

FEBRUARY 2006

Inside This Issue...

SHOP STEWARD'S CORNER
BASE SAFETY COMMITTEE
PAGE 3

LETTERS TO THE EDITOR
WASHINGTON FAMILY CARE ACT
PAGES 4 & 5

BYLAW AMENDMENT
MINORITY AFFAIRS COMMITTEE
PAGES 6 & 7

ATU

LOCAL 587

News Review



Check out our Web site:



www.atu587.com

VOL. XXIX, NO. 2

The Vice President's Report

TESTING OUR RESOLVE?

By Vice President Glen Travis

Back in the years prior to 1992 the relationship between Metro Management and Local 587 was one of mistrust and friction. Some of you may remember the challenges we faced with work rules, contract compliance and labor relations. Negotiations and day-to-day business were en-

gulfed in argument, conflict, and uncertainty. In August of 1991 the leadership of Local 587 and a small, select group of Metro managers decided to be trail blazers. They embarked on a new approach to labor-management relations.

At that time, Director of Transit Dick Sandaas approached Local 587 President Dan Linville and asked how both sides could rethink their manner of doing business and develop a better working relationship between management and the Union. Taking a progressive step, the officers of Local 587 suggested a change to their current negotiations process. The officers recommended to Sandaas inviting four Metro managers to sit at the negotiations table instead of the attorneys that were present prior to a break down of negotiations. The four were Rick Walsh, Mary Peterson, Gloria Overgaard, and Harold Mann. These four managers, along with the Union leadership, stepped outside of the box and took a broader view of what

These managers have started down a new path to managing this agency. What is interesting to me is only one of them, to my knowledge, has deep roots in the transportation field.



Glen A. Travis

the future held for the agency regarding its' relationship with Local 587. More than a decade of solid, productive relationship was the end result.

Leap ahead now some fifteen years later and one has to ask, what the hell has happened to all of that hard work? What has happened to the relationship between management and Union? As I see it, we are heading back to the dark days of

pre-1992, and unfortunately the relationship between management and the Union has taken a turn for the worse.

For those of you who are unaware, Metro has had a complete turnover of their top managers, from the Director of Transportation on down to the Supervisor of Human Resources. The top managers are: Director of Transportation,

continued on page 6

AMALGAMATED • TRANSIT • UNION

2815 2nd Avenue, Suite 230
Seattle, WA 98121

NON PROFIT
U.S. POSTAGE
PAID
SEATTLE WA
PERMIT NO 1471

ADDRESS SERVICE REQUESTED

The Month at a Glance

Executive Board Report

January 24, 2006

All officers were present.

The following business was conducted:

- Motion by Jennie Gil to approve the polling times and locations, and tellers assignments for the upcoming 2006 officer elections as presented and corrected.

- Motion by Marc Auerbach to send the newly elected alternate Vice President of CLUW to the

CLUW National Executive Board meeting paying registration, lodging, and per diem.

- Motion by Paul Bachtel to donate \$1000 to the Unemployment Law Project.

- Motion by Rick Sepolen to approve payment for registration and per diem for up to nine COPE members to attend the WSLC Legislative Session on February 16, 2006 in Olympia.

Business of the Membership

At the January 2006 cycle of membership meetings the following business was conducted:

- Request for arbitration by Brother Clint DeVoss was approved by the membership.

- Motion that ATU Local 587 endorse the event "Unionists and Feminists Resist Free Trade and Privatization in Central America" was approved by the membership.

- Motion to approve the dues increase for public transit employees was approved by the membership.

The following members were January pot draw winners: Jeff Doppmann at the Charter meeting, Justin Swanson at the Morning meeting, Troy McKelvey at the JTA meeting. CTS pot draw winner was Steve Biss. CTS rolling pot draw of \$200.00 was lost by Michael Perdue. Next month's rolling pot will be \$225.00.

Tentative Agenda

Membership Meetings:

CHARTER MEETING
Thursday, February 2, 2006
8:00 p.m.
The Labor Temple, Hall #8
2800 1st Ave., Seattle, WA

JEFFERSON TRANSIT
Monday, February 6, 2006
7:00 p.m.
Port Townsend Rec Center
Port Townsend, WA

MORNING MEETING
Friday, February 3, 2006
10:30 a.m.
The Labor Temple, Hall #6
2800 1st Ave., Seattle, WA

CLALLAM TRANSIT
Tuesday, February 7, 2006
7:00 p.m.
Vern Burton Memorial Building
Port Angeles, WA

Among topics to be discussed:

Among topics to be discussed: Grievance and arbitration update, status of Paratransit conflicts, DOT medical requirements, bus wrap in Vehicle Maintenance, light rail negotiations.

Proposed amendment to Article III, Section 2 of the Local bylaws was not voted on at the January cycle of meetings due to improper posting. This bylaw proposal will be discussed and voted on at the February cycle.

Unfinished business

Arbitration request by Brother Gerald Rand, from Clallam Paratransit, made at the January Clallam meeting, will be carried over to the February Charter, Morning and Jefferson meetings.

ARBITRATION UPDATE

1. **Kenny McCormick:** Grieved failure to follow FLSA requirements for travel time for board/report/ATL operators. Grievance being held in abeyance while issue finalized in court.
2. **Vince Lee:** Grieved improper procedure for upgrade to temporary position. Arbitration held November 8, 2005. Decision pending.
3. **Sandie Olosky:** Grieved termination for alleged gross misconduct. Arbitration held November 7 and 8, 2005. Decision pending.
4. **Louise Gredig:** Grieved premature non-disciplinary medical termination. Schedule pending.
5. **Tyler Schultz:** Grieved medical termination. Arbitration held December 7th, 2005. Decision pending.
6. **Dobbie Boyington:** Grieved termination for four infractions. Arbitration scheduled for February 21 and 22, 2006.
7. **Jeff Durall:** Grieved termination for alleged gross misconduct. Schedule pending.
8. **Dar-An Kung:** Grieved work done out of classification. Arbitration scheduled for April 25th, 2006.
9. **Mike Whitehead:** Grieved violation of Lead Transit Part Specialists MOA. Schedule pending.
10. **Clint DeVoss:** Grieved work out of classification. Arbitration approved by the membership at the January cycle of membership meetings. Schedule pending.

ATU LOCAL 587

News Review

Published monthly in Seattle.

Official publication of Amalgamated Transit Union Local 587, AFL-CIO, representing employees of Metro/King County, Clallam Transit, Jefferson Transit, Seattle Personal Transit, Clallam Paratransit, and MV Transit.

2815 Second Avenue, Suite 230
Seattle, Washington 98121
Telephone: 206-448-8588.

Affiliations: Washington State Labor Council, King County Labor Council, Northwest Joint Conference Board, ATU Legislative Council, Olympic Labor Council.

OFFICERS OF THE AMALGAMATED TRANSIT UNION, LOCAL 587:

LANCE F. NORTON Pres/Business Representative
email - lnortonpres@atu587.com

GLEN A. TRAVIS Vice President/Assistant Business Representative
email - gtravisvp@atu587.com

PAUL L. GRIFFIN Financial Secretary
email - fsgriffin@atu587.com

JENNIE L. GIL Recording Secretary/
Editor 587 News Review
email - recsec587@atu587.com

Minority Affairs Officer
Transit Operator Position No. 1
Transit Operator Position No. 2
Transit Operator Position No. 3
Transit Operator Position No. 4
Transit Operator Position No. 5
Transit Operator Position No. 6
Transit Operator Position No. 7
Transit Operator Position No. 8
Vehicle Maintenance Position No. 1
Vehicle Maintenance Position No. 2
Vehicle Maintenance Position No. 3
Facilities Maintenance
Special Classifications
Supervisors
Clallam/Jefferson County
SPT/MV

RAY CAMPBELL
PAUL BACHTEL
MARC AUERBACH
DEE WAKENIGHT
BRIAN SHERLOCK
RICK SEPOLEN
JUDY YOUNG
NEAL SAFRIN
BRUCE TIEBOUT
MIKE WHITEHEAD
DEB STENOEN
JEFF STAMBAUGH
ALAN HUSTON
CHRIS DANIELS
PAUL NEIL
JOE MANGIAMELI
NINUS HOPKINS

Web site: <http://www.atu587.com>

WEINGARTEN RIGHTS STATEMENT

I request to have a union representative present on my behalf during this meeting because I believe it may lead to disciplinary action taken against me. If I am denied my right to have a union representative present, I will refuse to answer accusational questions and any I believe may lead to discipline.

Letters to the editor

Letters/contributions must include signatures, work ID number, addresses and telephone numbers that can be verified during office hours. Letters that cannot be validated will not be published. All articles/letters are subject to editing and should be limited to 350 words or less. Not all letters can be published due to space limitations. Cut off date is the 15th of each month.

Send letters to:

Jennie Gil, Editor

c/o ATU Local 587

News Review

2815 Second Avenue, Suite 230
Seattle, WA 98121

Base Safety Committee

By Paul J. Bachtel

Over the years I've noticed at King County Metro, every base committee seems to be comprised of the same people with the exception of the Base Safety Committee. Base Safety Committee members are elected by the membership, not appointed by management as are members of other committees, and thus we choose who will represent our safety interests in our respective bases. As much as it pains me to

see the same members serving on multiple committees I would like to see union representatives serving on Base Safety Committees.

Union representatives often have the background knowledge to know what information might be relevant in an upcoming arbitration. In the Radboy and Young arbitrations the neutral arbitrator was very interested to learn what issues had been documented on safety green cards. Numerous

Operators had written safety green cards complaining of the visual obstructions present on the Gillig coaches. This in part led to a victory in Radboy. I serve on the North Base Safety Committee as well as the Joint Safety Committee and I'm compiling a copy of each green card submitted at North Base and each issue discussed at Joint Safety for use as evidence in future arbitrations.

I urge each union member to

Shop Stewards' Corner

document every safety issue on a green card and our union representatives to run for a position on their respective base safety committee. I urge safety committee members at MV Transportation, Seattle Personal Transit, Jefferson Transit, Clallam Transit and Paratransit Services to also maintain records of documented safety issues. Together, we can hold management accountable and protect the interests of our membership.

Tidbits To Be Aware Of

By Atlantic Base Shop Steward Bill Clifford

Safety Vests

Trolley drivers are required to wear orange safety vests when outside their coaches in the street, such as after a dewirement. This is another one of those deals where no good deed goes unpunished: once Metro made this safety equipment available, it became mandatory to use it. Non-compliant Operators

are getting PRs, not because management loves to do the paperwork but because they have been getting videos (and threats of big fines) of non-vested Operators. These videos have been coming from WISHA, which has offices at 5th and Jackson. That's a really bad place to forget your vest.

Red Lights and CDLs

Members from all bargaining units need to know the traffic laws that will affect their CDLs. At KCM, Safety Supervisors are writing up Operators who run red lights and/or get caught in a intersection. They claim it's for your own good. It seems SPD is on

a tear, ticketing bus drivers who run red lights. These are moving violations, and the most recent CDL regulations issued state that two of them threaten your CDL, therefore threaten your ability to earn a paycheck.

IN LOVING MEMORY...

When the body sinks into death, the essence of man is revealed. Man is a knot, a web, a mesh into which relationships are tied. Only those relationships matter. The body is an old crock that nobody will miss. I have never known a man to think of himself when dying. Never.

— Antoine De Saint-Exupery

Catherine Donalds, Transit Operator #3683 passed away suddenly on January 16, 2006. Sister Donalds, long-time Chief Shop Steward out of East base, joined Local 587 April 7, 1995, as a Part-time Operator. She went full-time in November of 1997. Sister Donalds had a long history of dedicated involvement in her local, serving for most of her career as shop steward, chief shop steward, on various committees, and volunteering for many union events. She leaves behind many saddened hearts as she goes to join her father, mother, and brother who left just before her. It will be a long time before this union officer can pass a grill at the annual union picnic without



looking for Cathy's face and her usual poking jibe as she serves me up my hamburger.

James M. Davis, Part-time Transit Operator #12103, passed away January 12, 2006. Brother Davis joined Local 587 as a bus driver in March of 1973. He retired 30 years later in June of 2003. Not quite having had his fill of driving, he returned part-time in September of that year. Brother Davis was an active member out of South base at the time of his passing. He will be greatly missed.



Velda Square, former Transit Operator, passed away January 7, 2006, after a long illness. Sis-

ter Square had been a Full-time Transit Operator, mostly out of Central/Atlantic, since 1988. She left Metro in May of 2000 due to health reasons. Sister Square leaves behind many friends and loving family, including daughter Tameiko Cook, a Part-time Transit Operator out of Central base. If you see Sister Cook, please offer your condolences.

Dennis Blair Post, retired Transit Operator, passed away November 23, 2005, after a long battle with congestive heart failure. Brother Post joined Local 587 in March of 1982 as a Part-time Transit Operator. He went Full-time in June of 1984. He retired in May of 1998 and enjoyed several years of retire-



ment with his lovely wife, Claudia, even after being diagnosed with congestive heart failure in 2000. Brother Post was last out of North base. He leaves behind beautiful music he wrote, a garden that will greatly miss him, and a great many memories for friends and family.

James Barnett, retired Transit Operator, passed away October 21, 2005, after a long, serious illness. Brother Barnett joined Local 587 as a bus driver in April of 1965. Brother Barnett retired in 1985. He leaves behind a large, loving family.



Please notify the union office of any member's passing so that this information may be shared with the rest of our union family.

Letters to the Editor...

Illegal Escrow Fees

—Are You Paying Too Much For Your Home??

A local consumer-interest lawyer is investigating the practices of various escrow companies that may be charging wrongful or illegal escrow fees on home purchases and refinances. Attorney Tim Warzecha believes these practices are extremely common but needs to verify them as to individual companies and possibly initiate a consumer protection, class action suit.

Although each wrongful charge probably costs the individual consumer less than one hundred dollars, possibly every buyer and re-financer in Washington has been victimized, and this adds up to serious money.

Warzecha needs volunteers to call him and let him know which companies they used. This lawsuit is similar to our recent travel-pay lawsuit in that only a handful of individuals would need to make statements but everyone who is a victim would get some justice. Also these illegal escrow fees would be stopped. The law firm would not charge the plaintiffs/home buyers. Law firm expenses will come from the settlement.

If you have purchased or refinanced property in the last four

SEND IN YOUR OPINIONS

Letters/contributions must include signatures, work ID number, addresses and telephone numbers that can be verified during office hours. Letters that cannot be validated will not be published. All articles/letters are subject to editing and should be limited to 350 words or less. Not all letters can be published due to space limitations. Cut off date is the 15th of each month. Send letters to:

Jennie Gil
News Review Editor
c/o ATU Local 587
2815 Second Avenue
Suite 230
Seattle, WA 98121

NOTICE TO ALL READERS

Views and opinions expressed in News Review articles are those of the authors and not necessarily the official position of Local 587

years, and would like to participate in helping this investigation, please contact Tim Warzecha at (206) 264-0282 or warzecha@warzecha-law.com

*In solidarity,
Bill Clifford #6389
Atlantic Base*

Recycling

Dear [Editor],

As the coordinator for Metro Transit's recycling program... I have tried to give thanks where thanks is due over the years, there are just so many people who have played an important part in our recycling efforts over the years that I thought this would be the best way to reach them all.

First in line for a special thanks would have to be Transit's Custodial staff. It is through their dedicated efforts that the majority of our plain paper and cardboard gets recycled. Next would be our coach servicing crews. The amount of newspaper recycled by these employees is truly mind-boggling (over 130,000 pounds last year). Beyond these two groups comes every single Transit employee who has made recycling a part of their daily operations.

Thanks to the efforts of these employees, King County as a whole was inducted into the EPA WasteWise Hall of Fame for 2004. Though this won't garner us legions of fans asking for our autographs or even a free box of donuts down at the local Krispy Kreme, it is still a significant accomplishment which puts us in league with Eastman-Kodak, Anheuser-Busch and other world-class organizations.

A big hearty thank you to every single recycler out there!!

*Sincerely,
Talon Swanson - #43929
Environmental Scientist
King County / Metro Transit*

Shoulder Harnesses

Dear Editor,

I've been writing this letter in my head while driving ever since I read "Help With Shoulder Harnesses" in the Oct 05 *News Review*. I cannot document any safety issues associated with wearing the harness because I simply cannot wear the harness as it is installed on virtually all the coaches I drive. I modify it by extending it and tying a knot in it near the top (my apologies for not untying, will try to do better in future). This gives enough slack to allow me to perform normal operations.

If I were to wear the harness as it is designed, not only does it cut across my throat as it stretches over my left shoulder, smash my right nipple as it fastens to the seat belt, but it prevents me from performing the following actions:

- Pick up the radio handset
- Turn on windshield wipers
- Adjust defroster/heater knobs
- Reach the kneeler/lift controls
- Open/close window
- Tear off transfers
- Key in farebox entries
- Reach the microphone to make announcements
- The list can go on and on.

Then there are the safety issues of looking backwards out the side window when entering a roadway which has been altered by construction as well as the movements needed to see around the mirrors, farebox, etc

And on the subject of announcements, specifically ADA announcements, if full compliance is really desired, doesn't it make sense to make it easier to comply? How about adding a clip somewhere in the driver's compartment to hang the card or possibly redesigning the run cards to include the ADA stops? And the microphones: I remember when there were a lot of complaints about the cord being way too long, so they were shortened. Is it just me? Or are they now way too short? I find I have to lean far forward in order to speak into it, which comes back to the harness issue.

My final comment is for my fellow operators: please, please pull far enough ahead at a stop to allow the following coach to pull in and clear the intersection. We're all on tight schedules and it is very frustrating to have to sit back through a green light just because the coach ahead didn't leave enough room, especially if you're carrying passengers who want to transfer to that coach.

*Sincerely,
Sraddha Durand, #20377
Ryerson Base*

Regionalism

Dear Editor:

Recently State Representative Ed Murray, House Transportation Committee Chairman, has been talking about how all transit and road agencies in the central Puget Sound area should be merged into one big agency. According to Rep. Murray, the various transit agencies - Pierce Transit, Metro/King Transit, Community Transit, Sound Transit, and Kitsap Transit - are competing with each other. Instead of each agency making decisions based solely on their own interests and concerns, they should be working together to benefit the entire region. A common, simple fare structure would be a great place to start. And how about the same operational rules in downtown Seattle?

The A.T.U. locals in the Central Puget Sound area should be thinking along the same lines.

A regional council of the A.T.U. locals in the Central Puget Sound area would put those locals in a position where we can all compare contracts, coordinate strategy, etc. We could also begin discussing how we would handle local autonomy, seniority, etc., if all the transit agencies merged. I am sure that the other locals, who are considerably smaller than Local 587, are not interested in being merged with or being controlled by Local 587, nor should Local 587 want to do that. We can still work together for the good of all the members of all the locals.

We have already informally started doing business regionally by inviting shop stewards from other area locals to attend our Shop Steward Training. Let us keep that up and work as closely as we can with our neighboring locals in other areas of mutual concern.

*Paul Neil
Executive Board Officer*

SHOP STEWARD TRAINING FOR NEW STEWARDS

When: Thursday & Friday
February 16 & 17 2006

Where: Union Office
2815 Second Avenue #230
Bay Vista Office Bldg - Between Broad & Clay

Time: 9am-5pm

New Steward training has been extended to a 2-day session

Please call the Union office no later than 4pm on Friday, February 10, 2006, if you would like to attend. Attire is casual, lunch will be provided. Parking is available in the underground garage accessed on Clay between 1st and 2nd Ave.

Washington Family Care Act (WFCA)

By Paul J. Bachtel, Executive Board Officer

Last month I wrote an article entitled "Washington Family Leave Act (WFLA)". An astute manager pointed out that the section of the law I was referencing is actually under the Washington Family Care Act. I stand corrected.

Both the Washington Family Leave Act (WFLA) and the Washington Family Care Act (WFCA) address state mandated family leave. WFLA addresses childbirth, adoption and leave for terminally ill children. WFCA addresses leave to care for ill family members including children under eighteen, spouses, parents, parents-in-law, grandparents, and adult children with disabilities. Unlike FMLA, WFCA does not provide protected leave for the employee's medical conditions.

Last month I also suggested King County Metro may be terminating probationary employees and denying promotion to other employees for using paid protected leave. The same manager who corrected my article title took issue with that contention by stating, "The WFCA does permit

the employer to use their normal rules for the use of paid time off". I beg to differ.

I quote from the Department of Labor and Industries' web page *Frequently Asked Questions* (ES.C.10) on the WFCA, at <http://www.lni.wa.gov/WorkplaceRights/files/policies/esc10.pdf>:

• 18. Can an employer apply attendance policies to the use of sick leave?

Nothing in the rules prohibits an employer from applying its attendance policies. However, like the previous rules, Chapter 296-130-035 WAC state an employer must not discharge, threaten to discharge, demote and suspend, discipline or otherwise discriminate against an employee because the employee has exercised or attempted to exercise any right provided by RCW 49.12.270."

This suggests to me that the termination of a probationary employee or denial of promotion to any employee for using WFCA protected leave is in violation of 296-130-035 WAC.

Also from the same web site,

• 23. How do the Family Care rules relate to FMLA?

...[U]nder Chapter 296-130 WAC, Family Care rules, all employees with access to paid leave, sick leave, or other paid time off will now have the choice to use this leave while caring for sick family members (regardless of whether the leave is also covered by the FMLA)...

And,

• 24. How do Family Care rules differ from the federal FMLA?

Unlike FMLA, these rules apply to all employers who provide paid leave benefits regardless of size, cover other family members (i.e., parent-in-law and grandparent) for use of paid leave not included under FMLA requirements, and do not require illness of three consecutive days for its use. (emphasis added).

At King County Metro, management has not provided a method to report WFCA leave. How can King

County Metro management then terminate probationary employees or deny promotion to other employees based on protected sick leave use? The most recent promotional opportunity being marketed, that of promotion from Full-Time Transit Operator to First Line Supervisor speaks of an exclusion of FMLA sick leave in months being evaluated for acceptance into the process, but makes no mention of WFCA protected sick leave use. Will history repeat itself with those denied participation in the First Line promotional process grieving the process? Will King County Metro be forced into implementing WFCA rules? What about the other five employers with employees represented by Local 587? Have they implemented WFCA rules? Vice President Glen Travis is currently researching this issue with help from our attorneys. If you believe you have been discriminated against in regard to WFCA leave use, contact Vice President Glen Travis at the Union office.

Washington Family Care Act Claim Form

By Paul Bachtel, Executive Board Officer

Below please find a WFCA claim form for the purpose of notifying King County Metro of your intention to take paid leave under the WFCA and your choices of which paid leave you intend to use. Unfortunately, Metro

Human Resources, (HR) has not provided a method of notification for employees to utilize when taking WFCA leave. Please have your claim date stamped and maintain a copy should your supervisor refuse to accept your claim and later at-

tempt to discriminate against you for taking protected leave.

Please read the notes accompanying this form and/or consult the Department of Labor and Industries Frequently Asked Questions (FAQ) ES.C.10 available online or

from the union office. <http://www.lni.wa.gov/WorkplaceRights/files/policies/esc10.pdf>

This form was created for King County Metro employees. Employees of MV Transportation, Seattle Personal Transit, Clallam Transit, Jefferson Transit and Para-Transit Services may already have a form at their disposal. If not, please use this one.

Notes on requesting WFCA leave.

A. Employees may not be disciplined or discriminated against for using WFCA leave. This includes probationary employees and employees seeking promotion. There is no minimum length of employment or hours worked before coverage begins.

B. WFCA leave must be paid leave.

C. Domestic partnerships are not included in this law.

D. Situations in which WFCA leave may be used to care for a child include

- A medical condition requiring treatment or a medication that a child cannot administer;

- A medical or mental-health condition which would endanger the child's safety or recovery without the presence of the parent or guardian: or

- A condition warranting treatment or preventative health care such as physical, dental, optical or immunization services, when a parent must be present to authorize the treatment.

continued on page 8

Washington Family Care Act Claim Form

Pursuant to RCW 49.12.265 through 49.12.295 I am taking paid leave to care for my (Circle one) – child under age 18 – spouse – parent - parent-in-law – grandparent – child with a disability.

Name _____ I.D. # _____

Date(s) of Leave ___/___/___ to ___/___/___

I choose to use the following paid leave to be paid for caring for my (circle one)
child – parent – parent-in-law – grandparent.

(Circle one) - Sick Leave - Vacation - AC

Please clip this claim form and have completed forms date stamped before submitting. Maintain a copy should your supervisor refuse to accept your claim and later attempt to discriminate against you for taking protected leave.

Have A Nice Day - Paul J. Bachtel

Vice President's Report, continued from page 1

The Union officers have attempted to appeal to Metro to reconsider this damaging decision. Grievances have been filed and other arenas of recourse are being reviewed.

Harold Tanaguchi, Deputy Director of Transportation (hired to fill the huge vacancy that came with Mary Peterson's retirement) Laurie Brown, General Manager Kevin Desmond, and the new Supervisor of Human Resources, Laird Cusack, hired by the General Manager to fill the vacancy left by Beth Dollivers' retirement. These

managers have started down a new path to managing this agency. What is interesting to me is only one of them, to my knowledge, has deep roots in the transportation field. Perhaps that may be why some of the decisions made, or not made, are bringing about some of the dysfunction and strain that we are now experiencing.

Here are just two of many issues that are causing serious strain on relations.

Historical and Traditional Work:

Bus Wraps for advertising are Metro's new, "lucrative" source of revenue. Kevin Desmond has no problem whatsoever with the ugly affront to the agency's image when it comes to displaying these monstrosities around the county. And to make things worse he is supporting Vehicle Maintenance management's decision to contracting out the installation of this work to an outside non-union work group. But wait, it gets worse.

To save a buck or two, they are having this non-union subcontractor do the work side by side with 587 members **on King County Metro property!** The justifier was that it cost too much to transport and shuttle the coaches off site, as had been done previously. No one is mentioning, of course, that this cost is minimal in comparison to the \$26 million per year that this

rolling advertising is bringing into the agency. The Union officers have attempted to appeal to Metro to reconsider this damaging decision. Grievances have been filed and other arenas of recourse are being reviewed.

Contract Interpretation and Past Practice:

Laird Cusack, the new Supervisor of HR has declared he doesn't like our labor agreement. He "doesn't get" (understand) much of the language and provisions found within. He has put the Union on notice that he intends to change our language at the next contract negotiations. He has further decided to reinterpret the forfeiture provision and has taken the agency in a new direction of responding to how forfeitures are handled, thereby ignoring 25+ years of language application and past practice.

Welcome aboard Mr. Desmond, and Mr. Cusack, it looks like it's going to be a bumpy ride.

Bylaw Amendments

The following bylaw amendments were read into the record at the January Executive Board meeting, and will be read into the record at the February cycle of membership meetings.

ARTICLE XV

BYLAW AMENDMENTS

Section 1. An amendment to A proposal to amend these By-laws shall first be submitted in writing to the Local's Executive Board at one of their regularly scheduled meetings. It shall be read into the record at that Executive Board meeting, and at the subsequent cycle of membership meetings, and then laid upon the table until the next following regular meeting cycle to be voted on. A two-thirds majority of the votes cast shall be required to adopt the amendment.

Section 2. All proposed amendments together with the section to be amended shall be ~~posted~~ published in the News

Review issue immediately following the Executive Board meeting in which the proposal was submitted. Said proposal shall be published again in the News Review issue immediately prior to the meeting at which the vote is to be taken, at all worksites at least ten (10) days prior to the meeting at which the vote is to be taken.

Section 3. The Recording Secretary shall keep a strict record of all amendments to the Bylaws.

Section 4. An amendment or addition to the Bylaws (or words meaning the same), after having been presented to the Local and acted on in the regular manner, shall not be resubmitted within six (6) months ~~unless it has first been resubmitted to the Executive Board, who shall be required to resubmit the proposition to the~~

membership unless resubmission is approved by the Executive Board by a 2/3 majority vote.

Section 5. Once a bylaw proposal is properly published and posted in accordance with these bylaws, and if the membership fails to obtain a quorum at two consecutive monthly meetings of the Local, the Executive Board shall have the power, unless otherwise restricted by law, to take action on the bylaw proposal by a two-thirds vote of the total membership of the Executive Board to adopt the proposal on behalf of the Local. Such a vote, if taken, will stand as a vote of the membership.

Submitted by Recording Secretary Jennie Gil

ARTICLE XVI

LEAVING SERVICE

Proposed new language:

Section 2. Any member in good standing who retires from service, and who maintains membership in good standing in the local's Retiree Chapter, shall keep their union seniority for up to one year from their retirement date in the event they are reinstated within that year to the position from which they retired.

Submitted by Executive Board Officers Mike Whitehead and Jeff Stambaugh

Upcoming at Local 587

FEB. 11 - Spring 2006 shakeup begins for Operations and Vehicle Maintenance.

FEB. 14 - Nominations close for shop stewards for Transit Operators and Vehicle Maintenance.

FEB. 16 and 17 - Shop steward training. Shop stewards who have not previously received training or who are new stewards or alternates, please notify the Union office to make arrangements to attend.

FEB. 21 - Executive Board meeting.

FEB. 23 - Facilities Maintenance pick. Please see your union bulletin boards for further information.

FEB. 23 - Shop Steward elections for KCM Transit Operators and Vehicle Maintenance members, wherever necessary.

FEB. 28 - Chief Shop Steward nominations for KCM Transit Operators and Vehicle Maintenance close.

MARCH 11 - Facilities Maintenance shakeup begins.



Jennie Gil

The Recording Secretary's Report

Auspicious Anniversaries

By Recording Secretary Jennie Gil

January 15, 1981 was a significant day for ATU Local 587. On that day, by a two-to-one margin, Clallam Transit System bus drivers chose the ATU over the Teamsters as their labor representatives. This event was historically significant not only for the Clallam Transit System bus drivers, but for Local 587 as well. Until this day, in its 69 year history Local 587 had consisted of one sole bargaining unit. But let us back up a few steps in order to get the whole story.

On October 13, 1980, Clallam Transit System first opened its doors. The initial service offered trips between Port Angeles and Sequim, with a small handful of drivers operating 22-passenger GM Carpenter Cadets. The following month their service expanded to 4 city routes. General Manager Terry Weed remembers being there on that first day of service, saying "We've come a long way from that first day when we sent drivers out the door with three quarters so they could call if they ran into any trouble."

Included among that small handful of drivers were several former Teamster members. Knowing already the advantages of being represented by a labor union, an organizing drive was begun. This first group of drivers also included Jerry Morris, who had worked at AC Transit in Oakland, represented by ATU Local 192, prior to coming to CTS. Jerry was strongly pro-union, and knew how complicated transit issues could be. He was not comfortable with a transit group being represented by what

he considered to be a trucker's union. As Jerry told me over the phone, "Transit knows transit". He contacted Local 587 in Seattle and asked about representation.

Heading Local 587 at the time was President Dave Johnston. Neil Sutphin was Vice President, C.B. Johnson was Financial Secretary, and Recording Secretary was Dan Linville. Brother Linville, currently working out of South Base, said that at the time that Morris contacted Local 587, 70% of the CTS drivers had already signed cards for the Teamsters. It was basically a Teamster slam dunk. However, with the help of the International, a filing was done with PERC for an intervention to have our name placed on the ballot as well, since interest had also been shown in the ATU in the form of Morris calling for representation.

Linville remembers the campaign as low-key and unpressured. International Vice President Mel Schoppert came up. John Leinen, who was then-President of Spokane's Local 1015 joined the party, and together with our officers traveled over to Port Angeles to introduce themselves as an option for representation to the CTS drivers.

Jerry remembers John Leinen, Mel Schoppert, and himself inviting the individual drivers out for a meet-and-greet. When it came down to the vote it was 14 to 7 in favor of the ATU. A third option on the ballot, no representation at all, received no votes.

Immediately after the vote, Morris remembers, a meeting had to be held to make a decision on

"We've come a long way from that first day when we sent drivers out the door with three quarters so they could call if they ran into any trouble."

—Terry Weed

an officer for the new bargaining unit. Jerry said that his coworkers favored him for the position, but he wasn't really interested as that was not why he had pursued the ATU. Instead he nominated John Cox to serve as the first peninsula Executive Board Officer. He felt it only fitting as Cox had been among those spearheading the original drive for the Teamsters. Jerry remembers that now-retired Sister Billie Hutchison served as the first shop steward. He recalls that prior to organizing they were making \$5 per hour. Upon signing the first contract their wages went up to \$7.50. Twenty five years later, today's top wage for a Transit Operator is \$19.50 an hour.

Jerry corroborates Weed's statement about being sent out with three quarters in the event they ran into problems. He also jokes that the drug test at the time was that if you could roll a joint with one hand...

Brother Morris did go on to serve on the Executive Board several

years later. Local 587 went on to organize Jefferson Transit in Port Townsend within a couple years of bringing in CTS. In March of 1996, by a vote of 23 to 4, Seattle Personal Transit drivers became Local 587 members. In April of 1997, Paratransit Services employees in the two separate work groups providing access service to Clallam and Jefferson counties voted to be represented by Local 587. Paratransit service in Jefferson has since then been brought in-house under the Jefferson Transit bargaining agreement, but Clallam Paratransit still remains as a separate bargaining unit. And in September of 1998, by a nearly 2 to 1 margin, Laidlaw employees providing Paratransit services for King County joined Local 587. Those members are now working under MV Transportation, whose management chose to honor the bargaining agreement in place when they took over the contract from Laidlaw.

Black History Month 2006

By Minority Affairs Officer Ray Campbell

In helping celebrate Black History Month 2006, we will salute great writer, scholar, and activist, W.E. B. DuBois.

DuBois was born three years after the American Civil War on February 23, 1868, in Great Barrington, Massachusetts. His mother was Mary Sylvana Burhardt, who worked most of her life as a domestic in Great Barrington. His father, Alfred DuBois, was a descendent of French Huguenot Ancestry from Haiti and a banker by trade.

As a young boy DuBois was hard working and diligent at school.

He added to his mother's limited income by working odd jobs after school, such as mowing lawns, selling newspaper and tea, and writing for the Springfield Republican. In 1883, at age fifteen, he wrote for T. Thomas Fortune's New York Age, later called the New York Globe, covering church activity and community fraternal organizations.

He attended Great Barrington High School from 1881-1885. As valedictorian of his graduating class in 1885, DuBois gave a masterful speech about the great abolitionist Wendell Phillips. DuBois entered Fisk University in 1885

at age seventeen, and was granted sophomore status. DuBois studied Greek, mathematics, philosophy and science.

DuBois went on in life to be a great scholar, author, editor, writer and social activist. He spent his life as one of our great educators.

Please join the Minority Affairs Committee in celebrating Black History Month with a little Ethnic food at the Charter Meeting on February 2, 2006. Food will be served starting at 7:30 P.M.

V.M. Talk

By Mike Whitehead, Deb Stenoien & Jeff Stambaugh

Let's start off with the Monorail....and all the maintenance problems of the last few years. The occasional story of it dying on the tracks, or not stopping at the station, and a couple incidents of blown out tires, all which appeared a non-issue. But when it catches on fire in the middle of Seattle with passengers on board, suddenly it is an issue! Shortly after that, the two trains crash into each other during the holiday season with passengers on board. And as they are on a fixed track, you got to ask yourself what the heck is up! This once futuristic mode of transportation that was the pride of Seattle, that inspired the now-defunct Peoples' Monorail Project, is now considered too costly to repair.

Let's go back ten years or so, to when Metro's Vehicle Maintenance section was given the task of maintaining the trains. During this time a small number of mechanics, a lot of whom are still on the property, were involved in the task of rebuilding the trains after their many years of service. The crews that worked on them overcame many problems inherent with any piece of specialized, one-of-a-kind equipment. The professionalism shown by the many 587 VM employees involved in

the task of rebuilding, updating, and maintaining the trains proved again that we are top in our field. We get the job done. **So what happened?**

Well, its a lot like what Alaska Airlines did not too long ago. The people in charge have their priority set to make money. So the first thing they do is throw out the overpaid union personnel and bring in non-union work, and save money right off the bat. And, damn, it looks good on paper! But now we are reading about planes with holes in them. This trend towards a "cost saving" mindset is not rocket science, or brain surgery, its plain old greed. You cannot justify trains, planes or buses being operated by a business principle that the cheapest way to maintain the equipment is the best business practice. Any way you try to justify it, it is just wrong.

There is no way the bottom line should be about money when safety is the issue and people's lives are at stake, period.

The Health Assessment

There has been lots written about it for some time now, but the picture has only now started to appear. In conversations with con-

cerned members about different issues the health risk assessment comes up again and again. Having to share your family's medical information and not knowing how secure the information will be kept, or how it will be used, is a major concern. And it should be. We can only stand by and hope for the best, and trust the promises made by King County will be kept.

We have been told the program is voluntary, yet if we do not participate we are monetarily penalized. One can only wonder about some of the questions and wonder, where are THEY going with this information? There was a recent CNN article about a company called Weyco Inc. This company is a third party administrator and benefits services company and prides itself as a leader in innovative benefits solutions, so much so that it has banned its employees from smoking, not only at work but in their personal lives. Weyco requires employees to take mandatory breathalyzer tests to prove they do not smoke and some employees have been terminated. Its website claims Weyco is a non smoking company that strongly supports its employees in living healthy lifestyles. So it is not much of a stretch to wonder if in the not-too-far future there will be Junk Food test required of employees to prove to your employer that you are eating right or a sleep test to prove you are getting enough sleep. **Sounds foolish, doesn't it?**

Technological Change.

Time to dispel a few rumors. No, it hasn't been settled, or "Gone Away". We are still scheduled for arbitration on May 10th, 11th, and 12th. If anything should change, we will inform you as soon as possible.

Tool Box Moving Policy

As most of you are aware, Metro management came out with a new tool box movement policy. They wanted all of the contents removed before tool boxes were moved from base to base for a shakeup. Their reason was that over time, as the size of the boxes increased, so did the damage to the tool boxes, and the injuries to our fellow 587 brothers moving them. Another of management's concerns was damage during moves to non-work related items (stereos, microwaves, coffee makers and such) on or in tool boxes. They did not want the responsibility of having to replace these items if damaged.

We are happy to announce that the policy has been rescinded and we have reverted back to the previous language. That means that the previous size restrictions and the requirement to have all the pieces bolted together still in applies.

Bus Wraps

This has been a sad and sore subject. A meeting was held between the Officers and Metro management to try and work out a resolution that works for all parties. A verbal offer was made by management and we are awaiting their written proposal for resolution.

"For the ordinary man is passive. Within a narrow circle (home life, and perhaps the trade unions or local politics) he feels himself master of his faith, but against major events he is as helpless as against the elements. So far from endeavoring to influence the future, he simply lies down and lets things happen to him." George Orwell.

Keep your sticks sharp and your fires burning, VM.....

Washington Family Care Act Claim Form, continued

E. Situations in which WFCAl leave may be used to care for a parent, or an adult son or daughter.

- If an adult son or daughter (i.e., is 18 years or older) is incapable of self-care because of a mental or physical disability that limits one or more activities of daily living then she/he is covered under WFCAl. The disability does not need to be a chronic condition to be covered. Traumatic injuries, surgery, illness, and some conditions relating to pregnancy may also cause a temporary disability for an individual. A disabling condition is one that prevents an individual from engaging in activities such as bathing, dressing, eating, cooking, shopping, or using public transportation without active assistance. Some individuals with a mental disability would be even more limited for other basic needs described in the rules.

F. Situations in which WFCAl leave may be used to care for a spouse, parent, parent-in-law or grandparent. An employee may use available paid time off when a spouse, parent, parent-in-law, or grandparent has a serious health condition:

- Requiring an overnight stay in a hospital or other medical-care facility;
- Resulting in a period of incapacity or treatment or recovery following inpatient care;
- Continuing treatment under the care of a health care services provider that includes any period of incapacity to work or attend to regular daily activities; or
- Emergency health condition – i.e., demanding immediate action.

G. Healthy newborns are not covered under WFCAl leave.

H. WFCAl leave does not address leave for pregnant employees. However, protections are provided under the Washington Law Against Discrimination (Chapter 162-30-020 WAC).

I. Employees are entitled to use WFCAl leave to care for a spouse or child who is incapacitated as a result of pregnancy or childbirth. This would generally include some prenatal and postpartum examinations, hospitalization, and recovery from childbirth.

These notes are based on excerpts from the Department of Labor and Industries frequently asked questions (FAQ) ES.C.10.

Seattle Chapter of the Latino Caucus

will meet

Thursday, February 2, 2006

7:30 p.m.

(just prior to the Charter meeting)

The Labor Temple, Hall #8

All Local 587 members are eligible to join the SCLC. If you are unable to attend February's meeting but would like to join, please request a membership application from Lisa Nault, East Operations, or contact the Union office. Annual dues are \$5.00.