



# CONNECTIONS

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## Union cracks down on cheating contractors

### Local 853 recovers thousands of dollars for Baylands drivers

Drivers who performed work on the Baylands/Salt Ponds Remediation Project in Palo Alto have received thousands of dollars due them because they had not been paid the appropriate prevailing wage. This breach was uncovered in an investigation by Teamsters Local 853's construction jobsite monitoring program. Similarly, the Northern California Teamsters Apprenticeship Training Program (NCTAT) in Rancho Murietta will also receive several hundred dollars through the prevailing wage settlement with the State of California.

In 2004, Local 853 Secretary-Treasurer Rome Aloise established a prevailing wage enforcement program in the construction industry because he saw non-union firms try to circumvent state laws on public works jobs.

"In the past, Teamster members working for signatory companies performed this work," Aloise explained. "Since deregulation, little has been done to enforce standards set by law. This encourages 'cheating' contractors to bill work at the proper rates, but then to undercompensate the workers by between \$10-20/hour."

### Fighting the 'race to the bottom'

Aloise describes this process as a "race to the bottom" and says that he's seen evidence of companies increasingly cheating on the prevailing wage law. "The result is that the winner of this race is the company that cheats the most, and the losers are the workers who are getting less than the wage they deserve and the tax-paying public, as skilled and experienced drivers leave the industry."

"Once I began investigating the boot trucks (oil spreaders) on the Baylands job site, I realized that the contractor was paying the drivers based on a lower classification. I got the city to withhold payment to the contractor until proper wages and benefits were paid to the drivers," said Business Representative Stu Helfer, who is Local 853's prevailing wage specialist. "By enforcing the prevailing wage provisions, we not only level the playing field so our union employers and members can compete, but we help those who are afraid to help themselves."

Local 853's program is actively policing construction jobsites across the Bay Area to ensure full compliance with California prevailing wage laws. "We believe that this is just a miniscule example of what is going on out there in terms of violations and recoverable money," says Local 853 Vice-President and Construction Division Director Phil Tarantino.

Local 853 also recovered approximately \$43,000 for misclassified employees on another job in the East Bay under similar circumstances.

## Election Time!

All Teamsters are encouraged to vote—in local and California elections and in IBT elections...



Teamsters Local 853 member Jim McAvoy addresses the 6000 delegates and guests at the IBT convention in Las Vegas. In addition to setting direction for the union for the next five years, Teamster delegates nominated candidates for international union offices.

Members have until November 14 to submit your ballot for the Teamster elections.

As the only union whose members democratically elect their international officers, the Teamsters seek full participation. This demonstrates to employers, politicians and the media that Teamsters care about their union. Don't put your ballot aside to complete later—vote now and mail it in!



Important issues face the voters this November. See inside for Teamster endorsements and be sure to vote! Election day: Tuesday, November 7



## Vote and vote again!

By ROME ALOISE

As you can see, this edition of our newsletter is about elections. We have our International election for our General President, General Secretary-Treasurer, and General Executive Board, and we have the California statewide election, both basically happening during the same time frame.

The membership of Local 853 has distinguished itself by consistently being one of the highest voting locals in both of these elections. I am hoping you will continue this tradition and that **every one** of our members votes in **both** elections.

Many of our members tell me that they don't feel like their votes make any difference, or that one politician is as bad as the other, so what good does it do to vote?

The fact is that your vote can make a huge difference. Why? Because with the sophisticated tracking and polling systems now in place, both major parties can track just how many union members participate in the election. This obviously not only determines the outcome of elections, but perhaps, more importantly, it also determines how much those who are elected will pay attention to us and our needs during their term.

When our current governor first got elected, he knew that union members did not follow their leadership's advice on how to vote to protect their interests as workers, and instead they voted for the movie star. So what did he do with this information? He rewarded your employers by endorsing and getting passed the worst workers' compensation legislation in 50 years, which cut your benefits and your rights if

you are hurt on the job. He tried to take away your right to use your political muscle in the voting process, and he attempted to terminate the California employees' pension plan, which would have had a devastating effect on your own pension.

*A large voter turnout by a local union is indicative of an active and aware membership that is willing to take control of their future. Local 853 has always been—and needs to stay—that kind of local union.*

During the 2005 special election, union voters rejected his attempts to continue to undermine their rights. As a result, he backed down. In fact, during this election year, he's signed some labor-sponsored bills that he vetoed in the past. He saw that you have clout and that forced him to change—at least until this election is over. **Your vote does make a difference, so show him again!**

### IBT vote also crucial

In many ways, our own national Teamster election may be even more important to your future. We are the only international union of our size that gives members a direct vote for their national leadership.

The number of members who vote in the election for their national union leadership is watched by many different entities. The government, who controls the election process, looks to ensure that members are empowered to participate. The employers look to gauge the strength of the international based on involvement of the members. And of course, the leadership of the international pays attention to which locals are most active and has local leadership who is in touch with their members.

A large voter turnout by a local union is indicative of an active and aware membership that is willing to take control of their future. Local 853 has always been—and

needs to stay—that kind of local union.

So I say: vote, and vote again!



### Success locally

We have had a number of victories in the last few months in our local, many of which are described elsewhere in this newsletter. I am proud of our staff for their persistence and ability to keep pushing the envelope to get the job done.

Business Representative Stu Helfer and Organizers Jesse Casqueiro and Ormar Locklear have been working on Reliable Trucking for over a year. They have followed drivers, held meetings, and performed hours and hours of research to determine how best to leverage our point that the workers at this company deserve the right to representation.

So far, we have prevailed on every level of this campaign.

Clearly, the best interests of the company would be served by not throwing away tens of thousands of dollars on legal maneuvering, and sit down and negotiate for a fair and decent contract.

The persistence and dedication of our staff is commendable. We know we are expected to achieve the most possible for our membership, and I am proud to say that we do so on a regular basis.

In addition, I give special thanks to our members Doug Radnich and Kent Kerns for their on-going assistance on the Reliable campaign.

Graniterock has again lost in court on two very important issues in its preposterous two-year old court case against Local 287. In an attempt to grasp at straws, the company sued the IBT, and at a late date, attempted to add alternate theories to their lawsuit. The court dismissed both ploys.

I fully expect to see the owner of the company throw away more money on appeals rather than pay his workers what they deserve. Companies like Graniterock ensure that people will always know there is a need for union representation.

We are exploring methods that we can use to persuade the company to come to a fair and equitable agreement with Local 853's members.

## Teamsters Local 853

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Debra Chaplan, Editor

## Teamster women make a difference—from top to bottom

Women are active in every aspect of the Teamsters union—from its foundation as titan operators and office managers to serving as its visionaries and leaders. In between, women are organizers, mentors, business agents, stewards, officers and rank-and-file members.

More than 700 women from all aspects of the union attended the Sixth Annual Teamster Women's Conference, held in September in Phoenix. The four-day event was designed to educate, inspire and promote leadership among Teamster women. This year's theme, "Making a Difference," celebrated women's achievements in the workplace and the labor movement.

Local 853 sent three women to Phoenix to participate: Laurel Van Winkle, a 10-year member who recently became the steward at Costco in Fairfield; Laura Larson, a 5-year ready mix driver and steward at Cemex; and Debra Chaplan, newsletter editor, staff member at the State Building Trades Council and an 8-year Teamster.

"It's eye-opening to see how hard it is for some

women. This puts on a whole new level of meaning on the value of the union for me," said Laurel. "Every woman here is so strong, so outspoken. It's good to know that my union backs us as we try to move forward. It's empowering."

"I find the conference motivating and energizing," adds Laura. "This makes me want to get the women in our Local together to support each other and the union."

### Challenges issued

Conference Coordinator and Women's Caucus President Cheryl Johnson opened the event by commending the audience for their leadership and commitment to their union. "You are strong women and you are stronger together," Johnson said. "Our

challenge is organizing for the future, because by 2050 more women than men will be in the workforce."

A lecture by Assoc. Education Director Sally Payne focused on mentoring. "By 2011, between 30-65% of the workforce will be eligible to retire. It's a brain drain," Payne said. "We have to learn how to mentor new women about how to get active and involved in the union. They are our future."

Arizona Governor Janet Napolitano also addressed the group. After describing some of the improvements she's been able to make in her state, she suggested that participants look at "what really matters to you and the quality of your life. Think about education, health care, jobs and housing. Talk member-to-member about

these issues and make sure that you and your sister workers all vote."

Local 853's women heard the messages and accepted the challenge. "In ready mix, we're constantly bringing in new people to the union who don't grow up with the history and hoopla," said Laura. "We have to find new ways to pass it on."



*Women's Caucus President Cheryl Johnson convenes the meeting as Teamster leaders Jim Hoffa (R) and Tom Keegel (L) look on.*

## Your reps at the 2006 women's conference

"I've always known my rights as a union member and I've used those rights," says 27-year old Laurel Van Winkle, who's worked at Fairfield Costco since high school and became steward last December. "I love the employees and the company. The managers ask me what the rules are first, before even trying to write somebody up."

Laurel says that before the previous steward took the posi-



*Local 853 members (ltoR) Laurel Van Winkle, Debra Chaplan and Laura Larson take the stage after attending workshops.*

tion, enforcement of union rules was getting lax. "He was relentless. He filed a lot of grievances and made sure that the members were being served." But now she says that she's trying to find the balance. "It's a business that needs to run, but our members also need to be treated fairly."

Laura Larson came to ready mix driving and the Teamsters union five years ago after having sold cars, worked retail and managed restaurants. "My first experience driving the hills of San Francisco was behind the wheel of a cement mixer," she says.

"We have 18 guys in our yard and since I've been steward, we haven't had many problems or any grievances. But I'm prepared to do what we need done. The guys trust me, and that's a big deal."

Laurel says she thinks it's important for all members, but especially new members, to learn what the union does. "We need to share the history and tell people the bigger picture of what the union does."

Newspaper editor Debra Chaplan has been in the Teamsters for about eight years and has worked with and for unions for about 20 years. Among other duties, she plans the annual Women Building California conference sponsored by the Building Trades Council. "Events like this are energizing and give us great ideas for how we can get involved in strengthening the Teamsters and the union movement. And if Laura and Laurel represent the future of our union, we're in great shape!"

# Teamster votes can make the difference in 2006 elections

## Endorsements

### Statewide Offices

GOVERNOR

**Phil Angelides (D)**

LT. GOVERNOR

**John Garamendi (D)**

SECRETARY OF STATE

**Debra Bowen (D)**

ATTORNEY GENERAL

**Jerry Brown (D)**

CONTROLLER

**John Chiang (D)**

TREASURER

**Bill Lockyer (D)**

INSURANCE COMMISSIONER

**Cruz Bustamante (D)**

BOARD OF EQUALIZATION

District 1 **Betty Yee (D)**

District 4 **Judy Chu (D)**

## Dates & Deadlines

### Register to vote:

October 23

### Apply for an absentee ballot:

October 9-31

### Voting by absentee ballot:

Ballots must be received by the county registrar or turned in to a polling place by November 7.

### Election Day:

Tuesday, November 7

### To register to vote online:

[http://www.ss.ca.gov/elections/elections\\_d.htm](http://www.ss.ca.gov/elections/elections_d.htm) OR  
contact your business agent.

For easy links to all the candidate websites go to:

[www.calvoter.org](http://www.calvoter.org)

## Ballot Propositions



### PROPOSITION 1A — YES

Transportation Funding Protection. Legislative Constitutional Amendment.



### PROPOSITION 1B — YES

Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006.



### PROPOSITION 1C — YES

Housing and Emergency Shelter Trust Fund Act of 2006.



### PROPOSITION 1D — YES

Kindergarten-University Public Education Facilities Bond Act of 2006.



### PROPOSITION 1E — YES

Disaster Preparedness and Flood Prevention Bond Act of 2006.



### PROPOSITION 83 — No Recommendation

Sex Offenders. Sexually Violent Predators. Punishment, Residence Restrictions and Monitoring.



### PROPOSITION 84 — YES

Water Quality, Safety and Supply. Flood Control. Natural Resource Protection. Park Improvements. Bonds.



### PROPOSITION 85 — NO

Waiting Period and Parental Notification Before Termination of Minor's Pregnancy.



### PROPOSITION 86 — YES

Tax on Cigarettes. Initiative Constitutional Amendment and Statute.



### PROPOSITION 87 — YES

Alternative Energy. Research, Production, Incentives. Tax on California Oil.



### PROPOSITION 88 — NO

Education Funding. Real Property Parcel Tax.



### PROPOSITION 89 — No recommendation

Political Campaigns. Public Financing. Corporate Tax Increase. Contribution and Expenditure Limits.



### PROPOSITION 90 — NO

Government Acquisition, Regulation of Private Property.

*Many of the races you'll be voting on are not particularly contested due to the way districts have been drawn. However, the Governor's race is one that union members—if we vote in numbers—have the power to decide.*

### Phil Angelides



Phil Angelides was the first politician to oppose Arnold's pension privatization scheme and as State Treasurer, he strengthened pensions for more than one million workers. He joined unions in our fight to stop Arnold's meal break takeaway, and has pledged to restore millions in compensation for injured workers. Phil has cracked down on corporations that move offshore to cut jobs and cheat on taxes. Phil has worked side by side with unions on many issues and will continue to do so if elected governor.

### Arnold Schwarzenegger



Here are just a few ways Arnold Schwarzenegger has been an anti-worker governor: He moved to take away pensions from public workers. He tried to drop death benefits for widows and orphans of fallen police and firefighters. He sought to take away workers' right to a meal break. He reduced compensation to permanently disabled workers by 50%. He vetoed bills to limit offshoring of California jobs after taking contributions from companies that outsource.

*In this election year, Arnold has the swagger, but next year it could again be a dagger. All Local 853 members are strongly urged to vote for Phil Angelides for Governor.*

## Teamster Election Reminder

❖ If you haven't **returned** your ballot for the National Teamsters Election, please vote and return the ballot immediately.

❖ If you didn't **receive** a ballot, if your ballot was lost or misplaced, or if you made a mistake on your ballot, call the IBT Election Supervisor at 1-888-428-2006



## More Teamster Endorsements

### ALAMEDA COUNTY

#### Congress

- CD9 Barbara Lee
- CD10 Ellen Tauscher
- CD11 Jerry McNerney
- CD13 Fortney "Pete" Stark

#### State Assembly

- AD14 Loni Hancock
- AD15 Terrence Coleman
- AD16 Sandre Swanson
- AD18 Mary Hayashi
- AD20 Alberto Torrico

### CONTRA COSTA COUNTY

#### Congress

- CD7 George Miller
- CD10 Ellen Tauscher
- CD11 Jerry McNerney

#### State Assembly

- AD11 Mark DeSaulnier
- AD14 Loni Hancock
- AD15 Terrence Coleman

## Benefits & Announcements

### WCT Pension to Increase Allocation

At the time we go to press, WCT Pension Plan Trustee, Rome Aloise has informed us that the trustees of the pension plan will officially announce sometime in mid to late November that the allocation for the year of 2007 will be raised for active participants. More specific information will be available when the official notice is sent by the Plan. This increase continues the commitment made by the trustees toward reinstating the accrual rates as responsibly and prudently as possible.

It should also be noted that the plan will have no withdrawal liability, once again, making it one of the most financially healthy and secure plans in the country.

### New West Bay Office

We've moved our office on the west side of the bay. Please note the new address: 151 W. 20th Avenue, San Mateo, CA.

### WCT Pension Plan Q&A

On the second Wednesday of every month, a representative from the Western Conference of Teamsters Pension Administrator comes to Local 853's San Leandro office to answer your pension questions. Call 510-895-8853 or 800-400-1250 for an appointment.

### SIP 401(k) Enrollment

Most Local 853 members are eligible for the SIP 401(k) Plan. If you are not yet enrolled, or wish to increase your pre-tax deferred amounts—check with your business agent, your company's HR department, or call 1-800-4-PRETAX [1-800-477-3829].

### Monthly Meetings

Local 853's membership meetings are held the Second Thursday of each month at 7:00 p.m. They are held in the West Bay and East Bay:

- 1700 Marina Blvd., San Leandro, or
  - 151 W. 20th Avenue, San Mateo, CA.
- Call 510-895-8853 to confirm location.



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## *Local 853 – organizing and building a stronger union*

### ***Solidarity at Cemex***

Local 853 salutes the nine Cemex mechanics—members of IAM Locals 1546 and 1173—who went on strike for seven days for the right to show solidarity and won.

After first proposing major take-aways, Cemex then offered the IAM the same contract extension the Teamsters got, with an additional \$2,500 signing bonus. The catch: the Machinists would have to waive their right to honor other unions' picket lines.

“The company’s ultimate goal was to break the solidarity between the numerous unions on their yards,” says IAM Area Director Don Crosatto, who credits the cooperation of drivers from Teamsters Locals 853 and 315 for much of the success of the strike.

“Teamster contracts are coming up soon at Cemex and throughout the industry,” says Business Rep Bo Morgan. “This strike was for all of us—showing what solidarity really means.”

### **Judge sides with union in organizing battle**

Administrative law judge Clifford Anderson recommended that the National Labor Relations Board certify Local 853 as the bargaining agent for 150 drivers at Reliable Trucking.

Concord-based Reliable Trucking is the largest supplier and broker of rock, sand, gravel and bulk cement in northern California. The drivers voted to become Teamsters in August, 2005 but the employer contested the results and the issue was referred by the National Labor Relations Board to the administrative law judge.

#### **History in the industry**

Local 853 started organizing at Reliable to work towards regaining membership in this changing industry. “In the 1980’s, the major ready mix companies went from having union workers run company-owned equipment to finding other non-union parties to haul the materials for them, a practice that continues today,” explained Secretary-Treasurer Rome Aloise. “We see no reason why the drivers of those trucks couldn’t be our members and be covered under a union contract.”

Many present and former drivers from Reliable Trucking attended the hearing to show their continuing interest in union representation. Their presence was not overlooked by the judge.

“The judge’s decision and recommendation to the Labor Board confirmed what we knew all along—the drivers at Reliable wanted representation from Teamsters Local 853,” said Business Representative Stu Helfer.

The company is appealing the September 20 decision. Nevertheless, the workers at Reliable see the decision as a breakthrough.

“I’m elated it has gotten this far,” said driver Dan Campos. “At every turn, everybody thought we didn’t stand a chance of getting a vote certified. Now there is a light at the end of the tunnel.”

“We are proud of the men and women at Reliable who have hung in there during this long ordeal, which is not yet over. They are the real heroes because they have had to endure this process,” said Aloise.