

DECEMBER 2005

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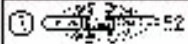
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ATU

LOCAL 587

# News Review



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VOL. XXVIII, NO. 12

## The President's Report

# Shop Stewards Needed! No Experience Necessary!

By Lance F. Norton

Forty years ago when I first started driving a bus, a Union Representative came up to me and said, "Hey kid, how'dja like to be a steward?" I was 22 years old, fresh out of the Army, and had a total of six months experience driving a bus. With all the self-assuredness of youth I said, "Sure, why not? What do I have to

do?" He handed me a contract, the local bylaws, and an International Constitution and said, "Read these, it's all in there."

Well, of course it's not all in there. But stewards all over the labor movement learn most of what they need to know as stewards through the school of hard knocks. At Local 587, with 4,000 members in six different bargaining units, we strongly believe in shop steward training.

The process by which one becomes a shop steward is outlined in our Local bylaws. Our smaller bargaining units go through their shop steward election process once a year. But at King County Metro, what with numerous work sites and the ability to bid work and therefore change work sites twice or three times a year, the shop steward election process is tied to the shakeup, or bid process. Since our largest groups of members, KCM Transit Operators and Vehicle Maintenance employees, pick work three times a year they have

*Remember, being a steward is  
the best training possible  
for other Union  
leadership positions.*

the highest potential for changing work sites and therefore the bulk of the shop steward election process effort is centered around those two groups.

Three times a year, shortly after each KCM Transit Operator/Vehicle Maintenance shakeup we conduct Shop Steward Training for new stewards and alternates. Just as a matter of course, we extend invitations to all Locals throughout the state, on an "if room is available basis," after our new stewards sign up for training.

Our last training, held October 12<sup>th</sup> and 13<sup>th</sup>, was expanded to two days in response to numerous suggestions that the amount of information presented is too overwhelming to absorb in one day. We had 19 new shop stewards and alternates in attendance. What concerns me, however, is that twelve of the nineteen were from other A.T.U. Locals. Only seven new shop stewards signed up at the start of our current shake-up.

It is of interest to me to know

*continued on page 12*



Lance F. Norton

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# The Month at a Glance

## Executive Board Report

November 22, 2005

The following officers were present: All officers were present with the exception of Recording Secretary Gil, who was on vacation, and Ninus Hopkins.

The following business was conducted:

Motion by Paul Neil to purchase a total of 35 \$25 gift certificates to be distributed by draw at the December cycle of meetings as follows: 10 at the Charter meeting, 5 at the Morning meeting, 3 at JTA, 7 at the CTS meeting, and 10 at the Retiree's Christmas luncheon.

Motion by Paul Neil to set the Executive Board meetings for the remainder of the term as follows: the Tuesday of the week prior to the first Thursday of the month, specifically January 24, February 21, March 28, April 25, May 23, and June 27.

Motion by Joe Mangiameli to recommend taking Dar-An Kung's grievance to arbitration.

Motion by Dee Wakenight to engage Herman Lindsey for the annual audit.

Motion by Joe Mangiameli to send, in addition to the President, three full-time officers to the January Northwest Conference Executive Board meeting, paying airfare, travel, hotel, and per diem; and to sponsor a meal at the Northwest Conference not to exceed fifteen hundred dollars (\$1,500.00).

Motion by Rick Sepolen for Local 587 to pay for transportation to Olympia to transport the C.O.P.E. committee and any interested members to attend the A.T.U.L.C. Lobby Day. Costs not to exceed one thousand dollars (\$1,000.00).

Motion by Rick Sepolen for Local 587 to pay for transportation to Olympia to transport the C.O.P.E. committee and any interested members to attend the Washington State Labor Council Lobby Day. Costs not to exceed nineteen hundred dollars (\$1,900.00).

Motion by Judy Young that Local 587 donate five hundred dollars (\$500.00), as requested by King County Councilman Larry Gossett, to help pay a portion of the costs of the Dr. Martin Luther King Jr. Celebration Committee expenses on January 16, 2005.

## Business of the Membership

At the November 2005 cycle of membership meetings the following business was conducted:

- Brother Jeff Durall's request for arbitration was approved by the membership.

- The proposed bylaw change for Article IV, Section 5, was approved by the membership.

The following members were November pot draw winners: Jeff Doppmann at the Charter meeting, Steve Millard at the Morning meeting, Jay Proctor at the JTA meeting. CTS pot draw winner was Don Beeman. CTS rolling pot draw of \$125.00 was lost by Judy Hewlett. Next month's rolling pot will be \$150.00.

## Tentative Agenda

### Membership Meetings:

**CHARTER MEETING**  
Thursday, December 1, 2005  
8:00 p.m.  
The Labor Temple, Hall #8  
2800 1st Ave., Seattle, WA

**JEFFERSON TRANSIT**  
Monday, December 5, 2005  
7:00 p.m.  
Port Townsend Rec Center  
Port Townsend, WA

**MORNING MEETING**  
Friday, December 2, 2005  
10:30 a.m.  
The Labor Temple, Hall #6  
2800 1st Ave., Seattle, WA

**CLALLAM TRANSIT**  
Tuesday, December 6, 2005  
7:00 p.m.  
Vern Burton Memorial Building  
Port Angeles, WA

### Among topics to be discussed:

Grievance and arbitration update, Clallam Paratransit shop steward elections will take place at the Clallam membership meeting.

### Unfinished business

There is no unfinished business for the month of December

## ARBITRATION UPDATE

- Kenny McCormick:** Grieved failure to follow FLSA requirements for travel time for board/report/ATL operators. Grievance being held in abeyance while issue pursued in court.
- Vince Lee:** Grieved improper procedure for upgrade to temporary position. Arbitration held November 8, 2005. Decision pending.
- Greg Mothersbaugh:** Grieved improper payment of administrative leave. Arbitration held September 15<sup>th</sup>, 2005. Decision pending.
- Sandie Olosky:** Grieved termination for alleged gross misconduct. Arbitration held November 7 and 8, 2005. Decision pending.
- Louise Gredig:** Grieved premature non-disciplinary medical termination. Schedule pending.
- Tyler Schultz:** Grieved medical termination. Arbitration scheduled for December 7 and 8, 2005.
- Dobbie Boyington:** Grieved termination for four infractions. Arbitration scheduled for February 21 and 22, 2006.
- Jeff Durall:** Grieved termination for alleged gross misconduct. Arbitration approved at the November cycle of membership meetings. Schedule pending.

### ATU LOCAL 587

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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

*A Report from the Minority Affairs Committee*

# The Mother of Civil Rights

by Michael Moore

**T**he Mother of the American Civil Rights Movement, Rosa Parks, died on October 24, 2005, at the age of 92. She defied racist authority to defend her personal rights and dignity. Her courageous act helped transform a nation.

Rosa Parks was born Rosa Louise McCauley in Tuskegee, Alabama, to James McCauley, a carpenter, and Leona McCauley, a teacher. At the age of eleven she was enrolled in the Montgomery Industrial School For Girls, a private school founded by liberal-minded women from the northern United States. The school's philosophy of self-worth was consistent with Leone McCauley's advice to "take advantage of the opportunities, no matter how few they were."

After attending Alabama State Teachers College, Rosa settled in Montgomery with her husband, Raymond Parks. The couple joined the local chapter of the National Association for the Advancement of Colored People (NAACP). During this time in history, Black people in the south lived in fear of breaking discriminatory Jim Crow laws designed to keep black Americans in an inferior position to the white population.

"I worked on numerous cases with the NAACP." Mrs. Parks recalled, "but we did not get the publicity. There were cases of flogging, peonage, murder and rape. We did not seem to have too many successes. It was more a matter of trying to challenge the powers that be, and to let it be known that we did not wish to continue being second-class citizens."

As Rosa Parks understood, the Civil Rights Revolution was not about material things, even if freedom might bring a better material life in its wake, as it tends to do.

Her life was about something far more intense: human liberty, the right to be treated equally before the law, the right to choose one's own path. In other words, human dignity.

Montgomery, Alabama's segregation laws in 1955 were complex. Blacks were required to pay their fare to the bus driver, then get off and re-board through the back door. Sometimes the bus driver would drive off before the paid-up customers made it to the back door. If the white section was full and another white customer entered, blacks were required to give up their seats and move farther to the back. A black person was not even allowed to sit across the aisle from whites. These humiliations were compounded by the fact that two thirds of the bus passengers in Montgomery were black.

On December 1, 1955, as she was riding home from a long day at work, Rosa Parks was ordered by the bus driver to give up her seat on a public bus so a white man might sit. She refused, was arrested, and fined \$14.00. That day was marked by many as the start of the Civil Rights Movement.

The bus incident led to the forming of the Montgomery Improvement Association, led by the young pastor of the Dexter Avenue Baptist Church, Dr. Martin Luther King Jr. The association called for a boycott of the city-owned bus company. Mrs. Parks, however, did not organize the boycott. The night of Rosa's arrest, Jo Ann Robinson, an English professor at all-black Alabama State College and leader of the local women's political council, stayed up until dawn writing and secretly mimeographing 35,000 leaflets, calling for a one-day bus boycott the following Monday. She

and her students distributed them clandestinely through the elementary and high schools.

The boycott lasted 382 days and brought Mrs. Parks, Dr. King, and their cause to the attention of the world. A Supreme Court decision struck down the Montgomery Ordinance under which Mrs. Parks had been fined, and outlawed racial segregation on public transportation.

After the stunningly successful boycott of the city buses, the streets around the Dexter Avenue Baptist Church were packed for blocks with thousands of Montgomery's black citizens listening to loudspeakers. The Rev. Martin Luther King Jr, 26 years old and chosen that afternoon because he hadn't yet made any local enemies, had 20 minutes to prepare his first public speech, the one that launched his heartbreakingly brief, incandescent career.

"We are not wrong in what we are doing" King told the crowd. "If we are wrong, the Supreme Court of this Nation is wrong. If we are wrong, God Almighty is wrong! If we are wrong, Jesus of Nazareth was merely a utopian dreamer and never came down to earth!" He spoke from just a few notes, but years of study had prepared him to invoke moral, constitutional, and



Rosa Parks

religious authority in one short paragraph.

Parks suffered consequences beyond jail and a fine. She was harassed and had trouble finding work in Alabama. Her life changed forever as she and her husband, Raymond, moved to Detroit in 1957. But the Civil Rights Movement grew, with Parks later earning the title of "Mother" of the Movement as she continued to quietly work for more equality.

In honor of Mrs. Parks, King County Metro will place a plaque on the front two seats of all buses, until December 1, 2005, marking the anniversary of her arrest.

***Local 587 thanks the Minority Affairs committee members for their generous donation to the Puget Sound Labor Agency. We are grateful that the money will feed some needy families this holiday season. Minority affairs committee members include Executive Board Officer Judy Young, John Bouie, Elaine Monson, Eddie Brown, Michael Moore, Debbie Green and Minority Affairs Officer Ray Campbell***

## Upcoming at Local 587

**NOV. 30** — Nominations open for shop stewards at Clallam Transit.

**DEC. 3** — Clallam Transit Retiree holiday dinner, Sequim Bay Lodge, 6 p.m.

**DEC. 6** — Clallam Paratransit shop steward elections will take place at the Clallam County membership meeting.

**DEC. 8** — ATU Retiree Chapter Holiday Luncheon, Southcenter Doubletree Inn, 11 a.m.

**DEC. 10** — MV Transportation Holiday party, location and time to be announced, please watch your bulletin boards for more information.

**DEC. 10** — Clallam Transit employees Christmas party, Seven Cedars Casino. Employees wishing to attend, please contact the Employee Activities Committee to sign up.

**DEC. 22** — Clallam Transit shop steward election, if needed.

**DEC. 27** — Executive Board Meeting.

**DEC. 30** — PART-TIME RESTRICTION FORMS DUE, 7:45 p.m. Forms must be turned in at the window. No forms will be accepted at the union office or in the pick preview room. **ABSOLUTELY NO LATE FORMS WILL BE ACCEPTED.**

**JAN. 2 through 6** — Part-time Pick Preview. Central/Atlantic Base upstairs quiet room, 8am-4pm. Check your Operations Bulletin for further information.

**JAN. 3 through 8** — Full-time Pick Preview. Atlantic/Central Base upstairs classrooms, 8:30am-4:30pm. Check your Operations Bulletin for further information.

**JAN. 7, 8, 14, 15** — Part-Time Operator Pick. Central/Atlantic Base. Please consult your seniority list for your pick time. **Please remember to allow enough time to walk to pick from the Central/Atlantic/Ryerson parking garage.**

**JAN. 9 through 19** — Full-Time Operator Pick. Atlantic/Central Base. Please consult your seniority list for your pick time. **Please remember to allow enough time to walk to pick from the Central/Atlantic/Ryerson parking garage.**

**JAN. 13** — Vehicle Maintenance Lead pick. Please consult your bulletins for time and location.

**JAN. 19** — Shop steward nominations open for Transit Operators and Vehicle Maintenance.

# Letters to the Editor...

## Special Thanks

Dear Editor:

I would like to take this opportunity to thank my fellow Brothers and Sisters of Local 587 for all of their support over the past six months. Your kind words of encouragement, prayers, phone calls, flowers, and on and on, during this, one of the most terrifying times of my life, were key to my being able to continue the good fight. This was my second bout with colon cancer in less than two years and required much surgery.

I spent a total of 26 days in the hospital, before the doctors were able to identify a secondary problem to the initial surgery... Here I am, back at work, and slowly regaining my strength.

Thanks to the Operators who transported me from time-to-time during those times I relied heavily on the Metro system to [get] me from home to doctors and labs. For everyone else that showed concern and helped me during the transition of getting back into the work force once again, a big warm-hearted thank you to you all.

It is great being back to work, something even I questioned many times during this process. I am so very grateful to everyone I work with. Thank you all.

Most Sincerely,  
In solidarity  
Daniel Edminster, #20358  
East Base (for now)

## Commendation

[International President] Mr. Warren George:

I am a retired city bus driver [from] Local 587 in Seattle, Washington. I was riding on Greyhound this past weekend, 11/06/05, and had the pleasure of riding with an exceptional driver. The regular route he was supposed to take was

closed because of a rockslide. He had to take a route over a different mountain pass at night. This pass is a two lane road unlike the interstate he was used to driving. I feel he did an outstanding job, making sure of the passengers comfort [by] stopping a couple of times extra, and not driving too fast for the road.

I have sent a commendation to Greyhound but most of the time the drivers at Greyhound don't get the commendations. So I also thought that a note to the International might be a nice idea. His name is Ken. I didn't ask his last name. He was driving schedule 1343 (leaving at 1:00 P.M.) from Stanfield Oregon to Seattle. His coach number was 7246.

Mike Rossner  
Retired, Local 587

## Inconsideration

Dear Editor:

I'm writing to express my concerns over what I see as the growing lack of consideration of drivers for other drivers. This is in two areas. Buses in the yard and road reliefs.

First in the yard, drivers who "decorate or remodel" the buses by tying the shoulder belts in knots and leaving them tied when they are done with their shift; taping papers over parts of the windows; tying the "sun visors" at a certain height and so many more things. We are all different heights and sit differently in the seats. It [seems to] me that if a driver can take time to do all this special stuff for their comfort that they should undo these things when they are done. After all, we all have the same 10 minutes from sign in to pull out.

The second thing is drivers who have "BO" buses and they do nothing to get the problems fixed. They just bring the bus to the next

driver and let them deal with it. I worked at Atlantic this summer and can not count on all my hands and toes how many times I showed up for the relief and was told by the other driver that there was a problem with the bus.

Recently I did a relief and was told that the heater switch for the passenger heat was not working. The other driver told me "You can BO it when you take it back to the base. I don't think you'll need the heat." The high temp that rainy afternoon was about 55. Not too bad, but considering the fact that there are a lot of older and disabled passengers riding my route, they may not have felt the same way.

The lack of consideration and understanding for the public is bad enough, but coming from other drivers; well: it's just the pits. Let's try doing our jobs and thinking past the end of our shifts about the next driver.

Richard S. Marchu #3847  
Ryerson Base

## Union Seniority

Dear Editor,

I believe most people support long term employees receiving a higher pay rate, longer vacations, preferred work and layoff protection as compensation for their years of service. However, I suspect this overall support wanes when seniority is considered in evaluating arbitration cases.

I have observed in arbitration cases brought before the general membership that emphasizing a member's years of service occurs not as mitigating circumstance such as a medical condition or equipment malfunction, but to garner sympathy. I suspect the tenure of the union personnel involved in the arbitration process, including those who vote at the general membership meetings, exceeds the median seniority of the rank and file at large. This may account for the empathy provided to longer term employees in arbitration cases. On the other hand, citing length of service for low seniority workers does not seem to elicit the same emotional response.

Ironically, years of service could be construed as a liability for long term workers since it could be reasonably argued that experience should be factored in the arbitration deliberations. In contrast, a short term employee's lack of experience may be advantageous since this could plausibly be regarded as a pertinent mitigating circumstance.

Therefore, to avoid ambiguity, I suggest not mentioning length of service in arbitration cases brought before the general membership and let the merits of each case rest upon relevant information.

Sincerely,

Joe Kadushin, # 12095  
Ryerson Base

**Ed. Note:** *With all due respect to Brother Kadushin, it is necessary to correct a few inaccuracies. While the tenure of union personnel involved in the arbitration process (the President and Vice President handle almost all arbitrations) may exceed the median seniority of the rank and file at large, the tenure of those who vote at general membership meetings does not. If Brother Kadushin were able to attend all four meetings in a cycle, he would see that the attendees, by and large, represent all levels of seniority. Furthermore, partly because the union personnel involved in arbitrations exceed the median seniority of the rank-and-file members, they do have some experience in this area, which is why length of service is frequently mentioned in presenting arbitration cases when it is considered to be relevant.*

*It is relevant because arbitrators do use employment tenure as mitigating circumstances. Quoting from an arbitration decision handed down in May of 2001, the arbitrator states, "...On the Grievant's side of this mitigation equation, at the outset, is his long tenure and virtually clean disciplinary record." In another termination grievance, dated October of 2002, Arbitrator Cavanaugh states, "... But in a proceeding to determine whether a long-term employee has properly been deprived of his livelihood, we deal not just with concerns but also with proof." I believe President Norton's point during the presentation of the arbitration case that was before the membership at the last cycle of meetings, was that some arbitrators do indeed take tenure into consideration, particularly when looking at cases of gross misconduct. It has been his experience, both as President of the Local and as longtime partisan arbitrator for Local 587 prior to becoming president, that particularly in cases of gross misconduct arbitrators require that the misconduct indeed fit the definition of gross, i.e. flagrant, glaring, inexcusable, when dealing with a member with at least 10 years of tenure.*

*Therefore, in certain cases a member's length of employment is most certainly relevant to whether or not the arbitration has a chance to prevail. And that's why it's presented.*

### 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:

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News Review Editor  
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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*

# Guest Editorial ...

## The Monorail is Dead. Long Live Transit!

By Marc Auerbach, Executive Board Officer

It might seem backward to say this but the defeat of the Seattle Monorail Project on November 8 was actually a victory for rapid transit in Seattle. For years we were told that monorail technology was inherently faster, cheaper and prettier than other forms of transit. We were also told that privatizing monorail operations would help to protect the citizens of Seattle from cost increases. In the end, none of this turned out to be true.

In fact, the emotional decision to use monorail technology unnecessarily raised the price of implementing rapid transit in the Green Line corridor, and also increased the negative impacts on neighborhoods. The termination of the monorail project clears the way for sensible rapid transit investments throughout the city.

The Seattle City Council has approved funds to study rapid transit alternatives in the Green Line corridor. And the Seattle Department of Transportation is expected to come up with a plan

by next Spring. If the state legislature gives the City the authority, Seattle voters could see a plan on the ballot as soon as next Fall.

The options that will be considered include Bus Rapid Transit, Express Streetcar and Light Rail and it is possible that the study will recommend different technologies for different parts of the alignment. Hopefully, the study will be conducted honestly, and will help us to move ahead with a rational and affordable plan.

In the meantime, the City Council has approved the visionary Seattle Transit Plan, which calls for developing a city-wide transit network with 15-minute service, 18 hours a day, throughout the city. This plan recognizes that the key factor to improving transit is the quality, frequency and availability of service – not a particular technology. The plan envisions major improvements to the bus system in Seattle, including the implementation of Bus Rapid Transit where appropriate.

All I can say is, "It's about time!"

Investments in better and more frequent bus service are essential to upgrading our transportation system. And I believe that Bus Rapid Transit (bus service with limited stops, proof of payment fare collection, and dedicated bus lanes) is very promising for certain corridors.

That said, I part company with those who attack light rail and see Bus Rapid Transit as the answer to every transit problem. These BRT advocates sometimes remind me of the monorail devotees. They are overly focused on the technology and they believe that light rail is bad and BRT is good. But the truth is not so simple. Link light rail is expensive but any technology serving that route would be. The problem is the geography more than the technology.

Cities with excellent transit systems use a variety of technologies. The important thing is to use the right technology in the right place. That means taking into account potential ridership and the geography in a given corridor

to determine the most cost-effective approach. Of course, it is also critically important to build a well-integrated system that extends throughout the city with easy, fast transfers and comfortable, safe places to wait. Putting billions of dollars into an unneeded monorail would have starved Seattle of the resources it needs to do this.

Finally, the monorail fiasco is an object lesson in the false promise of privatization. From the very start the monorail movement was deeply influenced by private companies who stood to make millions from the construction and operation of the project. Our existing transit agencies, with all of their problems, do a better job of putting the public interest first. And aren't we better off as a community when our transit dollars go to provide decent wages and benefits for workers who live here, rather than being siphoned off to out-of-state corporations?

*We Invite ALL King County Metro Transit Employees,  
Families and Friends on the MEHVA*

## SANTA'S Holiday Lights Tour

**Saturday, December 17, 2005 at 7:00 PM**  
Departs from Central/Atlantic Base,  
6<sup>th</sup> Avenue S. and S. Atlantic St.

All King County/Metro Transit employees, their families and friends are invited on a special Seattle Holiday Lights Tour. Your personal guide will be Santa Claus, who will be taking time out of his busy schedule at the North Pole to escort us on a 2½ hour tour of the best holiday lights displays in Seattle. Our restored fleet of historic buses from Seattle and King County's past will transport you there as if you were riding in Santa's sleigh.

The **Metro Employees Historic Vehicle Association - MEHVA** is a volunteer, non-profit, tax-exempt organization dedicated to the preservation of Seattle and King County's transit heritage through the restoration and operation of vintage transit vehicles as a working, moving museum.

Fares are \$5 for Adults, \$4 for Seniors (65 and over) and \$4 Children (2-11).

METRO TRANSFERS, TICKETS OR PASSES ARE NOT ACCEPTED.

PLEASE, NO FOOD OR BEVERAGES ONBOARD THE HISTORIC BUSES.

MEHVA HOTLINE: (206) 684-1816 • Mail Stop CAB-TR-0350

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



### DOWNTOWN SEATTLE TRANSIT TUNNEL DUAL POWER BUS OPERATIONS T-SHIRTS

Are also available from MEHVA. Cost is \$15.00 per shirt. Sizes M, L, and XL. Free shipping in house to KC mail stop, or please add \$4 for shipping via USPS. You may call the hotline for more information,

or send your check or money order to:

MEHVA, C/o King County Metro Transit, 201 S. Jackson St  
Mail stop CAB TR 0350, Seattle, WA 98104

## Come one come all

*The Seattle Chapter of the Latino  
Caucus is pleased to announce our  
first-ever Silent Auction.*

*Just in time for the holidays!*

*Proceeds to benefit the SCLC  
Scholarship fund.*

*All members are invited  
to this special event.*

When: Before the December Charter Meeting, and bidding will be allowed during the meeting. The winners will be announced that night and will take their prizes home with them at the conclusion of the meeting.

So come to the December Charter Union meeting, be informed, buy some neat stuff, help out a good cause and see some friends.

*See you there at the meeting!*

*Thursday, December 1, 2005*

*Labor Temple*

*(First & Broad Street,*

*Downtown Seattle)*

*Meeting starts at 8:00 PM*

## President's Report, continued from page 1

why members would be discouraged from signing up for the position of shop steward. I've had members tell me, "Lance, I would have no idea what to do if I was needed to represent a member." But that is why we have make sure our stewards get training.

Is it a complaint or is it a valid grievance? What has been violated, the contract, company policy, past practice? Is it timely? Our training sessions begin by teaching what constitutes a grievance, how to correctly write a grievance, how to process and investigate a grievance.

A steward needs to establish a relationship with management. We always urge a steward to go in and talk to a manager before filing a grievance. Many times the manager will have information the steward needs to hear. Often potential grievances are settled before being filed.

In addition to learning about grievances shop steward training covers how to assist members in filing reports such as accident, incident, and security incident reports. Stewards learn how to develop a broad knowledge on a number of topics, and where to look

for answers for a variety of different questions and concerns.

For most members the Shop Steward is the Union! They are the first line of defense, and should be the first source of information pertaining to the labor agreement, policies and procedures, and the inner workings of the union. They should be problem solvers, communicators. Good stewards can learn something new everyday about how to do the job. Through the experience of handling grievances, studying the contract, talking to members, and active participation in the union, a shop steward will refine their capabilities and skills over time.

I hope I've sparked an interest

in some of you to sign up for shop steward. If you're hesitant, then sign up to be an alternate steward. Alternate stewards fill in for shop stewards who are unavailable, and the key difference between a shop steward and an alternate is that alternates can neither vote for or be chief shop steward. Alternates are also eligible for training and give a member the opportunity to come into a shop steward position gradually. The Union pays a member's time loss for the two days of training. And not to be outdone in the hospitality arena, there's doughnuts and lunch provided.

Remember, being a steward is the best training possible for other Union leadership positions. There is no substitute for the kind of experience acquired as a steward.

### The Turner Awards

The George Turner Award is given out quarterly to recognize and show appreciation for the Transit Operator who best exemplifies a positive attitude and awareness of the elderly and disabled communities. I want to congratulate the 2005 1<sup>st</sup> and 2<sup>nd</sup> quarter winners, and runners-up. The 2005 1<sup>st</sup> quarter winner was Brother Owuor Abdullah from Ryerson Base, and the runners-up, both from Atlantic Base, were Sister Laura Ferrall and Brother Paul Lerch. The 2005 2<sup>nd</sup> quarter winner was Brother Abdi Ibrahim, and the runners-up were Sister Tonya Bridges from Ryerson Base, and Brother Manfred Guggi from North Base.

On behalf of the elderly and disabled communities who rely so much on your courteous and professional service, congratulations, and thank you.

My sincere best wishes to all 587 members and their families for a safe Holiday Season...

LFN



The Fall in Shop Steward training class was well attended by a variety of ATU members from around the Puget Sound region. Standing, from left to right: Local 587 President Lance Norton; SPT Shop Stewards John Ross and Paul Considine; Carrie Myers, Local 843; Nina Lametterey, Local 843; Damian Cordel, North Base; Executive Board Officers Dee Wakenight and Paul Bachtel; Mary Pierce, South Base; Kevin Greinke, Local 758; Malinda Chavez, Local 1384; Ted Peterson, Local 1384; W.W. Reid, Central Base; Mark Dawson, Local 1384. Seated, from left to right: Pat Milner, Local 758; Rob Parker, Local 843; Joe Kadushin, Ryerson Base; Debra Laik, Local 1576; Joey Moss, Local 1576; Stephen Moore, Local 1384; Tim Rowsey, Local 1384.



Jennie Gil

## The Recording Secretary's Report

# A Thing or Two You Should Know

By Recording Secretary Jennie Gil

In conversation with a member recently it was brought to my attention that there are regularly changes in traffic code that could result in citations that could impact our CDLs. In reviewing his e-mail the member had received notification through an online club newsletter of a new law to protect bicyclists and pedestrians. It occurred to him then that when such changes came about his management group never passed the information on to their employees. Never mind that most of those employees were required to possess valid CDLs for their employment.

As I thought about it, I tried to bring to mind a time when King

County Metro notified employees of traffic code changes. Ironically enough, mention of this very same traffic code change that I had been discussing with the aforementioned member appeared a week later in the Operations Bulletin. For any one who did not see that Operations Bulletin, or does not work in Operations, or at King County Metro for that matter, please make note of the following information.

In simple terms, it's now a traffic violation to pass another vehicle when bicyclists or pedestrians are in the oncoming lane or on the shoulder. The law stems from a May 2004 crash near Walla Walla that killed a bicyclist. House Bill

1108 was passed to extend the legal zone of protection for bicyclists and pedestrians to highway shoulders and bicycle lanes.

The actual code involved, RCW 46.61.125, Section 3(d), reads as follows: "(1) No vehicle shall be driven on the left side of the roadway under the following conditions: ...[W]hen a bicycle or pedestrian is within view of the driver and approaching from the opposite direction, or is present, in the roadway, shoulder, or bicycle lane within a distance unsafe to the bicyclists or pedestrian due to the width or condition of the roadway, shoulder, or bicycle lane."

This is a departure from current practice. All drivers (and I don't

mean Transit Operators or Access Operators when I say "drivers", I mean **all** people who drive) need to be aware of this change so as not to put themselves in a situation where they could be cited. A citation could have impact on personal driving records and insurance rates, but also, potentially, a member's Commercial Driver's License.

In closing, there was also a new section added to RCW 46.61.125. Bicyclists and pedestrians, please note: "Nothing in ... RCW 46.61.125 relieves pedestrians and bicyclists of their legal duties while traveling on public highways." Everybody be careful out there. We owe it to each other.

# And We Swing Into a New Year ...

By Recording Secretary Jennie Gil

For most the New Year brings resolutions, champagne headaches, and renewed memberships to our local gym. For many of our union members, particularly KCM Transit Operators and Vehicle Maintenance employees, the New Year brings yet another pick...

## TRANSIT OPERATOR PICK IS WHEN?

### Part-time pick

– January 7, 8, 14, and 15.

### Full-time pick

– January 9 through 19.

### Part-time preview

– January 2 through 6.

### Full-Time preview

– January 3 through 8.

Please see your Operations Bulletin boards for the exact times. I never seem to get them right.

## VACATION PICK

Full-time Operators will be picking vacation for the remaining periods in 2006. Part-time Operators can pick vacation periods in Spring shakeup. **Please bring your vacation dates with you.** Not only does it make the process easier on everyone involved, but if you are Part-time and you pick a couple vacation periods with the intent to cancel one because you are unsure of your dates, it denies people below you a guaranteed slot they might have picked had you known your dates.

## ABSENTEE FORMS (both Part- and Full-time)

There are many reasons one cannot make it to pick. For that we have absentee pick forms. Some members fill out an absentee form as backup insurance, just in case. If you choose to do so, you will **not** be bound by your absentee pick form if you do show up.

Absentee pick forms may be turned in at your base either by 7 a.m. on your pick day, or in the pick room during business hours (after preview starts), all the way up until two minutes prior to your pick time. Review the forms carefully before you submit them. **Do not send them to the union office! We are not responsible for late or lost absentee or restriction forms!**

**All Operators please note: modifications have been made to both the Part and Full-time absentee forms. Please review them carefully before filling them out.**

## NO SHOW AND NO ABSENTEE FORM?

Operators who do not make it to pick and have not submitted an absentee form have their work picked for them by the following process: Ten minutes prior to your scheduled pick time, your pick sheet is handed off to the Union representative, who will look up your current assignment. If your current assignment is open, at your designated pick time it will be picked for you. If not, and you

are Part-time, the Union representative will look for a tripper that reports on or after your current report time and quits on or before your current quit time. You will be placed at your current base as long as it is still open, and if not, at the base geographically closest, if at all possible. If you are Full-time, we try our best to match as close as we can to what you currently are working.

Occasionally, there is no current pick information available and often there are no similar assignments left, especially further on down the seniority list. If there is time and an open phone line, the Union representative may attempt to call you. If we do not have your current address/phone number, and no current assignment for you, the Union representative has little recourse other than to pick an assignment completely at random.

For Part-time Operators, the tripper picked for you by the Union is sometimes substantially shorter than the tripper you could have picked yourself. It is in your best interest to show up and pick for yourself, or **submit an absentee pick form.**

## I CAN'T WORK THIS, YOU HAVE SCREWED UP MY LIFE!

Once the Union representative picks your assignment it might not be changed if you arrive late. If you arrive immediately after the Union has picked for you, AND, if the people who picked below you are still in the room, the pick may be stopped and your piece offered to those who picked behind you if you are so very opposed to working it. If this should occur, the pick still goes on around you and those with lesser seniority who did arrive on time will continue to pick. If, however, even one person below you that has already picked has left the room, your pick **will not be altered for any reason.** A second recourse for those who did not arrive in time to pick and find their union-picked work heinous is to hang tight till the next move up.

## DON'T CALL US...

Many members are electing to phone the pick room at their designated pick time, which works fine if pick is running on schedule and the ONE phone line in the pick room is not busy. But pick can be delayed for any number of reasons. If a delay occurs or the phone line is busy, picking by phone can be a nightmare.

PLEASE!! Don't try to pick by phone unless you absolutely have to. Come to the pick on time and in person, or submit an absentee pick form as mentioned above. We will not be responsible for the outcome if it is not favorable to you.

## IMPORTANT!

The contract states: "*Selections made by the UNION will not be subject to the grievance/arbi-*

*tration procedure.*" Your Union representatives are only human. In your absence they did the best they could given the circumstances they had to work with, and the Union will not be held liable for any picks made for someone who could not or did not show up to do their own pick.

## THE NEW FLEX GROUP D

The new contract has allowed for a second Group D option. The option we have enjoyed up to now allows a Full-time Operator to select a tripper in lieu of full-time work, but falling under the provisions and conditions of Part-time. That is called the Tripper Group D option. The new Flex Group D allows a Full-time Operator to select one of the following two options:

a) a Saturday combo at a base they designate (but had the seniority to pick in the last two shakeups) and a **minimum** of two peak time weekday periods to be assigned via the Extra Board, or,

b) a minimum of five peak time weekday periods to be assigned via the Extra Board.

The deadline to sign up **and obtain your chief's approval** for the Flex Group D option is fourteen days prior to the beginning of full-time pick, Friday, December 23<sup>rd</sup>.

## RESTRICTION FORMS (Part-Time Operators)

Restriction forms go to the bases first week of December. The deadline for turning in restriction forms is December 30<sup>th</sup>. **ABSOLUTELY NO RESTRICTION FORMS WILL BE ACCEPTED PAST THIS DATE.** Restrictions amount to usurping the seniority of those ahead of you who did not have the need to restrict, the Union takes the deadline very seriously. Also know that if you submitted a restriction form and we reach lockout, you will be required to honor that restriction.

Lockout is when the number of restriction forms equals the number of available slots for either a.m. or p.m. system-wide. For example, 100 a.m. slots are available system-wide, 100 restriction forms on file, equals a.m. lockout. At that point, unless you had a restriction form submitted for that shakeup, **you may not pick a.m. work, regardless of your seniority.**

If something comes up after you submit your form that frees you from the need to be restricted, please contact the pick coordinator or call the Recording Secretary at the Union office and rescind your restriction form. You may rescind a form all the way up to that point where we go into lockout.

## 2006 Shakeups and bids

by Recording Secretary Jennie Gil

*Following is the shakeup information this office has for the upcoming year.*

### METRO/KING COUNTY

#### Transit Operators

##### Spring

Full-time Transit Operators pick January 9 through 19

Part-time Transit Operators pick January 7, 8, 14 and 15

Shakeup takes effect Saturday, February 11<sup>th</sup>.

##### Summer

Full-time Transit Operators pick May 1 through 11

Part-time Transit Operators pick April 29, 30, May 6 and 7

Shakeup takes effect Saturday, June 3<sup>rd</sup>

##### Fall

Full-time Transit Operators pick August 21 through 31

Part-time Transit Operators pick August 19, 20, 26 and 27

Shakeup takes effect Saturday, September 23<sup>rd</sup>.

#### Vehicle Maintenance

##### Spring pick:

Lead pick is January 13.

Regular pick is Jan. 24, 25 and 26.

##### Summer pick:

Regular pick is May 16, 17 and 18.

No lead pick unless required per contract

##### Fall pick:

Regular pick is Sept. 5, 6, and 7.

No lead pick unless required per contract

Effective shakeup dates are the same as for Transit Operators

Vehicle Maintenance Vacation Pick is tentatively scheduled for the week of February 27<sup>th</sup>.

#### Facilities Maintenance

At the time of this writing, Facilities Maintenance pick information was not available. It will be provided in the next issue of the newsletter.

#### First Line Supervisors

**Spring pick** - March 28, re-pick (if necessary) on March 29. Shake-up to take effect on April 8.

**Fall pick** - September 26, re-pick (if necessary) on September 27. Shake-up to take effect on October 7.

#### Special Classifications

Customer Assistance Office management indicates the pick for CARs will be in January and June of 2006. Specific dates are not set at this time.

Rider Information Specialists and RPC members will be picking in January, May, and September, according to the management in those departments. Specific dates are not set at this time.

#### MV Transportation

Article 12, Section 2 (a) of the MV Transportation labor agreement

*continued on page 8*

# Weingarten Rights

By Paul J. Bachtel, Executive Board Officer

## Your Weingarten Rights.

**"I request to have a union representative present on my behalf during this meeting because I believe it may lead to disciplinary action being 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."**

Or,

**"If this discussion could in anyway lead to my being disciplined or terminated, or affect my personal working conditions, I respectfully request that my union representative, officer, or steward be present at this meeting. Without representation present I choose not to participate in this discussion."**

Or,

**"I WANT A SHOP STEWARD!!!"**

A worker has the right to union representation during an investigatory interview when she or he has a reasonable belief that it might lead to discipline or other adverse consequences.

This is the gist of a Supreme Court decision in 1975, which upheld the action of the National Labor Relations Board. It is a vital protection for employees, and every steward should be familiar with how it works.

### What is an investigatory interview?

It happens when a management representative questions an employee to obtain information about a situation that might lead to the employee's discipline. It need not occur in an office – spontaneous questioning in the bullpen, requirement to fill out an incident report, security incident report, or accident report can also qualify. However, an announcement of discipline, a routine counseling session or the requirement to take a drug and/or alcohol test is not considered investigatory.

### What do you mean, "a reasonable belief"?

This means that the employee has some fear that management is asking questions in preparation for imposing discipline. Sometimes, an employee will ask if there will be disciplinary action as a result of the

meeting. But even if management says "no", if the employee has reason to suspect otherwise, Weingarten stills applies.

### How does it work?

The employee must make a clear request for union representation before or during the interview. Unlike Miranda rights, which require a police officer to notify a person being arrested of her/his right to a lawyer, the employer has no obligation to inform the employee of her/his right to union representation. The employee must make a request for a union representative (shop steward) to invoke her/his Weingarten rights.

The employer then has three options: to grant the request and delay the questions until the steward arrives; to deny the request and end the interview; to give the worker a choice of having the interview without representation or ending it.

If the employer will not allow a steward to be present, the employee does not have to answer questions. (On a side note, recently Local 587 negotiated a new collective bargaining agreement on behalf of the employees of Seattle Personal Transit, one of our Access providers. SPT management insisted that a time limit be placed on an employee's Weingarten rights. It will be interesting to see what will happen if an employee challenges the new time limit).

### What happens when the steward shows up?

First off, the steward has a right to know the nature of the meeting.

The steward has the right to take the employee aside and speak to the employee privately. Certain management in unnamed bargaining units have at times attempted to block the right to caucus. If this occurs, be sure to demand your right to caucus and notify the union office of this unfair labor practice.

The steward can speak during the meeting, ask for clarification, and give the member advice, but may not obstruct the interview.

What is management's penalty for failing to allow union representation?

The union can file an unfair labor practice charge. The usual penalty is a bulletin board posting acknowledging that management violated the rules. If discipline is imposed after a Weingarten viola-

tion, an arbitrator will take a very dim view of management's behavior. This does not, however, mean the discipline will necessarily be overturned.

### Shouldn't management automatically call the steward in if they are going to conduct an investigatory interview?

Sure, but they are not legally required to do so. The union must therefore educate their members about Weingarten rights.

### Putting Weingarten into practice.

There are several important Weingarten do's and don't's. To begin with, a steward cannot demand to attend a meeting between an employee and management. The employee must request a steward or at least invite an inquiring steward into an interview.

Management most certainly may not threaten an employee with more severe discipline for requesting union representation.

The employee cannot refuse to go to the office without a steward. The employee must submit to drug/alcohol testing. The employee also does not have the right to union representation during counseling sessions.

The employee does not have to answer questions during off duty hours. This **does not** apply while at the worksite after work hours.

This refers to attempts to contact the employee off the worksite (Hang up the phone!).

The employee may not demand the presence of a **particular** union representative. Any steward will meet management's obligation to provide union representation. Management may ask an employee to bring union representation to a prescheduled meeting. If the employee is unable to find union representation before the meeting, the employee is still required to attend the meeting but may refuse to answer any questions she/he believes may lead to discipline. A common tactic utilized by some management personnel is to schedule meetings when no union representative is available. The employee should be advised to either attempt to reschedule the meeting or attend the meeting and insist upon union representation.

If management refuses an employee's request for union representation and gets the employee to confess to an offense warranting termination, the NLRB will most likely not order the employee reinstated. The obligation to understand and enforce Weingarten rights rests with the employee. Union representatives have the obligation to do all in their power to educate their members about Weingarten rights.

Source: Robert M. Swartz, *The*

## 2006 Pick Info, from page 7

states "The Company will offer a general bid for shifts two times per year: Spring (April or May) and Fall (October or November)..." At this time MV management does not have a schedule available for their picks as they base their picks on when they get the new service hours from Metro. Information will be printed and/or posted as it comes in.

### Seattle Personal Transit

Article 12, Section 1, Paragraph A., of

the newly ratified SPT contract calls for three picks per year: midwinter, end of spring and beginning of fall. Dates of pick will be mutually agreed to in LRC, and posted as soon as they have been agreed upon. Please look for a bulletin at your work site end of January 06.

**Peninsula properties:** Please see your shop stewards for the schedule for picks for the upcoming year.

(Metro Employees Recreational Activities Association)

## 2005 MERAA Holiday Party Saturday, December 3<sup>rd</sup> SeaTac Hilton

(17620 Pacific Hwy South, Seattle, WA 98188)

6:00pm Social Hour w/ Appetizers

7:00pm Buffet Dinner

Menu Includes: Caesar, Green and Pasta Salads, Baked Chicken Breast, Halibut Filet, Vegetable Medley, Penne Pasta, Roasted Red Potatoes, Assorted Desserts, Coffee & Tea

8:45pm Door Prizes \*Must be present to win.

9:30pm Entertainment by DJ Commander

Tickets  
**\$35.00**  
per person

Ticket price includes dinner, entertainment and one raffle entry\* with \$1000 in prizes donated by

**QUALSTAR**

\*Must be present to win.

Special Room Rate (for this event only) - **\$89.00+tax!**

(Contact The Hilton for Reservations: 206-244-4800)

Garage Parking \$4.00 · Overnight Parking \$10.00

Contact your MERAA Rep for tickets:

Hotline: 206-684-1978 · [www.meraa.org](http://www.meraa.org)