they want to make good middle-class jobs the norm. And the most important way to pursue this larger goal isn't by demanding concessions at the bargaining table, but by operating as a counterweight to the demands of corporations and Wall Street in the corridors of power.

That is precisely why opponents of organized labor are seizing upon state fiscal troubles to try to destroy labor's remaining clout.

Gov. Walker's campaign against public-sector unions is just one part of a larger plan to essentially repeal all 20th century reforms. Walker isn't just after workers' rights, but also environmental protections, quality public education for all, women's rights, and fair taxation of corporations and the rich.

Public opinion in Wisconsin continues to turn more strongly against Gov. Scott Walker's effort to crush public-sector unions. The new Republican governor's unionbusting scheme has produced a massive blowback.

A few facts to keep in mind...

Public sector workers didn't create the economic crisis

- Wall Street and the big banks are responsible for crashing our economy yet the politicians that do their bidding are trying to place the blame on middle class families. It's time all workers reject these politically motivated attacks and work together to create jobs and rebuild our economy.
- The attacks on public workers' collective bargaining in Wisconsin will have an impact on every worker in America – including those in California.
- Gov. Scott Walker and other rightwing politicians have set their sights on public sector workers as part of a political agenda. These attacks are payback to their corporate campaign donors, and have nothing to do with balancing state budgets.
- In fact, teachers, nurses, firefighters and other public servants are already doing their part to help states in fiscal crisis. Here in California, public workers have already agreed to wage reductions and benefit cuts to help the state deal with its budget crisis.

Workers are all in this together

 The politics of division playing out in Wisconsin and other states are intended to distract us from the

The governors in these states are saying that it's about budget balancing, but they're pushing to gut union power even after the unions agree to financial concessions.

Firefighters, teachers, police officers, child and home care workers are being painted as Public Enemy #1 by politicians who want to balance budgets on their backs. State budget deficits are real but cutting jobs and essential state and local services isn't the answer. Killing middle-class jobs will make it harder for states and communities to recover from the recession.

Many of the newly-elected Republican politicians are especially targeting public employee pensions—pensions these workers have paid into for years and earned at the bargaining table by foregoing pay increases.

More than even union rights

Today, the battle between Republicans and labor

What we can do

Polls show that if a vote were held today in Wisconsin, the whole Republican crew would be voted out of office. Plans are moving ahead to launch recall drives in 2012, which cannot take place until those in office have served at least one year.

Across the country, people are rallying to stand up for workers' rights. In Los Angeles, about 15,000 workers marched and rallied on March 26 to show their solidarity with those union members whose rights have been stolen. As this paper goes to press, rallies are scheduled for April 4 across the nation.

Here in California, public workers' pensions are also threatened. But we have a Governor and legislature who understand that workers are not the problem, and if we work together, may just provide solutions. real problems we're facing.

- Politicians should be focusing on creating jobs, instead of pushing divisive attacks on hard-working public servants
- The proposal to strip workers of collective bargaining does nothing to create jobs or improve the lives of workers, whether they're teachers or sales clerks. It's simply a political strategy to weaken unions and strip workers of their voice.
- If Gov. Walker and other politicians succeed in stripping workers of their rights, the result will be a lower standard of living for everyone.

UNION TRAINING

Green diesel training available, great opportunity for unemployed mechanics

The College of Alameda is pleased to announce the offering of another Green Diesel PMI Program. "PMI is prevention, maintenance and inspection, and this training is a great opportunity for auto mechanics who have been laid off," says teacher and training coordinator Scott Albright, who's also a Local 1546 member.

Albright says that, while things have been slow in the auto industry, hiring is starting again for truck mechanics. "With California's climate change legislation, there will be about 50,000 trucks in the Bay Area that will need to be retrofitted over the next few years." Not only are there opportunities in truck dealerships, but companies are sprouting up all over to do this work.

Training dates are getting set now. The program will consist of three components:



1) PMI on heavy-duty vehicles; 2) Training for a Class A Commercial Driver's License;

3) Welding & fabrication training to install the new computerized exhaust systems on heavy-duty trucks.

Albright says that most of the

Learning truck repair at the College of Alameda. The new PMI training will teach mechanics how to work in the emerging "green diesel" field.

people he's trained, to date, have no experience in the auto trades. "We have mechanics who would be great for this. It's a great transitional opportunity."

The training for all three components will be done in 15 weeks, and most of it is during the day, so

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it's not good for someone with a day job. Some training is on the weekends.

The truck driving course, alone, would normally cost between \$3-5,000. If you're unemployed, you may be qualified to take the training for free through the Workforce Investment Act. Contact Scott Allbright at salbright@peralta.edu to see if you'd be eligible.

If you already have a Class A license, you can look into taking the other classes at the College of Alameda. Contact Albright for more information.

"This is such a good opportunity for IAM members," Albright says with confidence. "Don't say 'no' if this is something you want to do, because it could be worked out."

California GOP legislative wish list targets workers' rights and jobs

by Caitlin Vega **California Labor Federation**

As Californians hold our collective breath hoping for a budget breakthrough, so far there's not a Republican vote to be found. GOP legislators won't support new revenue, they won't vote for the cuts they claim they want, and they won't close corporate tax breaks. Months of budget stalemate prompted Governor Brown to ask, "If they're not going to do anything, why even take a paycheck?"

Turns out, Republicans have had a few other things on their to-do list this month. Here are some of their proposals:

- Undermine the eight hour day, cutting worker take home pay. (SB 367-Dutton)
- Cut construction worker wages by scaling back prevailing wage protection. (AB 987-Grove and AB 1032-Mansoor)
- Kill jobs by stopping the construction of high-speed rail. (AB 952-Jones and SB 22-LaMalfa) • Take away collective bargaining rights from public service workers. (AB 961-Mansoor) • Cut the pay for laid-off teachers working as substitutes. (SB 266-Dutton)

cheat them out of wages or meal breaks. (AB 271-Nestande)

- Eliminate seniority and due process protections for teachers. (SB 355-Huff)
- Take away meal breaks from armored car drivers. (SB 319-Wyland)
- Take away off-duty lunch breaks from workers in 24-hour care facilities, who would no longer be allowed to leave the worksite. (SB 389-Dutton)
- Give corporations another billion dollars in tax cuts. (SB 395-Dutton) Eliminate workers' rights, health
- and safety, and consumer protection by requiring that all regulations be repealed after five years. (SB 401-Fuller)
- Protect companies whose products cause death or injury and who acted with "fraud, oppression, or malice" from having to pay up. (AB 158-Halderman)

In these times of unprecedented income inequality, all the Republicans want is to cut worker pay and protections and reward corporations, even if they break the law. It's taking from those who have the least and giving to those with the most. No wonder its so hard to negotiate a budget solution with these guys. Their concerns have nothing to do with helping the people of California.

BUY UNION-MADE

Are you on the lookout for American-made, union-made, IAM-made products? If so, we'll be featuring a product or service each issue. Safeway Stores: You probably already know that the store staff at Safeway Stores are members of the United Food and Commercial Workers. You may not know that the IAM represents the techs and machinists who maintain Safeway's fleet of trucks that bring product to the stores in Northern and Southern California, Seattle, Spokane, Denver, Portland and Chicago. So when you think about where to shop, don't go to Wal-Mart, go to Safeway and support the IAM members who work there!

LETTERS TO THE EDITOR

I was happy to read the front page article on the M/V CARNIVAL SPLENDOR. Working just streets away and being an avid cruiser, I was able to stop by the waterfront on my way home from work to see the Splendor while it was in dry dock. I knew it brought important good paying jobs to help the economies of the city and the Bay Area, but was equally happy to read that this project was keeping our IAM members working. The awarding of the America's Cup Race to the Bay Area, the construction to improve the waterfront for that event, and the resulting increase of tourism dollars, will help our members, the members of other unions, and working Americans in the long term. Tom Curran IAM 1414

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:

• Make it harder for workers to get their day in court when employers

> **Get your IAM news** on the web!

> > District 190 has updated its website and added lots of new features. Go to:

iamdistrict190.org

e-mail: dchaplan@mindspring.com fax: 510-288-1346 IAM District 190, 7717 Oakport Drive, Oakland, CA 94621 mail:





Debra Chaplan, Managing Editor

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UNION IOI: THE RIGHT TO BARGAIN



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Employer/Union Rights and Obligations

The National Labor Relations Act forbids employers from interfering with, restraining, or coercing employees in the exercise of rights relating to organizing, forming, joining or assisting a labor organization for collective bargaining purposes, or from working together to improve terms and conditions of employment, or refraining from any such activity. Similarly, labor organizations may not restrain or coerce employees in the exercise of these rights.

Examples of employer conduct that violates the law:

- · Threatening employees with loss of jobs or benefits if they join or vote for a union or engage in protected concerted activity.
- Threatening to close the plant if employees select a union to represent them.
- Questioning employees about their union sympathies or activities in circumstances that tend to interfere with, restrain or coerce employees in the exercise of their rights under the Act.
- Promising benefits to employees to discourage their union support.
- Transferring, laying off, terminating, assigning employees more difficult work tasks, or otherwise punishing employees because they engaged in union or protected concerted activity.
- Transferring, laying off, terminating, assigning employees more difficult work tasks, or otherwise punishing employees because they filed unfair labor practice charges or participated in an investigation conducted by the NLRB.

What rules govern collective bargaining for a contract?

After employees choose a union as a bargaining representative, the employer and union are required to meet at reasonable times to bargain in good faith about wages, hours, vacation time, insurance, safety practices and other mandatory subjects. Some managerial decisions such as subcontracting, relocation, and other operational changes may not be mandatory subjects of bargaining, but the employer must bargain about the decision's effects on unit employees.

It is an unfair labor practice for either party to refuse to bargain collectively with the other, but parties are not compelled to reach agreement or make concessions.

If after sufficient good faith efforts, no agreement can be reached, the employer may declare impasse, and then implement the last offer presented to the union. However, the union may disagree that true impasse has been reached and file a charge of an unfair labor practice for failure to bargain in good faith. The NLRB will determine whether true impasse was reached based on the history of negotiations and the understandings of both parties.

If the Agency finds that impasse was not reached, the employer will be asked to return to the bargaining table. In an extreme case, the NLRB may seek a federal court order to force the employer to bargain.

The parties' obligations do not end when the contract expires. They must bargain in good faith for a successor contract, or for the termination of the agreement, while terms of the expired contract continue.

A party wishing to end the contract must notify the other party in writing 60 days before the expiration date, or 60 days before the proposed termination. The party must offer to meet and confer with the other party and notify the Federal Mediation and Conciliation Service of the existence of a dispute if no agreement has been reached by that time.

How is "good faith" bargaining determined?

There are hundreds, perhaps thousands, of NLRB cases dealing with the issue of the duty to bargain in good faith. In determining whether a party is bargaining in good faith, the Board will look at the totality of the circumstances. The duty to bargain in good faith is an obligation to participate actively in the deliberations so as to indicate a present intention to find a basis for agreement. This implies both an open mind and a sincere desire to reach an agreement as well as a sincere effort to reach common ground.

The additional requirement to bargain in "good faith" was incorporated to ensure that a party did not come to the bargaining table and simply go through the motions. There are objective criteria that the NLRB will review to determine if the parties are honoring their obligation to bargain in good faith, such as whether the party is willing to meet at reasonable times and intervals and whether the party is represented by someone who has the authority to make decisions at the table.

Conduct away from the bargaining table may also be relevant. For instance if an employer were to make a unilateral change in the terms and conditions of employees' employment without bargaining, that would be an indication of bad faith.



UNION IOI: EL DERECHO A LA NEGOCIACION

Obligaciones y derechos del empleador/Unión

La ley nacional de relaciones laborales prohíbe a los empleadores de interferir, retención o coaccionar a empleados en el ejercicio de los derechos relativos a la organización, formar, unirse o ayudar a una organización del trabajo para fines de negociación colectiva, o de trabajar juntos para mejorar las condiciones de empleo, o abstenerse de cualquier actividad. Asimismo, organizaciones laborales no pueden limitar o coaccionar a empleados en el ejercicio de estos derechos.

Ejemplos de conducta del empleador que infrinja la ley:

Amenazando a empleados con pérdida de puestos de trabajo o beneficios si se unen o voto a favor de una Unión o actividad concertada protegido.

¿Qué normas rigen colectivo para un contrato?

Después empleados elegir un sindicato como representante de negociación, el empleador y el sindicato son necesarias para alcanzar en tiempos razonables a negociar de buena fe sobre salarios, horas, tiempo de vacaciones, seguro, prácticas de seguridad y otras materias obligatorias. Algunas decisiones administrativas tales como la subcontratación, reubicación y otros cambios operacionales no sean materias obligatorias de la negociación, pero el empleador debe negociar sobre los efectos de la decisión sobre los empleados de la unidad.

Es una práctica laboral desleal para cualquiera de las partes a negarse a negociar colectivamente con el otro, pero las partes no están obligadas a llegar a acuerdo o hacer concesiones.

Si después de suficientes esfuerzos de buena fe, no se llega a ningún acuerdo, el empleador puede declarar estancamiento y, a continuación, aplicar la última oferta presentada a la Unión. Sin embargo, la Unión puede estar en desacuerdo que cierto estancamiento alcanzado y presentar un cargo de una práctica laboral desleal por no negociar de buena fe. La NLRB determinará si cierto estancamiento fue alcanzado en función de la historia de las negociaciones y los entendimientos de ambas partes. Si la Agencia considera que no se llegó a ese punto muerto, el empleador se pedirá para volver a la mesa de negociación. En un caso extremo, la NLRB puede solicitar una orden judicial federal para forzar al empleador a negociar. Obligaciones de las partes no terminan cuando expire el contrato. Debe negociar de buena fe por un contrato de sucesor, o para la terminación del acuerdo, mientras siguen en términos del vencimiento de contrato.

Un partido desean terminar el contrato debe notificar a la otra parte por escrito 60 días antes de la fecha de vencimiento, o 60 días antes de la terminación del proyecto. El partido debe ofrecer satisfacer y entrevistarse con la otra parte y notificar a la Federal de mediación y conciliación servicio [1] de la existencia de una disputa si no se ha alcanzado ningún acuerdo por ese tiempo.

¿Cómo se determina la negociación de "buena fe"?

Hay cientos, quizás miles de casos de la NLRB abordar la cuestión de la obligación de negociar de buena fe. Para determinar si una parte es la negociación de buena fe, la Junta examinará la totalidad de las circunstancias. La obligación de negociar de buena fe es una obligación de participar activamente en las deliberaciones para indicar una intención presente para encontrar una base de acuerdo. Esto implica una mente abierta y un sincero deseo de llegar a un acuerdo, así como un esfuerzo sincero para llegar a un terreno común. Fue incorporado el requisito adicional de "buena fe" para asegurar que una parte no acudir a la mesa de negociación y simplemente ir a través de las propuestas. Hay criterios objetivos que la NLRB revisará para determinar si las partes están honrando su obligación de negociar de buena fe, como si el partido está dispuesto a reunirse en tiempos razonables y intervalos y si el partido es representado por alguien que tiene la autoridad para tomar decisiones en la tabla. Conducta fuera de la mesa de negociación también puede ser relevante. Por ejemplo si un empleador hacer un cambio unilateral en los términos y condiciones de empleo de empleados sin negociación, que sería una indicación de mala fe.

- Amenaza con cerrar la planta si empleados seleccione una Unión para representarlos.
- Empleados de interrogatorio sobre sus actividades en circunstancias que tienden a interferir con, o simpatías Unión restringir o coaccionar a empleados en el ejercicio de sus derechos en virtud de la ley.
- Promesa de beneficios para empleados para desalentar su apoyo de la Unión.
- Transferencia, despedir, terminación, más difíciles asignar empleados trabajan las tareas, o lo contrario castigar a los empleados porque dedican a Unión o protegidas concertación de actividad.
- Transferencia, despedir, terminación, asignar empleados más difíciles trabajan las tareas, o lo contrario castigar empleados porque presentaron práctica laboral desleal cobra o participado en una investigación realizada por la NLRB.



Your Local 653 Organizing Team



Local 93 - San Jose

Contract updates

Local 93 members who work at Coast Counties Truck in Salinas and at San Jose Die Casting have ratified new contracts. Business Rep Sam Saiu reports that negotiations are currently ongoing with Commercial Truck, Industrial Machine, and Granite Rock. The NLRB has certified Local Lodge 93 to represent the workers at Kimball Motor Company in San Luis Obispo; Business Reps Sam Saiu and Richard Breckenridge have begun negotiations for a first contract there. Talks are slated to begin soon with BAE Systems in Santa Clara for a new agreement with that defense contractor.

Hawgs for Dogs

Thanks to last year's fundraising efforts on behalf of Guide Dogs of America, West Coast Hawgs for Dogs presented a check for \$2,000 at the annual GDA banquet last November. The Hawgs for Dogs Executive Committee is working on this year's schedule of events, which will include a Fathers Day Pancake Breakfast and an August Chili Cook Off. The 18th annual Motorcycle run will be on the third Saturday in October. Watch for more details about all of these events.

Local 653 - Fresno

Contract updates

Sun-Maid Growers: We have finally finished negotiations with Sun-Maid Growers and have signed the new agreement. We would like to welcome the electricians into our IAM National Pension Fund. We have been trying for years to get them in and now they can retire with dignity.

Fresno School District: It's not news to say that the Fresno School District is having money problems. But what's newsworthy is that the unions have gotten together to look at options to avoid layoffs and wage roll backs. By agreeing to promote early retirements, we'll have helped save \$5 million. If the voters get the chance to vote on the tax extension in June, then we will only have a \$20 million problem, instead of the \$70 million projected without the tax extension. The one thing that is impressive is that all the unions are working together with the School District looking at options. Thanks F.T.A, SEIU, CSEA, and Building Trades.

Closures coming

Freedom Ford: As this paper goes to print, Local 653 has received notice that Freedom Ford Truck Center in Fresno will be closed, as of March 31, 2011. This Ford Truck store has been bleeding for a couple of years; this year was the worst.

"This is the shop where I started my career in the union and it hurts to see it go," says Business Rep Tom Rotella. "The 14 remaining union workers may have seen it coming, but could do little about it."

In the last round of negotiations, the workers took a 10% wage cut and a lower-cost, lower-coverage health and welfare plan that shifted more costs to the employees. "This was done to no avail," laments Rotella.

Hopkins Honda strike leads to more talks with Local 1173

The 12 technicians at Hopkins Honda in Fairfield took to the streets for three weeks in February in a strike over unfair labor practices. They struck in response to the employer's constant bad faith bargaining with Local 1173 and more than 16 unlawful changes to their terms and conditions of employment. Since negotiations began in May 2010, the employer has refused to provide relevant bar-



gaining information to the union, laid off employees without bargaining, severely disciplined technicians for minor offenses, refused to recognize seniority and consistently made regressive economic proposals that would take the technicians backwards.

During the ULP strike, the employer's business dropped by more than 50% due to the strong picketing activity by the employees and the members of Local 1173. The two parties eventually agreed to go back to the bargaining table and continue negotiations. Hopefully, the employer now realizes that the technicians are not going to settle for a substandard contract. Unless the employer abandons his illegal bargaining tactics and makes serious movement towards finalizing a first contract, the picketing will undoubtedly resume in the near future.

AROUND T

"We will do what we can to help place the mechanics and parts people, but with the high unemployment, it will be hard to find jobs for these good employees."

Peerless Pump: Peerless Pump opened in Fresno in about 1936, and as of May, 2011, it will be no more. The downtown water pump assembly shop is calling it quits and moving its remaining work to Texas and Indiana. The nine members who work at Peerless are highly skilled and should be able to find jobs. The average seniority for this shop is 30 years.

"This is not a surprise," said Local 653 Vice President Dan Deubner. "We haven't worked 40 hours a week in a long time."

Organizing

Local 653 has revitalized its organizing team. With two meetings under our belt, the ideas are starting to flow. We're contemplating setting up an organizing web page, a Facebook page, and getting shop stewards involved. The Organizing Committee will meet at the end of every local lodge meeting to review progress, leads and targets.

Local 1414 - San Mateo

New members get first contract

The eight road supervisors and dispatchers at MV Transportation finally have a first contract. "We organized this shop a year ago," says Business Rep Dave Taylor, "but getting this contract was a hard slog."

Taylor says that the biggest struggles were to regain the 8-hour day, and ensures a harassment-free workplace. Ultimately, the new members won what they wanted on both of these issues; they're working above scale, they got a signing bonus, they are no longer at-will employees and they have a contract to back them up.

Taylor thanks George Lange, from the mechanics unit, who sat in on the negotiations; Jerry, who is the new shop steward for this group, and Pedro

SHOP TALK: Why is having a union important to you?



MIKE FARIAS Foster Farms Local 2005 Shop Steward

"Retaliation by the supervisors has been minimized with the union. We still have issues, but being in the union gives me comfort knowing I won't get in trouble for something petty."



REFUGIO ZUNIGA Foster Farms Local 2005 Secretary/Steward

"If the union weren't there, the company would do everything illegally—the way it shouldn't be done. The union also helps us gain respect. We have to be treated like people, not how they want to treat us."



JOGA CHAHAL Foster Farms Local 2005 President/Steward

"I've been here 21 years and saw how bad it was when we didn't have a union. Without the union, the company won't do anything for us."



FEDERICO AVILA Foster Farms Local 2005 Financial Secretary

"I strongly believe in the union. Without the union, the company will take advantage of you 100%. The union can represent you if the company tries to take advantage."



ABUNDIA ROMO Foster Farms Local 2005 Trustee/Steward

"Working without representation, we have no voice and no votes, and the boss makes all the decisions. If we're together with the union, we can build for a better contract."

'HE LOCALS

Mendez, who also helped at the talks. The contract is only for one year, so the group will have to gear up for negotiations in just five months.



Local 1528 - Modesto

Looking good at Silgan

Area Director Mark Martin reports that the Silgan Doherty negotiations were moving ahead well until it came time to discuss the economics. "The economics they've proposed are thin," says Martin. "Any room for possible movement would come at the expense of things like retiree benefits, vacations and overtime rules. We don't know where this is likely to lead. The potential exists that we can end in a labor dispute. We'll keep you posted."

Local 1546 - Oakland

Contract updates

Shaw GBB: The nine members who work at this shop as maintenance mechanics for Horizon Lines in Anchorage, recently ratified a new three-year contract. "They'll get a wage adjustment based on the cost of living, with a minimum of 2.5% and maximum of 4.5% based on the whole economic package," explains Area Director Don Crosatto. "I think that with a \$1.31 increase the first year, it's a very fair settlement in light of the way the economy's been."

FH Dailey: The members at this San Leandro dealership voted for a one-year extension. The employer added 50 cents/hour for wages and \$25/month into the 401K plan.

Allied Waste and Alameda County Industries: As this paper goes to print, members who work at these two companies will be voting on their new four-year contracts.

Local 1596 - Petaluma

More contract news

In March, the members at Joe Gomes Trucking signed-off on a sixyear agreement. The company recently moved from Petaluma to Woodland. At presstime, the members at

Donal Machine in Petaluma are voting on a new contract, and negotiations are starting at Chuck's Brake and Wheel in Santa Rosa.

Local 2005-Livingston

Updates at Foster Farms

Local 2005 welcomes Joga Chahal as Interim President and Mike Farias as Trustee on the Executive Board.

A key issue that the union is now addressing is "hire-in rates." "We've learned that the company may have shorted new hires the pay they were supposed to receive," says Business Rep Tom Rotella. "We plan to file a grievance once we determine who is eligible for back pay."

Rotella is asking that all members hired in the last three years bring in check stubs, if they have them, so that the union can see if they should be part of the action. "There could be more than 200 grievants, so it may take a while to verify everyone." If you were hired in the last three years, contact Tom Rotella or Pedro Mendez so they can review your salary history.

Is the company stopping you from joining the union or have they stopped taking out dues without your

SPECIAL NOTICE: Local 2005 Members

Local Lodge 2005 will be accepting nominations for all offices of the lodge at the April 17, 2011 meeting at the Veteran's Hall. We will be having only one meeting at 1:00 p.m. for nominations of officers.

The vote will take place on May 19, 2011 at the Union Office: 416 Main St Livingston, CA. Polls shall be kept open from 8:00 am to 7:00 pm, on voting day.

Local 1546 Members and Spouses PRE-RETIREMENT SEMINAR

Are you thinking about retiring in the next few years?



If so, this seminar will answer all your questions about pension and retiree medical coverage. We'll also review the retiree health plan.

Saturday, April 16, 2011 • 9:00 a.m.

Local 1546, 10260 MacArthur Blvd., Oakland

Spouses welcome • Includes continental breakfast Space is limited • First come-first served

Note: If you would like our pension advisors to print out your current data, you must contact the office by April 1. If you feel you have an unusual or complicated question, please get it to your Business Rep ahead of time so our advisors have time to research the answer.

Please RSVP to Tanya or Yolanda at 510-638-6705 by April 12

consent? Have they moved workers without bidding? Are the run rates too fast? If these issues are impacting you, tell your union reps.

Local 2182-Sacramento

City's former spokesperson set to testify against city

We've previously reported about how the City of Sacramento backed out on a deal with the union, and how the union had to file charges. Now, the woman who made that deal is set to testify on behalf of the union.

"At her retirement dinner, Dee Contreras, Sacramento's Labor Relations Director, apologized publicly to all of the unions because the city has been ignoring the commitments she had made in good faith," says Martin. "It was amazing to see the current labor relations team in the audience, who sat there with dumb smiles. The only word that comes to mind after witnessing a

union, to explain how the city is engaging in bad faith bargaining.

Win at Hubacher Cadillac

Martin says that Contreras has

committed to testify on behalf of the

spectacle like that is 'awesome'."

Just because a dealership moves to a new space, they can't get out of their union contract.

When that happened at Hubacher, the union filed charges, and at presstime, it appears that the Labor Board agrees with the union. "We'll have to negotiate a renewal agreement," explains Business Rep Skip Hatch. "The employer will be obligated to make the employees whole for any losses as a result of their unlawful actions."

Just gotta bargain

The Local has filed a grievance with Pacific Material Handling over their attempt to change the health and welfare agreement without bargaining. "Basically, the contract says that the employer will pay the first \$1500 and the employees will put in the next \$1500, if needed. The employer flipped it. This shifts the cost burden onto the employees and that's just not what we agreed to," says Area Director Mark Martin, who expects this issue will be settled in arbitration.



MIGUEL MELGOZA Foster Farms Local 2005 Trustee

"It's protection. To defend yourself. The company is happy if there's no union because you're at their mercy. If you make a little mistake, you're out."



ROSA M. LOPEZ Foster Farms Local 2005 Trustee/Steward

"Having a union is so important because now we have respect from the company. We've got better benefits. And we know from past experience, the company won't respect us without a union."



"The union is the best thing for everybody, especially at Foster Farms. The union defends the workers' rights. I'd like to see Walmart, and all other companies, get to be unionized."



GURPL SAMRA Foster Farms Local 2005

"The union saved our jobs. When we have a problem, we take it to the union and they help us."



MOHAN SIDHU Foster Farms Local 2005

"They saved our jobs. If we have any problem, they solve it. It's like car insurance-the union provides job insurance!"



IN THE NEWS

Maine governor orders removal of labor mural

By Benjy Sarlin Talking Points Memo

Maine Governor Paul LePage is taking down a mural depicting the history of the labor movement in the state Department of Labor building, and changing the names of conference rooms that he deems too prolabor.

The 11-panel installation depicted such figures as Rosie the Riveter and FDR-era Labor Secretary Francis Perkins as well as events like a 1937 shoe mill strike and 1986 paper mill workers' strike. Several rooms are named after historic labor figures including Perkins and Cesar Chavez.

A spokesman for LePage told the Lewiston Sun Journal that business had complained about the piece and "The message from state agencies needs to be balanced." He added that the rooms could instead be named "after mountains, counties or something."

Labor groups and others are upset about the change and the artist who painted it, Judy Taylor, told the paper that the mural's message was already fair. "There was never any intention to be pro-labor or anti-labor," she said. "It was a pure depiction of the facts."

A Maine blog, Dirigo Blue, posted a purported e-mail to staff from Department of Labor Commissioner Laura Boyett explaining the decision. "We have received feedback that the administration building is not perceived as equally receptive to both businesses and workers-primarily because of the nature of the mural in the lobby and the names of our conference rooms," the e-mail reads. "Whether or not the perception is valid is not really at issue and therefore, not open to debate. If either of our two constituencies perceives that they are not welcome in our administration building and this translates to a belief that their needs will not be heard or met by this department, then it presents a barrier to achieving our mission."



3 of 11 panels created by Judy Taylor for the Maine Department of Labor headquarters. Panel one: The Secret Ballot: For the first time, workers were allowed to vote anonymously in 1891. Panel two: First Labor's Day : In 1884, Maine celebrated it's first "Labor's Day", a day for the workers to celebrate. Panel three: The Woods Workers: A member of the IWW or "Wobblies" tries to organize the Maine woodsmen.

Former union dealerships are now marijuana houses

Reported by Mark Rechtin Automotive News

While many shuttered auto dealerships have second lives as auto repair facilities, in Arcata, two former union dealerships are now catering to a different crowd.

The former Isaacson Ford is now home to two marijuana grow houses, a pot dispensary and a hydroponics equipment store. And nearby, the service department at the former P.C. Sacchi Chevrolet-Buick dealership has been turned into another medical marijuana grow house and dispensary.

With the car industry in the weeds, the refrain of defunct dealers is that they have gotten out of the car business and into the commercial real estate business. The hard part is that a building the size and shape of a car dealership, sitting on a big piece of property, can be hard to sell.

The two dealerships sat decrepit for a number of years before a local real estate developer and a private partnership of investors bought the parcels to try to sublet them. Tenants have come and gone, but the most

stable ones have been involved in the marijuana trade.

Alex Stillman, an Arcata city councilwoman and former mayor, says the dealerships used to bring in \$60,000 a year in city sales taxes. She is unsure whether the pot dispensaries and other businesses can equal that, although Arcata recently raised its sales tax rate to provide for better roads and more police.

These dealerships sat empty for years," Stillman says. "It has been hard to make up the difference in tax revenue they generated. But as long as the dispensaries are within ordinances, they are OK."

California is among 15 states that have passed legislation allowing the growth and possession of marijuana for medicinal purposes.

From the Triangle Shirtwaist fire to today By Gary Schoichet, CWA 1180

From high up, 10th and 11th floors, terrified, they jumped out of windows to escape the fire and smoke that was taking over the factory where they worked. 21 workers, mostly women, many quite young,

their lives extinguished before they got going.

It was not the Triangle Shirtwaist Factory fire of March 25, 1911 in Greenwich Village that claimed the lives of 146 mostly young immigrant women, but the December 14, 2010 fire in Bangladesh. Here, for the second time in a year, a fire broke out in a factory making garments for export to western countries. The two 2010 fires claimed 45 lives. Since the year 2000, more than 300 workers have been killed in factory fires in Bangladesh. As with the Triangle Shirtwaist fire (146 dead), emergency exits were blocked or locked to stop workers from stealing garments or taking unscheduled breaks.

The Bangladeshi factory, "That's It Sportswear, Ltd., produces garments for American Eagle, GAP/Old Navy, JC Penney, Kohl's, Squeeze, Sears, VF Asia, Target, Charming Shoppes, and Wal-Mart in the USA market.

The president of the Bangladeshi Garment Manufacturers and Exporters Association said that he believed fire safety regulations were being followed at the factory. Blaming the victims, he said the deaths were likely due to workers panicking. However, according to reports, 12 emergency exits were locked.

"Everyone working on the factory's top floor died because the exit gates were locked, they were all women, they were all trapped, and they all suffocated," said Abdul Momin, a Garib factory employee who said his aunt died in the fire. "This was not an accident, these workers were killed by the factory's blatant disregard for worker safety," said Amirul Islam Amin, head of the National Garment Workers Federation. [Industryweek.com]

Fires due to short-circuits and substandard wiring are apparently common in Bangladeshi garment factories, annually killing scores of the country's 2.5 million poorly-paid workers who toil 12-14 hours a day in sweatshop working conditions.

continued on page 7

SHOP TALK: Why is having a union important to you?



SALVADOR GONZALEZ Foster Farms Local 2005

"The union has helped us in a lot of things, especially working conditions, and when the company wants us to do something outside of our job classification."



IRMA CAMPOS Foster Farms Local 2005

"The union gives us protection; they defend us. I feel really secure having a union. Having everybody together will make us stronger."



VICTORIA GARCIA Foster Farms Local 2005

"They give us respect and security and they helped us when we needed it most. I have learned a lot from the union and try to share that with everybody at the plant, so they, too, can have a voice at work."



DOLORES LICEA Foster Farms Local 2005

"The union has helped us gain better benefits, a voice, and more respect. They also provide protection, security and a better position on the job."



That one could report two stories, 100 years apart, so similar that only the places and numbers need changing, says a lot about the state of worker safety and health worldwide.

WORLD NEWS R OF PASSENGERS BRITISH A

Joel Shufro, executive director of NYCOSH (New York Committee for Occupational Safety and Health) said, "What's happening now is the export of our industrial hazards to third world countries. In the United States, we have a declining rate of fatalities, but worldwide there is an increasing rate of fatalities as sweatshops, built for exploitation, do their business. In this country, the introduction of new chemicals in the workplace, the downsizing of the workforce, and the wave of untrained immigrant workers has led to the same problems we had 100 years ago."

Were this latest fire an isolated incident people might shrug, say it was half a world away, and write it off. But when there are explosions in coal mines (29 killed in West Virginia Upper Big Branch Mine that had hundreds of violations), explosions on oil rigs (11 killed in BP's Deepwater Horizon), explosions in chemical plants (two brothers killed in West Virginia), explosions in power plants (Connecticut's Kleen Energy Systems with five deaths), it is not coincidence. These are a few of 2010's explosions in the U.S.

According to the Bureau of Labor

Statistics, in 2009, 4,340 workers were killed on the job in the U.S. In New York, stories of construction deaths leap out of the pages of the daily press; stories that seem to repeat even as time moves on. Undocumented immigrant workers, whose complaints about unsafe conditions would only get them fired, are in a pit or hole or on top of a wall, when the not well-shored-up wall collapses, burying them and their hopes under cinder blocks, bricks, or tons of sand.

Oftentimes, if the deaths are multiple, it is brothers or friends from the same town in Mexico or Central America or South America. David Michaels, assistant secretary of OSHA (Occupational Safety and Health Administration), said, "Latino workers face the most dangerous working conditions and the fewest protections."

"The commemoration of the centennial of the Triangle Shirtwaist Fire centers around the emergence, after the fire, of a regulatory system to protect workers and a safety net for the same purpose. Those two protections are under attack today. The private sector loses far more union workers than it gains and private sector employers see this as an opportunity to roll back the safety net put in place after the Triangle Fire," said Shufro.

One hundred years after the Triangle Shirtwaist Fire, while much has changed, so much hasn't.

🥂 BENEFITS NEWS

Understanding how AI health savings and reimbursement plans work

In the last issue of the *Spark-plug*, there was a mix-up in describing Automotive Industries Plan A benefits and Plan C benefits. Correcting this mistake offers us an opportunity to explain the differences between an HSA (Health Savings Account) and an HRA (Health Reimbursement Account). The second word of those phrases is the key.

In a HSA, the member and/or the employer, put a specific amount of money in an account month after month, year after year. Like any other kind of savings account, it accumulates interest. Also, like any other savings account, the less money you spend, the more you keep.

By contrast, the key word in Health Reimbursement account is Reimbursement. Like an HSA, the money in this account can come from a member, employer or both. Unlike the HSA, money only goes into the account as medical services are used. If a member goes the whole year without seeing a doctor or getting a prescription, he didn't spend any money, therefore no money went into the account, because there was nothing to reimburse.

Automotive Industries Plan A (our traditional plan) has an HSA for those members in the "Direct Pay" plan only. The plan puts \$50 per month onto a debit card that the member can use for co-pays, prescriptions, dental work, eyeglasses, basically any expense related to your health. The HSA was created because the direct pay plan, unlike Kaiser and HealthNet, has a yearly deductible (\$200 single/\$400 family) and many members would not consider the plan for that reason. By giving people enough money to cover the deductible, and then some, the trustees feel they have created a far more attractive plan. Since the direct pay plan is the least costly of all the health plans, it's in everyone's best interest for it to grow.

Automotive Industries Plan C, which was founded last summer, has the Health Reimbursement Account (HRA) as its central feature. Both Kaiser and the Direct Pay Plan have a high yearly deductible (\$1000 single/\$2000 family). The HRA covers the amount of the deductible. By plan rules, the first 50% of the deductible is paid by the employer and the union can negotiate either 75% or 100% employer-paid deductible. Because of the high deductible, the insured portion of the plan is cheaper and with the HRA funding on a pay-as-you-go basis, the overall cost of the insurance is cheaper, while still providing comprehensive coverage.

Obviously, any money saved on the health plan is more money for wages.



Health & Welfare and Pension Trust Funds.

Contact us at 510-836-2484

SHOP TALK: Why is having a union important to you?



JOSE L. GARCIA Foster Farms Local 2005

"We need someone to represent us. We had other unions here but they were too tied to the company; they never did anything and never held a meeting. It's important for everyone to join the union and work together."



AMARJEET GILL Foster Farms Local 2005

"The union is doing a good job. The company doesn't listen properly to our problems. The union listens to the employees and makes the company abide by the contract. If you're not in the union, they don't care about you."



SEWA S. DHAUL Foster Farms Local 2005

"You have job safety. If a problem comes up, you can call the union to help. They listen to you, when the company does not."



ALTAGRACIA PRADO Foster Farms Local 2005

"One thing you can count on is that you'll need a union sooner or later to defend your rights or benefits."

Celebrate the Labor Archives and Research Center's 25th Anniversary!

May 1, 2011 11 a.m. to 3 p.m. Ship Clerks, Local 34, ILWU - 4 Berry Street (2nd and King Streets on the Embarcadero, next to Giant's Stadium)

Bring your family for a day of music, poetry, and theatre honoring Bay Area Labor Bar-B-Q and games for the kids Free and open to the public

For more information: (415) 564-4010 or larc@sfsu.edu

The office remains open during lunch.

MOVING? Or need 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.



Join the MNPL *and* get entered into the 2011 raffle

If you'd like to donate to the MNPL and help the Machinists build our political power and effectiveness, now's the time. Not only will you make an important con-

tribution, but you'll also get a ticket for the 2011 raffle.

Each member who contributes \$25 or more as a sponsoring member will receive a ticket for our drawing. Raffle prizes will include Machinists Union watches, shirts and other goodies. The membership drive starts now and runs through July 26, 2011. The drawing will be held at District 190 Delegates' meeting in July. You need not be present to win.

UNION MEETINGS				
District Lodge 190 7717 Oakport Street Oakland, CA 94621 510-632-3661	Meetings are the fourth Tuesday of each month April 19 • May 24 • June 28 Executive Board Meeting: 6:30 p.m. General Delegates' Meeting: 7:00 p.m.	Local 1484 1261 Avalon Blvd. Wilmington, CA 90744 310-835-6688	 Executive Board Meeting: 6:00 p.m. on the third Thursday of the month April 21 • May 19 • June 16 General Membership Meeting: 6:00 p.m. on the first Tuesday of the month April 5 • May 3 • June 7 Retirees' Club: 1:00 p.m. on the third Wednesday of the month: February 16 • March 16 • April 20 	
Local 93 2102 Almaden Rd., #105 San Jose, CA 95125 408-723-4900 <i>Note: Office hours are 8 a</i> <i>The office remains open da</i>	Meetings are the second Tuesday of each month April 12 • May 10 • June 14 Grievance Committee: 3:30 p.m. Executive Board Meeting: 4:30 p.m. Membership Meeting: 5:00 p.m. .m4:30 p.m. Monday through Friday. uring lunch.	Local 1528 713 16th Street Modesto, CA 95354 209-529-9210 Local 1546 10260 MacArthur Blvd., Oakland, CA 94605 510-638-6705	Meetings are the first Wednesday of the month April 6 • May 4 • June 1 Executive Board Meeting: 6:00 p.m. General Membership Meeting: 7:00 p.m. 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: April 20 • May 18 • June 15 Narcotics Anonymous: 5:30-6:30 p.m. every Tuesday	
Local 653	April 20 • May 18 • June 15			
544 West Olive Fresno, CA 93728 559-264-2815	Executive Board Meeting: 5:00 p.m. Membership Meeting: 5:30 p.m.		 Meetings are the first Tuesday of the month April 5 • May 3 • June 7 General Membership Meeting: 7:00 p.m. Member Education Meeting: 5:30 p.m. Executive Board Meeting: 6:30 p.m. on the Thursday preceding membership meeting April 28 • June 2 • June 30 Retiree Club Pot Luck Luncheon: 12 noon on the first Wednesday of each month April 6 • May 4 • June 1 Alcoholics Anonymous: 9 a.m. every Saturday 	
Local 801 7717 Oakport Street, Oakland, CA 94621 800-655-2182	Meetings are the third Thursday of the month April 21 • May 19 • June 16 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	Meetings are the second Thursday of the month April 14 • May 12 • June 9 Executive Board Meeting: 5:30 p.m. General Membership Meeting: 6:30 p.m. w 8 a.m4:30 p.m. Monday through Friday.	Local 1584 8130 Baldwin Street Oakland, CA 94621 510-635-2064	 Meetings are the third Thursday of the month April 21 • May 19 • June 16 Membership Meeting: 7:00 p.m. Executive Board Meeting: 6:00 p.m. Retirees' Club: 12:30 p.m. on the first Tuesday of the month: April 5 • May 3 • June 7 	

Local 1173 1900 Bates Ave., # H Concord, CA 94520 925-687-6421 Local 1414 150 South Boulevard San Mateo, CA 94402 650-341-2689	Executive Board Meeting: 6:30 p.m. on the second Thursday of the month April 14 • May 12 • June 9 Membership/Shop Stewards' Meeting: 6:30 p.m. on the third Thursday of the words	Local 1596 4210 Petaluma Blvd. No. Petaluma, CA 94952 707-795-0086	 Meetings are the third Tuesday of the month April 19 • May 17 • June 21 Executive Board Meeting: 6:30 p.m. Membership Meeting: 7:00 p.m.
	d D2 Thursday of the month April 21 • May 19 • June 16 Executive Board Meeting: 6:00 p.m. on the second Thursday of the month	Local 2005 416 Main Street Livingston, CA 95334 209-394-7822	 Meetings are held the third Sunday of each month at the Veterans Memorial Hall: 1605 7th Street, Livingston, CA 95334. April 17 (all meet at 1 p.m.) • May 15 • No meeting in June Executive Board Meetings: 11 a.m. General Membership Meetings: Spanish: 1:00 p.m. English: 2:00 p.m.
	April 14 • May 12 • June 9 General Membership Meeting: 6:30 p.m. on the third Thursday of the month April 21 • May 19 • June 16 Retirees' Club: 11:00 a.m. on the first Wednesday of March, June, Sept., Dec. All are welcome! June 6 • Sept. 7 • Dec. 7	Local 2182 967 Venture Court, Sacramento, CA 95825 800-458-9200	Meetings are the second Tuesday of the month April 12 • May 10 • June 14 Executive Board Meeting: 6:00 p.m. General Membership Meeting: 7:00 p.m. Retirees' VISTA CLUB: 11:00 a.m. on the third Wednesday of each month: April 20 • May 18 • June 15