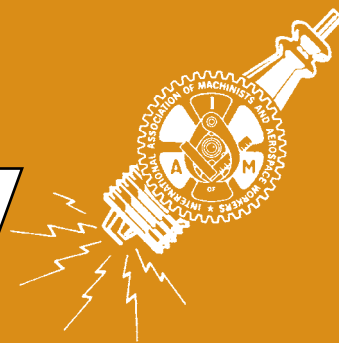


The IAM District 190

# Sparkplug



VOL. 25 NO. 3



July/August/September 2023

Serving the Active and Retired Members of IAM District Lodge 190

## SFA funding secured for Automotive Industries Pension Plan

On July 6, 2023, the Pension Benefit Guarantee Corporation (PBGC) approved the Automotive Industries Pension Plan's (AI) application under the Special Financial Assistance Program (SFA) provided by the American Rescue Plan Act of 2021 (ARPA).

"We're immediately back to 100% funded," says Directing Business Rep and AI Trustee Don Crosatto. "This infusion of funds will positively impact 24,000 active members and current retirees—plus their families, who can rest assured that they'll continue to get their monthly checks upon retirement and through the rest of their lives."

On or around August 7, 2023, the PBGC will provide the Pension Plan with \$1,079,929,797.05 in additional funding in order to keep the Plan funded to the year 2051, if not much longer. It has been a long journey to secure this funding and the Trustees are pleased with the favorable outcome of the application process. Crosatto adds that this amount is \$23 million more than the trust had requested — the additional funds represent the interest earned in just the last eight months.

### We now have the money. What do we do with it?

Although the AI will receive more than \$1 billion in SFA funding this year, ARPA places conditions and limitations on how a plan can invest the money received under the SFA and how the Pension Plan is required to spend it.

The rules for how to use the SFA money are simple: the money and any earnings must be used to make benefit payments and pay plan ex-

penses and cannot be held or used for any other purpose. There are no exceptions to this rule.

Further, a minimum of 67% of the SFA money must be invested in investment-grade bonds. To ensure a solid but guaranteed return, the Trustees have agreed to invest 100% of the SFA funds that way.

The Trustees take the responsibility of investing the SFA money seriously and have retained the services of an investment consultant specializing in Taft-Hartley multiemployer plans to handle the investment of the SFA funds.

The pension plan will have two separate asset pools for a period of time: the "SFA" pool and the "Legacy" pool. Under the guidelines of ARPA, as soon as AI receives the SFA money, it must be used to pay all benefits and expenses until the SFA pool is depleted. Once the SFA pool is depleted, the Plan will start using the assets from the Legacy pool to pay benefits and expenses.

Since, for at least the next eight years, the benefits will be paid out of the SFA pot, the Legacy Plan will receive the employer contributions and will focus on growing its earnings.

### With the money in hand, what happens next?

The Pension Fund will function as it always has with no impact to the current retirees and beneficiaries receiving a monthly check or the vested participants who apply for a benefit in the future. Before ARPA was passed into law, the Pension Plan was on track to run out of money and be turned over to the PBGC in the 2030 Plan Year. The SFA funding prevented this from happening. This means that retired participants will not see any reduction in their benefit payments and vested participants will not see any reduction in the accrued benefit they have currently earned under the Pension Plan.

Unfortunately, due to the provisions of the SFA, the prior benefit changes and reductions made by the Trustees under the Rehabilitation Plan pursuant to Multiemployer Pension Reform



Members have received a pension plan summary with this cover for the last 20 years. With the SFA funding, they'll continue to get it (or a re-designed version) for at least 30 more years.

Act of 2014 must remain in effect. There will be no retroactive reinstatement of these benefit adjustments implemented by the Plan.

While no benefit improvements are on the immediate horizon, if investment returns warrant it, "there's always a possibility of improvements in the distant future," Crosatto added.

The Trust Fund Office will be publishing a list of frequently asked questions (FAQs) and posting them to the [www.aitrustfunds.org](http://www.aitrustfunds.org) website to address the topics in this article and answer other questions participants may have on the SFA funding. Please visit the site to review this list before you contact the Trust Fund Office with your questions.

The Trustees of the AI plan are grateful that the participants may continue to receive the earned benefits without reduction for the next 30 years. They are also appreciative of the hard work and dedication put in by the plan professionals to gather all the information necessary to make application to the PBGC for this funding.

Crosatto adds that when all is said and done, "we owe great thanks to the members of Congress who voted for the Butch Lewis Act to be included as part of the Inflation Reduction Act. That vote was the result of years of lobbying by our union and other unions. And we have to thank President Biden for signing it."

With a great sigh of relief, Crosatto says that he's been working and hoping for this for a couple of decades! "After almost 20 years of unremitting bad news on the pension front, we finally have a solution."





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IAM news  
on the web!

Visit the  
District 190 website at:  
iamdistrict190.org

The International IAM website is at:  
goiam.org

Local Lodge websites:  
Local 1101: www.iamlocal1101.org  
Local 1414: facebook.com/IAMLOCAL1414/

Twitter  
Union Organizer: @union1484

Facebook pages:  
Local 1101: facebook.com/  
Search for IAMAW-Local 1101  
Local 1546: facebook.com/iam1546

TikTok  
Local 1484: Search for Mercedes Benz San Diego



UNION PEOPLE

2023 Local 1414 Scholarship Winners

At its June general membership meeting, Local 1414 awarded scholarships to three George Washington High School students who completed the automotive program and have shown potential and interest in becoming successful technician/mechanics. The awards included tool boxes filled with tools.

**First place:**  
Johnson Tan  
**Second place:**  
Bashir Alabsi

**Third place:** Fernando Martinez  
All three students plan on pursuing a career in the automotive trade by attending either Skyline Automotive College or City College of San Francisco's automotive program. Johnson wrote in his winning essay: "I've always been interested in the automotive industry since I was a young boy. I used to beg my parents to buy me hot wheel cars so I could take them apart. I would always jump on the opportunity to go with my dad when he brought his cars to the automotive shop. I took classes at George Washington High School because I wanted to learn basic car maintenance so that I could work on my own car properly. After I finish my automotive courses and get certified from City College of San Francisco, I want to become a union mechanic. If I am fortunate enough to earn the tool scholarship, it will help



The 2023 scholarship winners stand before their new tool boxes. (From left) Student winners Johnson Tan, Bashir Alabsi, instructor and Local 1414 member Rich Del Rosso, and Fernando Martinez.

me greatly to build my own toolbox for my future endeavors as a union mechanic. Being mechanically inclined is a big part of why I enjoy cars. I believe that a good mechanic has to be a good problem solver." Local 1414 is a proud partner of the only high school auto shop program in San Francisco. The city of San Francisco was without any high school auto shops until the union

helped start up and open George Washington High's auto shop in 2012. The auto shop program offers daytime classes for George Washington High students, and an after-school program from 4-6 p.m. for all students in San Francisco who are interested in learning the trade. All told, more than 130 students are enrolled in the auto programs. Local 1414 is committed to the training of young people and helping to build the workforce of the future. Local 1414 members at Muni and SFMTA have set up successful internships and summer programs for the high school students; these have benefited the students with real world hands-on experience. If you are interested in donating tools and toolboxes or vehicles (2005 to present) all donations are tax deductible. Contact Rich Del Rosso at delrossos@SFUSD.edu



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. 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:  
e-mail: dchaplan@mindspring.com  
mail: IAM District 190  
8201 Capwell Drive  
Oakland, CA 94621

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 on Page 8  
for your local union's address.

The IAM District 190  
Sparkplug

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



Passing the gavel (literally)

At Local 1484's Retiree Club meeting on May 17, Rue Romero turned the gavel and the presidency of the club over to Dan McEntire, who had been elected unanimously by the club. "Thank you Rue for the nomination for President of the Retiree Club. It is my honor to help all the men and women going forward."

A belated congratulation to graduating apprentices



Two members completed their apprenticeship in 2022 and are currently working for the San Francisco Water Department. At left is Eric Bahn, an autonotive machinist, and at right is Mark Simpkins, a Maintenance Machinist. Both Local 1414 members received their journeyman certificates from Business Rep Donte Vickers.





# NEWS FROM THE TRUST FUND

## Employer contribution rates for welfare benefits will receive modest increases for first time in three years

The employer contribution rates for all welfare plan benefits (medical, prescription, dental, orthodontic, vision, life insurance and short-term disability) are reviewed annually by the Trustees. Due to the unfavorable claims experience of both the self-funded Blue Cross and Kaiser HMO options over the past year, the Trustees made the decision to increase the welfare rates charged to employers starting September 1, 2023.

The rates for the medical plan were increased approximately 5% across all plan options (Plan A, Plan B, Plan C, and Plan K). However, in order to keep the overall costs down for the employer and participants, the ancillary benefits such as dental, vision, orthodontia, life insurance, and short-term disability saw little to no increase from the prior year rates.

Your health benefits are negotiated between the Union and your employer. If you are unsure what medical plan you have been negotiated into, please refer to the collective bargaining agreement covering your employment or contact the Trust Fund Office at 800-635-3105 for this information.

## The national emergency and public health emergency for COVID-19 has ended

Changes in COVID-19-related benefits and administrative deadlines have resulted from the declared end of the national public health emergency that took place on May 11, 2023. Consequently, the plan rules concerning coverage of certain benefits related to COVID-19 changed for services incurred on or after May 12, 2023. In general, the special rules that got put into effect during the emergency period have been terminated and benefits are now covered under the usual cost-sharing provisions of the Fund. This includes COVID-19 vaccines, office visits, emergency room visits, home test kit reimbursement, and co-payment waivers.

In addition to those changes, there are also certain administrative time frames that returned to normal after the end of the National Emergency. These include extension of administrative deadlines of COBRA, HIPAA enrollment periods, submission of benefit claims, and appeals.

Details can about these changes can be found on the Trust Fund website at [www.aittustfunds.org](http://www.aittustfunds.org).



## Need Glasses? Use Vision Service Plan (VSP)

Collective bargaining agreements that include vision benefits under the welfare plan are provided exclusively by Vision Service Plan (VSP). The plan has contracted through VSP for many years because of their extensive network of providers. The vision plan will cover the following services for members:

- Exam every 24 months
- Lenses and Frames every 24 months.
- \$25 Exam Copay (\$60 Copay for contact lens exam)
- \$130 Frame Allowance
- \$130 Elective Contact Lens Allowance

You can locate a VSP provider by going to [www.vsp.com](http://www.vsp.com). VSP also provides an online option for ordering glasses and virtual try-on tools at [www.eyeconic.com](http://www.eyeconic.com).

## The Member Assistance Program Can Help With Many Life Related Stresses

Even though the pandemic has been declared over, the numbers of cases of people with depression and anxiety along with a host of other mental health issues continue to rise. The Trustees of the Automotive Industries Welfare Fund have partnered with Uprise Health to provide an Employee Assistance Program (EAP) and a Legal/Financial Program (LFP). These resources can help you resolve personal problems in the early stages.

Uprise Health offers a confidential support service and referral program. It is designed to help you and your family with personal issues such as:

- Stress
- Parenting
- Aging
- Grief/Loss
- Anxiety

- Relationships
- Family
- Marriage
- Work Issues
- Alcohol/Drug
- Finances
- Depression
- Adoption
- Estate Planning
- Bankruptcy
- Immigration
- Child Custody
- Real Estate
- Criminal Issues
- Tenant's Rights
- Divorce

Customer Care Professionals will help you find the right resources and services including counselors, legal representatives, and financial professionals who can provide counseling sessions, coordinate the appropriate treatment, and provide referrals if needed. Office hours are from 6 a.m. to 5 p.m. PST. After-hours calls will be returned the following day. Crisis support is available 24 hours a day, 7 days a week.

The services provided under the EAP and LFP program are 100% confidential and are at no cost to you or your dependents. For more information or to get assistance in making an appointment, call Uprise Health at 1-888-690-1349 or visit <https://hmc.personaladvantage.com> using AUTOMOTIVE as the access code.

## Pension plan searching for former participants

The Automotive Industries Pension Plan currently has approximately 2,000 participants who are entitled to receive a pension payment under the plan but have not made application for their money. If you know someone who used to work in the industry during the 1970's or 1980's, is over age 65 and is not receiving a pension payment from the Trust Fund, they could be missing out on a monthly payment from the plan.

Have them contact the Trust Fund Office at 800.635.3105 for a review of their work history to see if they are eligible.

## Bay Area initiative builds pipeline of ship maintenance and repair workers

A new Bay Area program aims to support the safe and successful re-entry of people returning from incarceration as well as serving high school dropouts, immigrants, limited English speakers and people experiencing homelessness—all while promoting economic growth. The Workforce Waterfront Coalition is an industry-led initiative that seeks to create a pipeline of ship maintenance and repair workers and the IAM is part of that team.

Bobby Winston, CEO of the non-profit organization Friends of the Port, Bay Crossings proprietor and one of the founding members of the Bay Area's ferry service, saw a need for skilled workers. With Winston's extensive experience working with ship repair facilities in the area and his contacts throughout the area's maritime industry, the Working Waterfront Coalition was born.

Additional partners come from industry, education and workforce development—and District 190 is proud to be part of that group.

With a grant from the California Workforce

Development Board, partners seek to launch an 8- to 10-week course for 30 students in October 2023. The curriculum will be developed and approved by the Coalition's industry ad-



visory board. Class content includes extensive hands-on training with industry instructors, presentations by guest lecturers and employer site visits.

"A key element of this program is that students have early access to entry-level jobs

through hiring agreements with industry advisory board members and partners," said Sal Vaca, the Coalition project lead for Contra Costa County Workforce Development Board.

The program will also deliver a pipeline of skilled talent for industry employers, potentially including IAM employers, and will serve as an economic development tool for industry growth and business attraction, particularly along Contra Costa County's north shore.

Vaca added that another beneficiary of the Working Waterfront Coalition is the region's tourism industry through museum ships. Richmond and other communities have World War II ships like the SS Red Oak Victory parked on their waterfronts for use as museums. However, budgets or volunteers to repair them are slim. Students will use their newly acquired skills to provide volunteer work on those ships as part of their hands-on experience.

To learn more about the Working Waterfront Coalition, contact Sal Vaca at [s.vaca@com-cast.net](mailto:s.vaca@com-cast.net).



## Local 1101

### New bosses, same contract

It's no surprise when subcontractors at federal facilities get changed after their contract with the government is put out to bid; fortunately, there is a current Presidential Executive Order that provides current workers First Right of Refusal with contractor changes, ensuring that they maintain their positions and the union contract remains in place with the new employer. That's what just happened for 15 members who work at Fort Hunter Liggett.

These members who provide logistical support services, gunsmithing, welding, fabricating, and provide the soldiers with ammo support were working for Akima Support Operations, LLC.

According to Business Rep Pedro Gonzalez, after 14 months of extensions, the government finally put the contract for this work out for bid and awarded the new contract to **Akima Facilities Operations** in May. "It's the same company but officially, it's a different entity," Gonzalez says.

"The members all maintained their jobs and will work with the new company; the union contract continues from where it was," Gonzalez says, adding that the best news was that none of the members were laid off. "This was a worry, because a previous change at that facility caused a different group of workers to be laid off for over two months."

### Pension is key

The five members who work as machinists making small parts at **TM Industries** in Santa Clara locked in a three-year agreement in May.

Pedro Gonzalez says that the members unanimously ratified the contract, mostly because it contains really great pension increases.

### CPI-based increases

Forty-five members, including service advisors and techs at **Stevens Creek Toyota** in San Jose, ratified their new four-year contract in May.

Business Rep Richard Breckenridge explains that for the the Service Advisors, the new deal changed

the pay plan to include a higher commission payment, giving them an average increase of about \$800 per month.

"For the techs, we created a hybrid pay system that includes wage increases of 5.3% the first year, and 3% in years two and three, with 3.25% coming as a base increase in the final contract year. Additionally, in the event that the Consumer Price Index (CPI) in the Bay Area is higher than the 3 or 3.25% guaranteed increase, they will get the higher of the two, with a maximum increase of 4.75% (in years 2-4).

"We've never done a percentage based on Bay Area CPI before, so this is important," Breckenridge adds.

### Starting fresh with new owners

Breckenridge reports that two dealerships were sold in the last year, but both re-hired the workers and recognized the union. "This doesn't always happen, but it's a good sign that the new owners appreciate the skills and talents of our members," he explained.

Piercy Toyota in Milpitas was sold a year ago and Breckenridge has been assisting Business Rep Pedro Gonzalez in the negotiations with the new employer, **Envision**, on behalf of the 32 techs and service advisors there.

"We're close to getting a first agreement," he says. "The only hang-up is the wage structure, which we're still working through."

Similarly, Sam Linder Honda was sold last year and the 15 techs now work at **Salinas Honda**. "We're doing fairly well at the table," Breckenridge reports. "This dealership was purchased by the DGDG Automotive Group. While we're not as close as at the Piercy shop, we're getting closer. We hope to report back a positive result in the next issue."

## Local 1173

### We'll be back for more

The six members at **Soscol Auto Body** in Napa ratified a one-year agreement in April. Business Rep Brian Fealy reports that they got a 2.8% wage increase and an addi-

tional paid holiday.

"While we may not have gained all we were hoping for, we will be back at the table early next year," Fealy adds.

### Coming up

Bargaining with **Henry Curtis Ford** in Petaluma will begin in August. "We're starting to prep for the talks with the 28 members there," says Area Director Steve Older.

## Local 1414

### SSA talks in Oakland, too

DBR Don Crosatto reports that the negotiations at **SSA** in Oakland are in the works. "The company is looking to move to electrified hostlers, trucks and equipment, which is great, but at this point, we only have one guy trained to do that work. We're working on a plan to train the power shop members in phases."

### Darling and lucrative

The three members at **Darling Ingredients**, a rendering shop in San Francisco, recently ratified a new three-year agreement.

"In the last contract, they got raises of \$1.25 and \$1.50 per year. In this contract, they'll see \$6.25 in wage increases over three years—a vast improvement," says DBR Don Crosatto. "They also got an increase in the boot allowance and in the health and welfare cap, which should be enough to ensure that they'll continue to pay nothing for their health coverage."

## Local 1484

### One-year strike

The techs at Mercedes Benz of San Diego have been on strike for a year now and the union is still in a holding pattern.

Area Director Kevin Kucera reports that the union is waiting for the Labor Board to issue a complaint. "We hear that they're calculating the back pay that's due." In the meantime, the company filed a SLAPP lawsuit against the union, which is just a tactic to buy time.

After a year, Kucera adds, "it's been difficult to keep up the picket line. But these guys truly understand what's at stake."

### Tough times at Acura

In order to avoid a strike, the 15 members at Acura of San Diego agreed to a one-year contract, reports Kucera. "Unfortunately, we've had lots of attrition over the last few months. The new members aren't bought into the union, so we're trying hard to bring them on board."

### Talks at the port

Kucera reports that he and his

bargaining committee are currently in negotiations with **SSA Terminals** at the Ports of Los Angeles and Long Beach. "We anticipate arriving at an agreement that works for both sides," he says.

The committee includes a team of seven rank-and-filers along with Kucera. They are: Mike Di Gaetano, Alfredo Guerrero, Manuel Rayo, Rudy Morales, Richard Duke, Andrew Deering, and Alejandro (Alex) Rodríguez. "It's a great group whose vast experience at the Port just helps to strengthen the union's position in the talks.

These talks come in the wake of the Longshore Workers (ILWU) struggle to get their own contract at the ports with the Pacific Maritime Association. In the end, Acting Secretary of Labor Julie Su intervened in those talks and got the contract finished in a few days.

Kucera adds that the SSA contracts from Long Beach, Oakland, and Seattle have all come up at same time. "While it's not one master contract, we're all at the table in our separate talks, checking in to make sure that we're all getting the best that can be achieved for our members."

## Local 1546

### Safeway contract finalized

The 20 members at **Safeway** in Tracy ratified a new and generous five-year contract in May, reports Area Director Steve Older.

"This contract includes significant wage increases, getting the members past the \$40/hour mark by the end of the deal," Older says. "We also created several tiers based on training goals and certifications. This was a lot of work, but will enable the members to earn better raises than ever before." The contract also included improvements in how the health care coverage is paid for. Importantly the union now has the ear of upper management, who will help us work through some other problems."

The contract had expired in September 2022, but the members will receive full retro pay back to that date.

Older adds that the company was losing techs left and right because they could get so much more money elsewhere. "Now their wages are higher than the competition," he says.

### Tough talks in Richmond

The 15 members who work at **Richmond Sanitary**, a Republic Services company don't have a contract yet. "The company is dragging their feet in trying to meet the standard set by Waste Management," says DBR Don Crosatto. "We've had talks for several months. The company's negotiator likes to move 10¢ at a time. It's exasperating!"



# We're Here

## Employee Assistance Program

**IAM Substance Abuse and Alcohol Addiction Helpline**  
888-250-4IAM (4426)

**IAM - EAP National Helpline: 301-335-0735**

Trained IAM-EAP representatives are ready to provide information and support assistance with: Addictions/Disorders, Divorce, Elder Care, Financial Issues, Gambling, Grief and Loss, Health Care Concerns, Marital/Family Problems, Stress, Violence (Workplace/Domestic) & more



# THE LOCALS

## Organizing Wins

### NLRB rules for Local 2182 in long-running Tracy Toyota case

After a three-year struggle, on July 6, the National Labor Relations Board ruled that Local 2182 should be recognized as the official bargaining representative of the techs at **Tracy Toyota**. This ruling comes after years of effort by the union and the techs at this dealership owned by former NFL player Ronnie Lott.

In May of 2020, the 19 techs at Tracy Toyota marched on the boss to demand that the dealership recognize IAM Local 2182 as their collective bargaining agent. After picketing for a week, the group offered to return to work but the employer had already hired permanent replacements.

The NLRB ultimately agreed with the union that the employer failed to recall strikers to fill vacancies created by replacement techs hired when the workers walked out for a week. At issue was a dispute over whether two people who were hired just before or just after the workers went on strike.

The NLRB ordered that the employer cease and desist from refusing to reinstate or recall former strikers to vacant positions, and from using subpoenas to coercively interrogate employees about their union or other protected activities.

The employer is further ordered to offer the former strikers who were not recalled to existing vacancies full reinstatement to their former jobs or to equivalent positions; make whole former strikers who were unlawfully denied reinstatement; compensate affected employees for the adverse tax consequences, if any, caused by

receiving a lump-sum backpay award.

The three-year delay in getting the union recognized means that the majority of the original



Techs on strike at Tracy Toyota in 2020.

techs are no longer employed by the dealership. Techs hired since then did not participate in the organizing drive or picket and need to learn about the value of having a union. A contract still needs to get negotiated, and this employer has shown vast disregard for meeting the union half-way.

“We will work with the current techs and do all we can to get a good contract for them,” says Area Director for Organizing Jesse Juarez. “We’ve already proven that we’re persistent,” he adds.

### Union-busting at Honda of El Cerrito?

Juarez reports that he and the bargaining committee at **Honda of El Cerrito** have, so far, held two bargaining sessions on behalf of the 30 technicians, parts, and service advisors there. “The company hired Rob Hulting, [a notorious union-busting attorney from the Littler Mendelson firm], and they’re trying to bust the union,” Juarez says.

“The union presented the company with a proposal at the last meeting, but the dealer-

ship didn’t give us anything in return,” Juarez explains. “They’re very clearly trying to romance the people by giving them big wage increases. In fact, they hired two new parts guys at higher rates than the assistant foreman who’s training them.”

The dealership had been bought last year by the Ken Harvey Group, which owns seven dealerships, none of which are union. “They don’t have a problem paying lawyers instead of the workers,” Juarez says. “With Hulting at the helm, they’re not there to reach a contract with us.”

“Even with the sweetheart deals they’re offering some guys, they’re underpaying the rest. The parts guys even went on strike for a day in May.” Juarez says that the union will be meeting with them again. “If they don’t come to their senses, the union will take action...so stay tuned!”

### Still waiting at Audi of Concord

The Labor Board issued a complaint against **Audi of Concord** and ordered the dealership to bargain. Guided by union-busting attorney John Boggs, the dealership refused

Juarez says that, in May, the Labor Board turned the case over to the NLRB general counsel who issued a summary judgement to force them to come to the table. “We’ll see what happens.”

### Union interest grows

Juarez reports that he has heard from a variety of service writers and techs across the Bay Area who would like to have union representation. “I can’t yet report on any campaigns in the works, but I can say that there’s plenty of interest!”

### Quick work at Aramark

Crosatto notes that the five members at **Aramark** in Hayward just ratified a record-setting agreement. “Previously they got \$2.10 in wage increases over three years. This time we got them \$9.50 over five years.

“These members take care of the fleet for Aramark Uniform, which services all of Northern California with uniforms and laundry services.”

### Another dealership closure

Business Rep Brian Fealy reports that **McKevitt Chrysler, Dodge, Jeep, Ram** in Berkeley has ceased operations as of June 30. “We’re trying to find other union positions for the eight members who were in the bargaining unit there.”

## Local 1584

### Employer doesn’t surprise

In the last issue of *The Sparkplug*, Business Rep Brian Fealy said that he expected the negotiations with **Chemtrade Logistics** in Richmond would be contentious. “The employer didn’t disappoint,” Fealy adds.

After three full days of bargaining, the employer put forth their best offer. “We told them it wasn’t going to be good enough. They didn’t want to hear it; they said they were done

bargaining and wanted us to vote it.”

On May 8, the bargaining unit members unanimously rejected the employer’s offer and unanimously carried a strike vote. “I believe the company thought the guys would ratify whatever sub-standard proposal that was put in front of them. Boy, were they mistaken!” Fealy adds.

“That unanimous strike vote reverberated all the way across the country to their executive board room on the east coast,” Fealy says. “I received a call from an angry

lead negotiator and when we initially wouldn’t agree to a contract extension he really lost it.” Long story short, the company came to their senses and on May 15, the 19 bargaining unit members ratified the agreement with only one “no” vote.

The gains they won in the three-year contract include, returning the Operators to their previous schedule, which was a major bone of contention, access to a better 401K plan, improvements in the vacation language and call out pay, wage increas-

es of 13% total (5% in year one, and 4% in years two and three) and a \$500 signing bonus.

“It goes to show, once again, that a group of united and determined Machinists Union members are not a force to be messed with.”

Fealy wanted to give a special thanks to Shop Stewards Briton Davis and Rhett Sheppard, and to attorney Caren Sencer for their work at the table. “I also thank the Officers and E-board members of Local 1584 for their support.”

## Update on Local 1546 building renovation



It’s not often that *The Sparkplug* features pictures of a bathroom, but the staff at Local 1546 couldn’t be more pleased about how the bathroom renovation—and the other work around the union hall—has come to fruition.

“Phase one of the construction has been completed and Phase 2 is coming along well,” says Business Rep Robby Pintos, who’s taken the lead on overseeing the work. “It doesn’t look like the same building. We gave it a modern twist and it looks beautiful,” he adds with pride.





IN THE NEWS

Companies may sue unions for intentional property damage resulting from labor strikes

In an 8-1 decision, the Supreme Court ruled in June that a union can be held liable for damage caused to an employer's property (intentionally or not) in the course of a labor action, such as a strike. The case is called *Glacier Northwest, Inc. v. Teamsters*.

The back story is that the group of concrete workers started their day by taking trucks full of product to worksites when the union called the strike. They returned to the yard and left the trucks running so that the drying concrete would not dry inside the trucks and damage them. The workers thought they had done everything right.

The company sued, claiming that they would not have batched the concrete if they thought it would not be delivered, and therefore they accrued expenses for the unused concrete and for its eventual disposal.

Reaffirming the principle that the NLRA does not protect strikers who fail to take "reasonable precautions" to avoid inflicting foreseeable harm to their employer's property during a strike, the Supreme Court found the union's and drivers' conduct to be unreasonable because it was strategically timed for when the trucks would be full of wet cement and they "fail[ed] to take even minimal precautions" to protect Glacier's product and equipment. This intent to destroy the company's property, or at least the failure to take reasonable precautions to protect that property, removed the strikers' conduct from the realm of what is "arguably protected" under the National Labor Relations Act (NLRA), and permitted the company to sue the union for the loss of its property.

While the decision is "fact specific," meaning that few other instances would match the particularities of this case, it still has wide-ranging implications.

The lone dissenter in the case, Justice Ketanji Brown Jackson, said the ruling would hinder the development of labor law and "erode the right to strike." Jackson continued: "Workers are not indentured servants, bound to continue laboring until any planned work stoppage would be as painless as possible for their master."

Darin Dalmat, a lawyer for the union, said in a statement that while the union was disappointed, "nothing in this decision will stop workers from exercising their federally protected rights to strike when necessary to achieve better wages, benefits, and working conditions."

Moneyball Act introduced

Bay Area Congressmembers Barbara Lee and Mark DeSaulnier have introduced what they call "The Moneyball Act." This would require the owners of any professional baseball team that relocates more than 25 miles away to compensate its former community, or face the threat of terminating Major League Baseball's antitrust exemption.

The move comes as the Oakland Athletics are trying to move to Las Vegas; Lee's congressional district is based in Oakland. She also wrote a letter to MLB commissioner Rob Manfred in June asking him to "reconsider his direct involvement



in the negotiations" around the A's potential move after Manfred said the league could waive the team's relocation fee.

As one pundit stated, "Somewhere Bernie Sanders is whispering into Barabara Lee's ear saying, 'Tell them we want back pay for the Dodgers leaving Brooklyn.'"

More strikes, more solidarity expected as L.A. enters 'Hot Labor Summer'

"Labor tensions are simmering across the Southland. In Hollywood, the Writers Guild of America has entered its second month of striking, and Screen Actors Guild workers are poised to join them on the picket lines if they don't hammer out a deal soon. Meanwhile, workers in hotels, fast food restaurants, at the LA ports, Dodger Stadium, Medieval Times, UPS are all enmeshed in their own negotiations and strikes, and the list seems to grow longer every day.

That's prompting some experts to predict that it's going to be a "hot labor summer" in Los Angeles and beyond. "We have workers who are organizing, we have workers who are fighting for a better contract, we have workers who are fighting for a first contract," says Lorena Gonzalez Fletcher, executive officer of the California Labor Federation. "All of this means that they're taking to the streets, that they're getting out there. They're ensuring that their bosses know that they're gonna expect a little bit more and it's about time."

Supreme Court rejects bid to topple AB5 worker law

The Supreme Court is now three for three in rejecting challenges to AB5. This is California's law that

defines workers as employees rather than independent contractors if they are in the same business as the hiring company or the company that controls their work activity. Unlike contractors, employees must be paid at least minimum wages and overtime, must be reimbursed for work expenses, and are entitled to workers' compensation benefits when they are disabled by illness or injury.

In the latest challenge, the Court ruled that political signature-gathering "door-knockers" are entitled to payment of wages by the companies that hired them. The previous challenges had been leveled by trucking companies and by freelance photographers.

Attorney General Rob Bonta welcomed the court's action. "We'll continue to defend laws that are designed to protect workers and ensure fair labor and business practices," his office said.

—Bob Egelko, San Francisco Chronicle



UNION-MADE

Meat & Veggies the Union Way!



It's summertime, and the grilling is easy. Why not grill up delicious union-made products, like meats and vegetables?

Enjoy the good taste of foods prepared by workers who make decent wages and benefits — see the list below.

Vegetables	Meats	
Andy Boy (UFW)	Always Tender Pork (UFCW, IBT)	Hormel (UFCW, IBT)
Birds Eye Vegetables (UFCW, IBT)	Appleton (UFCW)	Kunzler (UFCW)
Del Monte canned vegetables (UFCW)	Berks Brand (UFCW)	Nature Raised Farms (UFCW)
Dole (IBT, UFCW)	Black Forest (UFCW)	Palisades Ranch (UFCW)
Fresh Express Salads (IBT)	Boar's Head (UFCW, IBT)	Pepe's Pork rinds (IBT)
Healthy Choices (UFCW)	Butterball (UFCW, IBT)	Rogers Poultry (UFCW)
Monterey Mushrooms (UFW, IBT)	Cook's (UFCW)	Smithfield (UFCW, IBT)
Ore-Ida (IBT, UFCW)	Empire Kosher (UFCW)	Star Ranch Angus (UFCW)Thumann's (UFCW)
Overhill Farms (UFCW)	Farmland Bacon and Ham (UFCW)	Tyson (UFCW)
Sunripe Brands Tomatoes (UFW, IBT)	Foster Farms (UFCW)	Valley Fresh Chicken (UFCW, IBT)
	Hillshire Farm (UFCW)	Valleydale Bacon (UFCW, IBT)
	Hoffman's (UFCW)	Zwiegle's Meats (UFCW)
	Honest John (UFCW)	





## IN THE NEWS

### Machinists at Spirit AeroSystems vote to accept improved contract offer

Approximately 6,000 members of IAM Local 839 at Spirit AeroSystems voted to ratify an improved four-year contract. The IAM members went on strike on June 24 and returned to work on July 5. The new contract includes significant improvements over the previous offer—which was rejected—including wage increases, improved prescription drug coverage and better overtime rules.

The IAM members work at the Spirit AeroSystems plant in Wichita, Kansas, manufacturing major aerostructures for companies such as Boeing and Airbus, as well as defense and business jets.

“We knew these negotiations were not going to be your typical set of talks,” said IAM Local 839 Chief Negotiator Jason Baze. “Our membership clearly said the original offer was unacceptable by rejecting it soundly. The committee returned to the table to address their concerns.”

“At the end of the day, IAM members democratically decide what is acceptable to them during contract negotiations—and we always support their decision,” said IAM Southern Territory General Vice President Rickey Wallace. “These critical improvements demonstrate the power of collective bargaining. I am very proud of our Local 839 negotiating committee and membership.”

### 29,000 IAM members at United Airlines ratify industry-leading labor agreements

Some 29,000 United Airlines workers, members of the Machinists (IAM), have

ratified labor agreements that include the industry’s best wages and stronger job protections. Members ratified five contracts covering fleet service, passenger service, storekeeper, maintenance instructors, fleet technical instructors and related, and maintenance instructors.

The 118 members in the security guard and central load planners classifications have not ratified their contracts. The IAM will continue to work on next steps for these members.

Highlights of the ratified contracts include industry-best wage rates; the insourcing of five previously outsourced locations; protection of full-time employment and opportunities; the permanent prohibition of outsourcing for 17 additional U.S. locations; increased lead and specialty premiums; an extended system of no lay-off protection for tens of thousands more IAM members; an early opener for the next negotiations; and a signing bonus.

“The IAM has once again set the bar for airline workers across the industry,” said IAM

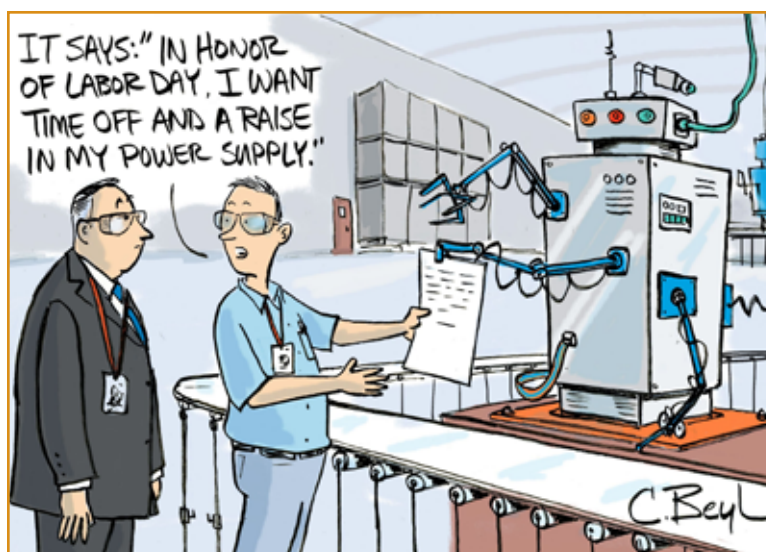
Air Transport Territory General Vice President Richie Johnsen. “We continue to have success reaching agreements that secure our work and turn airline jobs into family-sustaining careers.”

### Disney World workers secure 37% pay raises, other benefits

The 45,000 Disney World workers made it clear to the big mouse that they won’t work for crumbs. After standing strong for eight months and rejecting Disney’s piecemeal proposal in February, the Services Trades Council Union (STCU) won a historic contract with an \$18 minimum wage. Workers still must vote on the proposal, but if approved, the workers will immediately see a bump in pay to \$17 an hour (the current minimum wage for those employees is \$15). The minimum wage will rise to \$18 by the end of 2023. Over the next three years, the wage will go up another \$2.50 to \$5.60 an hour.

The workers are members of six unions that make up the STCU. Those unions are Theatrical Stage Employees (IATSE) Local 631, TCU/IAM Local 1908, United Food and Commercial Workers (UFCW) Local 1625, UNITE HERE locals 737 and 362, and International Brotherhood of Teamsters (IBT) Local 385.

“Sticking together works,” says Eric Clinton, president of UNITE HERE Local 362, whose members include attraction workers who run rides, custodial workers and ticket sellers at the parks. “In 2018, the starting wage for Disney cast members was \$10 an hour. And five years later, at the end of this year, it’s going to be \$18 an hour. That is a pretty tremendous statistic when you think about it.”



## From morning sickness to post-partum care, pregnant workers must now be covered

After more than a decade of advocacy, workplace accommodations for pregnant people are finally law as the Pregnant Workers Fairness Act (PWFA) takes effect.

The law, which passed Congress in December, requires that employers provide accommodations for pregnancy-related medical conditions—everything from pregnancy to childbirth to postpartum recovery.

It undoes a previous requirement that said employees must prove they should be accommodated. Instead, the onus will now be on employers to work in good faith with workers to provide accommodations.

The idea to expand protections dates back to 2011, when Dina Bakst, the cofounder and co-president of A Better Balance: The Work & Family Legal Center, realized pregnant workers who were turning to the organization for help were not sufficiently covered under existing law. It was an issue of racial equity — many were women of color working in low-paying jobs.

Elizabeth Gedmark, the current vice president at A Better Balance said the road to passage was difficult because so few people knew anything about the issue. “What we heard so frequently was people said, ‘We had no idea this was a problem, that pregnant workers were falling through the gaps in the law,’” Gedmark said. “And then in the last 10 years, we still continued to hear that. We worked to raise awareness about it, but even now as we are making sure that people know about the PWFA, there are still some who don’t understand why it was necessary, who thought that it already was covered.”

Stories of pregnant workers who asked for simple accommodations — a water bottle, a stool or break time — and were then pushed out of jobs helped the movement gain supporters over the years.

Now, law not only clarifies the role employers play, but offers an expansive set of protections that includes accommodations such as time off from work after childbirth for recovery, effectively creating access to unpaid leave for many workers who don’t qualify for federal leave.

Here’s more info about what PWFA covers.

#### What is PWFA?

The PWFA requires certain employers to offer “reasonable accommodations” to employees in the workplace for medical conditions related to the entire period from pregnancy to postpartum recovery. That includes accommodations for fertility treatments, morning sickness — including hyperemesis, an extremely severe morning sickness and nausea condition — lactation, complications, gestational diabetes, pregnancy loss, postpartum depression and conditions including mastitis, an infection of the breast tissue that typically occurs when breastfeeding. It includes time off to recover from childbirth, as well as time off to access abortion care.

#### Who is covered by the PWFA?

The law protects those who work for private or public sector employers with 15 employees or more. Congress, federal agencies, employment agencies and labor organizations are all covered, according to the Equal Employment Opportunity Commission (EEOC), the agency tasked with

enforcing the law.

The law does not cover very small employers. The cutoff at 15 employees mirrors other workplace discrimination laws that set the same standard.

#### What did the PWFA change?

The main protection under the law is to close an existing loophole and build on the federal law that already protects pregnant people at work, the Pregnancy Discrimination Act. Before PWFA, workers could only get an accommodation if they could prove that another employee was given an accommodation, the result of a 2015 Supreme Court case.

Now under the PWFA, a worker also does not need to have a pregnancy-related disability to qualify for protections, they simply need to be pregnant and request an accommodation.

#### What are possible accommodations?

Examples could be giving a worker additional time to sit, rest, drink, eat or use the bathroom. It could mean relaxing some policies to allow workers a stool to sit on, allow them to wear maternity clothing or allow a water bottle in an area where it’s not typically allowed. Schedule-wise, accommodations could include time off for prenatal appointments, accommodating for morning sickness or allowing remote work if available.

For workers with jobs that require significant manual labor, transferring workers to light duty or temporarily transferring them to a less physically demanding job would constitute an accommodation.

*Chabeli Carrazana, The 19th*

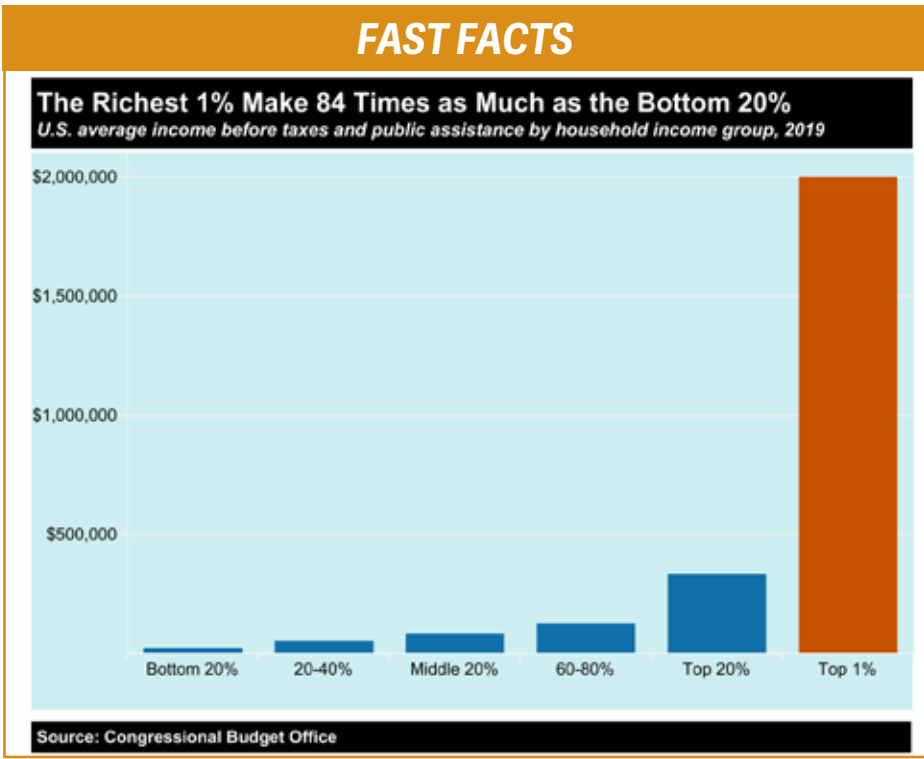
IAM LOCAL UNION MEETINGS

**A note about meetings and COVID**

Since the COVID shutdowns started, local unions have been holding general membership meetings over Zoom or other video conferencing programs. Some chose to tail-gate—meeting six feet apart outdoors—to meet the guidelines for social distancing. Some locals are now meeting indoors again while others are holding “hybrid” meetings — both in-person and on Zoom.

If you wish to attend a union meeting, the first step is to contact your local and find out how they’re holding it. Unless otherwise notified, they will continue with the current schedule (see below).

If your local is holding on-line meetings, you’ll need to contact them in advance to ensure that you’re registered to join them on-line.





UNION MEETINGS

<div><b>District Lodge I90</b> 8201 Capwell Drive Oakland, CA 94621 510-632-3661</div>	<div><i>Meetings are the fourth Tuesday of each month</i> July 25 • August 22 • September 25 <b>Executive Board Meeting:</b> 6:30 p.m. <b>General Delegates’ Meeting:</b> 7:00 p.m.</div>	<div><b>Local I484</b> 1261 Avalon Blvd. Wilmington, CA 90744 310-835-6688</div>	<div><b>Executive Board Meeting:</b> 6:00 p.m. on the third Thursday of the month July 20 • August 17 • September 21 <b>General Membership Meeting:</b> 6:00 p.m. on the first Tuesday of the month July 4 • August 1 • September 5 <b>Retirees’ Club:</b> 1:00 p.m. on the third Wednesday of the month: July 19 • August 16 • September 20</div>
<div><b>Local 93</b> Local 93 has merged into Local 1101. See Local 1101 box for meeting and contact information.</div>			
<div><b>Local 653</b> 5726 E. Shields Avenue Fresno, CA 93727</div>	<div><i>Meetings are the third Wednesday of the month</i> July 19 • August 16 • September 20 <b>Executive Board Meeting:</b> 5:00 p.m. <b>Membership Meeting:</b> 5:30 p.m.</div>	<div><b>Local I528</b> 713 16th Street Modesto, CA 95354 209-529-9210 machinists2182@gmail.com</div>	<div><i>Meetings are the first Wednesday of the month</i> July 5 • August 2 • September 6 <b>Executive Board Meeting:</b> 6:00 p.m. <b>General Membership Meeting:</b> 7:00 p.m. <b>Shop Steward Meeting:</b> 10 a.m. on the third Saturday of each month July 15 • August 19 • September 16 <b>Narcotics Anonymous:</b> 5:30-6:30 p.m. every Tuesday</div>
<div><b>Local 80I</b> 8201 Capwell Drive Oakland, CA 94621 800-655-2182</div>	<div><i>Meetings are the third Thursday of the month</i> July 20 • August 17 • September 21 <b>Membership Meeting:</b> 4:00 p.m. <i>Meetings are held at the Carpenters’ Hall, in Reno.</i></div>		
<div><b>Local I10I</b> 2102 Almaden Rd., #105 San Jose, CA 95125 408-440-8716</div>	<div><i>Meetings are the second Tuesday of the month</i> July 11 • August 8 • September 12 <b>Executive Board Meeting:</b> 5:00 p.m. <b>General Membership Meeting:</b> 5:30 p.m.</div>	<div><b>Local I546</b> 10260 MacArthur Blvd., Oakland, CA 94605 510-638-6705</div>	<div><i>Meetings are the first Tuesday of the month</i> July 4 • August 1 • September 5 <b>General Membership Meeting &amp; E Board Meetings:</b> 5:30 p.m. <b>Alcoholics Anonymous:</b> 9 a.m. every Saturday</div>
<div><b>Local I173</b> 1900 Bates Ave., # H Concord, CA 94520 925-687-6421 LL1173@sbcglobal.net</div>	<div><b>Executive Board Meeting:</b> 6:00 p.m. on the second Thursday of the month July 13 • August 10 • September 14 <b>Membership/Shop Stewards’ Meeting:</b> 6:30 p.m. on the second Thursday of the month July 13 • August 10 • September 14</div>	<div><b>Local I584</b> 10260 MacArthur Blvd., Oakland, CA 94605 510-632-3661</div>	<div><i>Meetings are the third Thursday of the month</i> July 20 • August 17 • September 21 <b>Membership Meeting:</b> 7:00 p.m. <b>Executive Board Meeting:</b> 6:00 p.m. <b>Retirees’ Club:</b> 12:30 p.m. on the first Tuesday of the month: August 1 • September 5 • October 3</div>
<div><b>Local I4I4</b> 150 South Boulevard San Mateo, CA 94402 650-341-2689</div>	<div><b>Shop Stewards’ Meeting:</b> 5:30 p.m. on the third Thursday of the month July 20 • August 17 • September 21 <b>Executive Board Meeting:</b> 6:00 p.m. on the second Thursday of the month July 13 • August 10 • September 14 <b>General Membership Meeting:</b> 6:30 p.m. on the third Thursday of the month via Zoom. Please contact the office for the meeting link. July 20 • August 17 • September 21 <b>Retirees’ Club:</b> 11:00 a.m. on the first Wednesday of March, June, Sept., Dec. All are welcome! September 6 • December 6</div>	<div><b>Local I596</b> Local 1596 has merged into Local 1173. See Local 1173 box for meeting and contact information.</div>	
		<div><b>Local 2182</b> 967 Venture Court Sacramento, CA 95825 916-929-1040 For dues questions, call Debbie Bird: 559-269-6386 machinists2182@gmail.com</div>	<div><i>Meetings are the second Tuesday of the month</i> July 11 • August 8 • September 12 <b>Executive Board Meeting:</b> 6:00 p.m. <b>General Membership Meeting:</b> 7:00 p.m. <b>Retirees’ VISTA CLUB:</b> 11:00 a.m. on the third Wednesday of each month: July 19 • August 16 • September 20</div>