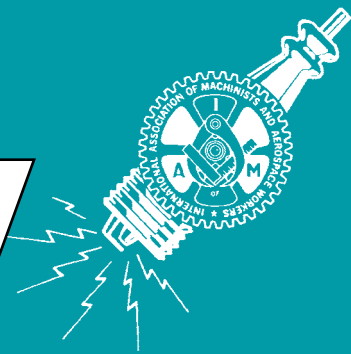


The IAM District 190

# Sparkplug



VOL. 19 NO. 1



March-May 2017

Serving the Active and Retired Members of IAM District Lodge 190

## Trump so far: The good, the bad and the ugly

In the 2016 election, union households voted for Hillary Clinton vs. Donald Trump at a rate of 51-43%, respectively. If you were one of the Trump voters, you defied the strong recommendation of your union leadership, but were clearly not alone. While Clinton still got the majority of union votes, the only times union households voted as strongly for a Republican candidate were back in 1980 and 1984, when the candidate was Ronald Reagan.

Why did union households vote in such large numbers for Trump? Clearly, he spoke forcefully for ending bad trade deals that unions have fought for years, and he talked about returning manufacturing jobs to the U.S., among other issues appealing to union members. And many people saw Hillary Clinton as a flawed candidate.

But, after just one month in office, President Trump has already shown union leadership to be correct in their fears.

Here's a rundown of the good, bad and ugly, and how you can get involved.

### The Good

President Trump has kept his promises on trade by killing the Trans-Pacific Partnership trade deal, which was unlikely to pass Congress anyway, and by moving forward on the goal of renegotiating NAFTA.

He's promised to increase funding for defense, which will benefit the large chunk of IAM membership who work in that industry.

He has talked broadly about funding infrastructure improvements, but to date, has made no concrete proposals. In the past, public works jobs paid the prevailing wage and offered good benefits and apprenticeship opportunities. If the billions Trump has talked about follow this trend, then working people will benefit as the nation's roads and bridges get a needed facelift. However,



Juliet Thomas at D.C. Women's March (Parallax)

some fear that his vision is more to privatize public works, which will serve to benefit Trumps cronies rather than workers. We'll be watching.

### The Bad

The advances that workers had made under the Obama presidency came chiefly as a result of executive orders and departmental regulations, which Trump is starting to reverse with the stroke of a pen. These include extending overtime pay to millions of low-wage salaried employees and compelling federal contractors to offer paid sick leave. The National Labor Relations Board's ruling that employers cannot indefinitely delay union representation elections once their employees have petitioned for a vote will probably be undone.

So far, Trump's cabinet appointments have been a disaster. His first choice for secretary of the Department of Labor was fast-food executive Andrew Puzder, a union critic who had floated the idea of automating his restaurants to avoid worker costs. The day after Puzder took himself out of consideration, Trump named Alexander Acosta as his next pick. Former U.S. Attorney and dean of the law school at Florida International University, Acosta previously served on the National Labor Relations Board. While more qualified for the position, nobody expects him to be a friend of labor. The Deputy Labor Secretary, Geoffrey Burr, was the lobbyist for the Associated Builders and Contractors (ABC), a virulently anti-union association of construction employers.

Not since the Eisenhower administration have so many business executives landed top government jobs, making Trump's Cabinet the wealthiest in American history. Former Goldman Sachs banker Steve Bannon is his senior White House strategist, Goldman veteran Steve Mnuchin is Treasury secretary, billionaire investor Wilbur Ross is Commerce secretary and billionaire activist Betsy DeVos is Education secretary. Another billionaire, Chicago Cubs co-owner Todd Ricketts, has been named deputy Commerce Secretary.

While the president has wide powers, the Republican majority in the House and Senate will finally have the opportunity to pass strong-anti-union legislation that won't get vetoed. A national "right-to-work" bill has already been introduced.

### The Ugly

The early weeks of the Trump administration have sent alarming signals that its law enforcement priorities will target and punish working people who come from other countries as immigrants or refugees, rather than employers who steal their wages, harass them on the job and expose them to dangerous working conditions. Such strategies make people afraid to take action to demand better working conditions or speak up when they encounter abuse. Moreover, they drive down the pay and protections for all working people—immigrant and non-immigrant alike.

### The Fight-back

The day after Trump was inaugurated, millions of people took to the streets for the Women's March. Oakland and Los Angeles saw the largest demonstrations in the history of those cities; rallies were held across California and in all 50 states, as well as in 56 countries on all seven continents.

When the president's ban on people from seven middle eastern countries was announced, hundreds of people flooded airports to fight for safe immigration policies.

As the President and Congress work to repeal the Affordable Care Act, upwards of 20 million people face the loss of their health insurance. In response, congressional town hall meetings have been packed. People are not shy in letting their representatives know how they feel about having their health insurance yanked.

To fight the roll back of important regulations that protect workers and the environment, SB49 was just introduced in the California state senate. This bill would effectively take a snapshot of current regulations on worker safety, and clean air and water—and require that, in California, no regulation may be weaker than the current federal standard, even if that standard gets weakened.

Across the state, people are mobilizing to work on the 2018 elections specifically with the goal of electing candidates who support and will fight for working people and their unions. For more information about these efforts, go to:

[www.indivisibleguide.com](http://www.indivisibleguide.com); [www.womensmarch.com](http://www.womensmarch.com); and [www.workingamerica.org](http://www.workingamerica.org).







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

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

**Local Lodge websites:**

Local 1101: [www.iamlocal1101.org](http://www.iamlocal1101.org)  
Local 1546: [www.IAM1546.com](http://www.IAM1546.com)  
Local 1584: [www.iamlocal1584.com](http://www.iamlocal1584.com)

**Facebook pages:**

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

**LETTER TO THE EDITOR**

Retired and active members: Please write in if something in *The Sparkplug* makes you happy or mad or inspires you to action. Letters may be submitted as follows:  
**e-mail:** [dchaplan@mindspring.com](mailto:dchaplan@mindspring.com)  
**fax:** 510-288-1346

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

Send the mailing label on this newspaper to your local union office. Please note: Even 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!  
(Addresses are all on page 8.)

The IAM District 190  
**Sparkplug**

*The Sparkplug* (USPS 007966) is published four times per year by District Lodge 190, International Association of Machinists, Oakland, CA, a non-profit organization. Periodicals postage paid at Oakland. Subscriptions are \$3 per year.

*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.

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



Debra Chaplan, Managing Editor



**Lobster Feed**

A District Lodge 190 Benefit for Guide Dogs of America  
**Saturday, March 18, 2017**

5:30 p.m. Cocktails  
6:30 p.m. Lobster Feed  
No Host Bar

**Elks Lodge #1015**

2255 Santa Clara Ave., Alameda, CA 94501

Call District Lodge 190 for tickets: 510-632-3661  
or send your check for \$100 per ticket (made to Guide Dogs of America) to:  
District Lodge 190, 8201 Capwell Drive, Oakland, CA 94621  
Tickets will be left at the door (or tell us who's picking tix up for you)

**UNION PEOPLE**

**Area Director Tom Brandon set to retire**

After 27 years of working for the International Association of Machinists, Tom Brandon will be retiring as a business representative and area director in June. "The union has been good to me and it's always great to help the members, but it's also a stressful job," Brandon says. "I look forward to having fun with my family while I can."

In October, 1977, Brandon started his career in the sheet metal department of the Stero Company in Petaluma. The company manufactures commercial dishwashers. "An old business rep named Bud Popp asked me to go to a membership meeting. Then he suggested that I run for Vice President. He told me I wouldn't have to do anything in that position, so I ran. Two months later, the President and Financial Secretary both quit and I became president." In addition to serving his fellow Stero workers as assistant shop steward and then shop steward, he now had to represent the local at North Bay Labor Council and IAM District Council meetings. "And the rest is history!" he said with a laugh.

In 1989, Brandon became president of District 115 and he came onto the IAM staff as a business rep in 1990. "I had one month of training with Don Whitaker before he moved on to be an International Rep, but in that short time, he taught me everything I know." Brandon also credits Bud Popp, Herman Howell who was DBR of District 115, and Joyce and Mike Day of District 190, for teaching him the ropes.

"When District 115 merged into District 190, I kept the North Bay area as a rep, covering all the shops from Sausalito up to Eureka along the 101 Corridor," Brandon says. The shops included manufacturing, auto, and public sector.

"The union's been good to me," Brandon adds. "I enjoyed working with and for the members. The part that's frustrating is the employers. I have some good ones, but there are so many that don't like spending money on their people or would rather waste it on attorneys—whatever they can get away with." In all his years though, Brandon only had to deal with one strike.

Even though he's leaving the day-to-day work of representing members, Brandon will still be involved in the union, as he'll continue to lead the California Conference of Machinists. "I've always wanted to have time to get to know the politicians and have them understand our issues," Brandon adds.

Brandon and his wife will move to Willows to be closer to their grandkids; the newest grandson was born on February 19. "I look forward to the slower pace and the lack of traffic."

The Business Reps from Local 1173 will be taking on the Local 1596 shops and Art Gonzalez from Local 1414 will handle that local's North Bay shops. "The members will be in good hands."



Tom Brandon did some serious cooking at the 2016 Lobster Feed.

**Congratulations to new journeymen**



**Local 653**

Adam Cervantes (R) has successfully completed his apprenticeship and is now a journeyman maintenance mechanic at Sun-Maid growers of California. Here, he gets his certificate from Local 653 Business Rep Jeremy Celaya.



**Local 1173**

Brandon Smith (R) received his Certificate of Apprenticeship Completion in the Auto Body & Fender program and his journeyman card in February from Local 1173 Business Rep Brian Fealy. Brandon has worked at Parker Robb Body Shop in Walnut Creek as an IAM member since 2008.

In related news, Toyota Walnut Creek just graduated six apprentices and added five new apprentices. Congratulations and welcome!



# BENEFITS NEWS

## New group option for retiree medical coverage

If you were previously a Kaiser Senior Advantage Member (KPSA) or have never been a member, there is a new option. Automotive Industries retirees will have a special open enrollment period to allow their retirees to regain access to the only Five Star Medicare plan in California!

Kaiser has agreed to lower their premium on the \$20 office visit plan. The monthly premium reduction is in affect starting January 2017.

Many of you are currently enrolled in an individual or direct Medicare Advantage plan. This opportunity will directly impact the monthly premium and may provide you significant savings, depending on your usage. Unfortunately, we can never predict when medical emergencies, hospitalizations or monthly recurring medical costs will occur which could call for higher out-of-pocket expenses. Proper planning now can eliminate devastating financial impact in the future.

Please see the below examples to learn about how having group coverage just may benefit you in the long run.

If you have questions or would like to enroll, please call the Trust Fund at 1-800-635-3105.

### SCENARIO 1

Sam is admitted to the hospital. He is discharged 5 days later for a total of 6 days. Upon discharge, Sam's doctor prescribes three medications—two are generic and one is a brand drug. Sam's doctor also wants him to have lab work on a monthly basis for at least six months.

#### Group Low \$20 Doctor Office Visit Option

1) Sam's inpatient co-payment is \$500 per admission.

2) Generic cost @ \$10 x 2 (prescriptions)=\$20 and Brand cost @ \$35 x 1 (prescription)=\$35. Total co-payment charge for all three prescriptions is \$55, each at a **100-day** supply.

3) Monthly lab work will cost Sam \$10/month x 6 months = \$60.

Monthly Premium (\$332/month)	\$332.00
Admit	\$500.00
RX (\$55 upfront/\$18.30 average/mo)	\$18.30
Lab (\$10/month)	\$10.00
<b>TOTAL (one month)</b>	<b>\$860.30</b>

#### Individual Senior Advantage option (Alameda County)

1) Sam's inpatient co-payment is \$275 per day for days 1-7. His total co-payment for 6 days is \$1,650.00

2) Preferred Generic cost @ \$5 x 2 (prescriptions) = \$10 total. Preferred Brand cost @ \$45 x 1 (prescription) = \$45 total. Total co-payment charge for all three prescriptions is \$55, each at a **30-day** supply.

3) Monthly lab work will cost Sam \$35 x 6 months = \$210.

Monthly Premium (\$79/month)	\$79.00
Admit	\$1,650.00
RX (\$55/month)	\$55.00
Lab (\$35/month)	\$35.00
<b>TOTAL (one month)</b>	<b>\$1,819.00</b>

### SCENARIO 2

Joe has never been hospitalized, however, he takes four medications every month. Two are generic drugs and two are brand. Joe also has lab work on a monthly basis.

#### Group Low \$20 Doctor Office Visit Option

1) Joe's prescription co-payments are: Generic = \$10 x 2 (prescriptions) = \$20 and Brand cost is \$35 x 2 (prescriptions) = \$70. Total co-payment charge for all four medications are \$90, each at a **100-day** supply.

2) Lab work will cost Joe \$10 each month.	
Monthly Premium	\$332.00
RX (\$90 upfront/\$30 average/mo)	\$30.00
Lab	\$10.00
<b>TOTAL (one month)</b>	<b>\$372.00</b>

#### Individual Senior Advantage option (Alameda County)

1) Joe's prescription co-payments are: Generic = \$5 x 2 (prescriptions) = \$10 and Brand cost is \$45 x 2 (prescriptions) = \$90. Total co-payment charge for all four is \$100 at a **30-day** supply.

2) Joe's lab work will cost \$35/month.	
Monthly Premium	\$79.00
RX (30 day supply)	\$90.00
Lab	\$35.00
<b>TOTAL (one month)</b>	<b>\$204.00</b>

### SCENARIO 3

Don is fairly healthy but has 3 medications he takes regularly. All three are generic drugs.

#### Group Low \$20 Doctor Office Visit Option

Don's prescription co-payments: Generic = \$10 x 3 (prescriptions) = \$30. Total co-payment charge for all three prescriptions is \$30.

Monthly Premium	\$332.00
RX	\$30.00
<b>TOTAL (one month)</b>	<b>\$362.00</b>

#### Individual Senior Advantage option (Alameda County)

Don's prescription co-payments: Generic = \$5 x 3 (prescriptions) = \$15. Total co-payment charge for all three prescriptions is \$15.

Monthly Premium	\$79.00
RX	\$15.00
<b>TOTAL (one month)</b>	<b>\$94.00</b>

If you have questions or would like to enroll, please call the Trust Fund at 1-800-635-3105

## Automotive Industries Trust Funds Update

District 190 is in the third month of transitioning its Trust Fund administrator from Associated Third Party Administrators (ATPA) to Health Benefits & Benefit Administrators (HS&BA).

The new offices have been relocated and are up and running with a full staff compliment. There have been some issues with the new phone system. If you are having problems with the 800-635-3105 phone number please contact your Local Lodge office and someone

will assist you in establishing contact with the Trust office.

Retirees still receiving their monthly benefit in the form of a check are being encouraged to change over to automatic deposit into their bank account. This change will not only cut down on the expenses of issuing monthly paper checks, but will get the monthly retirement benefits into the retirees' accounts much faster. Retirees should fill out the change form that they will receive with their next benefit check.

## Automotive Industries Pension Update

By JIM BENO, Directing Business Representative

On September 27, 2016 the Automotive Industries Pension Plan submitted to the United States Department of Treasury its proposal to modify accrued pension benefits so that the Plan would avoid becoming insolvent and continue to pay benefits indefinitely. The submittal is currently under review by the Department of the Treasury and the Pension Benefit Guarantee Corporation (PBGC). By law, the government has until May 10, 2017 to either approve or reject the proposal. If the government approves the Plan's proposal, they will conduct a vote among all plan participants on whether they wish to accept or reject the proposed plan.

Around October 1, 2016 every participant in the A.I. Pension Fund received a statement showing how the proposed plan would affect their pension benefit if the plan is approved. Some participants would suffer no cuts, Others would be subject to benefit cuts ranging from 5% up to a much as 61%. More than half of all participants and beneficiaries would be subject to less than a 10% cut in their benefits.

To help explain the proposal to retirees and inactive vested participants the A.I. Plan's Retiree Representative and Board of Trustees conducted informational meetings in late November and early December 2016. The meetings were held in Long Beach, Sacramento, Burlingame and Oakland. The retiree representative who has advocated on behalf of retirees with the Board of Trustees explained the history of the A.I. Plans financial difficulties and the measures taken by the Board of Trustees in the last decade to try to improve the Plan's financial condition. The new Multi-employer Pension Reform Act (MPRA), which became law in late December 2014, gives the trustees the ability to reduce accrued pension benefits in order to avoid the Plan's insolvency currently projected to occur in 2030.

The proposal to reduce accrued benefits was the hardest decision the Board of Trustees has had to make since the trust fund was founded 62 years ago in 1955. This was a last resort and without these changes the Plan is projected to become insolvent sometime around 2030. Insolvent means that sometime in the year 2030, the Plan will not have enough money to pay the retirees' monthly pension benefits. The fund would then revert to the PBGC, which would automatically reduce all pension benefits to levels far below those in the proposals under consideration. However, the PBGC itself is projected to become insolvent in 2025 so its ability to guarantee pension benefits is uncertain.

Three informational meetings have been scheduled for all active participants (those still working for a participating employer) of the pension plan: February 25 in Long Beach; March 11 in Sacramento; and March 25 in Pleasanton.

Many retirees have expressed the hardship they will endure if the cuts are implemented, especially those who were in the higher cut category. Several retirees have suggested not implementing any benefit cuts and letting the plan become insolvent in 2030 as projected, which would allow them time to save money between now and then. Others criticized the inequities that were built into the law that protected certain categories of pensioners from cuts where others had to take larger cuts. As the Retiree Representative to the Plan pointed out, "if pension plans like ours were permitted to 'self-medicate' through smaller, short term reductions earlier, we could have prevented the immediate need to impose such drastic reductions. Instead the fund is forced to submit a plan that radically reduces the pensions of individuals who are no longer able to work and are unable to replace their income by any other means."

We will continue to keep members updated about the status of the plan and look forward to getting your input as the process goes forward.





## Local 93-San Jose

### Best contract ever

The 60 members who work at Fort Hunter Liggett under contractor XO-Tech just ratified the best contract in the history of the facility. "Thanks to a great committee, and a motivated sub-contractor, not only will our members get substantial raises, but the contract was written with strong successor language, so that whichever company holds the contract with the Fort, they'll have to maintain the same benefits in this contract," explained Business Rep Richard Breckenridge.

In the four-year contract, wages will increase 1% in year one, 4% in year two and 2.5% the following years. The health and welfare contributions will also increase substantially. The company also instituted a 401K plan with a 4% match. Plus, the company will now provide rain gear and all tools.

"This company did the right thing," says Breckenridge. "They currently do the work as a subcontractor to VSE who holds the contract. They plan to bid on being the primary contractor, and we hope they get it." Breckenridge adds that XOTech expects to nearly double the workforce in the next few years.

### Big back pay settlement

Five members who work at Sam Linder Honda in Salinas shared more than \$60,000 in back wages for overtime work that had not been correctly calculated. "It took two years to get this done, but we wanted it done right," says Breckenridge. Members could choose to either take a lump sum payment or get their back wages over time.

### More raises at Durham

The six techs at Durham School Services in Hayward ratified a new contract that includes first year increases averaging \$3.75, and \$1 increases each successive year.

"Important to the members, we also got vacation blackout date restrictions removed from the contract," says Breckenridge. "Before, only a maximum of two weeks vacation could be taken at once; now they can take up to three weeks consecutively."

## Local 653 - Fresno

### School contract up

Negotiations are under way with the Fresno Unified School District. Committee members Richard Bischel, Jeff Riesen and Victor Araujo are working to ensure that the District

give them a fair contract. More details to come.

### Sun-Maid gets new deal

Members at Sun-Maid recently ratified a new 3-year contract. The members will see a wage increase of \$0.85/hour, with an additional \$.10/hour contribution to their pension plan each contract year. Plus, the contract includes several language improvements.

Business Rep Jeremy Celaya thanks committee members Jeff Clarkson, Jim Wootten and Tim Dies for their hard work to push the company for a fair contract.

### Looking for awardees

The Local's Good and Welfare Committee is planning an awards ceremony in April or May of 2017 and wants to honor members for their years of service. If your IAM membership is hitting a big anniversary (20, 25, 30, 50 or more years) and you think you may be due for an award, please contact the local.

## Local 1101

### Raises at Piercey Toyota

The 40 techs and service writers at Piercey Toyota in Milpitas ratified a new three-year agreement. In the first year, the techs will get wage increases ranging from \$.50 to \$4.17/hour, based on training certifications, and then they'll see a \$.50/hour increase each additional year of the agreement.

Service writers will get an increase of \$.94/hour in year one, and \$.50/hour each additional year of the agreement.

## Local 1173 - Concord

### Big raises at First Student

The three bus mechanics who work at First Student of Concord ratified their new contract. They'll get wage increases of \$1.41 the first year, where in past years they only got \$.25 raises. Area Director Steve Older notes

that the drivers here, all Teamsters, have been in negotiations for a year and are finally going to mediation.

### Good deal at Lehmers

The 21 members at Lehmers Buick GMC in Concord ratified their new five-year agreement. Business rep Brian Fealy says they'll be getting \$1/hour wage increases each of the first three years, and \$.60/hour in the last two years, plus a slight increase in the 401K contribution.

"With the minimum wage going up, and the rule being that employers must pay twice the minimum wage to employees who supply their own tools, it's in the employers' interest to supply tools. But what happens if the tools are inadequate?" asked Fealy. "That's why we fought for and won a specific tool list for the lube tech/installers."

### One guy, one year deal

Over at Drill Tech Drilling and Shoring in Antioch, the one member got a new one-year contract.

### Support union auto parts store

Area Director Steve Older wanted to remind all members that SP Automotive is a union shop, staffed by members of Locals 1173 and 1546. Locations are in Benicia, Martinez, San Pablo, San Leandro, and Brentwood.

## Local 1484-Wilmington

### In memoriam

Local 1484 has lost a much-loved and respected member with the recent death of Henry "Hank" Stolk. He was 61 years old.

"Hank was a gentle giant," says Business Rep Kevin Kucera. He served as shop steward at ConGlobal Industries (CGI), and was a long-time member of the local's executive board.

"Hank participated in numerous negotiations, was an avid advocate of our local, and always giving his time to serve the members and the local," Kucera adds. "We're grateful to Hank."

## Local 653 Shop Stewards hone their skills



On February 11, Local 653 shop stewards gave up a Saturday to learn about handling grievances. Grand Lodge Reps Melissa Campbell and Jason Hardwick taught the class. From left: Lee Roy Durrant, Fresno Chrysler Dodge Jeep RAM; Eric Pelayo, URS Fresno AVCAD; Dan Zack, URS Fresno AVCAD; Business Rep Jeremy Celaya; Joe Artiaga, Jr., Fresno Truck Center; Amador Montemayor, UPS Freight; David Alvarez, Hedrick's Chevrolet; Victor Araujo, Fresno Unified School District; Richard Bischel, Fresno Unified School District.

## SHOP TALK: What should the union's priorities be in the new Trump administration?



**Rocky Abina**  
Northrop Grumman  
Local 93 - 18 years

"The members should be the priority—particularly keeping our health and welfare strong and affordable."



**Trisha Vervisch**  
Northrop Grumman  
Local 93 - 3 years

"Reaching out to younger people and letting them know there are other good paying jobs out there, beyond going to college. Also, more involvement with the apprenticeship program."



**Richard Ybarra**  
Northrop Grumman  
Local 93 - 4+ years

"To unify the members properly. We had a lot of division and that hurts us. We need to strengthen the foundation of our union."



**Bruce McLeod**  
Northrop Grumman  
Local 93 - 1+ years

"The union's main priority is to make sure the Trump administration doesn't erode workers' rights, as it looks like they will. We have to work hard to protect the rights of every worker—union or not."



**Randy**  
Commercial  
Local 93 -

"The first priority right to assemble, further protect un Also, we need to es, decent health working environm



# THE LOCALS



## Organizing

### Mossy Nissan

Back in 2015, the techs at Mossy Nissan in Oceanside voted to join IAM Local 1484 and yet they still don't have a first contract. "We've been trying to bargain, but the company would rather pay their attorneys big bucks to delay than to settle," says Area Director for Organizing Jesse Juarez.

"After picketing over wage theft and filing multiple charges with the Labor Board, the company locked us out."



Juarez explains that the techs have not been properly compensated for their stand-by time, rest breaks and other flat-rate violations.

Local 1484

Business Rep Kevin Kucera adds that the employer will not include a "just cause" to terminate provision in the contract, "and that's the standard in 100% of our contracts."

"The guys at Mossy are standing strong," Juarez adds, "and we're really pleased that the techs from Mercedes Benz, who recently got their own first contract, have been out here on the picket line supporting them. We look forward to getting the back wages and union contract these guys deserve."



### Student Transportation

The Labor Board certified the election held last October by four mechanics at Student Transportation, a First Student school bus affiliate in North Hollywood, to be represented by Local 1484. The group has developed proposals and Business Rep Kevin Kucera looks forward to starting negotiations soon.

### Still bargaining in Pleasanton

Talks are moving at a snail's pace at Mercedes Benz of Pleasanton. "We're awaiting trial on multiple unfair labor practice charges," says Juarez. "They can't seem to be able to afford decent benefits but can afford high-priced lawyers. It's just rude!"

## Local 1528 - Modesto

### Challenges at Silgan

Area Director Mark Martin and the bargaining committee are prepared for challenging talks at Silgan Riverbank, especially regarding health and welfare. "We have a new plant manager and labor relations negotiator. And we've had a number of grievance issues as well." Stay tuned for more developments here.

## Local 1546 - Oakland

### A new home?

For more than two years, since selling its old building, Berkeley Honda has been searching for a new permanent home in Berkeley. The dealership identified a space, two blocks from their previous home, that had once been a bowling alley and a supermarket.

Seems like it should have been a slam-dunk, but a neighborhood group is doing all they can to stop the sale. Local 1546 turned out in force for the five-hour hearing on February 7 to remind the neighbors that this is a commercial strip, that the dealership would provide good jobs at good union

wages, and that it's one of Berkeley's largest sales tax income producers.

"What's crazy is that this has been a retail building for almost 50 years," says Area Director Don Crosatto. "If they keep the dealership out, they'll probably get a Bev Mo. That means lower-wage jobs, and much more traffic."

The Zoning Board had voted to let the dealership use the space. It would have taken five votes for the City Council to overturn that decision, but by the end of the long evening, the council was split 4-4. The neighbors sought reconsideration, but ultimately the council reaffirmed its earlier vote.

### Another big check

In November, 2016, members who had worked for PMMC at the Port of Oakland came to Local 1546 to collect their share of the \$10.5 million settlement for being forced to join the ILWU back in 2005. The members got checks ranging from \$2,500-45,000.

In January, they arrived for a second check, this one from Ports America Outer Harbor. Approximately \$2 million was distributed and each member received about \$45,000.

Area Director Don Crosatto says that related trials against the ILWU

and Everports are ongoing. Watch this space for news of future settlements.

## Local 1584-San Leandro

### Grievances abound

Area Director Steve Older reports that he's been working on a grievance over a vacation accrual issue at Veriflo in Richmond and has several grievances at Henkel in Pittsburg. "We've been doing investigations over working conditions and interviewing members about safety concerns," he says.

## Local 1596-Petaluma

### Ryder takes over at dairy

For years, the Clover Stornetta Farms in Petaluma had its own maintenance shop that was unionized, but a year ago the company, which produces milk and milk products, decided to subcontract. First Vehicle Services initially held the contract, but Ryder Truck just took over the work. "We're down to two members there," says Area Director Tom Brandon.

"We got them a three-year agreement, but none of us are happy with it." They'll be getting Ryder's health and

welfare and 401K plans. "Hopefully, their next contract will be better."

### New deal at Henry Curtis

The techs who work at Henry Curtis Ford in Petaluma voted unanimously on February to accept a new two-year contract.

## Local 2182-Sacramento

### Getting a job back

Over at Waste Management in Lodi, the union was able to get an employee back to work whom the company had discharged. "There was a lot of drama, but we got him back to work and didn't have to go to arbitration," says Area Director Mark Martin.

### Hope for the city

The contract between the City of Sacramento and both the building trades and automotive groups is due to expire at the end of June. "The previous city manager was unwilling to be reasonable," says Martin. "We anticipate that, with the new regime, we'll be successful in meeting the needs of our members and their families." Negotiations should be starting in March.

## stration?



**Fulton**  
al Truck Co.  
12 years

is to ensure our negotiate and ion activities. secure fair wag- care and a safe ment."



**Brandon Deguia**  
Northrop Grumman  
Local 93 - 6+ years

"Focus on strengthening the union and its ability to back up its members. Too many members from frown on the union; we need more powerful representation."



**Miguel Estrada**  
Northrop Grumman  
Local 93 - 5 years

"Keep track of what he's doing about jobs and make sure he'll bring back jobs from out of the country. If there's more jobs and work, there's more opportunity for the unions to organize."



**Bill Senter**  
Northrop Grumman  
Local 93 - 32 years

"Work on getting the immigration situation corrected. I have family from Mexico and many of us come from different places. Immigration discrimination is not a good thing. Also, we have to fight right-to-work."



**Ed Elkins**  
Coast Counties Peterbilt, Salinas  
Local 93 - 38 years

"Maintaining the union jobs we have, and increasing. If you have enough members, you have more strength."





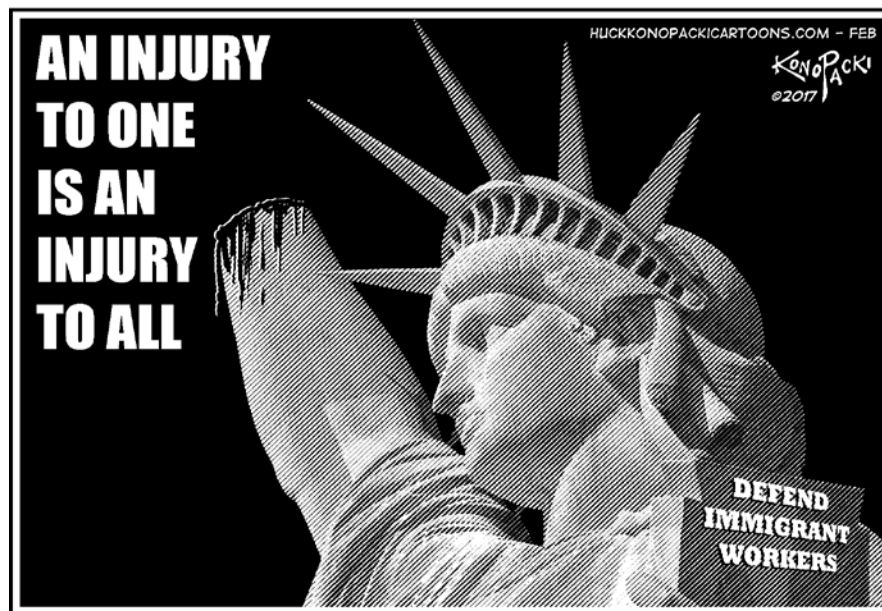
## IN THE NEWS

### Trump's nominee to head Labor Dept. withdraws

Andrew Puzder, the CEO of CKE Restaurants, which runs the Hardees and Carl's Jr. fast food chains, withdrew his nomination to the position of Secretary of Labor in February after his senate hearing was delayed five times for lacking clearance from the government ethics office. Workers and unions claimed that Puzder's company's long record of wage theft and his own antipathy for workers' rights and the minimum wage made him an untenable candidate to head the agency devoted to worker rights. What likely brought him down was the wavering support from Republicans over his views on immigration reform and the revelation that he once hired an undocumented immigrant in his home.

AFL-CIO President Richard Trumka responded to the news with the following statement: "The withdrawal of Andrew Puzder's nomination is great news for everyone who wants an America where wages rise, benefits are strong and unions are growing. It's a reminder of the collective power of working people and a clear message to President Trump that it's time to change course completely, not double down.

"Working people rejected Puzder because he routinely violated labor law, disrespected workers, opposed a living wage and used his position of authority to enrich himself at the expense of working people. We rallied in towns and cities across the country, flooded Senate offices with calls and e-mails, and highlighted Puzder's terrible track record. The American people want a Labor Secretary who will hold employers accountable to paying a fair wage and providing a safe workplace while ensuring our right to a voice on the job."



A day after the dramatic defeat for one of his Cabinet nominees, President Trump named former U.S. attorney Alexander Acosta as his next pick for labor secretary.

Acosta, the dean of the law school at Florida International University, served as an assistant attorney general for the Civil Rights Division under President George W. Bush and is a former U.S. attorney for the Southern District of Florida. He also previously served on the National Labor Relations Board.

Acosta is Trump's first Hispanic nominee to his Cabinet.

Senate hearings on Acosta's nomination are expected to be held in March.

### A "rest break" means exactly that

Plaintiffs in the case *Augustus v. ABM* worked as security guards for ABM Security Services, Inc. (ABM). ABM required these workers to keep their pagers and radio phones on—even during rest periods—and to remain vigilant and responsive to calls when the need arose. ABM's expectation of "when the need arose" encompassed a wide variety of circumstances, including when a

building tenant wished to be escorted to the parking lot, that a building manager had to be notified of a mechanical problem, or if some kind of "emergency situation" occurred.

Plaintiffs sued, alleging the company failed to provide the rest periods state law entitles employees to receive. At first, the trial court granted summary judgment for the workers, finding ABM liable and awarding approximately \$90 million in back pay. However, the Court of Appeal put this all on hold when it reversed the trial court's decision on the basis that only meal periods must be "off-duty," not rest periods.

In December 2016, the California Supreme Court settled the issue by ruling that workers in California are entitled to "off-duty" rest breaks free of work duties and employer control.

The Labor Code and Industrial Welfare Commission Wage Orders govern meal and rest period law in California. The wage order applicable in this case states that employers must authorize 10 minutes net rest time per four hours worked and that a rest period should fall in the middle of each work period if practicable. (Wage Order 4, section 12(A).)

In *Augustus*, the California

Supreme Court explained that the term "rest" should be given its most common understanding—meaning just that—employers must authorize "off-duty" rest periods.

Specifically, the California Supreme Court made it clear that employees should be able to use their 10-minute rest breaks to take a brief walk, or to take care of other personal matters that require truly uninterrupted time—like pumping breast milk (see Labor Code § 1030 regarding use of break time for expressing milk for an infant) or completing a phone call to arrange child-care.

Although only 10 minutes, a rest break under California law equals a break free from work duties and employer control. Requiring workers to "remain vigilant" to work matters and "responsive when the need arises" does not qualify as a "rest break."

For questions regarding rest breaks or wage and hour law, please contact your labor law counsel. Note that if your workplace is governed by a Union collective bargaining agreement, you should also consult your Union representative regarding any meal period or rest break provisions of the contract that may apply.

By Lisl Soto—Roger, Weinberg & Rosenfeld

### What's Happening to Your Health Care: 3 Things to Know Right Now

There is definitely lots of talk about how President Donald Trump and Congress are planning to make major changes to Americans' health benefits. That's because Trump and Republican leaders in Congress have said that repealing the Affordable Care Act is one of their top priorities. Although it is

—continued on page 7

## SHOP TALK: What should union priorities be in the new administration?



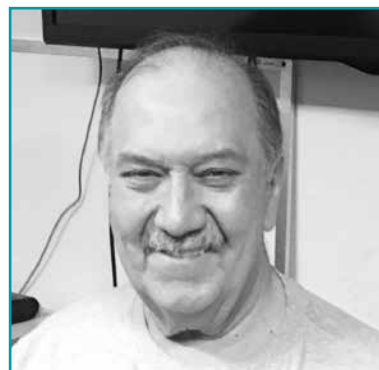
**Bruce Busch**  
Northrop Grumman  
Local 93 - 14+ years

"We need to get the problems at Northrop Grumman straightened out. There's a new Labor Relations crew here and it's a mess."



**Sherri Richardson**  
Northrop Grumman  
Local 93 - 12 years

"Jobs and wages. We've got to make sure they don't cut wages and there are good jobs for people to get."



**Harry Turner**  
BAE  
Local 93 - 40 years

"Get more manufacturing back here."



**Joe Buck**  
Northrop Grumman  
Local 93 - 2 years

"Work with the administration as best as we can on things we can work with them on and be ready to stand our ground on issues that don't support strong labor relations and working people."





## IN THE NEWS

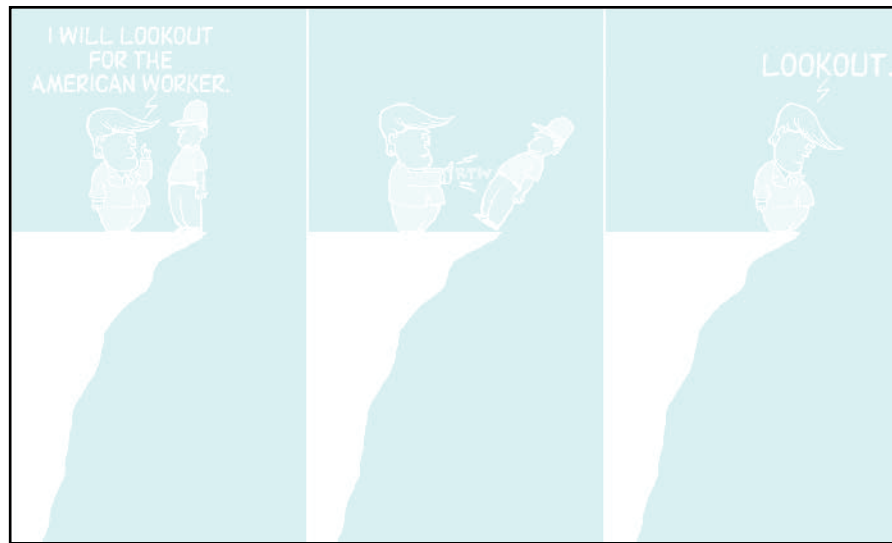
not clear when they will act or exactly what they will do, here are three things to know right now:

**1. Your health benefits are at risk, no matter where you get them:**

**Medicare:** A straight-up repeal of the ACA would eliminate some Medicare benefits by reinstating the full Medicare prescription drug donut hole and taking away free preventive care. House Speaker Paul Ryan (R-Wis.) is still pushing his plan to turn Medicare into a voucher system, meaning benefits would no longer be guaranteed and health costs for seniors and people with disabilities would go up dramatically.

**Workplace Health Benefits:** Kevin Brady (R-Texas), the powerful chairman of the tax-writing committee in the U.S. House of Representatives, wants to tax part of the cost of workplace health benefits by including the cost in working people's taxable income. So does the person Trump hired to be in charge of health care, Health and Human Services Secretary Tom Price. If you get your health benefits on the job, this will raise your taxes and lead to even higher deductibles and co-pays. Some employers could even cancel their health plans in response.

**Health Insurance You Buy Yourself:** Most media coverage is focused on what impact repeal of the ACA will have on the approximately 10 million people who now buy individual health coverage through the ACA's health insurance marketplaces, often with the help of federal tax credits. A straight-up repeal of the ACA would not just take away the tax credits that help people buy health insurance. Full repeal also would eliminate the ACA's protections that require insurance companies to treat people fairly, to give them meaningful insurance without tricks and traps, and not to discriminate against anyone because they have a pre-existing condition or even



because of their gender.

**Medicaid:** Medicaid is the health plan run by states with significant federal funding that enables 74 million people to get the medical care they need. One-in-three kids in the United States get their health coverage from Medicaid or the Children's Health Insurance Plan. Millions of seniors and people of all ages with disabilities also count on Medicaid for nursing home care and the long-term supports and services that allow them to live independently in their homes and communities.

A straight-up repeal of the ACA would take health coverage away from some 11 million people who now have benefits because the ACA allowed states to expand Medicaid. Trump and Republican leaders in Congress also want to cut Medicaid for everyone who receives it by imposing new limited caps on what the federal government will contribute, even if the cost of health care keeps going up much faster than prices in the rest of the economy. That will shift costs onto states and likely force cuts in benefits.

**2. People are speaking up, having an impact on Washington:**

Lots of people are showing up to meet with their members of Congress about health care and to let them know just how important it is

to them personally. Many people are asking their members of Congress tough questions.

The hard questions and strong show of concern from voters are affecting what's going on in Congress. What once was a mad dash to repeal the ACA right away has slowed to a crawl for the moment, and there now is a split among Republicans in Congress. While many Republicans still want to repeal the ACA immediately regardless of whether they have a replacement, at least a few are saying they want to figure out what the impact will be on real people and how they might address the harm that will do.

**3. We're still waiting to hear the plan for repealing and replacing ACA:**

In mid-January, Trump said he had a plan that was finished except for some finishing touches and that he was just waiting for Price to be confirmed by the Senate as his HHS secretary. Price has since been confirmed, so maybe we will see his plan soon. Congressional Republicans are still trying to figure out what their plan should be. Some Republicans want to go ahead with repeal of the ACA now and figure out whether and how they might replace it later.

Shaun O'Brien  
AFL-CIO Now Blog

**Trump declares Christmas, in February, on Wall Street**

Christmas came late to Wall Street, thanks to President Donald Trump, aided by Goldman Sachs and other Wall Street executives, who now have the run of the White House.

In February, President Trump issued two directives that could gut the rules that keep Wall Street from having its way with the American economy and working people's and retirees' retirement money.

Trump has set his sights on doing what Wall Street and congressional Republicans have been longing for—undoing much of the Dodd-Frank law that was enacted after the 2008 financial crisis to rein in the most reckless behaviors of Wall Street banks, hedge fund managers and other financial industry players. We didn't get criminal prosecutions of Wall Street executives, but we got a rewriting of the financial rules to stop Wall Street from wrecking the economy again. Now, we may end up with nothing.

Trump is also gunning for the new retirement investor protections, scheduled to begin taking effect in April. At the heart of the new protections are two commonsense ideas. First, if you use a retirement investor, your best interests should come first, before the financial interests of your financial adviser. Second, how your adviser gets paid cannot conflict with your best interests. The president is directing the secretary of labor to reconsider these crucial protections and possibly to rescind them altogether.

Yes, it's Christmas for Wall Street, and working people and retirees are getting the bill. Reversing the new retirement investor protections could cost retirement savers an estimated \$17 billion each and every year, according to a study by the Council of Economic Advisers.

Shaun O'Brien  
AFL-CIO Now Blog

### FAST FACTS...

Of the 10 fastest growing jobs in the country, half of them pay under \$25,000 a year: Food prep & service workers, personal care aides, home health aides, retail salespeople, restaurant cooks. (USDOL)

The President claims that "94 million Americans are out of the labor force." This claim is based on a real number, but is false. The number is based on the Current Population Survey (CPS) that showed that, as of January 2016, 94.4 million Americans 16 years and older were "not in labor force." However, it turns out that 93 percent of that 94.4 million do not want a job at all because they are retired, students, stay-at-home parents or disabled. The unemployment rate is only 4.8 percent because just 7.6 million people actively are looking for a job and cannot find one. In other words, you have to be seeking a job to be counted in the labor force. (Washington Post)

Workers in Right-to-Work states earn 3.1% less than workers in other states. (Economic Policy Institute)

Trump's Cabinet picks so far are worth a combined \$13 billion in personal net worth. This is about five times greater than President Obama's Cabinet and about 34 times greater than the one George W. Bush led at the end of his presidency. And there are still four more positions to fill. (Boston Globe)

The nation's top 0.1 percent are taking in more than 184 times the income of the bottom 90 percent. (Institute for Policy Studies)

Estimated portion of Americans born in 1980 who will go on to earn more than their parents did: 1/2  
Of those born in 1940 who did: 9/10 (Harpers Index)

# BUY UNION

## Union-made Snacks



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

- 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, salsa
- Oreos
- Orville Redenbacher Popcorn
- Red Vines
- Rice Krispies Treats
- Ritz Crackers
- Rold Gold Pretzels
- Ruffles
- Slim Jim
- Sun Chips
- Tostitos chips, dips, salsa
- Triscuit
- Wheat Thins

# UNION MEETINGS

## District Lodge 190

8201 Capwell Drive  
Oakland, CA 94621  
510-632-3661

*Meetings are the fourth Tuesday of each month*  
April 25 • May 23 • June 27  
**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 20 • May 18 • June 15  
**General Membership Meeting:** 6:00 p.m. on the first Tuesday of the month  
April 4 • May 2 • June 6  
**Retirees' Club:** 1:00 p.m. on the third Wednesday of the month: April 19 • May 17 • June 21

## Local 93

2102 Almaden Rd., #105  
San Jose, CA 95125  
408-723-4900

*Meetings are the second Tuesday of each month*  
April 11 • May 9 • June 13  
**Grievance Committee:** 3:30 p.m.  
**Executive Board Meeting:** 4:30 p.m.  
**Membership Meeting:** 5:00 p.m.

## Local 1528

713 16th Street  
Modesto, CA 95354  
209-529-9210

*Meetings are the first Wednesday of the month*  
April 5 • May 3 • June 7  
**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  
April 15 • May 20 • June 17  
**Narcotics Anonymous:** 5:30-6:30 p.m. every Tuesday

## Local 653

544 West Olive  
Fresno, CA 93728  
559-264-2815

*Meetings are the third Wednesday of the month except in November*  
April 19 • May 17 • June 21  
**Executive Board Meeting:** 5:00 p.m.  
**Membership Meeting:** 5:30 p.m.

## Local 1546

10260 MacArthur Blvd.,  
Oakland, CA 94605  
510-638-6705

*Meetings are the first Tuesday of the month*  
April 4 • May 2 • June 6  
**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  
March 30 • April 27 • June 1  
**Retiree Club Pot Luck Luncheon:** 12 noon on the first Wednesday of each month  
April 5 • May 3 • June 7  
**Alcoholics Anonymous:** 9 a.m. every Saturday

## Local 801

8201 Capwell Drive  
Oakland, CA 94621  
800-655-2182

*Meetings are the third Thursday of the month*  
April 20 • May 18 • June 15  
**Membership Meeting:** 4:00 p.m.  
*Meetings are held at the Carpenters' Hall, in Reno.*

## Local 1584

436 McCormick Street  
San Leandro, CA 94577  
510-635-2064

*Meetings are the third Thursday of the month*  
April 20 • May 18 • June 15  
**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 4 • May 2 • June 6

## Local 1101

2102 Almaden Rd., #105  
San Jose, CA 95125  
408-723-4900

*Meetings are the second Thursday of the month*  
April 13 • May 11 • June 8  
**Executive Board Meeting:** 5:30 p.m.  
**General Membership Meeting:** 6:30 p.m.

**Note:** Office hours are now 8 a.m.—4:30 p.m. Monday through Friday. The office remains open during lunch.

## Local 1596

4210 Petaluma Blvd. No.  
Petaluma, CA 94952  
707-795-0086

*Meetings are the third Tuesday of the month*  
April 18 • May 16 • June 20  
**Executive Board Meeting:** 6:00 p.m.  
**Membership Meeting:** 6:30 p.m.

## Local 1173

1900 Bates Ave., # H  
Concord, CA 94520  
925-687-6421

**Executive Board Meeting:** 6:00 p.m. on the second Thursday of the month  
April 13 • May 11 • June 8  
**Membership/Shop Stewards' Meeting:** 6:30 p.m. on the second Thursday of the month  
April 13 • May 11 • June 8

## Local 1414

150 South Boulevard  
San Mateo, CA 94402  
650-341-2689

**Shop Stewards' Meeting:** 5:30 p.m. on the third Thursday of the month  
April 20 • May 18 • June 15  
**Executive Board Meeting:** 6:00 p.m. on the second Thursday of the month  
April 13 • May 11 • June 8  
**General Membership Meeting:** 6:30 p.m. on the third Thursday of the month  
April 20 • May 18 • June 15  
**Retirees' Club:** 11:00 a.m. on the first Wednesday of March, June, Sept., Dec. All are welcome!  
June 7 • September 6 • December 6

## Local 2182

967 Venture Court  
Sacramento, CA 95825  
800-458-9200

*Meetings are the second Tuesday of the month*  
April 11 • May 9 • June 13  
**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 19 • May 17 • June 21