

Serving the Active and Retired Members of IAM District Lodge I90

Finally, after six long years....history is made in San Diego

## **Contract ratified at Mercedes Benz of San Diego**

Pedro Gomez never expected to help organize a union when he first became an auto mechanic. But 18 years later, that's just what he's done. And he helped organize history, as the 44 mechanics at Mercedes Benz of San Diego are now members of the first automotive union in that city.

Gomez started working as a mechanic in 1998 and moved to the Mercedes Benz shop in 2002. "It was an older shop and the space was cramped," Gomez recalls. "But soon, we moved into a huge facility. However, the mechanics all noticed that while the labor rate charged to customers went up, our pay rate didn't. In fact, we went through many years of not getting any raises. Everybody was complaining, and I just got tired of it."

In 2010, Gomez decided to call the union to see what they could do for the techs. Area Director Jesse Juarez went down to San Diego to talk with them and they liked what they heard. "As soon as we filed our petition with the Labor Board for an election, the company tried to add lots of other workers to the bargaining unit, all with the goal of getting people into the unit who might be more easily convinced to vote against the union," Juarez explains. "The Labor Board saw through that tactic and denied the company's petition. Next the dealership brought in anti-union "direct persuaders," techs from other shops, and Roger Penske, himself. But none of that worked, and the techs voted for union representation."

Alas though, timing is everything. The Labor Board got caught up in the Noel Canning v. NLRB decision, a Supreme Court decision that invalidated all rulings made during the time when Board's membership included two "recess appointments" by the President. For four years, the election was considered neither valid nor invalid. It wasn't until 2014 that a new, legally-constituted Labor



After six years, the techs at Mercedes Benz of San Diego finally have a contract—the first auto contract in San Diego.

Board certified the 2010 election and bargaining could begin.

#### Talks move slowly until members act

At first the company stalled, hoping to keep the talks going nowhere for a year, which would enable them to spark a decertification election. That didn't work.

"The techs were 100% behind the union" says Gomez. "Our challenge was to get them to take action. We had to show the company that we cared enough to fight."

"To be honest," he adds, "as I was getting ready to throw in the towel, the guys stepped up and that's when everything changed. We held two sick-outs and threatened a few more, letting the company know that we were serious about getting a contract. That's when the talks started moving forward."

Juarez agrees. "The guys started acting like a union even before having a contract. That's what made the difference."

"The more the employer stalled the talks and fought everything the union proposed, the techs got stronger and stronger," says Directing Business Rep Jim Beno. "It took a good year and half of negotiations to get it done...but we did."

#### **Strong first contract**

Normally, first contracts are hard-fought and not always the best. "This one is a good first con-

While the members are still on a company health plan, their co-pay share has gone from 50% to 30%, and they now also have vision and dental.

"I'm proud of all the guys and what we accomplished," says Gomez. "Now, the job is to monitor the contract and ensure that the payroll department gets the paperwork done correctly."

In addition to the good contract language, the union facilitated the resolution of several wage and hour cases filed against the company over pay for rest breaks and compensation for unapplied time. These were very lucrative settlements for the technicians involved, with immediate monetary payments and payments for several years into the future.

"This shop has been in turmoil for six years," says Beno. "Now, there will be stability. And, the guys know they have a way to resolve disputes and misunderstandings."

#### An opportunity in San Diego

Many techs in unorganized shops across San Diego were watching what happened at Mercedes Benz to see if joining a union would be worth it for them. "Now that we have a good contract, we expect to hear from more shops," says Beno.

In fact, Beno saw a notice that the San Diego New Car Dealers Association put out to their membership about the contract that reads, "Unfortunately, we have received notification that Penske has signed a union contract.... This is the first contact in San Diego history... We will have an all-dealer meeting in June. Be vigilant about union talk or activity."

tract. It gives us something to show to the unorganized shops in San Diego who want to know what we can do for them," adds Beno.

Gomez says that the members are excited with the contract. "The wages are a big thing, of course. The guys at the top of the scale won't see an increase this year, but the can look forward to their first-ever scheduled wage increases in the next two years. We focused on the guys who were way underpaid to bring them up to scale. Some of them will get up to an additional \$8.50/hour. The flat-rate pay program now spells out, in writing, the incentive pay and proficiency levels. And we have a daily guarantee of 8 hours of pay for 8 hours at work."

Most importantly, the contract includes a clause on "fair dispatching"—so that favoritism is discouraged and everybody gets a fair share of the good work and bad work. "And, of course, if there's a problem, we've got a solid grievance procedure," Gomez says. Beno responds, saying, "obviously, these dealers don't want to pay good wages or give their employees rights on the job. Only when you get a union contract can you play on a level playing field with the dealers, otherwise they always have the upper hand."

Gomez agrees. "Management will never stop. We've got to be organized just because they are."

Currently the Machinists are in stalled contract talks with Mossey Nissan in Oceanside. "I'm anxious to work with the guys at Mossey," says Gomez. "I told them that we're not the success story for finally getting a contract. It took us six years. If they can get it done faster, then they'll be the success story."

"Despite the time that it took to get this contract, it was worth it to me," says Juarez. "Mission accomplished!"

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## **Flash Fact**

- The U.S. is the only developed nation without paid maternal leave.
- Just 12% of American private-sector workers have paid parental leave.
- Nearly one in four women who takes leave is back at work in two weeks.

US Dept. of Labor

## Get your IAM news on the web!

### Visit the District 190 website at: **www.iamdistrict190.org** The International IAM website is at: **www.goiam.org**

#### Local Lodge websites:

Local 1101: www.iamlocal1101.org Local 1546: www.IAM1546.com Local 1584: www.iamlocal1584.com

#### Facebook pages:

Local 653: https://www.facebook.com/iamaw. local?fref=nf Local 1101: facebook.com (search for IAM Local 1101) Local 1546: https://www.facebook.com/ iam1546 Local 1584: https://www.facebook.com/ IAMLocal1584



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

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	Oakland, CA 94621		







## **Reflections of a Union Representative**

By Garry Horrocks

Twenty-six years ago I walked into Jim Doten Honda in Berkeley and applied for an entry-level job. At the time I was just looking for a job. What I found was more than a job or a career in a union shop, I discovered the next phase of what has been a lifelong calling.

The calling started with my very first job as a paperboy. I calculated our hourly rate and

informed my coworkers that we were earning 10 cents per hour. I was fired immediately!

Jim Doten Honda hired me as a lube tech/shuttle driver and I enrolled myself in automotive classes and soon earned a position as an apprentice. The apprentice became a journeyman and 15 years rolled by.

Here is where the plot takes a twist; one day, a note appeared at the time clock from Mr. Doten: "The dealership has been sold. I hope you enjoy working for the new owner." Half of us were not

offered a position with the new owner and a strike ensued. I landed a job, a week later, in a dealership that had a contract with my same Local 1546, and was only a few blocks away from Doten Honda.

Enraged by the way the new owners treated us, I vowed to stand in solidarity with my union brothers and win that strike. That was the day I transformed from being just a dues-paying member to becoming a true union member. It was also the day I realized my true calling was to fight for justice for the little guy and the union was the best vehicle to do so. With the help of activists from the community like Harry Brill, and the IAM leadership of Directing Business Rep Jim Beno, Assistant DBR Don Crosatto, and a whole host of others, we won that strike after 10 months on the streets.

A year later I found myself in an interview for a position on the District staff, working with Local 1546.

My efforts and passion during the strike did not go unnoticed. Within a few weeks of getting hired, Local 1546 became embroiled in a struggle when Waste Management locked-out the Teamsters; the IAM and ILWU members refused to cross the line.

Being embroiled in struggle and fighting for justice is what the union movement is about and I have been extremely fortunate to be on the front line with some of the best advocates in the movement.

A few of the highlights my career as a union representative:

- Winning the strike at Doten Honda;
- Catting amostal at a sit in fam that

Walmart Campaign;

- Working with community and labor organizations to raise the minimum wage in Berkeley, Emeryville and Oakland;
- Lobbying for important legislation from City Halls to the Halls of Congress;
- Working with community coalitions and labor groups to make sure the development of the Oakland Army Base included

an agreement that improved the lives of the local communities and held the door open for union organizing;

• Organizing the workers and winning a first contract at Henkel Corp;

• Helping members put their lives back together through Employee Assistance Programs;

• Starting off as an apprentice and ending up on the apprenticeship trust fund and resurrecting the apprenticeship in the manufacturing sector for Local Lodge 1584;

- Receiving the Hawk Award for my efforts during the No on 32 Campaign;
- Serving as the Sargent at Arms with the Alameda Labor Council and working in solidarity with other unions in their struggles including the BART, nurses and teachers strikes;
- Being mentored by the best, from the educators at the Winpisinger Center to the leadership in the IAM to legal minds of the Weinberg, Roger and Rosenfeld Law Firm.
- Mentoring some of the rising stars in the IAM.
- Winning grievances and arbitrations and negotiating contracts that have improved the lives of our members;
- Becoming the Area Director of Local Lodge 1584.

I have been beyond fortunate to have worked with so many remarkable people over the nine years that I've been on staff. Special recognition goes out to the clerical staff of the District and the Locals who maintain order in the face of daily chaos. Thanks to those who believed in me and offered me the opportunity to serve. Mostly I'm thankful for the relationships I've developed with many of you over the years. We had a blast, and I will sorely miss you.

Garry Horrocks will be retiring from the IAM later this year, and will be trekking around the world for several months before settling in Australia.



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*The Sparkplug* is the official publication of District Lodge 190 and its affiliated local lodges and notification of any meeting or election in this paper shall constitute official notice per Article B, Section 4 of the IAMAW Constitution and Articles V and VII of District Lodge 190 By-Laws.



Debra Chaplan, Managing Editor

Getting arrested at a sit-in for the Our for contracting arrested at a

## Local 1414-San Mateo

### 65-year members are recognized and honored





## Minimum wage increase impacts mechanics

In April, the California legislature passed, and Governor Jerry Brown signed, one of the highest minimum wage rates in the country. Effective January, 2017, the minimum wage goes up to \$10.50. And by January 1, 2022, every worker, with the exception of some workers at small employers, will have a minimum wage of \$15. (Those workers will catch up in 2023.) The wage doesn't quite compare to Australia, where the minimum wage is currently \$16/hour, and it doesn't go up as fast as many advocates wanted, but it's far better than it was. Importantly, once the wage reaches \$15, it will be indexed to the consumer price index, so never again will we have to go through this fight for a decent minimum.

The only exceptions are apprentices, those who are indentured in an approved apprenticeship program, or those working for their mother, father, or spouse.

"This development doesn't just effect the base wage; it has other effects that particularly impact mechanics," explains Attorney David Rosenfeld, with the District 190's legal counsel, Weinberg, Roger and Rosenfeld. "For example, under California law, if you're required to bring your tools to the job or the worksite, you have to be paid double minimum wage. So after January 2022, if you're required to bring tools, your base wage will have to be twice minimum wage, which will be \$30 an hour."

Another effect of the increase of the minimum wage is "non-productive time" Those who work in flat-rate shops understand that this will impact them, in particular. "California law says that you have to be paid for each and every hour at work. Which means that if you show up for the job and the employer says 'We don't have any work for you for an hour,' you have to be paid minimum wage for that hour. And now we have this codified in the labor code that all this non-productive time or non-allocated time has to be paid minimum wage," Rosenfeld says. When the minimum wage goes up to \$15, this will make a substantial difference to those workers who were paid piece rate because they'll have to be paid minimum wage for that time.

Now that the state wage has been increased and indexed, it's unlikely that local jurisdictions will adopt even higher minimum wages. "This bill is a lesson for the rest of the country," Rosenfeld adds. "New York has increased its minimum wage and I see every state doing the same. If they don't, the federal government will."

## **Keeping the lawyers busy**

Caren Senser, from the law firm of Weinberg, Roger and Rosenfeld, summarized all of the work that the firm is doing for District Lodge 190. Currently, they have cases pending with eight different Locals.

• They are currently pursuing almost 100 different wage and hour cases. These are generally related to flat-rate shops that need to adjust how they pay mechanics based on the Downtown LA Motors (DTLA) lawsuit. They're dealing with issues at Mercedes Benz of San Diego, Mossey Nissan (Oceanside), Stevens Creek Dodge (San Jose), Veracom Ford (Burlingame), Acura Concord, Livermore Auto, Mercedes Benz of Pleasanton, Mercedes Benz of Oakland, Hansel Ford (Santa Rosa) and Roseville Honda.

• They're working on Unfair Labor Practice charges at the Ford Store (San Leandro), Mercedes Benz of Pleasanton, Livermore Ford, Fremont Ford, Hopkins Honda (Sunnyvale), Veracom (Concord), Stevens Creek Dodge (San Jose), LHoist (Salinas).

• And there are on-going Labor Board cases with PCMC, Ports America Outer Harbor (see article below) and Everports.

## The port trial continues

As reported in the last few issues of *The Sparkplug*, Ports America Outer Harbor declared bankruptcy and closed its Oakland facility. The Machinists had represented mechanics at this facility for 30 years, before (as the union alleges) the company colluded with the ILWU to become a "wall-to-wall" ILWU facility. The IAM has been fighting to maintain the jurisdiction since 2005 with numerous trials and appeals.

Roger and Rosenfeld, who have been part of this case from the beginning. But the other side just keeps expanding their attorney pool," Crosatto says. "In May, there were three lawyers from one firm for Ports America, and Ports America Outer Harbor brought in two lawyers and one paralegal from two different law firms. We know how much they're putting into legal fees, because, if it's more than \$50,000 a month, that has to be disclosed. One of their lawyers very generously offered to give them a 10% discount, lowering the fee to \$990/hour, because the poor company is in bankruptcy." Meantime, 90% of PA Outer Harbor's business moved to SSA, which is a strong IAM shop. "They'll now be one of the busiest terminals on the west coast, with 5000-6000 truck moves each day. They're hiring mechanics in all departments, and they're about to get their first crane apprentice, which is cool," Crosatto adds.

## BUY UNION

## Snack food galore

Sometimes it's all about finding that guilty pleasure; a salty or sweet snack that satisfies like nothing else. Luckily there are plenty of union-made choices out there, so there's no need to feel ashamed, because you are supporting good middle-class jobs!



Act II Popcorn **Baby Ruth Bagel Bites Bugles** Cheetos Cheez-It **Chex Mixes** Chips Ahoy! **Corn Nuts Doritos** Fritos **Ghirardelli Chocolates** Matador Beef Jerky **Mission Chips** Nilla Wafers Old El Paso chips, dips and salsa Oreos **Orville Redenbacher Popcorn Red Vines Rice Krispies Treats Ritz Crackers Rold Gold Pretzels** 

Even though the company declared bankruptcy, the legal proceedings on the original case are not stayed, and Ports America (PA Outer Harbor's parent company with plenty of money in its coffers) is now part of the suit.

"This case has dragged out for almost a year," says Assistant Directing Business Rep Don Crosatto. "The trial started in October, then we had more hearings in December and April. We just had another hearing in May and the last week is slated for July." Crosatto doesn't expect a decision until at least the end of 2016.

"We've got great attornies with Weinberg,

Ruffles Slim Jim Sun Chips Tostitos chips, dips and salsa Triscuit Wheat Thins

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



## Local 653 - Fresno

## Fresno's Union Park establishes workers memorial



On April 30, 2016 more than 30 Local 653 members and their families joined other labor organizations, community leaders and neighbors for the first annual Union Park Memorial Picnic to remember and to honor fallen workers. It was a great event; in all, more than 600 people had a great lunch, heard live music, and the kids had plenty of activities.

Union Park was founded as a place to gather and honor labor. It will now be the home of the memorial to the fallen workers of California's Central Valley. This monument will be dedicated to all of our brothers and sisters who died on the job and will remind all of us of the importance of learning from the past to secure the safety of the future.



## Local 93 - San Jose

#### **Nice raises**

The 44 members who work at Coast Counties Truck in San Jose ratified a new three-year contract in May. "They got \$.95/hour increases each year of the contract," reports Business Rep Richard Breckenridge.

#### More nice raises

Over at Burke Industries, in San Jose, about 100 members manufacture plastic molds for commercial buildings. And they also ratified a new contract.

"We reached a deal in March," says Business Rep Pedro Gonzalez. "The members will get a \$1.30/hour wage increase the first year, and then \$.50 each of the subsequent two years of the contract."

#### **Benefits are good**

Industrial Machine Shop in Salinas has agreed to pay for maintenance of benefits on the medical plan as part of a new 3-year contract. This is a huge improvement for the four members who work there, reports Breckenridge.

### Local 653 - Fresno

#### Organizing win

The IAM has always had a presence at the Fresno Unified School District when it came to representing the membership who were part of the Building Trades Unit. Retired Business Rep Tom Rotella had led the negotiations for the Building Trades for many years, getting those members raises, while other district employees were taking furloughs and wage freezes; he also built a strong partnership with the School District.

Upon Rotella's retirement in April of 2015, some members in the other trades units were unhappy with the new building trades leadership and sought representation from the Fresno Teachers Association (FTA), thus splitting the yard. In July, 2015, FTA filed a petition with PERB to represent the building trades unit.

The Machinists union was not about to give up jurisdiction over our members. Business Rep Jeremy Celaya quickly filed paperwork with PERB to represent the unit. The IAM received 100% support from the metal trades unit, as well as the bus and vehicle mechanics, to have IAM represent them. In this process the carpenters and locksmiths unit also decided to join with the IAM.

The IAM now has a collective bargaining agreement with FUSD and represents more than 30 members; other trades are thinking about joining the IAM.

Celaya wants to recognize and thank Tom Rotella for his help in the negotiations.

#### **Contract Ratifications**

**Toyota Material Handling:** Members ratified a new four-year agreement in May. The mechanics will see \$2.25/hour in general wage increases over the next 4 years, a new cash-out option for sick leave, an increase in the safety glasses and work boot allowance, and an increase in the opt-out benefit for their Health and Welfare.

Celaya would like to thank Area Director Mark Martin and Shop Steward A.J. Jimenez for their help in the negotiations.

**URS:** In March, the bargaining committee sat down with URS/Army National Guard 1106th AVCRAD to negotiate their first collective bargaining agreement and they ended up with a four-year agreement. The committee included Area Director Mark Martin, Jeremy Celaya, Shop Stewart Daniel Zack and Dane Pittman.

The bargaining unit has 77 members in a variety of classifications, from mechanics and machinists to inspectors, painters, supply techs and more. These new members will now benefit from a grievance procedure, seniority, and union representation at the work site.

In 2017, they'll get their first wage

## AROUND 7

increases in five years as well as an increase in paid time off, and huge savings in the cost of their health and welfare benefits. We welcome these new members.

**JM Equipment:** In March, the members at J.M. Equipment ratified a new four-year contract. The Master agreement covers Fresno, Manteca, Modesto, Patterson, Stockton, Merced and the West Sacramento locations.

The Mechanics will see a steady wage increase of \$.65/hour for each year and members in the Parts Dept. will see \$.45/hour. The health care caps were increased for all members.

Celaya would like to thank Business Rep Skip Hatch for leading the negotiations and Shop Steward Richard Russell for his active role at the table.

**Coca Cola:** In April, the members at Coca Cola Bottling Co. in Fresno ratified a new three-year agreement. In addition to several important contract language improvements, the members will be able to pick between two different health and welfare plans and each year will get a wage increase of \$.65 per year, as well as a nickel per hour increase in the pension contribution.

## **Local 1101**

### New owners do good

Frontier Ford in San Jose recently came under new ownership and "negotiating a new contract had been going slowly...to say the least," says Business Rep Richard Breckenridge.

But after 18 months, the 44 members finally ratified a new contract and it's a good one. They'll get \$5/hour wage increases the first year, and \$.50 more each year of the three-year contract. The parts guys and the service writers got similar deals.

## Local 1173 - Concord

Lots of negotiations; not lots of progress Talks with Autocom Nissan in Con-

## SHOP TALK: What's the union's most important responsibility to you and what's your



ROBERT LIPPETTI Harrold Ford – Sacramento Local 2182 – 15 years

*Union:* Ensure we keep our medical benefits and wages. *Members:* We should all stick together.



**GREG WHITE** Harrold Ford – Sacramento Local 2182 – 8 years

Union: Maintain workers' rights Members: Give support to the union; pay our dues; and keep our co-workers informed of what it means to

be in the union.

BOBBY ROBINSON Harrold Ford – Sacramento Local 2182 – 8 years

Union: It feels like I've got "daddy" standing behind me and ready to kick ass. Members: Pay my dues and do my part at work.



SAM SAETERN Harrold Ford – Sacramento Local 2182 – 3 years

*Union*: Keep things in line. *Members*: Keep going to union meetings, ask questions, interact with the stewards.



BRIAN WEISSENSEE Harrold Ford – Sacramento Local 2182 – 10 years

Union: Support us in our relationship with our employer. Members: Maintain communication, especially as I'm a shop steward, and pay my dues.

## HE LOCALS

cord are still plodding along, reports Area Director Steve Older. "They're moving our way on union security, but they're not close enough. We may go out on strike again." Older says that the members at this dealership are a "good, strong group of guys."

Older says that the members discovered safety violations in modifications that the company made on the building using non-union workers. They asked for a review by the building inspector. As a result, the company will have to get that work re-done correctly.

And over at the Antioch Auto Center, the company is open to going back to an hourly plan, but "that's easier said than done," says Older. "The devil is in the details."

### **1414 - San Mateo**

#### And the talks go on

"Local 1414 is in negotiations with Mill Valley Refuse in San Rafael and Shamrock Materials in Petaluma," reports Area Director Tom Brandon.

### Local 1528 - Modesto

#### **Successful Resolution**

The union was able to resolve a long-standing issue at Silgan Doherty around vacation days. "Now, if taking a single vacation day on a Friday or Monday, the employee can determine that they don't want to work on that weekend," explains Area Director Mark Martin. "This is important for the heavy packing season when they often work seven days per week."

### Local 1546 - Oakland

#### **Smooth negotiations**

The 65 members at Pleasanton Auto Mall overwhelmingly ratified their new three-year agreement after what Area Director Don Crosatto called "the smoothest negotiations we've had in over 20 years." "While the wage increases of \$.25, \$.35 and \$.50/hour each may not appear to be impressive," Crosatto says, "it's ultimately the richest economic package we've had." The workers gained three sick days as per the new sick leave law, and didn't attempt to offset those days by raiding vacation. "The employer had put into place a DTLA-compliant flat-rate program that included full pay for breaks. When we calculated the amount of pay for the breaks and sick pay for journey level techs, it's almost \$1.79/ hour. And that's before the raises."

The contract was completed after a pleasant and professional process. Crosatto reports that the members are excited that the company is spending big money to upgrade the Lexus facility. "While there will be some disruption for the next year, when it's over, they'll have a showplace to work in. The larger layout will promote greater efficiency, which means more money for the techs.

"We think the future looks bright for the employees at Pleasanton Acura and Lexus," Crosatto added.

### Talks moving quickly

After two meetings, negotiations at Albany Ford/Subaru are moving rapidly, reports Crosatto. "Business has been pretty good and the employer is putting a fair offer out on the table." Crosatto hopes to have that agreement wrapped up in just a few more meetings.

#### **Moving Berkeley Honda**

Berkeley Honda has had a facility on Shattuck Avenue in Berkeley for as long as anyone can remember. The dealership sold its facility, thinking that they would move into the old Berkeley Bowl, a few blocks away. But the neighbors are having none of it.

At a Landmarks Commission meeting in December, the neighbors tried to landmark the Berkeley Bowl building because a long-ago coffee house]in that building was the site of the third public reading of *Howl*  by Allen Ginsburg. The Commission ultimately agreed that the building contains some nice architectural features that the dealership wants to maintain, but is not a landmark.

"Now, it appears that city staff is trying to torpedo the project by recommending that the building be used for sales only, not service," says Area Director Don Crosatto. "This would kill the dealership, because they make most of their money on service." Meantime, the temporary space that the dealership is using is on a fasttrack to be turned into condos. "They have until April to find new space."

The union has reminded the city that not only do 50 people work there, including 15 members of Local 1546, but that the dealership is the third largest contributor to the city's sales tax revenue base. "At one time, Berkeley had 15 dealerships; now just three remain....and this one is fighting to stay alive there." Stay tuned.

#### **Trouble at Ford Store**

We reported in the last issue that the Ford Store in San Leandro had issues with their health and welfare plan, forcing members into one plan and then another. While the union was initially accommodating, Area Director Steve Older finally filed a grievance with the Labor Board, which since ruled in the union's favor.

"We're trying to work on getting them into the original plan," says Older, who's also in the process of taking a grievance to arbitration about the company is outsourcing union work.

"On the negotiations front, the dealership is finally talking about a non-flat-rate plan," Older says. "They're starting to soften."

### Local 1596 - Petaluma

#### More contracts

Area Director Tom Brandon reports that the members at Toby's Trucking in Petaluma have a new



three-year agreement, and he's in negotiations with Henry Curtis Ford, North Bay Nissan and Novato Toyota.

## Local 2005 - Livingston

#### Congratulations are in order

Congratulations to Joga Chahal, President of Local 2005 for completing the TEAM (Training to Educate and Activate Members) Training offered through the North Valley Labor Federation. Chahal attended classes for three weeks and graduated on May 6 with a perfect attendance certificate.

"It's important to get to know what the labor movement and the unions are all about and how to encourage other members to be active," says Business Rep Mike Farias. "At this training, you really learn what the phrase 'working people standing together' means."

If you'd like to get more active and take this or any other training, contact Mike Farias at Local 2005.

### Local 2182-Sacramento

#### **Issues pile up**

Area Director Mark Martin reports he's on the case of several issues at Waste Management. These include an overdue wage increase for one member and reimbursement for safety boots. He's also talking with the company about what the union contends was a wrongful termination of a 14-year employee. "If the dialog breaks down, we'll go to arbitration."

#### Good deal

About 50 members at Harrold Ford in Sacramento, (now part of the Victory Auto Group), ratified a new three-year contract. "It's a new owner, and we had no idea how negotiations would go," says Martin. "We were able to maintain our hourly contract rates rather than move to flat rate. We have the safety net of a high base wage rate, with increases that will provide a benefit for productivity."

## biggest responsibility to the union?



RORY PETERS Harrold Ford – Sacramento Local 2182 – 3 years

Union: The union protects us from wrongful termination and provides cheaper benefits. Members: Pay them.



NICK BARAL Harrold Ford – Sacramento Local 2182 – 2 years

Union: Provide support and equality for the employees. Make sure that we're treated fairly, with respect and dignity, and taken seriously. Members: Represent the union in a positive and encouraging way.



BRANDON CHRISTIAN Harrold Ford – Sacramento Local 2182 – 6 years

Union: Represent us as members and employees. Have our best interest in mind.

*Members*: Contribute, go to meetings, and do whatever is required or needed.



JON DAVID Harrold Ford – Sacramento Local 2182 – 1 year

Union: Help keep things fair and balanced between employer and employees. It gives us negotiating power. Members: Try to do the best job I can to represent the union in a positive light.



ZACK MOORE Harrold Ford – Sacramento Local 2182 – 2 months

Union: Having our back for the contract and the stuff we're guaranteed to have. Members: Make sure I do my job properly and hold up my end of the productivity and properly represent myself.

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## IN THE NEWS

### Improving safety and health reporting

The new OSHA injury reporting rules will bring workplace injury and illness reporting into the 21st century and provide important new protections to workers who report injuries.

Until now, most workplace injury records have only been available at the workplace, making it impossible to know which employers have bad or good injury records. Employers in high hazard industries will now have to electronically submit a summary of their firms' injuries and illnesses to OSHA each year, and large employers will have to submit more detailed injury and illness information. OSHA, workers, and the public will have access to this information.

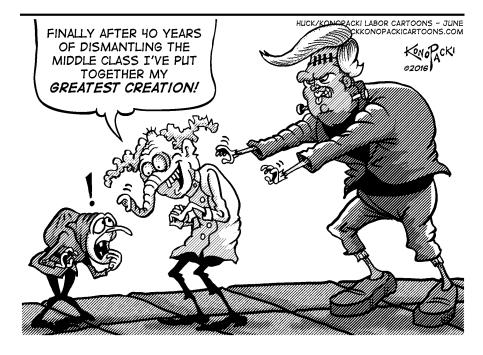
This new transparency will enable OSHA and workers to identify hazardous workplaces. In addition, employers will be able to compare their records with other employers in their industry and public health officials and researchers will be able to identify emerging trends. Most importantly, this data will help prevent future injuries, illnesses and deaths.

AFL-CIO Now Blog

## New law on permanent replacements

A divided NLRB made it easier for unions to challenge the use of permanent replacement workers during strikes, ruling that a California continuing care facility used permanent replacements to discriminate unlawfully against union workers.

American Baptist Homes of the West permanently replaced some striking SEIU workers in 2010, in part to head off future strikes. An NLRB judge initially ruled the replacements lawful, writing that employers enjoy broad latitude under federal law to hire permanent replacements, unless they're moti-



vated by an "independent unlawful purpose" unrelated to the strike.

But on May 31, the board reversed that decision, ruling the use of permanent replacements unlawful if evidence shows employers were trying to discriminate against union members. "We conclude that the phrase 'independent unlawful purpose' includes an employer's intent to discriminate or to encourage or discourage union membership," the board said. The decision will make it much more risky for employers to hire permanent strike replacements.

Republican Member Philip Miscimarra dissented, saying "I disagree with my colleagues' decision because they effectively invalidate an economic weapon that the Supreme Court declared lawful more than 75 years ago ... In my view, the majority gives inadequate consideration to the fact that Congress has made the decision to protect this weaponry, and the board may not - at its initiative - fundamentally change the manner in which Congress has chosen to balance the interests of employees, unions and employers."

Politico Morning Shift

## Boosting workers is a big boost for the economy

The "chicken little" crowd of corporate CEOs and their lobbyists keeps saying anything California does to boost working people is a "job killer." Unfortunately for them, the facts tell a very different story. Look no further than the latest unemployment figures, showing yet another drop to 5.3 percent, the lowest level since 2007.

California is the most proworker state in the country. We just raised the minimum wage to \$15 per hour. We're combatting wage theft. We support stronger unions. We tackle retirement security head on. We protect immigrant workers from exploitation. The Chamber of Commerce's nightmare is for everyone else the California Dream.

According to California Labor Federation Executive Secretary-Treasurer Art Pulaski, over the last six years, California put some of the strongest worker protections in history on the books. During that time, our state's unemployment rate fell by a whopping 7 percent. At every turn, big business touted laws that boost workers as 'job killers.' Yet the evidence shows that when you raise wages, combat wage theft, protect immigrant workers from exploitation and break down barriers that prevent workers from standing together in a union, the economy rises.

While news of the low unemployment rate is heartening, much more needs to be done. Too many workers are still living on the margins. CEOs and their lobbyists continue efforts to chip away at economic security for working people through the use of forced arbitration agreements, unreliable, on-call scheduling and other abuses that make earning a decent living more difficult.

California is a model for the rest of the country. Now isn't the time to shrink from our responsibility to strengthen the lives of working people. It's time to step on the gas by doing more of what we know works.

So there you have it—boosting workers is a boost for the economy too. Of course, that's what we've been saying all along.

> By Steve Smith California Labor Federation

#### **Trump is serial deadbeat**

Two separate investigations in USA Today and The Wall Street Journal conclude that GOP presumptive presidential nominee Donald Trump does not always pay his debts. According to separate reviews of 3,500 lawsuits, Trump's businesses have faced allegations of insufficient payment from carpenters, dishwashers, waiters, painters, plumbers, chandelier makers, and others.

Trump told USA Today that if the Trump Organization failed to pay in full that was only because it was dissatisfied with the work. USA Today also reported that the Labor Department, since 2005, had cited Trump's companies at least 25 times for violating the Fair Labor Standards Act.

Politico Morning Shift

## SHOP TALK: What's the union's most important responsibility to you.....



**CURTIS TORNELISON** Harrold Ford – Sacramento Local 2182 – 32 years

Union: Back us up and bargain for

#### US.

*Members*: Pay my dues. I need to give back as much effort as has been given to me. I wouldn't be here today if it weren't for the union.



DAVID LANZ Harrold Ford – Sacramento Local 2182 – 2 years

Union: I'm grateful for everything they do. I appreciate the security. It's hard for us to be immediately terminated. Negotiate for our pay. *Members*: Pay dues; we're responsible monetarily. Loyalty is important too, to our co-workers and to the union.



MARK OFENLOCH Harrold Ford – Sacramento Local 2182 – 2 years

*Union*: Represent us with the new owner.

*Members*: Pay my union dues. Show support to my co-workers.



CHUCK GLICK Harrold Ford – Sacramento Local 2182 – 31 years

*Union*: Keep us our jobs and keep it going smoothly. Keep everything calm.

*Members*: Support any decisions the union comes up with.





## **Automotive Industries Pension Plan Update**

The Automotive Industries Pension Plan continues to experience significant financial difficulties. The Plan's "Annual Funding Notice" and "Notice of Critical and Declining Status" that was sent to all participants in April this year described the Plan's current financial situation in great detail.

The Board of Trustees is sending an additional notice to all plan participants that will further explain the plan's financial difficulties. The notice will include a section on the history of the plan that has led to its current critical status and a section on the past measures taken by the Board of Trustees to help preserve the plan. It will also discuss the current financial situation faced by the plan and will talk about future measures that the plan is considering since the passage of the Multiemployer Pension Reform Act. This new law allows plans in Critical and Declining Status, such as our Automotive Industries Plan, to take measures, including reducing pension benefits, to avoid insolvency.

The Board's goal is to implement a program that will insure the financial future of the plan with the fewest benefit reductions possible. All Automotive Industries Pension participants—whether you are a retiree receiving benefits or a vested participant who is still working but will retire in the future need to read and understand this important notice.

The Trustees are seeking input from all plan participants and have included in the notice an email address, 800 phone number and a P.O. Box where participants can direct their questions and ideas.

## Another great lobster feed/fundraiser

More than 200 people filled the Alameda Elks Club on April 9 to eat a mess o' lobster, shell fish, and vegetables, all poured right onto the table. This year, District 190 business agents took responsibility for the cooking. In all, they raised \$15,700 for Guide Dogs of America.









## IAM Grand Lodge Convention

Your chance to make a difference!



#### By Jim Beno District 190 Directing Business Representative

Grand Lodge Convention time is getting closer. District Lodge 190's affiliated Local Lodges will be well-represented, with 48 delegates being sent to the upcoming convention.

Many locals have submitted proposals to amend the Constitution. These proposals will be debated and voted on at the convention. The proposals range from changes in election procedures to reduced per capita taxes for low wage earners.

This should prove to be a very engaging convention. We will report the results of the convention in the next edition of the *Spark-plug*.

## September 4-9, 2016 Chicago, Illinois

## SHOP TALK: And what's your biggest responsibility to the union?



JEREMIAH GRIEP Harrold Ford – Sacramento Local 2182 – 14 years

*Union*: Keep the employer in line. *Members*: Be here and do my job.



NATHAN HIXON Harrold Ford – Sacramento Local 2182 – 1 year

Union: Speak up for us. Members: Come to work every day and do a good job.



RYAN WINTERS Harrold Ford – Sacramento Local 2182 – 7 years

*Union*: Make sure we're represented fairly and treated fairly. *Members*: Participate.



ERIC BALDING Harrold Ford – Sacramento Local 2182 – 9 years

*Union*: See that the needs and expectations of the members are fulfilled.

*Members*: Be active, participate and contribute to the membership.



**ATPA** is the administrator for the Automotive Industries Health & Welfare and Pension Trust Funds. **Contact us at 510-836-2484.** 

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

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

## Save the Date Note: New Month and Venue

32nd Annual Michael & Joyce Day Memorial

Guide Dogs of America Charity Golf Tournament

Thursday, October 27, 2016

Poppy Ridge Golf Course Livermore More Details to Come!

UNION MEETINGS				
<b>District</b> <b>Lodge 190</b> 8201 Capwell Drive Oakland, CA 94621 510-632-3661	Meetings are the fourth Tuesday of each month June 28 • July 26 • August 23 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 June 16 • July 21 • August 18</li> <li>General Membership Meeting: 6:00 p.m. on the first Tuesday of the month June 7 • July 5 • August 2</li> <li>Retirees' Club: 1:00 p.m. on the third Wednesday of the month: March 16 • April 20 • May 18</li> </ul>	
<b>Local 93</b> 2102 Almaden Rd., #105 San Jose, CA 95125 408-723-4900	Meetings are the second Tuesday of each month June 14 • July 12 • August 9 Grievance Committee: 3:30 p.m. Executive Board Meeting: 4:30 p.m. Membership Meeting: 5:00 p.m.	<b>Local 1528</b> 713 16th Street Modesto, CA 95354 209-529-9210	Meetings are the first Wednesday of the month June 1 • July 6 • August 3 Executive Board Meeting: 6:00 p.m. General Membership Meeting: 7:00 p.m. Shop Steward Meeting: 10 a.m. on the third Saturday of each month	
<b>Local 653</b> 544 West Olive Fresno, CA 93728 559-264-2815	Meetings are the third Wednesday of the month except November June 15 • July 20 • August 17 Executive Board Meeting: 5:00 p.m. Membership Meeting: 5:30 p.m.	<b>Local 1546</b> 10260 MacArthur Blvd., Oakland, CA 94605 510-638-6705	June 18 • July 16 • August 20 Narcotics Anonymous: 5:30-6:30 p.m. every Tuesday Meetings are the first Tuesday of the month June 7 • July 5 • August 2 General Membership Meeting: 7:00 p.m. Member Education Meeting: 5:30 p.m. Executive Board Meeting: 6:30 p.m. on the Thursday	
<b>Local 801</b> 8201 Capwell Drive Oakland, CA 94621 800-655-2182	Meetings are the third Thursday of the month June 16 • July 21 • August 18 Membership Meeting: 4:00 p.m. Meetings are held at the Carpenters' Hall, in Reno.		preceding membership meeting June 2 • June 30 • July 28 <b>Retiree Club Pot Luck Luncheon:</b> 12 noon on the first Wednesday of each month June 1 • July 6 • August 3 <b>Alcoholics Anonymous:</b> 9 a.m. every Saturday	
Local IIOI 2102 Almaden Rd., #105 San Jose, CA 95125 408-723-4900 Note: Office hours are now The office remains open da	Meetings are the second Thursday of the month June 9 • July 14 • August 11 Executive Board Meeting: 5:30 p.m. General Membership Meeting: 6:30 p.m. v 8 a.m.—4:30 p.m. Monday through Friday. uring lunch.	<b>Local 1584</b> 436 McCormick Street San Leandro, CA 94577 510-635-2064	<ul> <li>Meetings are the third Thursday of the month June 16 • July 21 • August 18</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: June 7 • July 5 • August 2</li> </ul>	

Meetings are the third Tuesday of the month Executive Board Meeting: 6:00 p.m. on the second Local 1596 .ocal II73 June 21 • July 19 • August 16 *Thursday of the month* 4210 Petaluma Blvd. No. 1900 Bates Ave., # H **Executive Board Meeting**: 6:00 p.m. June 9 • July 14 • August 11 Petaluma, CA 94952 Concord, CA 94520 Membership Meeting: 6:30 p.m. Membership/Shop Stewards' Meeting: 6:30 p.m. on 707-795-0086 925-687-6421 the second Thursday of the month Meetings are held the third Sunday of each month June 9 • July 14 • August 11 Local 2005 at the Veterans Memorial Hall: 1605 7th Street, 544 West Olive Livingston, CA 95334. Local 1414 Fresno, CA 93728 Shop Stewards' Meeting: 5:30 p.m. on the third Thurs-June 19 • July 17 • August 21 Business Office: 559-264-2815 *day of the month* Executive Board Meetings: Noon 150 South Boulevard In plant office: 209-394-6941 June 16 • July 21 • August 18 General Membership Meetings: 1:00 p.m. (all San Mateo, CA 94402 Executive Board Meeting: 6:00 p.m. on the second languages) 650-341-2689 Thursday of the month June 9 • July 14 • August 11 Meetings are the second Tuesday of the month General Membership Meeting: 6:30 p.m. on the third Local 2182 June 14 • July 12 • August 9 *Thursday of the month* 967 Venture Court Executive Board Meeting: 6:00 p.m. June 16 • July 21 • August 18 Sacramento, CA 95825 General Membership Meeting: 7:00 p.m. Retirees' Club: 11:00 a.m. on the first Wednesday of 800-458-9200 Retirees' VISTA CLUB: 11:00 a.m. on the third March, June, Sept., Dec. All are welcome! Wednesday of each month: June 1 • September 7 • December 7 June 15 • July 20 • August 17