

ATU Local 587 News Review

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VOL. XXXV, NO. 2

The President's Report

by President,
Paul J. Bachtel



Claims of On-the-Job Injury

In the January *News Review* Financial Secretary Paul Neil reported our 2011 Grievance/Arbitration expenses and that our membership will be assessed \$22.04 per member in 2012 for those 2011 expenses. The assessment payable in 2012 fell to about half of what we were assessed in 2011 (\$40.04). The cost savings is a direct result of union and management reaching settlements in grievance arbitration rather than going to arbitration. Unfortunately, Brother Neil can't report the same for Labor & Industries (L&I) expenses. L&I expenses for 2011 increased about 5% as compared to 2010.

The increase in expense can be attributed to numerous factors from an aging workforce to our employer's desire to cut costs by denying legitimate claims. While there's not much we can do about our aging workforce or a dishonest and litigious employer, there is one area in which we can control costs. **We can educate our membership to NOT attempt to litigate L&I claims without legal representation and then later request legal representa-**

tion from the Union!! If you receive notice that your employer is requesting that Labor and Industries close your L&I claim, please immediately call the Union's Recording Secretary Judy Young and request legal representation. All the Union requires to refer a member to its L&I lawyer is documentation from the member's doctor of an on-the-job injury and a copy of the notice in which the employer is requesting that Labor and Industries close the member's claim. If a member attempts to self-litigate his/her claim, then later requests referral to the Union's L&I lawyer, the Union Office is left having to decide whether or not to pursue the claim knowing the cost of perusal will be much greater and likelihood of success greatly diminished. **Please, if your employer is requesting that Labor and Industries close your claim before you are fully recovered from your injury, call the Union Office. Do not attempt to self-litigate your claim by filing a protest or appeal.**

False reporting is also usually not a good idea. Members have been

known to report on-the-job injuries as off-the-job injuries. The reasons for false reporting seem to run the gamut from a desire to receive sick leave pay at 100% of base pay rather than L&I time loss from 60% to 100% of base pay (and overtime calculated at overtime straight) depending on employer and job classification, to a belief the employer will look down on employees who file claims of job injury. The only logical reason I know of to file a false claim is to avoid receiving discipline points under King County's accident point matrix. The problems with false reporting are many: at times the member runs out of sick leave before the injury is healed; the member needs the sick leave at a later date; the member's health insurance may be cancelled sooner than if the member had reported an on-the-job injury; the member is not entitled to a great many benefits provided to an employee who is injured on the job as opposed to an employee who is injured off the job; and last but not least, **it's just plain dishonest.**

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The Month at a Glance

Business of the Membership

Executive Board Report

January 24, 2012

At the January 2012 cycle of membership meetings, the following business was addressed:

Motion: By President Bachtel to send one member to the APTA Streetcar Subcommittee meeting in Portland, Oregon on January 13th – 14th, 2012 paying two nights lodging, travel, and per diem.
Motion carried.

Motion: By Sara Franklin to send up to four members to the WSLC COPE Convention on February 8 & 9 of 2012 in Olympia paying registration, travel, and per diem.
Motion carried.

Motion: By Bill Clifford to amend the July 2011, motion to donate archival material in P2 storage to the Labor Archives of Washington State (LAWS): As certain items in P2 storage are better suited for a better permanent home. ATU 587 will donate to the Northwest Public Transportation Historical Group the following items: Suburban Transportation System/Metropolitan Transit Inc. Johnson crank, now

motorized farebox, the Honor Roll of members who served in WWII from old Atlantic Base, the dues register unit, the uniforms, duplicate materials beyond what LAWS needs and other items to be determined and properly recorded.
Motion carried.

The Membership voted to forward the grievance of Richard Wischman to arbitration.

The Membership voted to forward the grievance of Symantha Cola to arbitration.

The Membership voted to forward the grievance of Michael Gallagher to arbitration.

January pot draw winners are Everett Stewart at the Charter meeting, Randi Gustavson at the morning meeting, Richard Holt at the Afternoon meeting, Carol Headley at the JTA meeting, Kyle Parrish at the CTS meeting and the rolling pot was lost by Larry Estes and next meeting the rolling pot will be \$200.00.

The following officers were present President Bachtel, Vice President Sepolen, Vice President MacAdam, Financial Secretary Neil, Recording Secretary Young, Linda Anderson, Eric Butler, Clint DeVoss, Bob Eash, Kermit Gipson, Ninus Hopkins, Andrew Jeromsky, Ray Mason, Michael Moore, Lisa Nault, Neal Safrin, Michael Shea, Dan Thorne, Ray Campbell and Hal Poor were working the full-time pick, Chuck Miller was on vacation, Patrick Stevens was excused and Dee Wakenight was ill.

Motion: By Michael Moore to send to five members to the International Black Caucus in Dallas, Texas, May 17 – 20, 2012, paying travel, lodging, registration and per diem.

Motion: By Clint DeVoss send up to six people to the 35th Annual Col-

lective Bargaining and arbitration Conference on April 26 - 27 paying registration.

Motion: By Michael Shea to allocate \$300 for a full page ad in the Black Caucus program.

Motion: By Rick Sepolen that Local 587 members participate in the 2012 Toys for Tots drive in conjunction with Metro operations.

Motion: By Andrew Jeromsky to donate \$250 to the Bruce Pittman Foster Scholarship Fund.

Motion: By Rick Sepolen to recommend that membership approved the bylaw proposal regarding meeting duration time.

Membership Meetings:

Tentative Agenda

CHARTER MEETING
Thursday, February 2, 2012
8:00 p.m.
The Labor Temple, Hall #8
2800 1st Ave., Seattle, WA

MORNING MEETING
Friday, February 3, 2012
10:30 a.m.
The Labor Temple, Hall #6
2800 1st Ave., Seattle, WA

WEDNESDAY MEETING
Wednesday, February 8, 2012
3:30 p.m.
The Labor Temple, Hall #6
2800 1st Ave., Seattle, WA

JEFFERSON TRANSIT
Monday, February 6, 2012
7:00 p.m.
Port Townsend Rec Center
Port Townsend, WA

CLALLAM TRANSIT
Tuesday, February 7, 2012
7:00 p.m.
Vern Burton Memorial Building
Port Angeles, WA

Among Topics to be Discussed:
Grievance and Arbitration Update
Unfinished Business: None

UPCOMING LOCAL 587 CENTENNIAL CELEBRATION

Attention all members! Local 587 will be celebrating its **100th Anniversary** on **April 8th 2012**. I am currently making final plans for our Centennial party, which will be held at the new Atlantic/Central Base. Using the base will give our members a chance to show their loved ones where they work, and mingle with our political counterparts. Also, we aren't allowed to dance on the wooden floor at the Labor Temple due to its historical landmark designation.

I am putting together the event programs with an eye to a start time of between 7 to 9 PM on Saturday the 7th, running until approximately 1 AM on Sunday the 8th. I would like the event to include speeches from our surviving former President's, video presentations, a history exhibit,

a showing of Metro's historic vehicles, music, dinner, and dancing as well as a midnight countdown to the centennial proper. With the Local's permission, in addition to every interested 587 member, I will be inviting Union leaders and local politicians. More information about the event will be appearing on our website, in upcoming bulletins and in our Newsletter.

I need volunteers to help with set-up, serving of food and ushering, as well as clean-up, or at least someone to feel sorry for me if I end up pushing a broom all alone. Please contact me through the union office, or at jeromskyatu587@gmail.com, or on the 'King County / Metro ATU 587 Employees Forum' on Facebook.

In Solidarity
Local 587 Centennial Committee
Chair Andrew Jeromsky

ATU Local 587 News Review

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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:

PAUL J. BACHTEL Pres/Business Agent
email – president.bachtel@atu587.com
J. RICK SEPOLEN 1st Vice President/Assistant Business Agent / email – vpjrcksepolen@atu587.com
DON MacADAM 2nd Vice President/ Assistant Business Agent, Maintenance
email – vpdonmacadam@atu587.com
PAUL B. NEIL Financial Secretary
email – pneilfinsec@atu587.com
JUDY YOUNG Recording Secretary
Editor 587 News Review
email – jyoungrecsec@atu587.com

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Vehicle Maintenance Position #2
Vehicle Maintenance Position #3
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King County Units Outside KCM
Transit Operator Position #1
Transit Operator Position #2
Transit Operator Position #3
Transit Operator Position #4
Transit Operator Position #5
Transit Operator Position #6
Transit Operator Position #7
Transit Operator Position #8
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CHUCK MILLER

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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 printed names, signatures, work ID numbers, addresses and phone numbers that can be verified during working hours. Letters that cannot be validated will not be published. All articles/letters are subject to editing and should be limited to 1000 words or less. Not all letters can be published due to space limitations. Cut off is the 15th of each month. Any submission from a member of Local 587 to the *News Review* deemed unprintable by the Recording Secretary shall be forwarded to the Executive Board for final decision to publish.

Send letters to:

Judy Young
c/o ATU Local 587
News Review
2815 Second Avenue, Suite 230
Seattle, WA 98121

February Labor History Calendar

Submitted by Bill Clifford

21 February 1887 —Oregon becomes the first state to make Labor Day a holiday.

2 February 1888 —Improved current collection system for trolleys introduced in Richmond, VA.

20 February 1895 —Frederick Douglass escaped slave, antislavery leader, advisor to Lincoln, dies at 78. In an 1857 address Douglass proclaimed:

“If there is no struggle, there is no progress. Those who profess to favor freedom and yet deprecate agitation are men who want crops without plowing up the ground. They want rain without thunder and lightning. They want the ocean without the awful roar of its many waters. Power concedes nothing without a demand. It never did and it never will.”

28 February 1906—Upton Sinclair’s *The Jungle* is published, exposing the unhealthy working conditions and filth of the meat packing industry. The book led to the passage of the Pure Food and Drug Act later that year.

1909—C.A. Priest, Secretary of (ATU) Local 205, advised the San Francisco Labor Council that “at the last meeting of the Executive Board of Div 205, of the Carmen’s Union, it was decided to relinquish the charter of our old Division.” Local 205 of the streetcar men’s union had successfully organized a series of strikes and arbitrations between 1902 and 1906. However they lost the support of city government when the Union Labor Party mayor and city council were unseated by graft convictions following the San Francisco earthquake and fire of 1906. Against the advice of many allies, Local 205 struck for 40 cents an hour and an eight-hour day on May 5, 1907. Streetcar management went on the offensive with a brigade of armed scabs recruited by James Farley, a professional strikebreaker. Thirty-one people were killed in the

next 7 months including twenty-five bystanders. By the end of November, local 205 was effectively destroyed.

12 February 1909 —Founding of The National Association for the Advancement of Colored People (NAACP) by W.E.B. DuBois and others, New York City.

25 February 1909—Women’s suffrage enacted in Washington State

1913—IWW (Industrial Workers of the World) Paterson Silk Strike begins.

16 February 1916 — Jackie Gleason born in Brooklyn NY. Gleason’s role as Ralph Kramden, who drove the Madison Avenue line on *The Honeymooners*, was based on his own early experiences. Abandoned by his father at a young age, Gleason’s mother supported the family as a ticket agent for Brooklyn-Manhattan Transit until her death in 1935, before effective unionization of BMT. Mae Gleason died so poor that her coworkers took up a collection for her burial. As a successful actor during the 1950s run of *The Honeymooners*, Gleason would drop by the BMT’s Sunset garage for material. On the TV show, you can see a TWU (Transit Workers’ Union) button on his uniform. A statue of Gleason stands at the Sunset garage.

9 February 1917—American labor agitator Tom Mooney falsely convicted of fatal “Preparedness Day” bombing. Mooney had been marked for neutralization by California business for his organizational work, including his efforts for the San Francisco streetcar men. His brother John was an ATU member and active in the years of campaigning required to first commute his death sentence and eventually to secure his pardon. Mooney was released in 1939, 22-1/2 years after his frame-up. \$20,000 in debt and sick, he died in 1942

6 February 1919 — Seattle General strike (ATU 587 went out with 60,000 other workers)

11 February 1919 — Seattle General Strike ends

1939 —The Supreme Court rules that sit-down strikes are illegal.

3 February 1941 — The Federal Wage and Hour Law (Fair Labor Standards) is unanimously upheld by the Supreme Court.

1 February 1945 — OPEIU Local 8 founded (represents ATU 587 office staff)

1966—Nisqually tribe engages in protest “fish-in” to demand treaty fishing rights, Washington State.

1989—“Granite-gate” scandal leads Metro director Alan Gibbs to tender resignation in February. Metro had purchased South African green granite for the downtown tunnel in violation of the spirit of Metro Council’s prohibition against supporting apartheid. The granite was not installed.

2 February 1989 — South Africa lifts ban on African National Congress (ATU 587 supported ANC and the Congress of South African Trade Unions—COSATU)

13 February 1989—ATU 587 calls on South African president P. W. Botha to drop attempted murder and

treason charges against Transport and General Workers Union VP Alfred Ndlovu. The TGWU supported the Congress of South African Trade Unions and the African National Congress. In KwaZulu-Natal, TGWU drivers were targeted by vigilantes from the Inkatha Freedom Party, which would block the road and pull TGWU drivers from their buses, beating and sometimes killing them. The apartheid government cynically encouraged the (mostly Zulu) IFP violence against the (mostly Xhosa) ANC. In recent years the Truth and Reconciliation Commission has granted amnesty to participants in politically motivated violence if the participants make a full disclosure of their activities.

1990 —Pittston miner’s strike wins. Ninety-eight miners and a minister occupied a Pittston Coal plant in Carbo, Virginia, beginning a year-long strike. While a month-long Soviet coal strike dominated US news broadcasts, the year-long Pittston strike garnered almost no mainstream press coverage whatsoever. ATU 587 supported the UMW strikers.

10 February 1992 — Alex Haley, who assisted Malcolm X with his autobiography and wrote the highly popular *Roots*, dies in Seattle, Washington.

There wasn’t enough space in last month’s News Review for this article.

Comfort Station Project

Submitted by Andrew Jeromsky

The new Facebook page ‘King County / Metro ATU 587 Employees Forum’ (292 members as of this writing) has generated enough member interest in the comfort station issue for President Paul Bachtel and PR Committee Chair Linda Anderson to give me the green light to pursue a Comfort Station Project. One of this project’s goals is to increase break time in the schedules so drivers can get to a bathroom without it causing them to run late.

As of this writing, Greg Woodfill (one of the administrators on the 587 forum) and I are creating an Excel spreadsheet database that includes each route’s terminal and its closest listed comfort station, the actual distance from the terminal in feet, and the actual amount of time it takes to reach it. We are also rating the bathrooms for security, cleanliness and the level of difficulty in reaching them. (Hill climbs, distance, etc.) This information will be available to interested operators, and we would love feedback. Greg and I have been

visiting drivers out on the road and at the bases, asking questions and gathering operator input.

My outline for the project can be viewed online on Facebook on the ‘King County / ATU 587 employees forum’ in the forum’s ‘docs’ section. The forum is only open to current Local 587 members. You have to request to be added or be invited in by a current member. Anyone who would like to participate in the interview/video survey phase of the Comfort Station Project should contact either Greg Woodfill or myself. You can contact us by phone, e-mail, in person, through the union, or leave a post for us on the forum.

See page 6 of the Nov/Dec 2011 issue of In Transit magazine for a brief article on the fight for bathroom breaks. From the article: “A recent study found driving with a full bladder is similar to driving under the influence with a 0.05% blood alcohol content.”

In Solidarity,
PR Committee member Andrew Jeromsky

Arbitration Update

- Ray Beltran:** Grieved forced upgrade. Settlement discussions underway.
- Christopher McClure:** Grieved suspension for alleged negligence in derailment, scheduled for February 28, 2012.
- Frederic Segelbaum:** Grieved termination for alleged gross misconduct, scheduled May 15, 2012.
- Thomas Miller:** Grieved failure of Metro to upgrade a Mechanic to Lead enabling skimming of Local 587 work by a Local 587 member working in a Local 17 capacity, schedule for April 9, 2012.
- Ernest Kirschnick:** Grieved termination for alleged violation of Metro policy, scheduled April 4, 2012.
- Richard Wischman:** Grieved traditional duties performed outside of classification, schedule pending.
- Michael Gallagher:** Grieved termination for alleged falsification, schedule pending.
- Symantha Cola:** Grieved suspension for alleged misconduct, schedule pending.

The Pros and Cons of “Fairness” in the Part Time Operator World

By Paul Griffin, retiree

The most recent NewsReview had a most interesting discussion of “fairness,” especially where part time operators are concerned. It was great theater and totally lacked insight as to how the current situation came to be. The discussion was straight out of the Fabian Socialist playbook. Oh you say, what is a Fabian Socialist? A Fabian Socialist is a person living in a capitalist democracy that is quick to offer criticism to those in a position of responsibility and authority but offer neither solutions or is willing to run for office and get elected to a position of responsibility and authority.

I will paint a brief history and the underlying logic of how the part time operator world became what it is and, unlike Fabian socialists, two solutions to change their world. Bear in mind that our union is an exercise of pure democracy and the labor agreement is the “job insurance” that gives us a voice and protection against irrational, vindictive management.

But first, some advice if you want to have a long and successful carrier at Metro.

Get involved in the union. YOU are the union.

Live frugally. The time for austerity is when times are good. Get debt free.

If you become a full time operator, work as little as possible on your regular days and as much as possible on your days off. You’ll live longer and earn more over the long haul.

Get an answering machine on your phone.

Get involved in the union.

In the beginning (pre-Metro) there were part time operators. Part time meaning they worked only during the summer months. The “regular” operators would save their accumulated time (AC) and take it all off at once. With vacation they could take two or three months away from transit. Back in those days after hiring in you would report to THE BASE early in the morning and sit until the dispatcher gave you a piece of work (or not). That was unpaid time. Who actually got work was entirely up to the dispatcher. Favoritism was in. If the dispatcher looked at you and rubbed the top of his ear it meant “you need a haircut.” You wouldn’t get any work until you did. No long hair back in those days. In some loose seniority system when a “regular assignment” came open the most senior “spare” operator got it. You didn’t get to pick it. It didn’t matter what it was or where it went. You didn’t have to like it – just work it.

Then came 1972; all the transit operations were merged into METRO, One agency. One transit in all of King County. One big happy family. Sure! You bet!

At that time the top Seattle Transit management knew their days were numbered. Local 587 had been around since 1912 but was little more than a social club. The first written labor agreement wasn’t until 1946 and it was a one page document.

By 1972 the union had written language that says “work historically and traditionally performed by Local 587 members will remain the work of Local 587 members”. The new Metro Transit management just about had the big one when they saw that. They had hoped to vacate the entire labor agreement and operate without a union. But there was more. The outgoing Seattle Transit managers had given the union three new conditions that really choked the Metro Management.

Union Security Clause. Everybody joins the union and pays dues.

Dues Check off. Automatic payroll deduction.

Eight Hour Guarantee.

Suddenly everything had changed. The new Metro management wanted to show they had the right stuff. Once the operational bugs were worked out they took aim at “costs”. The first target they took aim at was the Seattle Transit pension enhancement program.

In the good old days everybody knew a job meant working eight hours. Period. To keep the operators nearing retirement happy Seattle Transit cut some work to be seven hours long and paid eight hours. Then they cut an equal number of one hour trippers that paid two and one half hours. Smoke and mirrors. The operator maintained the eight hour mantra but enhanced their pension. But now the new Metro management wanted eight for eight. That left those one hour trippers the public had come to depend upon unpicked. To honor the service commitment they often had to go out at overtime.

Now the infinite management brilliance came shining through. They decided:

Let’s have year around regular part time operators. Since we can cap the AC resulting in “summer only full time operators” we can eliminate that. The liability goes away. Thus saving lots of money.

The management knew, they just knew, that they could hire all the part time operators they wanted – cheaply. After all, only students and house wives looking for a little pin money would ever want to drive a little tripper, part time. HOW WRONG THEY WERE!

Finally there was a strike over the issue of part time operators. The original intent was that the number of part time operators would not be more than, numerically, 50% of the number of full time operators. In another words, one third of the TOTAL number of operators could

be part time. That isn’t the way it turned out but no matter.

The Metro management took advantage of the authorized increase in part timers by cutting more and longer work. For cost efficiencies it was a real winner. No benefits. No pick. No vacations. No nuttin’. Just a spiffy uniform and a check that didn’t bounce. If you wanted day off you ate a miss. If you wanted a week off you had to quit. The carrot back then was that operators started at 90% of top step and got to top step in three years. From the full time operator point of view it was even better. Full time operators soon learned that the presence of part timers was worth \$5,000 per year in overtime if you wanted to work. And remember, wages were considerably lower then.

How so, you ask? When I went full time in 1982, I found I could easily drive a two or three hour tripper at overtime when I could not always handle an overtime eight hour run after finishing an eight hour assignment at straight time.

During 1978 through 1982 Metro hired part time operators like crazy. My class started out at 46 and only 26 graduated. The rules were simple back then. There were the union rules, the management rules, and THE REAL RULES.

I took full advantage of the real rules. Rules I learned in the construction trades. As there was no part time pick. Each operator had to go to their chief who could dole out favors. I would regularly receive a long (four hour plus) trip and it was understood that the chief and I would go out to the parking lot where I would open my trunk. Then they would pick out a gratuitous little gift. The same tactic worked when I went full time. That was pre-computer generated extra board. All the supervisors behind the window were always delighted to receive a little token of appreciation. Can’t do that anymore.

In 1980 the union convinced management to let the union conduct a “pick” for part time operators based on seniority – at union expense. Finally the part timers got real value for their dues beyond a grievance procedure and negotiation expense. For the first pick management just dumped a pile of run cuts and cards on the union and wished us luck. We had to cut them into strips and tape each line item into some kind of order. That took days. Now it’s all computer generated.

Until 1982 if a part time operator wanted to go full time they had to make friends with a “gatekeeper”. Pure favoritism. The “gatekeeper” would hand you an application under the table and the next Monday you started training. Then you kept your mouth shut until you were off probation. (Some of the “gatekeep-

ers” even had a few favorite part time operators working on weekends and everybody thought they were actually full time.)

Finally the union pushed through a promotional process. The union had to do something. There was getting too many of us part timers to ignore. Part timers were picketing Metro (at the Exchange Building) carrying signs that read: “Good enough for part time – good enough for full time”. Metro invented a three step promotion process. They are, after all, the hiring authority. First came a written test. Miss two questions and you were OUT. Next was your driving record. If you didn’t have a perfect record (no accidents, no misses or absences, no discipline) and you are OUT. And finally, the survivors were put on a seniority list. I was in the first such promotional class. Some of my class mates still work at Metro.

Little by little the union extracted improved working conditions and benefits for part time operators. Those gains were often at the expense of getting “more” for the full time operators. The part time extra board (ATL), dual trippers, the pick, paid vacation, access to benefits, one probation, continuity of safe driving awards, lay off book, paid holidays, and personal holiday all came at a price.

Why would the full time operators even go along with gains for the part time operators? Many full time operators were planning for the future and hedging their bet. At some time in the future they might want (or need) to go back to part time and would like it to be a real job.

If you check the full time seniority list you will discover that all but a few of the highest senior operators are former part time operators. They don’t want to hear the whining. It’s just good theater. When told to “pay your dues” they don’t mean just money. They’re trying to tell you “learn what you need to know,” “have patience,” get involved in the union,” “you are not a partial member – you’re FULL member paying full dues,” and “what you have now we had to fight for – so be thankful”.

Now let’s look at this seniority shuffle. Every full time operator that goes back to part time opens a slot for part time promotion. If you don’t want to promote that’s OK too. Many of the full timers demote because they are retiring and still want to work. Or their health is failing them. So have a little respect.

This whole issue about jumping back and forth is just so much grandstanding. Metro is the hiring authority. Metro decides when it is time to promote from part time to full time. That is not, and never has been, the operators’ decision. This is not an “on demand” decision. Nor

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Bus Driver Self-Defense

By Bruce Tiebout

If you Google, "bus driver assault", you get 3.7 million hits. If you do the same on YouTube, you get 1,500 videos.

The latest *In Transit*, there was an article about ATU and Transport Workers Union (TWU) are working together to fight "the recent massive increase in violence against transit operators." It has been estimated by Canadian Director Stan Dera "that at least 40% of all Canadian bus drivers will be assaulted during their careers."

The latest *News Review* had a letter to the editor from Maynard N. Jackson titled "Early Retirement". In it he described a situation which occurred on his route 73. A drunken passenger was yelling that "He was going to come up and punch (profanity) bus driver in the face." A call to the control center resulted in the instructions to stop the bus and open all doors. "The guy announced that since the bus was stopped he'd come up and knock my ass out now." The driver got out of the seat to face this person who was "thirty years younger and bigger". When the drunken passenger went to take a swing at the driver, the driver grabbed him, dragged him out the door, and threw him on the ground.

What would you have done? Too many Operators believe King County Metro doesn't give any training for what to do if you are actually facing being attacked. The management of the Indianapolis public transit agency, IndyGo has a different philosophy. They train their operators to avoid confrontations (just like King County Metro), but if a fight can not be avoided, IndyGo

wants their drivers to win. They even asked a self-defense expert for advice. The rest of the article is from IndyGo:

Self-defense is rooted in the belief that people should be allowed to protect themselves from physical harm. IndyGo supports this ideal and has produced this policy to guide the proper response and actions of its employees.


Threats should be addressed immediately as they occur. Operators should address threats in the following ways:

- Stop the coach and open the doors
 - Immediately call dispatch and report the problem, expect a Supervisor or Police response
 - Prepare a defensive posture but remain in your seat (unfasten seatbelt covertly, increase your observation of passengers and surroundings)
 - Do not respond to profanity or insults
 - Do not glare or demonstrate aggressive body language, however normal eye contact is permitted
 - Do not demonstrate submissive body language (e.g. head down, no eye contact)
- Physical attacks must be addressed immediately.**



Operators should address physical attacks in the following ways:

- Attempt to control your breathing
- Counter strike when appropriate
- Remember our goal is to end the assault, apprehension is for police
- Set Parking Brake
- Open Front Door
- Remove Seat Belt
- Face your attacker
- Place your back against the side window
- Scoot your butt forward of the seat
- Grab the back of the seat and the steering wheel with each hand
- Prepare to kick



AMALGAMATED TRANSIT UNION
LOCAL 587

2815 Second Avenue, Suite 230
Seattle, Washington 98121
Telephone (206) 448-8588
Fax: (206) 448-4482
1-800-847-4696

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KING COUNTY
COALITION OF UNIONS

Bulletin

January 9, 2012

To: Local 587 Members Employed as Transit Operators by King County Metro

From: Paul J. Bachtel, President / Business Representative

Subject: Schedule Appreciation Day (SAD)

I wish to express my appreciation to all those who participated in our first "Schedule Appreciation Day", or (more appropriately) "SAD" for short. Some chose to take the day off being too tired to work safely after having attended our monthly Union Charter meeting. Some chose to work the resulting overtime. In either event, thank you to all who participated. Anecdotal reports reveal we achieved our desired goal.

In the coming months Schedule Appreciation Day will occur on the following dates:

- Friday, February 3, 2012
- Friday, March 2, 2012
- Friday, April 6, 2012
- Friday, May 4, 2012
- Friday, June 8, 2012

(Each Schedule Appreciation Day is scheduled to occur on the Friday following the Union's 8:00 p.m. Charter meeting).

I also wish to express my appreciation to our General Manager, Kevin Desmond. Mr. Desmond's promise to propose 40,000 hours of schedule improvements to our King County Council to be implemented in the June, 2012, shake-up will no doubt greatly improve our working conditions. Let's hope our King County Council will implement Mr. Desmond's proposal. If not, Local 587 will be implementing "Management Appreciation Day" or (more appropriately) "MAD" for short; details to follow.

For the time being, please schedule all future doctor and dentist appointments on the dates listed above and I hope to see you at an upcoming Charter meeting!!

opeiu8aficio

PAUL J. BACHTEL
President
Business Representative
president@atu587.com

JRICK SEPOLEN
Vice President
Assistant Business Representative
vpjricksapolen@atu587.com

DON J. MAC ADAM
Vice President
Assistant Business Representative Maintenance
vpdonniacadam@atu587.com

PAUL B. NEIL
Financial Secretary
Treasurer
pneil@atu587.com

JUDY J. YOUNG
Recording Secretary
Correspondent to "In Transit"
jyoungrecsec@atu587.com

Pros and Cons, continued

is "demoting" back to part time an "on demand" decision. If Metro says "no" then the operator may be faced with suffering, retiring, or just quitting. As a practical matter it will impact only a small number of operators at any given time.

Now the non-Fabian socialist solutions I promised at the start of this diatribe.

One, get involved in the union. Go to meetings. Become a shop steward.

Run for office.

TWO, write and pass a By-Law that reads: "Seniority in all job classifications shall be your first and original date of hire".

Remember, life ain't fair. You only get what you work and fight for. Unions are the purest form of democracy. Seniority is the great common denominator that makes us all equal. You can't buy seniority; you can't sell seniority; you can only earn seniority. So quit trying to fracture the union. Corporate American already has the media feeding a division between private industry employees and public employees - working people all. Like it or not, we're all in this together.

Epilogue and Editor Note. For those who don't know who Paul Griffin is he retired from Metro after thirty years. For fifteen of those thirty years he worked for the membership elected to the position of Financial Secretary/Treasurer. As an operator he earned a fifteen year safe driving award(s). He was part time for over two years and the rest full time. He worked the extra board, report, and regular assignments. And he was involved in the union through his entire career as shop steward, executive board officer, and full time officer. He is part of the institutional memory and even now, retired, attends union meetings both active and retired.

A note from the president: Amending our bylaws does not change negotiated contract language. The membership may however, direct their union officers (through a motion) to propose modifying contract language in any specific way the membership so desires. Such motions most commonly occur during our triennial contact negotiations which will most likely begin in the fall of 2012.

Letters to the Editor...

Comments

While I do not expect this to be published because it goes against what our union leadership wants, I would like to give my opinion on Brothers Jim Russell and Brian Sherlock comments in the December issue of the *News Review*.

First Brother Russell, I am sorry that you felt that you were misled when you hired on as to when you would be offered a Full-Time position. When I hired on in 2000 I was informed that it was a Part-Time Job with a guarantee of a minimum of 2 hours and 20 minutes of pay per day for 5 days a week, Monday through Friday. NO GUARANTEE as to when or if I might be offered a full-time position. I understand that when I accepted the position and knew that I could not support my family on just that, so I kept my full time job that I had when I came to work for Metro. I never felt like a second class citizen or that I was discriminated against because I was a part time driver. In fact several of the full-timers that I came across early in my Metro career gave me advice as to how to be successful if I wanted to make a career of this. Please let me know of any other part-time job today that you walk in the door earning over \$20 an hour, and get 6 paid holidays a year. This doesn't sound second class to me.

I can understand that you felt misled by Metro because I also feel that I was misled by Metro, that police help when needed was just a push of a button away. (I am still waiting for police response to an EA in 2002 and yes that is Two-Thousand and Two).

I agree with your comments that Metro Management is using this issue to try to divide and conquer, as I witnessed a Base Chief at Central Base persuade one of the operators that took advantage of this option to go back to full-time. I heard him state to her in the middle of the bull-pen that "You always have six months

to go back if you don't like it." My opinion on that is if you could not handle full time 20 years ago, what makes you think you can handle it now. Traffic is worse, there are more crazies out there, and there is just a complete and total lack of civility in society now.

Over the years, I have asked several long time part-timers that finally went full-time why now? The

answers have been varied from, the kids are grown now and now I have the time, to I just wanted to give it a try. I have always respected the reasons for the CHOICES that they made with their career.

Brother Sherlock, I just cannot agree with your comments about retirement. If I choose to only work a part-time job for my entire career, I should not expect a cushy retire-

ment. Just because I am approaching retirement age should I have the right to jump ahead of somebody that chose to work nights and weekends (when I could not hack it) so that they could have the retirement that they desired??? That is part of the problem with this country today is the attitude of entitlement. To sum this up I think it all about choices and fairness.

W.W. Reid

NOMINATION AND ELECTION NOTICE Amalgamated Transit Union Local 587 2012 Officer Elections

NOTICE OF NOMINATIONS:

Nominations for the offices of President/Business Representative, Vice-President/Assistant Business Representative, 2nd Vice-President/Assistant Business Representative-Maintenance, Financial Secretary/Treasurer, Recording Secretary/Correspondent to *In-Transit*, Minority Affairs Officer, Transit Operator Representatives (eight positions), Vehicle Maintenance Representatives (three positions), Facilities Maintenance Representative, Special Classifications Representative, First-Line Supervisors Representative, Rail Representative, Clallam & Jefferson County Representative and SPT & First Transit Representative will be accepted from the floor of the March 2012 membership meetings at the date, time and places indicated below.

The term of office will run for three years beginning July 1, 2012. Candidates elected as full-time officers will also serve as delegates to the ATU International Convention.

CHARTER MEETING

Thursday, March 1, 2012, 8:00 PM
The Labor Temple, Hall #1
2800 1st Ave.
Seattle, WA 98121

MORNING MEETING

Friday, March 2, 2012, 10:30 AM
The Labor Temple, Hall #8
2800 1st Ave.
Seattle, WA 98121

JEFFERSON TRANSIT

Monday, March 5, 2012, 7:00 PM
Port Townsend Rec Center
620 Tyler St.
Port Townsend, WA 98368

CLALLAM TRANSIT

Tuesday, March 6, 2012 7:00 PM
Vern Burton Memorial Community Center
308 East 4th St.
Port Angeles, WA 98362

WEDNESDAY MEETING

Wednesday, March 7, 2012, 3:30 PM
The Labor Temple, Hall #1
2800 1st Ave.
Seattle, WA 98121

As is provided in the Local 587 bylaws, any member who has at least two years continuous membership and is a member in good standing, having paid all initiation fees, dues and assessments in full, can be nominated and run for office. Any member, who nominates another member, must also be in good standing and the name of the member making the nomination shall be a matter of record.

No member's name shall be placed on the ballot unless the member is present and accepts the nomination at the meeting when the member was nominated, or has signified in writing in advance of the nomination, a willingness to accept the nomination for the position for which nominated. *All written nominations and written acceptance of any nomination must be received by the Recording Secretary no later than 5:00 PM on Thursday, March 1, 2012 at the Local 587 office, 2815 2nd Ave., Suite 230, Seattle, WA 98121.* Written nominations and written acceptance of any nomination is subject to verification by the Election Committee.

Members may also self-nominate subject to the above conditions. Any written or oral self-nomination implies the acceptance of such nomination.

No member can be placed in nomination nor appear on the ballot for more than one position. The acceptance of any nomination automatically declines all prior nominations. Once a candidate has accepted a nomination and subsequently declines that position, that candidate may not be nominated again for that position in the 2012 Officer Election cycle.

Persons interested in running for office are encouraged to attend one of the five membership meetings during the month of February. Members of the Election Committee will be available at these meetings to answer questions and distribute Candidate Information Packets.

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

SEND IN YOUR OPINIONS

Letters/contributions must include printed names, signatures, work ID numbers, addresses and phone numbers that can be verified during working hours. Letters that cannot be validated will not be published. All articles/letters are subject to editing and should be limited to 1000 words or less. Not all letters can be published due to space limitations. Cut off is the 15th of each month. Any submission from a member of Local 587 to the *News Review* deemed unprintable by the Recording Secretary shall be forwarded to the Executive Board for final decision to publish. Send letters to:

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

2012 APTA Streetcar Subcommittee Winter Meeting, Portland, OR

By Carl C. Jackson, South Lake Union Streetcar

What's old is new, I mean *really* new — to the tune of millions of dollars new. Here we are in the 21st century, and streetcars (known as trams in other places) are getting a lion's share of attention, and construction money. For those of us in the business of transit and infrastructure building,

this means jobs. Since 2005, America has sent roughly \$10 billion overseas to purchase public transit equipment. The Apollo Alliance estimates that \$40 billion per year of federal investment in public transit and rail, coupled with the right policies, could create 3.7 million American jobs—600,000 in the manufactur-

ing sector alone—to begin to meet the currently estimated \$77 billion that is needed just to bring existing systems up to good repair. After the initial construction is finished, there are the operations and maintenance positions that have to be created and filled. At some point, the urban planners have laid out the fundamental

blueprints for transit oriented development (TOD) based shops, stores, condos, malls, etc. to line the streetcar route and generate commerce. All of the above, and more were discussed at the APTA Streetcar Subcommittee Winter Meeting this past January.

Streetcars were the backbone of connecting neighborhoods within the cities before the automobile became popular. In fact, our ATU was founded on issues that arose from the treatment of omnibus (horse-drawn streetcars) operators before the beginning of the 20th century. Founded in 1892, the ATU today is comprised of thousands of union brothers and sisters in 44 U.S. states and the District of Columbia, and nine Canadian provinces; many of which are still operating streetcars to this day.

The Obama Administration's zeal for the distribution of small grants for streetcar projects through the Transportation Investment Generating Economic Recovery (TIGER), and Urban Circulator programs will play out this year more than ever. Seven cities will begin construction on new streetcar lines (most were supposed to begin in 2011); Portland and New Orleans plan to open extensions of their existing networks to the public as soon as the various projects can be signed off as complete.

With all of this as a backdrop, the American Public Transportation Association (APTA) has stepped up to the plate and as of the winter 2012 meeting, a draft document that outlines a series of guidelines concerning the introduction of modern streetcars into North America is nearing completion. The APTA Streetcar Subcommittee is comprised of industry professionals who are voluntarily collaborating to help develop guidelines and standards that will benefit the end user—the various transit agencies and municipalities that will ultimately purchase these vehicles.

A working group (of which yours truly is a contributing member) is developing this document within the American Public Transportation Association's Standards Development Program. A website: http://modernstreetcar.org/working_group.htm has been established to provide information for anyone that wants to know more about our work, as well as to facilitate information exchange and to encourage input from interested parties.

Presently, there is no comprehensive source for recommended practice guidance for modern streetcars in North America. Since about 1950, building modern streetcars has been a lost art in this country. With the rapidly increasing demand for modern streetcar vehicles, and the limited domestic familiarity with contemporary streetcar construction techniques, it has become imperative to have such a document.

As an aside to this point, a recent attempt at streetcar building on a grand scale, was unveiled in a ceremony on the streets of Portland,

continued on page 8

NOTICE OF ELECTIONS:

Notice is hereby given that ATU Local 587 will hold Primary and Final Elections for the purpose of electing candidates for positions listed below.

POSITIONS:

PRESIDENT/Business Representative
International Convention Delegate #1

VICE-PRESIDENT/Assistant Business Representative
International Convention Delegate #2

2nd VICE-PRESIDENT/Assistant Business Representative - Maintenance
International Convention Delegate #3

FINANCIAL SECRETARY/Treasurer
International Convention Delegate #4

RECORDING SECRETARY/Correspondent to
In Transit
International Convention Delegate #5

MINORITY AFFAIRS OFFICER

TRANSIT OPERATOR REPRESENTATIVES
(Eight Positions, No. 1 through No. 8)

VEHICLE MAINTENANCE REPRESENTATIVES
(Three Positions, No. 1 through No. 3)

FACILITIES MAINTENANCE REPRESENTATIVE
SPECIAL CLASSIFICATIONS REPRESENTATIVE

FIRST-LINE SUPERVISORS REPRESENTATIVE

RAIL REPRESENTATIVE

CLALLAM & JEFFERSON COUNTY REPRESENTATIVE

SPT & FIRST TRANSIT REPRESENTATIVE

ELECTION DATES:

Primary Election April 17, 2012

The Date of Record for the primary election is March 6, 2012. Ballots for the primary election will be mailed to eligible members at their address on file as of this Record Date during the week of March 26th. *If you do not receive a primary election ballot by April 6th, please contact the Local 587 Office at (206) 448-8588 to request a duplicate ballot.*

Final Election June 5, 2012

The Date of Record for the final election is May 1, 2012. Ballots for the final election will be mailed to eligible members at their address on file as of this Record Date during the week of May 14th. *If you do not receive a final election ballot by May 25th, please contact the Local 587 Office at (206) 448-8588 to request a duplicate ballot.*

CASTING OF BALLOTS:

The Primary and Final Elections will be by mail-in ballots ONLY. The ballot package will include a postage-paid envelope and secret ballot envelope to return the ballot.

Ballots must be mailed to the designated ATU 587 Election Committee Post Office Box. Members should use the provided postage-paid envelope with the bar code visible and legible. The bar code in the upper left corner of the return ballot envelope will be used to determine voter eligibility at the ballot count. Your vote will remain secret because the secret ballot envelope containing your ballot will be separated from the return ballot envelope and mixed with other secret ballot envelopes before it is opened and the ballot counted. Only one ballot per mailing envelope!

If a plain envelope is used to mail the ballot, *the voter's name and address must be written on the outside of the envelope.* Your name on the return ballot envelope will identify you as an eligible voter. Remember, only one ballot per mailing envelope!

Ballot secrecy can only be preserved if you personally mark and mail your ballot. *Do not hand-deliver or mail your ballot to the union office.* Do not put any identifying marks on the ballot or secret ballot envelope. Do not allow anyone else to mark or handle your ballot or see how you vote. Do not give your ballot to anyone else for mailing. Remember that write-in ballots will not count.

Mail your ballot in sufficient time for it to be RECEIVED at the designated ATU 587 Election Committee Post Office Box before the date of the election. Only those ballots RECEIVED by the close of business at that post office on the date of election ("close of business" means "the time when the Post Office has completed processing and distributing Business Reply Mail into Post Office Boxes") will be counted. *Important! Federal Regulations do not allow for ballots to be hand-delivered or sent by inter-office or US mail to the Local 587 business office. POSTMARKS DO NOT COUNT!*

Vice President Sepolen's Report

By Rick Sepolen



Workplace Bullying

Last month I authored an article on workplace conflict to be followed by this month's article on bullies in the workplace.

It's been in the news recently, "Bullying up in Area High Schools", "CyberBullying All the Rage" and so on. Well, bullying is not only found among our children but can also be found in the workplace.

Few stewards will be faced with this issue, it is critical for stewards to understand and deal with bullies.

What exactly is bullying? It can be defined as the deliberate, hurtful, repeated mistreatment of one person by another that results in harm to the person being bullied.

It's so common a problem that one in five workers nationwide is routinely bullied on the job and one in four is a target of bullying at some point in his or her work life.

The consequences of bullying can include physical and psychological health problems, severely strained social relationships, lost income — and lost jobs.

The physical effects of bullying include sleep disorders, headaches, and digestive problems. Psychological effects included everything from loss of confidence to depression and substance abuse. The social consequences include strained relationships both at work and at home.

While most cases of bullying involve a supervisor and a worker, it is not uncommon for one worker to bully another worker—a steward's worst nightmare. Many stewards erroneously tell targets that, if they won't file a formal grievance, the union can't help them. Stewards and supervisors are often tempted to dismiss bullying complaints as "personality conflicts" or to counsel

targets to grow a thicker skin—essentially giving bullies a green light to continue their ways.

Like other harassment cases, bullying can be very difficult to prove, requiring plenty of documentation and witnesses who will testify taking the matter beyond a "he said/she said" situation. Currently bullying is not illegal and, in most cases, it is not a violation of the contract. And, unless a target is a member of a protected status group (based on gender, race, ethnicity, religion, etc.), there is no protection against this kind of harassment.

So, how does a steward handle it?

1. The first challenge is to recognize the problem. The union and stewards must be informed about bullying and educate others including the officer and other members. Bullying thrives when people cannot see the patterns of behavior

and, thus do not believe there is a problem.

2. Once recognized, it is important to validate the targeted member's experiences and provide support. The targeted member cannot be expected to stand up to the bully. To those of you who say that bullying "doesn't bother me" please understand that bullying is a problem for everyone and that everyone is entitled to respect and civil treatment in the workplace.

3. If you, as a steward, are aware of bullying in the workplace, please let both management and your union officers know. Proactive action will make all the differences in the life of the person being bullied and the co-workers who feel the direct or in-direct effects of these actions.

APTA Winter Meeting, continued

OR. A few years ago, that city's much admired streetcar network recently got \$75 million in stimulus funds for an expansion. Portland's "East Side" streetcar extension will use vehicles produced by local company United Streetcar, LLC, which is a subsidiary of Oregon Iron Works. United Streetcar will be using designs based on its original fleet of Czech-made streetcars. The company already has an order from Portland for a half dozen streetcars and an additional order, worth \$26 million, from the city of Tucson, AZ for seven more cars. United Streetcar recently passed a "Buy America" audit with over 90% U.S. parts content. This effort will go a long way to help seed an urban transit growth industry in Oregon. Not to be outdone, the city of Seattle has signed an agreement with a local Seattle-based company, Pacifica Marine, to do exactly the same thing in providing its initial fleet of six streetcars for the new First Hill Line. These streetcars will be shipped from the Czech Republic and assembled by local technicians at Pacifica. In both cases, these American companies are eager to use union labor as the source for skilled technicians and machinists.

If United Streetcar and Pacifica Marine are correct, these companies may have seized an incredibly valuable first-mover advantage in what could prove to be an important domestic industry in years to come. After American cities tore up streetcar tracks and junked their rolling stock en masse in the middle of last century, dozens of them are now planning or considering a new system. With the price of oil at over \$100 a barrel in the depths of a brutal global recession, I am guessing that the number of potential customers will only grow in the years ahead.

It is estimated that North Ameri-

can transit agencies and municipalities will spend over \$2 billion dollars for the purchase of modern streetcar vehicles over the next ten years. Some of that money will nurture interest in applying contemporary technologies to the basic streetcar platform that will make the streetcar even more valuable as a transportation tool for planners. Of particular interest is the use of "off-wire" capable streetcars for Seattle's new First Hill streetcar line which is in the final planning stages. The term "off-wire" refers to a technology that enables a streetcar to be propelled by on-board lithium-ion batteries. The batteries would normally recharge while the streetcar is running on the overhead trolley wire. When operating in battery mode, the on-board technology uses electricity stored from regenerative braking to help recharge the batteries, much the same way as Metro's current tunnel bus fleet does when operating in HUSH mode.

The old Chinese saying, "May You Live in Interesting Times!" may not be a bad idea for the American streetcar industry; the more interest the better I would think. In fact, there are some very high-powered organizations and groups involved the streetcar revival.

Besides APTA, The Community Streetcar Coalition: <http://streetcar-coalition.org/> is comprised of cities, local governmental entities, private sector companies, transit agencies and individuals committed to collective and coordinated advocacy for streetcars. The CSC was formed in 2004 in response to the federal streetcar program created by legislation sponsored by Congressman Earl Blumenauer (D-OR). The organization will have their third annual Streetcar Summit in Washington, D.C., February 8 - 9, 2012. In attendance will be representatives from the Federal

Transportation Administration, The Department of Housing and Urban Development and The Department of Transportation. This is not small potatoes. Besides the cities listed here, others are on tap to spend money on engineering studies in order to lay the ground work for new streetcar lines that will connect urban centers with commuter rail stations and further reduce the carbon footprint that's hanging above so many North American cities. Besides the initial

seed money, the follow on projects include support for local businesses and commerce. One look at Seattle's South Lake Union area would warm the heart of any jaded naysayer. New businesses, shops, restaurants and living spaces have turned a run down, postindustrial, mixed-use neighborhood into an attractive urban destination.

And for the rest of you... "Tickets, transfers and passes, please!" Clang, clang went the bell.



Minority Affairs Officer Ray Campbell (center) and Executive Board Officer Ninus Hopkins (right) presents a Check to King County Councilman Larry Gossett (left) from Local 587 Membership for the Annual Dr. Martin Luther King Jr. Celebration.

Vice President MacAdam's Report

By Don MacAdam



Lack of foresight and planning on your part does not constitute an emergency on my part!

(Old metro saying)

The Bad Manager: the final cost. With all the talk of budget shortfalls and we must be "Lean" it is interesting to find out what is the cost of a Bad manager! There are usually three kinds. One is the idiot, the second is the mean manager, and the third is a combination of mean & idiot. So, let's see if I can put this in a way that can be understood. (It is also important to mention that Employees are usually not too upset if a manager is tough, as long as he/she is fair and consistent.) Bad managers cause a waste of a lot of \$ and resources due to lack of knowledge or by making employees angry. The employee may seek to "get even" by using more of a product or parts than is actually needed and also spend more time doing the work. I know of some cases where the employees were aware of federal regulations and had warned the manager. When no action was taken, they shut up waited for everything to "hit the fan" then jumped in and turned the now "emergency situation" into a weeks O.T. for both of them and they were called "Heroes!"

In the past, vandalism and sabotage were the only outlet for some (can you say "Double trouble" or the six lanes of coaches that were B.O.!?). An employee may also use more sick leave to avoid a bad manager. Also, L&I claims will go up with such a manager. Employees will also pick out of a bad situation when they can, which causes more retraining plus the cost of moving the employees. Then, new employees may be abused and the cycle is repeated. Some have quit the first week! The positions must be filled, so someone will be forced into a difficult situation. Then, you also have increased medical costs from doctor visits and health issues caused by some serious stress issues. Attempts to remove yourself from a difficult situation by using up all your sick leave happens frequently. Many times it is a no win situation. Even if the Union produces witnesses, they are discounted in favor of the Chief's version of events. . Equipment failures that are eminent go unreported due to badly treated employees and no one can be blamed. Additionally, there are the administration costs and hard feelings due to investigations, grievances & meetings and time loss. Should I also go into unjustified terminations with back pay issues, as well as divorces caused? Metro had to pay almost \$1,000,000 in one case alone! As a victim of bad managers in the past, I (and your Union) will continue to stop abuse

whenever we can!

The cost of a **good** manager is the opposite of the above cited items. And we do appreciate good and competent managers.

Rumor Mill: The rumor mill was borne out of necessity, and like my idea to vote bad managers off the Metro Island, I thought it may be another idea that did not work out. BUT I was wrong and the Rumor Mill has been well received. Although the rumor mill was designed for V.M., it has been read in all areas of Metro. So, I have decided to add a Rumor Mill section for Facilities Maintenance also! So, feel free to start sending me all those Alien/Sasquatch/Chief stranger than fiction rumors.

It has gone largely unnoticed (attention Metro this is a positive story!) by many of you that Metro did not give out sick leave abuse letters to almost everyone in V.M. this past year. Why was that? I would like to claim credit due to my miraculous and awe-inspiring diplomatic skills. BUT, I cannot. The change was due to the outcry of foul! This cry came from the employees, V.M. board officers, and meetings held between Metro management and the President and I as per the contract. This is one of those times when "Metro did the right thing"! Most likely, by this time, you will have seen the new policy from Metro that has been bargained by Local 587.

Maintenance Manager Evaluations: If I am going to be shot by a Metro manager this is my most dangerous time of the year. I am snarled at & thrown out of bases much more frequently. It's the bottom three that seem to be the most concerned. The Good managers seem to welcome the Evaluations but do not want the notoriety (why is that?). I will be posting the results as soon as I can!

The millwright move?! Grievances filed, still under negotiations.

What's going on?

In Maintenance: Arbitrations-6, Grievances-22

A.S.E.: Certification for Facilities & Mechanics, E.T.'s, Parts workers, Clerks...your opinion is needed. I have been asked by members to provide a more complete picture about the money that could be earned. We will be voting on this soon to find out if Maintenance is interested in pursuing this with a proposal to Metro.

Also: I have been receiving several calls regarding cross classification work for the new Driver Waste Elimination Terminal that will be



incorporated into the new O.B.S system. And this is my decision on the matter: as the law does not provide that drivers have the right to restroom breaks and because of the serious physical complications that can result from holding it "too long", we will continue with the installation. The body shop will make the initial hook ups to the driver's seats and pedestal. Mechanics will run the tubing to the rear of the coach and make the final attachments to the exhaust system. Mechanics will also attach the system flush assembly from the washer fluid holding tank. And, the E.T.s will attach the diagnostic package which comes off the tubing system from the pedestal assembly. Also, I do not care how much managers complain but, "only the upholstery

shop" will install the special driver seat retention cushions! As for the other concerns raised, the Union has demanded to bargain disciplinary actions that result from a "positive" reading that may be transmitted by the O.B.S. diagnostic package. The operator will have the right to flush the system once. However, if two positives are recorded, they may have to be relieved (sorry) on the road.

Because of my decision, the Union will not be pursuing the large volume of grievances that have been generated in regards to this matter. If you have any other questions or concerns of a non-union nature, please feel free to contact fleet engineering.

Next Month!! Drew Gate (or the mouse that roared!).

Thank you Full Time Pick Crew

Thank You! I wish to commend the full-time pick group of Spring 2012 for help making pick a SUCCESS during the difficult weather conditions the week of January 16, 2012.

OSS Coordinators

Jay Sybert
Ken Dvorak

Operators

Suzette Gahn
Donna Marcell
Sandra Rankins
Beverly Witte
Jerry Wallace
Karina Wiesenbach

First Line

James Wells
Drup Chand
Tamara Eldridge
Yvonne Johnson-
Murray
Debra Freeman

Training

Dennis Lock
Tonya Davis
Linda Wells

Union

Ray Campbell
Hal Poor
Ray Mason
Rick Sepolen

Respectfully,
Judy Young
ATU 587
Recording Secretary

The Financial Secretary's Report

By Paul Neil



Lobby Day is February 7

On Tuesday February 7th a bus will leave from in front of Atlantic-Central Base filled with ATU 587 members heading to Olympia for Lobby Day. The bus will leave at 8:30a.m. and will be returning about 4:30p.m. The "Lobby Day" group is going so they can lobby their own state legislators on transit issues and in particular on obtaining stable, long term, and adequate funding for public transit.

If long term stable funding is not obtained there is a very good chance that starting in 2014 we could have significant service cuts, cuts which in turn could cause the layoff of hundreds of ATU 587 members. Of course it is possible that sales

tax revenue could boom during the next two years and there would be no service cuts in 2014, but this is a symptom of the problem of being completely reliant on sales tax. Sales tax revenue goes on a boom-and-bust cycle even more volatile than the economy in general. The demand for transit service is not nearly as cyclical and when sales taxes are down is when our service is needed most. When it comes to transit sustainability, it has been proven over time that we need long term STABLE funding which will be adequate to meet our community's transit service needs.

I ask that you join us in Olympia so your legislator can meet you. The

The bus will leave at 8:30a.m. and will be returning about 4:30p.m.

most effective lobbyist is a voter in an elected official's district. If you wish to go, the bus and your lunch will be paid for by Local 587. You will need to use vacation or AC time if you want to be paid. A limited number of unpaid courtesy details can be arranged through the

Union. The registration form can be found at: http://www.atu587.com/documents/Lobby_Day_2012-signup_form.pdf

Hope to see you there! Below is the report I read at the January cycle of Union meetings.

Financial Secretary's January 2012 Membership Meeting Report

New Member Applications submitted to the ATU International in December:

In the month of December 2011, we reported 37 new members to the ATU International. 2 are at Clallam Transit, 3 at First Transit, 2 at Jefferson Transit, 1 at SPT and 29 are at King County METRO. This brings are total active membership to 4080. This is a decrease of 118 members compared this time last year when we had 4198 active members.

Bills:

All financial figures are subject to the review of the Executive Board. In December total income was

\$280,838.84 which is an increase of \$17,766.02, or 6.8%, compared to last December. The reason for the increase is that last December we began depositing the Short Term Disability check through our account rather than having KC METRO paying them directly. All other revenue sources were down compared to a year earlier. These figures do not include our investment income which we book in December, when that is done it should be approximately \$8,000.00.

Per Capita payments totaled \$57,642.14 for the month which is a decrease of \$566.86, or 1.0%, over the same period last year.

Other bills for payroll, rent, legal, etc totaled \$239,179.05 which is an

increase of \$8,523.75, or 3.7%, over last December. The increase in expenses is almost totally attributable to paying the STD premium. This amounts to a deficit of \$15,982.35 for the month compared to a deficit of \$25,791.48 for December 2010. These figures do not include our depreciation expense.

As of the end of December, the figures for this year compared to last are: Income is up 3.5%, per capita's up 3.0%, all other expenses are up 3.3%, and the surplus is \$108,104.90 this year versus \$97,474.91 last year or a 10.9% increase over last year. These figures do not include depreciation expenses or investment income for December.

My activities for the month:

Went on 2 base visits at Bellevue & East. At all bases I spoke with members in both Operations & Vehicle Maintenance.

Sunday December 18th I worked with the other officers at our Paratransit Holiday Party.

On Thursday December 8th I served food at the Retiree holiday party with the rest of the officers with the exception of the President who was on light duty due to an off the job injury.

On Tuesday December 13th we held an open house for our newly remodeled office. Several members stopped by as well as many of our neighbors.

President's Report, continued

Please don't false report, or at least talk to Recording Secretary Judy Young first.

Industrial injury verses industrial disease. When filling out an L&I claim form, what you write on the claim form can often determine whether or not your claim is approved. If you claim a job injury incurred on a specific date at a specific time and place your claim will most likely be approved. If you complain about an ongoing problem, such as poor quality or poorly maintained driver's seats, your claim, initially, may very well be denied. Remember, your employer may be attempting to cut costs by denying legitimate on the job injury claims. If you're unsure what to write, call Recording Secretary Judy Young before submitting an industrial injury claim form.

Local 587 represents employees

working under six contracts; at three public transit agencies and two private employers. Within those contracts are provisions that apply only to some classifications. Some employers are self insured and administer claims under the watchful eye of the Washington State Department of Labor and Industries. Others are not self-insured and simply defer to the department to administer claims. The law and contractual provisions are very complicated. Few, if any, managers can adequately answer contractual questions regarding L&I claims and none can answer legal questions. Only a Union Officer can adequately answer contractual questions and only a lawyer specializing in L&I law can answer legal questions. Although the huge majority of the job injury claims are handled quickly and without controversy, a few

can become very complicated and require the assistance of a lawyer specializing in L&I law.

When in doubt, call the Union Office and ask to speak to Recording

Secretary Judy Young.

In solidarity,
Paul J. Bachtel, President
Business Representative

WORK SITE VISITS

Paul Bachtel, President, and Paul Neil, Financial Secretary, will be visiting various work sites during the month of February. Below is a list of times, dates and locations.

February 10 th Friday	Central Vehicle Maintenance Atlantic Vehicle Maintenance Central Operations	2:00 pm – 2:15 pm 2:15 pm – 2:30 pm 2:30 pm – 4:00 pm
February 14 th Tuesday	Ryerson Vehicle Maintenance Ryerson Operations	2:00 pm – 2:30 pm 2:30 pm – 4:00 pm
February 22 nd Wednesday	North Vehicle Maintenance North Operations	2:00 pm – 2:30 pm 2:30 pm – 4:00 pm

“Garrity Rights” and How They Work for You When Mother Metro is Watching!

Submitted by Clint DeVoss, Executive Board Officer

Recently, I walked into a Base on my RDO after a meeting downtown. What I had unknowingly walked into was an Investigative Interview dealing with potential Industrial Insurance fraud and falsification of METRO documents.

METRO followed correct procedures and gave our member a “Garrity Admonishment” before starting the interview. During the interview METRO asked a series of questions about Industrial Insurance forms filled out by the member and then played a video taken of the member doing routine things while off of work on Job Injury. Without going into detail, the video’s content involved a lot of time spent fishing. Most METRO managers do not really think that you should go hide in a closet if you are off because of a job injury, and acting like you should do nothing is ridiculous. When you are

off on Job Injury you are required by law to assist in your recovery. You should not engage in activities that harm or retard your recovery. This member was not engaged in those types of activity, nor did he falsify any documents.

“Garrity Rights” flow from *Garrity v. New Jersey*, 385 U.S. 493 (1967), where an Attorney General (AG) in New Jersey was investigating corruption, and during investigative interviews the AG threatened public employees with termination if they refused to answer the questions asked. Later these statements were used to convict some of these people in a court. The United States Supreme Court tossed the case out because the statements were made under threat of termination, in other words the statements were “compelled” in violation of the Fifth and Fourteenth Amendments. The Supreme Court later went on

to prohibit public employers from using the threat of discharge to coerce an employee to waive their constitutional rights. (*Gardner v. Broderick*, 392 U.S. 273 (1968)). More importantly, you cannot be terminated for refusing to answer questions that are incriminating, without being given immunity from the use of those statements in criminal charges. (*Uniformed Sanitation Men Association v. Commissioner of Sanitation* (“Uniformed Sanitation I”), 392 U.S. 280 (1968)).

Do not misunderstand; you do have to answer questions asked by METRO in investigative interviews if the questions do not involve criminal activity. Even if your answers do involve self incriminating statements, you still have to answer if you have been given a “Garrity Admonishment”, “Garrity Warning”, or a like statement by the employer insuring that your statements will not be used in a court. Once you have been given a “Garrity Admonishment”, you can be terminated, if you do not answer the questions. (*Uniformed Sanitation Men Association v. Commissioner*

of Sanitation (“*Uniformed Sanitation II*”), 426 F.2d 619 (2nd Cir. 1970)). Additionally, you may still be prosecuted, but the interview statements and any fruits of those statements cannot be used in court. (*Kastigar v. United States*, 406 U.S. 441 (1972)).

This type of situation does not come up very often, there are lots of detailed rules involved, and if you find yourself in a situation where these rights may apply you need to immediately get the assistance of ATU by calling the Union Office at 206-448-8588. For quick reference remember:

Immediately seek the assistance of your Union any time discipline could be involved!

DO NOT answer self incriminating questions without a “Garrity Admonishment”!

What was really troubling was the surveillance of one of our members when they were not doing anything wrong. So, if you are out on a job injury, be aware that MOTHER METRO may be watching, and act accordingly, follow your medical providers instructions.

**To: All Members of Local 587
From: Recording Secretary Judy Young**

December 20, 2011

To: All Members of Local 587
From: Recording Secretary Judy Young

**PROPOSAL TO CHANGE BYLAW ARTICLE X, SECTION 5
Submitted by Bruce Tiebout**

In accordance with Article XV, pertaining to bylaw proposals, the following bylaw proposals will be published in the *News Review*, and will be voted upon through the February cycle of Union meetings.

Current: ARTICLE X
MEETINGS

Section 5. The regular charter meeting’s adjournment shall be declared at 10:30 p.m. and the morning meeting’s adjournment shall be declared at 1:00 p.m. It shall require a two-thirds majority of the members voting to extend the time.

Changes: ARTICLE X
MEETINGS

Section 5. The regular charter meeting’s in King County adjournment shall be declared adjourned at 10:30 p.m. two hours and 30 minutes after convening, and the morning meeting’s outside King County adjournment shall be declared adjourned at 1:00 p.m. 90 minutes after convening. It shall require a two-thirds majority vote of the members voting to extend the time.

Proposed: ARTICLE X
MEETINGS

Section 5. Meetings in King County shall be declared adjourned two hours and 30 minutes after convening. Meetings outside King County shall be declared adjourned 90 minutes after convening. It shall require a two-thirds majority vote of the members voting to extend the time.

**To: All Members of Local 587
From: Recording Secretary Judy Young**

January 25, 2012

To: All Members of Local 587
From: Recording Secretary Judy Young

**PROPOSAL TO CHANGE BYLAW ARTICLE III, SECTION 2
Submitted by Bruce Tiebout**

In accordance with Article XV, pertaining to bylaw proposals, the following bylaw proposals will be published in the *News Review*, and will be voted upon through the March cycle of Union meetings.

CURRENT:
ARTICLE III
OFFICERS

Section 2. Executive Board
(g) Employees in the Special Classifications Department shall consist of all job Classifications listed under Customer Information Specialists, Pass Sales Office Employees and Special Classifications (with the exception of the Operations Security Liaison), in the current labor agreement with King County / Metro.

CHANGE:
“Customer Information Specialists” to “Customer Information Office Employees”.

PROPOSED:
ARTICLE III
OFFICERS

Section 2. Executive Board
(g) Employees in the Special Classifications Department shall consist of all job Classifications listed under Customer Information Office Employees, Pass Sales Office Employees and Special Classifications (with the exception of the Operations Security Liaison), in the current labor agreement with King County / Metro.

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Retirees' Corner

The View from the Buses

By Bob Morgan, Retired First-Line Supervisor

Okay, last month was serious stuff about what is happening in the retiree world...this month, another story from the past.

With the Holiday season now over, here is a story that is true and that happened while I was in the old Control Center on the 2nd floor of the Exchange Building circa 1984. As I have mentioned in the past this was a very dreary place to work and with the Holidays we got to have a tree to celebrate the season.

We all donated funds and someone went and got the tree. It was around 6-7 feet tall and we all decorated as we would if it were at our own homes. With the lights on (which they were 24 hours a day) it was a nice addition to the drab work area. The tree made it through the Holiday season and almost to February. One thing to mention, we NEVER EVER watered it so it was DRY, which never bothered anyone until a coordinator who was just a little stressed and tossed his lit cigarette in the general direction of the tree (yes we had an ashtray but every once in awhile). Well the light went on, so to speak, and we finally unplugged the lights...but the tree stayed. Finally, one of the chiefs said we needed to get rid of the tree, but it would have to be done early in the morning when the dumpsters were still on the curb on the 1st Ave. side of the building. Uh huh that didn't work either as the weather turned a little on the cold side and we were busier than normal for early morning. The late Bill Hewitt came up with a plan, "we'll send it to Bellevue Base!" Why there? Dick Bartlett was the

AM hostler in those days and he had gave Bill a hard time about something over the phone and Bill thought the overly dry tree was an acceptable response to Dingy (Dick's nickname).

So Bill called a coach that was about to end its trip to the CBD and directed him to 2nd Ave. & Marion St. S/B nearside and wait for two men with a tree. After explaining that it was indeed a real radio call, the operator stopped Bill along with another coordinator and shoved the tree through the back door of the coach. I'm sure everyone reading this is aware that Christmas trees are larger on the bottom than the top so Bill put the tree onto the coach large end first. He then, after getting back to the office, called Dingy on the phone and told him that a "gift" was on the coach and to check it out when it got to the base. Great plan, right? Not so fast, Dingy got called away to the shop and another service person parked the coach.

Now comes the PM sign out. The PM operator goes to the aforementioned coach to start their pre-trip and low and behold there is this dead tree crammed into the rear door area. The Operator does their job and reports to the shop. The PM lead at the base is unaware of anything between Bill (who by this time has long departed) and Dingy who also was done with his shift (and who by the way never did see the "gift"). Bottom line was that the lead wanted the name of the AM operator and why they had stuffed a dead tree on the coach, not to mention it was a real job to get it off the coach due to the way

Bill had stuffed the tree in it.

Luckily, for Bill and Dingy, I was working overtime that day and remembered what had occurred in the AM. Now I have to explain, without getting Bill into too much trouble, what had taken place some 6 hours prior. One of my better explanations for sure as no one got spanked for the stunt.

Moral to the story, if you are going to pull a prank just make sure the recipient of the prank got what you sent. In other words just don't do something stupid!

As I have mentioned in past articles, it was sometimes a fun place to work and don't even think of trying this in today's work place.

As was mentioned in the January Newsletter, Jeff Lindstedt passed away just prior to Christmas. Jeff had been ill for many years since retiring, but battled through it to the end. Most people will remember Jeff in training for many years. He then went to CPS and worked there until he retired some years back. Jeff was a good friend and when I first met him he was the "Choir Leader" at the pay day gatherings at one of many bars in the SODO area. Actually, Jeff's mailing address was at a bar just south of Atlantic for quite a few years, and yes, that is true. I considered Jeff a good friend both at work and away from work; he will be missed by many.

At the North end breakfast on January 7 it was good to see Al Giesselberg. Al has been battling an illness and he seemed in good health. It was also good to see Paul Pioli; Paul worked for more years in Revenue Processing (Paul writes the column for the City Retiree's paper).

Mattie Robinson and I had a nice visit also. And yes, Dick Amos was there in all his glory! It is a little weird to see Jim Vaughn at the winter get togethers. For most of the last 10 years, he and his wife wintered in Yuma but found they missed the kids during the holidays and got rid of everything in the desert.

Heard that Thurman Fremsted is holding his own with ongoing medical procedures, keep up the fight Thurman! Lonnie Sewell and his wife bought a travel trailer and a newer truck and plans to do some traveling in the near future, I suggested they head south!

After a long absence, I finally saw Lou Torres at the North end lunch. Seems the engine in Lou's car expired and then just for kicks he got the flu so as a result of all that he missed 2 meetings, including the Holiday dinner in December.

Also at the North end lunch on the 10th of January, I saw Darrell Dudgeon. Darrell retired prior to myself and I hadn't seen him for many years. Darrell had his left knee replaced about 10 months ago and seems to get around quite well. He mentioned he plays golf regularly. As we were talking, it came to me that I had known Darrell for over 35 years; I first met him as the AM window person at Dearborn Base in September of 1976. Seems just like yesterday...

I haven't heard much from the Arizona group lately so as of now nothing to report on them. (That should get some response).

Thanks for reading and see you soon "From the Buses!"

Bob Morgan

Accidents Happen

By Stephanie Hagen, Chief Shop Steward Central Base

In a driver's career, accidents can happen. It is a hazard of the job that we are trained to avoid. Yet, sometimes things happen. When they do there is always the inevitable paperwork that must be completed, following the accident. Therein lies the RUB!

We are trained to drive and drive well, with care and caution. Yet we are ill prepared for the aftermath of an accident, the accident report. The ability to speak articulately frequently does not translate well to the written word. Whether you are a native English speaker or not, writing the accident report can be a frustrating and perilous task. Points and discipline can result from the accident report. This concern tends to raise the anxiety level of the writer, frequently leading to a lack of enough or too much information being included in the accident report. Too much or too little information

can lead to an unwanted decision on your accident.

As an early day TV detective, Joe Friday, so clearly put it, "Just the facts Ma'am." That is what is required; the who, what, when, where, why, and how. Putting those together in a clear picture is what is necessary for Safety's review and determination of the preventable and a non preventable accident decision.

When faced with writing an accident report, a good first step is to seek out a shop steward for assistance in reviewing your draft report. Having another person look over your draft report can help you to clarify your information and help to insure that all the necessary information is contained in the draft. This simple step can save you time and anxiety. It can also avoid the time consuming and costly process of a re-read on your accident report in the event that you receive a deci-

sion on your accident report that you feel is not correct.

So always drive safely, but should you need to do an accident report,

remember help is just a shop steward away! So seek their assistance whenever you have questions!

In Safety and Solidarity.

KEEP YOUR ADDRESS CURRENT!!

(A request from our Local 8 Union office staff)

Throughout the year Local 587 mails letters to our membership. With each mailing sent, the union receives a small percentage of letters returned due to improper address.

Local 587 maintains a database that in part includes the names and addresses of our King County Metro members. The King County Metro section of the database is updated monthly from data provided by King County Metro.

If you are a King County Metro employee and your name and address is not current with King County Metro, you may not receive Union mailings. Please keep your name and address current with King County Metro.