Ever wonder who makes some of the high-level decisions within a large agency? Keep in mind that in a bureaucracy the size of King County, there are numerous departments and divisions, each with their own decision-making tree and their own group of Those In Charge who formulate policy, department/division goals and objectives, and general operating procedures that presumably keep the chaos at bay in their daily operation. And then, because aside from the Mother Church, government itself is the leading producer of red tape and other institutional layers and obstacles, there has to be a department/division in charge of all the other departments and divisions. That usually comes in the form of a Human Resources type department.

At King County Metro we have the County Human Resources Department, but we also have Transit Human Resources. A subsidiary, if you will. The duplication is in part because Transit operated autonomously for eons before we became absorbed into the King County governmental machine, and in part because Transit’s operations are unique and eccentric in its daily objective of moving people from point A to point B. While undoubtedly Transit HR is much better versed in those daily objectives and eccentricities than County HR, often one questions the decisions that come from them.

But the two HRs have moved to a new modus operandi that to the untrained eye resembles turf wars. As if many decisions emanating from Transit HR weren’t bad enough, now County HR is “providing oversight” to Transit HR. This, in essence, takes away decision-making at the base or immediate-supervisor level. Many decisions made by a Base Chief and approved by a Base Supervisor must be sent to Transit HR for final approval. Other decisions are not made until County HR mandates the direction it wants or expects. In other words, decisions regarding suspensions and/or terminations must first be approved or decided by County HR. The word around the water cooler is that there is a concern that leaving those decisions at the base level results in inconsistent application of policies, They wanted “consistency.” They’re getting it. Let’s take a look at four very recent arbitration decisions.
At the February 2006 cycle of membership meetings, a request for arbitration was made by Brother Garold Rand at the January CTS meeting was finalized and approved by the membership.

The following members were February pot draw winners: Richard Bennett at the Charter meeting, Ken Barrett at the Morning meeting, Charlene Buckley at the JTA meeting. CTS pot draw winner was Steve Biss. CTS rolling pot draw of $225.00 was won by Steve Biss. Next month’s rolling pot will be $250.00.

The labor temple, Hall #6

Friday, March 3, 2006

MORNING MEETING

The labor temple, Hall #8

8:00 p.m.

Thursday, March 2, 2006

CHARTER MEETING

Membership Meetings:

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

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

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

Among topics to be discussed:

Grievance and arbitration update, light rail negotiations, bus wrap issue, at-will employees.

Brother Ray Guyton will appear before the membership to request his termination grievance be taken to arbitration.

Proposed amendments to Article XV, Sections 1, 2, 4, and 5; and Article XVI, new Section 2, will be discussed and voted upon.

Unfinished business

• Motion by Alex LaBarba that Local 587 provide moral and financial support in the amount of $500 to the campaign to Save the Streetcar, tabled at the December Morning membership meeting, will be brought off the table and acted upon.

All officers were present except for Vice President Travis who was attending the Boyington arbitration, and Joe Mangiameli who was attending to business on the peninsula.

The following business was conducted:

• Motion by Marc Auerbach approve the proposed 2006 Budget as amended.

• Motion by Paul Neil to recommend taking Brother Ray Guyton’s termination grievance to arbitration.

• Motion by Paul Neil to authorize the continued rental of the office space in Port Angeles through end of June, 2006, at a cost of $150 per month.

• Motion by Ray Campbell to send up to five people to the ATU Black Caucus in Baltimore, May 4 through 7, paying travel, lodging, registration and per diem.

• Motion by Bruce Tietz to send two people to the APTA Light Rail Conference in St. Louis, April 9 through 11, paying travel, lodging, registration and per diem.

• Motion by Jennie Gil to recommend approval of the proposed bylaw amendment for Article XV, Sections 1, 2, 4 and 5.

There are things that we don’t want to happen but have to accept, things we don’t want to know but have to learn, and people we can’t live without but have to let go.

—Author Unknown

IN LOVING MEMORY...

Stephen E. Biss, Clallam Paratransit Driver/Trainer, was tragically killed by a drunk driver on January 22, 2006. Brother Biss joined Local 587 in August of 1999. He was an active member and served as the alternate shop steward for the Paratransit members in Clallam County. He leaves a loving wife, two grown children, two grandchildren and a host of grieving coworkers and friends. He will be greatly missed.

Please notify the union office of any member’s passing so that this information may be shared with the rest of our union family.
Help Change the World Saturday, March 4, 2006

By Executive Board Officer Dee Wakenight

Would you like the opportunity to help change the world for the better? YOU have the power and opportunity to do just that.

On Saturday, March 4, 2006, at 2p.m., all the Democrats in the State of Washington will be gathering together for precinct caucuses. This is the grassroots part of our political process. Neighbors coming together to discuss issues and decide what is important and what will be included in the platform for the political party.

Each Precinct Caucus is individually convened at exactly 2:00 pm by the elected Precinct Committee Officer (PCO). If that precinct caucus does not have an elected PCO, the county/district chair may appoint someone who is in attendance to serve as the PCO to convene the Caucus. There is a sign in for those in attendance.

After the caucus is convened the rules for the caucus are read, those attending elect a chair of the meeting, and a recording secretary is appointed. Attendees who are registered voters in that precinct and are willing to publicly declare they are a Democrat at the Democratic Caucus, may speak and vote. Everyone is welcome to attend, but the group will decide if those not declared a Democrat may speak.

At approximately 2:30 the number of delegates to be elected is announced, and the election of delegates and alternates begins. Delegates are needed for the District, County, and State Conventions.

Each political party has its own time and locations for the caucus process. For more information as to the when and where your gathering is occurring, contact your party of choice.

Anyone can attend a caucus; older children can gain an appreciation for the political process by seeing it in action. The Precinct Caucus is the level where ideas are introduced as planks for the party platform. This is where the candidate for office gets the instructions for what position to adopt on relevant issues.

More information is available, check your local telephone book for the number, the Internet also has the necessary information. Go ahead, get involved, make a difference, and start to change the world.

Arbitration Update

11. Garold Rand: Grieved elimination of progressive discipline as outlined in the CBA, and issuance of policy by employer that employees were "at-will employees". Arbitration approved by the membership at the February cycle of meetings. Schedule pending.

Arbitrations approved by the Executive Board OFFICER Dee Wakenight,温州

Modification of your CDL

by Dennis Antonellis, President of Local 1015, Spokane

Editor’s note: the following article ran as The President’s Report in ATU Local 1015’s membership newsletter. Thanks to President Antonellis for his contribution.

The Legislature has been working on a bill titled Senate Bill 6552, which is modifying commercial driver’s license provisions. This was requested by the Department of Licensing in order to bring our state laws into compliance with federal law. Failure to comply would result in de-certification of Washington’s Commercial Drivers’ License and a loss of transportation dollars to the state.

The bill would require a suspension of your CDL of one year for a first conviction of driving a commercial vehicle with a blood alcohol content of 0.04, or driving a non-commercial vehicle with a blood alcohol content of 0.08 or more. A conviction is defined quite broadly including an adjudication of guilt by an administrative tribunal.

We have thoroughly investigated this issue with the Department of Licensing and the assistance of the ATU Legal Department in Washington D.C. and unfortunately, because this is an issue of compliance with federal law, it has been concluded that there is no way that the bill can be changed. In short if a driver is convicted of driving under the influence (DUI) their license WILL be suspended for one year for a first offense and for life for a second offense. This bill will become law ninety days after the Governor signs it, however, anyone who is convicted prior to the effective date of this bill will be subject to the current law.
ELECTION AND CAMPAIGN RULES
FOR THE ELECTION OF OFFICERS
ATU LOCAL 587

1. Constitution and Bylaws
The nominations and election of Amalgamated Transit Union Local 587 officers will be conducted in accordance with the Constitution and General Laws of the Amalgamated Transit Union; the Bylaws and Rules of Order of ATU Local 587; and the Labor Management Reporting and Disclosure Act of 1959, as amended.

2. Terms of Office
The officers elected will serve a three-year term that will end on June 30, 2009. Newly elected officers shall assume the duties of their offices on July 1, 2006. Installation of officers shall take place at the July charter membership meeting.

3. Election Committee
There shall be an Election Committee, consisting of three (3) members plus two (2) alternate members, to determine the nominations and elections as follows:

- The Election Committee shall meet with all interested candidates to post campaign material. Campaigning and distribution of material may only be done on an informal basis during off-duty hours and only in employee lunchrooms, lounges, and non-work areas. Campaigning and distribution of material shall not disrupt or interfere in any way in employer business and employee's job performance.

4. Nomination and Election Notice
The Election Committee shall provide for the distribution of the notice of the Nominations of Elections as follows:

- The Notice of Nominations and Elections shall be mailed by first class mail to the last known home address of each Local 587 member on or before March 2, 2006. The Notice shall be posted on Union bulletin boards at all worksite no later than March 2, 2006.

5. Nomination Meeting
Nominations for the offices of President, Vice President, Secretary-Treasurer, Recording Secretary and for all Executive Board officers shall be accepted from the officers of the Local who is qualified to receive a copy of the list. The membership list will be available for inspection at the Local 587 office, by arrangement, from April 1 through April 30. Any candidate who wishes to inspect the list shall contact the Recording Secretary.

10. Campaign and Distribution of Election Materials
The Election Committee shall prepare a Voters’ Pamphlet for distribution at all worksite. Submissions for the Voter’s Pamphlet shall be accepted until 5:00 p.m. Monday, April 17th, 2006.

Local 587 will honor any reasonable request by a candidate to distribute campaign literature by mail to members at the candidate’s expense. Requests shall be honored in the order received. Candidates must pay in advance to cover the cost of mailing (to include, but not limited to, postage, address labels, and envelopes). Candidates should contact the Election Committee at (206) 448-8588 to arrange for campaign mailings.

Where possible, a table will be provided at each worksite for candidates to leave campaign literature, provided the candidates are willing to distribute their literature themselves, and shall not display a slate of candidates.

Candidates may not use employer in-house mail for distribution of campaign materials. Distribution of campaign materials may only be done on an informal basis during off-duty hours and only in employee lunchrooms, lounges, and non-work areas. Campaigning and distribution of material shall not disrupt or interfere in any way in employer business and employee’s job performance.

11. Campaign Rights and Restrictions
Federal law prohibits the use of any Union or employer funds to promote the candidacy of any person in a union office election. This prohibition applies to cash, facilities, equipment, vehicles, office supplies, etc., of ATU Local 587 and any other union, and of employers, whether or not they employ Local 587 members. Union officers and employees may not campaign on time paid for by the Union.

Federal law also provides that candidates must be treated equally regarding the opportunity to campaign, and that all members may support the candidates of their choice without being subject to penalty, discipline or reprisal of any kind.

12. Voter Eligibility
In order to be eligible to vote for officers, a member must be in good standing. Any member whose dues, fees and assessments have been brought current no later than 5:00 p.m. April 30, 2006, will be eligible to vote in this election.

13. Election Notices
The Election Committee shall post a Notice of Election on Union bulletin boards at all worksite by March 2, 2006.

14. Pre-Polling
Members may cast a vote for the Primary election at the Union office on April 25th, 2006. Members may cast a vote for the General election at the Union office on May 23rd, 2006.

15. Election Day(s)
The Primary election will be conducted on page 5.
Election Rules, continued from page 4

held on Thursday May 4, 2006. The Primary election runoff, if any, will be held on Thursday May 18, 2006. In positions where there are but two candidates for office, the candidate who receives the high-
est number of votes cast for that office at the Primary election will be declared elected.

If there are three or more candi-
dates for the same office, a General election will be necessary, unless one candidate receives a majority of all votes (50% plus one vote) cast for that office or position during the Primary election.

If, at the Primary election, two or more candidates receive the second greatest, and iden-
tical, number of votes for that office or position, the preferred method of resolution would be a special run-off election between the tied candidates. However, should there be mu-
tual agreement between the tied candidates, the tie vote may be resolved by lot. In the event a special run-off election is to be held, it will occur a minimum of fourteen (14) days prior to the General election.

The General election will be held on Thursday, June 1st, 2006. The General election runoff, if any, will be held on Thursday June 15th, 2006.

No campaigning will be per-
mitted within fifty (50) feet of the polling area. Members will be re-
quired to present their employee ID card, driver’s license, or some other form of picture identification at the polls.

Employees whose eligibility to vote is in question for any reason shall be allowed to cast a chal-

lenged ballot. The Primary election and the run-off elections will be held at the times and locations listed in the Notice of Election posted in this issue.

16. Tally of Ballots

Ballots for the Primary Election will be counted by the Election Committee at The Labor Temple after the polls close on May 4th, 2006. Ballots for the General Elec-
tion will be counted by the Election Committee at The Labor Temple after the polling places close on June 1st, 2006.

17. Election Results

The election results of the Pri-
mary and General election and of the run-off elections shall be posted on the Union bulletin boards at all work sites and at the Union office after the tally is complete.

18. Election Records

The Local 587 Recording Secre-
tary is responsible for maintaining all nomination and election records for at least one year after the elec-
tion as required by federal law.

19. Questions or Problems

Anyone who has questions about the nomination or election procedures should contact a mem-
ber of the Election Committee at (206) 448-8588. Any perceived violation of these rules should be reported promptly to the Election Committee so that corrective ac-
tion, if necessary, can be taken. Candidates are entitled to have observers present at the polls and at the tally of ballots. Candidates are prohibited from serving as observers at the polls. Observers shall be allowed to monitor, but not disrupt, the election process and to challenge the eligibility of any voter.

20. Challenges

Any member in good standing may challenge the conduct or results of an election by filing, to such effect, a written complaint to the incumbent Financial Secre-
tary/Treasurer of Local 587, within ten (10) days of the counting of the ballots. In accordance to the Constitution, the ATU Local 587 Bylaws, and the Labor Manage-
ment Reporting and Disclosure Act of 1959, as amended, the Financial Secretary/Treasurer shall investigate the complaint and submit the challenge for decision to the Executive Board, subject to final ruling by the membership.
Facilities Maintenance Shop Steward elections, if nominations open for shop steward for First Line. I know I speak for each and every member when I extend the sincere thanks and appreciation of Local 1395 for your display of brotherhood.

I ask that you extend to each officer and member of your local union a special “thanks” for this support.

Fraternally,
Warren S. George
International President

Wanted: Free Access to Transit Police

At Central Base, the Safety bulletin board currently carries a quotation that reads “If you are losing a tug of war to a tiger, give him the rope before he gets to your arm. You can always get a new rope.” If this is meant to be a metaphor for driver disputes with problem passengers, may I suggest another phrasing? Here’s about, “if your village is overrun with tigers, call a hunter.” In our case that would be a cop.

I believe drivers and the riding public in general would be better served by more direct interaction between law enforcement and transit operators. If I call the police from home, my first step is to talk to a 911 operator. If I call for law enforcement on the bus, my first step is to talk to the coordinator. In both situations, if law enforcement is dispatched, they arrive and take charge of the situation. They ask me what’s going on and usually tell me what they are going to do about it. When the incident is over they tell me how to follow up.

At home, however there is one big difference. At home I can request to sit down with officers at neighborhood planning meetings to develop strategies that address my concerns, and get advice. I can even request additional patrols in my neighborhood. In my neighborhood, law enforcement is intimately familiar with the circumstances of those who might require their help. As a citizen I’m invited to planning sessions and can make meaningful contributions and suggestions.

But the situation at Metro is different. The driver, who is most directly affected by incidents on the road, is not included in the planning stages of law enforcement on the buses. This is dangerous. Several of the transit officers I’ve spoken with are unclear as to what our fare policy is and how the fare is structured. Some officers I’ve spoken with are dismayed that drivers are not allowed to contact them directly. I understand the legitimate concern management has that some drivers might become overzealous with their requests for police action. In response, the officers have told me that they know how to determine what warrants a response and what doesn’t.

NOTE: I AM NOT SUGGESTING CONTACTING ANYONE OTHER THAN THE COORDINATOR DURING THE COURSE OF OUR RUNS. THIS PROPOSAL REGARDING TALKING TO METRO TRANSIT POLICE AT TRANSIT CENTERS AND BASES BETWEEN RUNS AND DURING OFF HOURS!

I understand the concerns regarding manpower. That’s the point of having the transit police ‘lay over’ at the major transit centers. This allows the maximum coverage with the least amount of personnel hours. The system will never be perfect, but as it currently exists there is a greater chance for failure because there is no direct contact between officers and drivers for planning. It’s the personnel in the trenches who are going to come up with the best solutions. I encourage Metro management to adopt an open door policy between drivers and police. Again, I am convinced that officers spending some time at the local transit centers (especially the problem ones) would not only increase public safety, but provide a simple forum that would allow drivers and police to meet and talk.

ENFORCEMENT IS KEY

Passenger Alert Fare bulletins have recently been put up at the Aurora Village Transit Center. They state that the correct fare for two zones is $2.00, please pay the extra 50 cents if you’re going to travel past N145th. For this effort I salute the responsible parties. Unfortunately the message was never enforced! In my recent fare enforcement proposal I pointed out the necessity of using consistent, tangible reinforcement for the first few days of any change in policy, followed by random, sporadic enforcement. It is necessary, however temporarily, to commit excessive manpower to ensure public compliance. Need an example? The rush hour traffic restrictions on 3rd Avenue. For a week before the tunnel closed and then two weeks after, intense police enforcement was followed by the current sporadic enforcement. That gets you the most bang for the buck.

In Solidarity,
Andrew Jeromsky
North Base Shop Steward

Special Thanks

Dear Brother Norton:

On behalf of the officers and members of Local 1395, who were engaged in a strike against the Pensacola Bay Transportation Company, please accept our sincere thanks for your membership’s Company, please accept our sincere thanks for your [membership’s]

Unfortunately the message was never enforced! In my recent fare enforcement proposal I pointed out the necessity of using consistent, tangible reinforcement for the first few days of any change in policy, followed by random, sporadic enforcement. It is necessary, however temporarily, to commit excessive manpower to ensure public compliance. Need an example? The rush hour traffic restrictions on 3rd Avenue. For a week before the tunnel closed and then two weeks after, intense police enforcement was followed by the current sporadic enforcement. That gets you the most bang for the buck.

In Solidarity,
Andrew Jeromsky

MARCH 11 – Facilities Maintenance shakeup begins.
MARCH 19 – Clallam Transit Employees Award banquet, Port Angeles, WA.
MARCH 23 – Facilities Maintenance Shop Steward elections, if needed.
MARCH 28 – First Line Supervisor Pick.
MARCH 28 – Executive Board meeting.
MARCH 29 – Nominations open for shop steward for First Line and Special Classifications.
APRIL 6, 7, 10 and 11 – Nominations meeting for 2006 Officer Elections to be held at the April cycle of membership meetings. Please see your Union bulletin boards or the Notice of Elections mailed to members’ last known address for further information.
APRIL 8 – First Line Supervisor new shakeup begins.
APRIL 11 – Close of nominations for shop steward for First Line Supervisors and Special Classifications.
APRIL 15 – Declination meeting. All candidates please refer to the election rules and regulations.
APRIL 20 – Shop steward elections for First Line Supervisors and Special Classifications, if needed.
Bylaw Amendments

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

ARTICLE XV

BYLAW AMENDMENTS

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

Section 2. All proposed amendments together with the section to be amended shall be posted published in the News Review issue immediately following the Executive Board meeting in which the proposal was submitted. Said proposal shall be published again in the News Review issue immediately prior to the meeting at which the vote is to be taken, at all publications at least ten (10) days prior to the meeting at which the vote is to be taken.

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

Section 4. An amendment or addition to the Bylaws (or words meaning the same), after having been presented to the Local and acted on in its regular manner, shall not be resubmitted within six (6) months unless it has first been resubmitted to the Executive Board which then requires resubmit the proposition to the membership unless resubmission is approved by the Executive Board by a 2/3 majority vote.

ARTICLE XVI

LEAVING SERVICE

Proposed new language:

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

Submitted by Executive Board Officers Mike Whitehead and Jeff Stambaugh

V.M. This, That and the Other

Method of Notification:

When a supervisor wants to discuss an existing or potential disciplinary matter with an Employee, he/she shall notify the Employee in writing, of the purpose and time limitations for having the meeting.

You will find this language on page 18 of the Labor Agreement; this one of your many rights, settle for nothing less. It has been brought to our attention that this right has been repeatedly violated. For the most part management is aware of this language and follows it, but there are a few who descend to a lower standard in a seeming attempt to coerce and intimidate members.

Do not allow this to happen to you. This violation needs to be grieved. Attention needs to be focused on those who continue to violate member’s rights.

The way this violation generally occurs is a manager might tell you they just want to talk with you, to have conversation with you. You get along OK with this manager, and you are lured into a false sense of confidentiality. But the statements you make can incriminate you or another and result in discipline. Not knowing that the “conversation” is one that could lead to discipline, you go along with the “conversation” and don’t request representation.

As soon as you get the sense during your “conversation” that it might lead to discipline, you should stop your “conversation” and insist on your right of written notification and representation as outlined in the contract.

This right of notification is contractual when you are requested to attend a Loudermill meeting, so ask if it is a Loudermill meeting. Pre-disciplinary, investigatory meetings are known as Loudermill meetings. Your right is the “Loudermill Right!” based upon the 1985 US Supreme Court ruling that an employee has a right to speak or not to speak at the Loudermill. Get the notification and the representation when you attend this type of meeting, these are your rights, use them. We do acknowledge and appreciate that a majority of VM management follow the Labor Agreement and respect member’s rights.

And now for something completely different

Two newspaper articles have been the topic of discussion among coworkers. The first one from the Seattle PI, printed February 2, 2006, titled “School Board stays out of Union flap.” The article says there is a flap among members of the teacher’s union and their union over the 2004-2009 contracts. The teachers claim the Union allowed 16 extra clauses to be added to the labor agreement after ratification. Teachers go on to claim the changes appeared in the final version of the contract after the vote. Among the changes were clauses that limit worker’s compensation and a requirement to take significant pay cuts in the event of a double levy failure. Other changes allow the teacher to be involuntary transferred to other districts if the union and the district agree. Needless to say, the teachers are calling foul.

The district claims it is a matter between the union and the members. The union calls the changes “housing-keeping” moves to update or clarify ambiguous language. One could say it appears the union and the district were in a much too close relationship. The teachers have given the district a chance to remedy the concerns, but the district claims it is a union member problem. Teachers have filed two unfair-labor-practice complaints with the State’s Public Employee’s Relations Commission, other wise known as PERC.

The other article also comes out of the Seattle PI, printed February 8, 2006, entitled “Bills Aim To Combine Transportation Agencies”. Basically there is a move on in Olympia to consolidate Central Puget Sound’s transportation agencies. It could be just a matter of time, we might all be Sound Transit, imagine the pick…

Finally the vacation pick is to be held February 27 thru March 3. The location again is CSC, so have your dates ready. If you plan to cash out some vacation time, this is the week to do it. Also, the May Pick is tentatively set for May 16, 17, 18 and the September pick is tentatively scheduled for 5, 6, and 7.

VM, Keep your sticks sharp and your fires burning
...we will use all the tools we have to defend against management’s attack on our sick leave language.

By Paul J. Bachtel

What do the Family Medical Leave Act (FMLA), Washington Family Care Act (WFCA), Washington Family Leave Act (WFLA), Washington Law Against Discrimination (WLAD), and provisions of Article 11 (sick leave) have in common? They all provide a method for you to take time off from work, some paid and some unpaid, without fear of incurring discipline. Why has management failed to post both the federal and state required posters informing you of your rights? Because management doesn’t want you to use what they consider to be an un-funded mandate: your sick leave balance.

Left open in the contract settlement of 2004 is Article 11, Sick Leave. Management is demanding tighter control of sick leave use through much tighter mandated medical verification requirements. At the same time we are being required to pay much higher deductibles and co-pays as a result of that same negotiation. We will no doubt argue that management has failed to comply with FMLA and implement WFCA, WFLA, and WLAD. We will no doubt argue that we are an aging workforce and thus require more medical treatment. We will no doubt argue that the leave being used is protected leave, protected under one of the above laws. Management will, on the other hand, be unable to argue that the leave being used isn’t protected leave as management has failed to maintain proper records of FMLA leave, or any records of the other protected leaves provided by state law.

In the meantime we will use all the tools we have to defend against management’s attack on our sick leave language. You can help by having as much of your sick use as possible designated protected leave. Please have any sick leave you take that qualifies for FMLA protection documented as such. Please have any other sick leave you take for family members, other than yourself, documented as WFCA leave by either using the WFCA leave form printed in last month’s issue of the News Review or by sending a memo to your chief informing her/him that you are requesting your leave be designated WFCA leave. Don’t forget to make a copy of all forms submitted, in the event your payroll doesn’t make it all the way into your file.

The Washington Family Care Act (WFCA) became effective in January 2003. My hope is that all those probationary employees wrongfully terminated since January 2003 for protected leave use will sue management to recover the damages they’ve suffered. I hope all those denied promotion since January 2003 will grieve and file complaints to the Department of Labor and Industries over management’s failure to consider WFCA leave in determining who qualifies for promotion. And finally, Senate Bill 6185 (SB 6185), out of committee and at the time of this writing headed for the floor of the legislature, will greatly expand the Washington Family Leave Act. Once SB 6185 is decided I hope Metro HR will produce and distribute a chart showing each employee how to evaluate whether or not an incident of sick leave is protected leave. With so many different laws utilizing different criteria it’s nearly impossible to determine whether leave taken is protected leave. If Metro HR doesn’t, I will.

In the meantime we will use all the tools we have to defend against management’s attack on our sick leave language.

By Executive Board Officer Paul J. Bachtel

Workforce Management

Workforce, formally known as “manpower”, is an assignment given to one base chief at each Operations base within King County Metro. The duty includes projecting workforce needs based on upcoming vacation schedules, retirements and known operator unavailability’s. Unfortunately, recent workforce decisions have failed to address the actual workforce needs at many Operations bases. For example, in the fall of 2004 most of the Seahawks overtime work was assigned at straight time with an additional complement of report operators twiddling their thumbs (on the payroll) while watching TV. Operators where angry at the loss of overtime and I can’t imagine the Director of the Department of Transportation was pleased with the swelling amount of report hours paid. I naively thought this fiasco would lead to a better-balanced workforce. Recent reports from operating bases have proven me wrong.

• At Atlantic Base operators are reporting no overtime available on weekends and seemingly endless supply of overtime available on weekdays. Operators speculate this is a result of a management attempt to limit overtime for high seniority operators.

• At Bellevue Base the morning dispatcher is inter-base transfering daylighters to other bases and the afternoon dispatcher is busy canceling trips. Operators have grieved contract violations, which have resulted in premium work being inter-base transferred to lower seniority operators while the operators who picked Bellevue are working trip combinations with no overtime.

• At Central, East, Ryerson, South and North Bases dispatchers are struggling to fill open tripners and frequently canceling work.

• Part-time operators system-wide are angry over the cutting of their work in an attempt to save benefit costs. The future does not promise an improvement in the length of part-time work as Metro has two part-time classes planned for the month of March, with a third class possible for later this spring. Two classes, comprised of 24 operators each, may result in 96 trippers being combined to form new full-time work. If all three classes of 24 are held this spring there could be a reduction of up to 144 part-time trippers before next pick, many of those being benefits-eligible trippers. Several years ago I proposed a method to combine the part and full-time seniority lists in preparation for anticipated part-time work cuts. A referendum vote was held and our membership declined to change our current seniority system and way of doing business. It may again be time for someone else to suggest a similar solution.

• Last, but not least, our customers are waiting for buses that never arrive. Seattle’s major newspapers are criticizing Metro’s poor service due to tripper cancellations and our ridership is no doubt suffering.

The end result of the failure to properly manage our workforce is causing grief for both part and full-time operators, anger from the public as a result of canceled trippers, and an inefficient use of public funds. Some operators have blamed their own union even though the labor agreement vests in Metro the sole responsibility for the cutting of work. Some operators have expressed a belief that a conspiracy exists to limit overtime for high seniority operators or to cut costs by limiting benefits availability to part-time. Although these last two theories may be based in truth, it is my belief that the true cause is two-fold. First, the ability to hire new part-time operators is at an all-time low and falling. Workforce projections by the Federal Transit Administration suggest this is a trend not likely to reverse itself. Second, recent management changes have left us with a management team lacking the ability to properly manage our workforce in changing times. For the present, part-time operators should be prepared for significant reductions in work availability and full-time operators should hold hope for continued poor workforce management. We can only hope it won’t take these new managers too long to learn the ropes.
Guest Editorial …

NYC Transit Workers Strike

By Ramy Khalil, Ryerson Base Operator

December’s two-and-a-half-day transit strike in New York City has a lot of valuable lessons for us as transit workers. For 60 hours, the strike brought the biggest city in the nation and the financial center of the world to a virtual standstill. By defying threats of massive fines and imprisonment, as well as the relentless assault of the bosses’ political and media mouthpieces, the 34,000 members of Transit Workers Union (TWU) Local 100 demonstrated the immense power workers have when we stand up together to defend our rights.

The Metropolitan Transit Authority (MTA) originally proposed a new labor contract in which newly hired workers would pay 6% of their salaries toward their pension as opposed to 2% now. This would mean that new hires would have to take a pay cut. The union correctly refused to accept this two-tier system for different generations of workers that would divide the union and “sacrifice the unborn,” and they went on strike during the peak of Christmas shopping season, which absolutely infuriated NYC’s businesses and public services rather than them paying more in taxes themselves to support the banks, big businesses and the rich pay for vital public services, including a free transit system and a massive investment to upgrade the entire transit system. The “NO” vote must become the beginning of a national campaign to break from the Republicans and Democrats (who are both in bed with Corporate America) and to build an independent workers’ party that puts the needs of working people (healthcare, childcare, education, transportation, the environment,) before war and corporate profits.

To do this task we will need your help. We are going to need some logistics in place in order to have a safe swim across the lake. We need some volunteers, and at least two members with boats that are willing to volunteer their time and equipment to assist in this event. The more people that offer to help, the better for us (especially for me, since I’m the nut doing the swim), but I also invite any member who wants to be a part of this fun challenge by accompanying me across the lake.

We picked the last Sunday of July because that is the day Hispanic Sea-Fair is held at Seward Park. I hope this effort is a success, and if enough interest is generated I look forward to doing it every year. Anyone interested in participating, please leave me a message at the union office.

In solidarity,
Osvaldo Fernandez, #20640

Seattle Chapter of the Latino Caucus Report

by SCLC Chair Osvaldo Fernandez

Dear Brothers and Sisters: Let me start with my personal point of view about the health assessment. I don’t like it. I recognize the benefit of eating well and exercise, but I believe that is a personal choice that every individual has the right to make or not make, regardless of the reasons given to us, like it or not. I hope that, in the end, this will be good for us.

Personally, I decided that my form of success for a healthy life was to pick up swimming again. And here to start the fun, as a Latino Caucus member and Chair of that group, I want to announce a fund raising effort on behalf of the Seattle Chapter of the Latino Caucus. On the last Sunday of July, I will attempt a swim across Lake Washington. This project is to help raise money for the scholarship the SCLC is putting together.

The challenge is already on.

By defying threats of massive fines and imprisonment, as well as the relentless assault of the bosses’ political and media mouthpieces, the 34,000 members of Transit Workers Union (TWU) Local 100 demonstrated the immense power workers have when we stand up together to defend our rights.

The MTA came under intense pressure, so they ended the strike in the first place without letting the members vote on the tentative agreement. Now that the new contract proposal has been rejected, it is crucial to prepare the 34,000 transit workers to win a better contract. This should be done with the election of workers to win a better contract. This

Fight the Taylor Law! The TWU should mobilize every union, community organization, and supporter to mass demonstrations demanding the repeal of the Taylor Law and the $1500 fines on each striker. In the spirit of Rosa Parks, other unions need to come on board.

The union leadership should never have ended the strike in the first place without letting the members vote on the tentative agreement. Now that the new contract proposal has been rejected, it is crucial to prepare the 34,000 transit workers to win a better contract. This should be done with the election of worker participants to mass demonstrations demanding the repeal of the Taylor Law and the $1500 fines on each striker.

This statement reflects the class war mentality of the ruling class who wants to replace them.

The MTA bosses have discredited themselves by squandering the recent $2 billion budget surplus and getting caught misleading the public about their finances. The only way to find out what is really going on is by the labor movement insisting on access to the MTA’s financial records. As political appointees, the MTA brass are not accountable to the people of New York. Representatives elected by the voters and the workers should replace them.

Build a political alternative for workers! The TWU can win mass working-class support by demanding that the banks, big businesses, and the rich pay for vital public services, including a free transit system and a massive investment to upgrade the entire transit system. The “NO” vote must become the beginning of a national campaign to break from the Republicans and Democrats (who are both in bed with Corporate America) and to build an independent workers’ party that puts the needs of working people (healthcare, childcare, education, transportation, the environment,) before war and corporate profits.

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President’s Report, continued from page 1

Procedures, and especially discipline. So this “oversight” is all in the name of “consistency.” They wanted “consistency.” They’re getting it. Let’s take a look at four very recent arbitration decisions.

The Case of the Error in Counting

In August of 2005, an employee in Rider Information was terminated for unexcused absences, presumably for failure to turn in sick leave forms as required. The Union repeatedly argued through the various grievance steps that management’s calculations of the employee’s sick leave usage was in error. We pursued the termination to arbitration. The arbitrator’s award was for full reinstatement, $24,000 back pay, 94 hours of sick leave accrual and 117 hours of vacation accrual to be credited to our member’s sick leave and vacation bank. Seems the arbitrator counted just like the Union did. Must have had the same number of fingers and toes.

Medically Incapable? Or Not?

Despite having produced a doctor’s release to perform his duties, Metro steadfastly proceeded with a non-disciplinary medical termination for a Lead Equipment Service Worker. The Union argued for the employee’s ability to do his job and the doctor sent additional information confirming the release to return to work, yet Metro refused to reinstate the employee. The Union took this case to arbitration and received the following award: full reinstatement, 3 months back pay, 15 months of 10% Lead pay, 24 hours credited to his sick leave, 44 hours credited to his vacation bank, COBRA payments reimbursed for 3 months, and all out of pocket expenses. Total cash award of $21,653.97.

We Can Post it Any Way We Want

For failing to properly post and fill a vacancy in Vehicle Maintenance, an arbitrator awarded 40 hours of overtime pay to a member who had grieved this contract violation. Though the Union repeatedly made settlement overtures, Metro refused to settle, insisting they had the right to post and backfill in this manner.

Payment Based on What?

In Operations, Metro issued a non-disciplinary medical termination to a 17 year Transit Operator, despite having his doctor’s release returning him to driving duties. For most of the year they refused to put him back to work, continuing to require further medical clarification of ability to do the job. The membership approved arbitration and Metro reinstated the Operator, but based his backpay on his prior attendance record, implying the Operator would have been absent most of that time anyway due to illness or injury. The arbitrator’s award? Reinstatement, with 9½ months full back pay, along with restoration of all vacation and sick leave accruals, retirement contributions, and reimbursement of any out or pocket expenses.

Waiting in the Wings

Currently awaiting an arbitrator’s decision is the termination of a Transit Operator for alleged gross misconduct. We fully expect the arbitrator to reinstate the Operator, with full back pay and all accruals. The arbitrator has indicated Metro’s investigation was extremely shabby, and expressed concerns with the credibility of Metro’s witnesses. Yes. Consistently bad decisions. So who’s responsible for all these bad decisions? Come on! We are talking about Management! Only represent- ed employees are held accountable for their bad decisions. Regards,

Be safe LFN

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Minority Affairs Report

On January 16th, 2006, in celebration of Martin Luther King Jr. day, Local 587 members marched in the MLK Day parade. The event was done as a combined tribute to Martin Luther King Jr. and Rosa Parks, considered by some the mother of the Civil Rights Movement. Coach 263, that was built in 1955, was used in commemoration of Mrs. Parks 1955 civil action against segregation on public buses.

Join the Retirees’ Chapter

By Dave Carter, Financial Secretary & Al Ramey, President

President Norton has requested that, as officers of the Retirees’ Chapter, we submit a column a few times each year to report on our retired Brothers & Sisters. Dave will fill you in on the goings on in the North End, and Al will handle the news in the South End. All retired members are encouraged to contribute to this effort as well. Please submit items of interest to “Retirees’ Corner” c/o Recording Secretary Jennie Gil, ATU Local 587, 2815 Second Ave., 98121. The Recording Secretary will also take your submissions by e-mail at recsec587@atu587.com.

The deadline date for submissions to the newsletter is the 15th of each month. Unfortunately, the South End group breakfasts are on the third Saturday of each month, which is usually just past the deadline, but we will try and work around that if possible. The Recording Secretary also respectfully requests that submissions be limited to roughly 800 words.

The South End breakfasts are now at the Burien Elks Club at South 140th St. & 1st Ave South in Burien. Arriving at Burien where SR 518 ends at South 148th St. & 1st Ave South, just turn right and go eight blocks. Everyone really enjoyed our first breakfast there last month. We had 38 attendees and several who contacted us that wanted to come, but couldn’t make it. We have our own area and can do our own thing and take our time. We now meet at 8:30 am, which made many people happy. They are spoiling us at the Elks club and there is absolutely no attempt to get any of us to join their organization.

The North End breakfasts are at 7:30 am on the first Saturday of each month, at the Colonial Pantry Restaurant located in Firdale Village, about one mile west from Aurora Avenue and North 205th Street on 205th Street/S.W.244th Street/Coun- ty line.

Please bear in mind that any retiree is welcome to join either group for their doings at any time. E-mail Al Ramey at trieber@bellspring.com for more information. Hope to see you soon.

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ATU Local 587

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The demographics of Local 587’s membership has changed over time. We all know intuitively that we are an aging society but to what extent? We took a look at our membership information and plotted a scatter-graph of age on one axis and years of membership on the other axis. We found that the median age of our total membership is 54. Additionally we found that our median membership is 9 years.

Not too long ago (15 years) it was a rarity for anybody over the age of 40 to come to work at King County Metro. Now it is a rarity for anybody under the age of 40 to be hired at Metro. It’s not that there aren’t young potential employees out there. There are lots of them, but for a variety of reasons they just aren’t flocking to Metro as they used to. Most of the more mature members seem to be applying as an act of economic desperation due to “downsizing” of their former employers. Even with “mature” applicants hiring in, Metro is still 150 part time operators short. At smaller employers such as Clallam and Jefferson Transits, if there is a personnel shortage the employers can fill it in with overtime as the magnitude in relative terms is not as great. The King County Paratransit employers have a continual training program for replacements. They have a problem hiring enough people too. Interestingly enough, most of the new hires tend to be “boomers” which is consistent with the demographic observations.

The union balancing act has historically been between “young” members who are more interested in wages over benefits, versus “mature” members who are more interested in benefits rather than wages. When the union leadership historically balanced the two competing interests to the point where everybody, young and mature, are equally upset, the leadership probably had it about right. What we have here, however, is a preponderance of members who are clearly more interested in benefits. Their interest, on the whole, outweighs members whose primary interest is wage rates alone.

Perhaps it is time to have a big discussion on the future goals of our Local. Ten years ago the union heard a desire for “retiree medical benefits”. We achieved that at METRO but the quid-pro-quo was the retiree had to pay the premium to stay in the group plan. What would be more beneficial would be employer paid retiree medical benefits. One potential answer might be a “Vested Employee Benefit Plan” or a “Health Savings Plan.” Perhaps with contributions from the employers. The floor is now open for discussion.

Editor’s Note: Local 587’s retiree benefits came about as a result of Metro becoming King County in 1995. Prior to that time, Metro employees did not have retiree benefits available to them other than the entitlements under COBRA. But King County employees had that benefit bestowed upon them in 1975 by way of a unilateral decision made by a King County Human Resources Director. In 2002 the State Legislator passed a bill requiring public sector employers that offer health care benefits for active employees to also make available some form of health care benefits for retirees. The health care plan for retirees can be different from what active employees have, and the employer can require retirees to pay some or all of the cost. At King County Metro, retirees pay all of the premium cost. Employers are exempted from this rule if they are unable to find a carrier who will cover their retirees.
One of the benefits Local 587 offers to those people who are brave and dedicated enough to step forth to serve their fellow coworkers as shop stewards is the basic, rudimentary training to begin to comprehend the job they have volunteered for. Three times a year the Shop Steward Committee offers training for those members who volunteer to be stewards or alternates. Last year the decision was made to extend shop steward training to two days in response to commentary and evaluations from members attending the previous one-day sessions, expressing the sentiment that the amount of information presented was too much to absorb in one day.

18 people were in attendance on February 16th and 17th to cover such topics as how to assist a member in filing grievances, filling out accident reports, how to determine what is grievable, and a general overview of the workings of the Union office. FMLA, KCFML, WFCA, Worker’s Comp, short and long term disability were presented. Attendees participated in role playing exercises to familiarize themselves with handling grievances.

So much interest was shown in this last round of shop steward elections and training that not all stewards who requested the training were able to be accommodated. The Executive Board discussed an additional training session in the very near future. Please watch your Union bulletin boards for further information.

Financial Secretary Griffin explains the various duties and responsibilities of his position.

Attendees participate in lively discussion and get their questions answered.

Recording Secretary Gil explains the variety of leave entitlements available by law, contract and through the benefits package.

Standing, left to right: Local 587 President Lance Norton, Scott Norton, Dauna Bell, John Custer, Karina Weisenbach, Aaron Lewis, Alan Huston, Elaine Vail (Local 1576), Paul Bachtel, Sylvia Weaver (Local 1576), Gregg Robinson and Daniel Kramer. Seated, left to right, Chuck Lave, David Earle, Velda Alexander, David Troup, Chris Werenka, Osorno Jones, Carrie McCuin and Lori McKenzie. Daniel Edminster is front and center.