



ATU Local 587

# NEWS REVIEW

Vol. XXXIX, No. 3

March 2016

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## *The President's Report*

# State of Local 587

By Kenny McCormick

The current administration took office on July 1 2015 and Local 587 was financially strapped due to over spending, a Union Officers election, too many people being sent to conferences, and excessive details. The membership passed a motion to curb the spending and we are now on the road to recovery and getting healthier. In the first eight months of this administration we have operated in the black.

We have held two classes for Shop Steward Training; we have trained Shop Stewards and Executive Board Officers. We are working on training our entire list of Shop Stewards to changes that have taken place since they were first trained. After we get everyone trained we will then begin our secondary training to help our Shop Stewards be more effective when they represent this membership.

On March 12th at the Machinist Hall in South Park from 8am-4pm, Local 587 will be conducting a workshop on "Building a Strong Union." Anyone interested in participating

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*"The officers are being sent to Silver Spring for training on the Friedrichs vs the California Teachers Association case.*

*...It will have an impact on all public sector unions in the United States."*

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will need to contact the Union office to sign up. Paul McCarthy from the International will be the facilitator. This workshop will be an all-day class and lunches will be provided. While current Shop Stewards and Executive Board members will be given first option to attend, all members are welcome. Continued education is a goal and a necessity in order to be effective and represent our members.

The officers are being sent to Silver Spring for training on the Friedrichs vs the California

Teachers Association case. When we return, we will begin training this membership on the information we learn in the workshops put on by the International.

The Friedrichs decision is expected to be rendered in June or early July of this year. If you have not yet read any of the briefs on this case goggle Friedrichs vs the California Teachers Association and educate yourself on what will be decided. It will have an impact on all public sector unions in the United States. Our future could be forever changed.

## Business of the Membership

At the February 2016 cycle of meetings, the following business was addressed:

**MOTION:** by Patrick Brady Request by Stan Kennedy to send the request made by Local 1384 to join Local 587 to a vote of the membership at a date to be determined in the near future. Motion carried.

PROPERTY	YES	NO
KCM	32	56
JTA	1	4
CTS	0	6

PROPERTY	YES	NO
KCM	43	4
JTA	6	0
CTS	5	0

Request by Stan Kennedy to take his grievance to arbitration. Failed.

Bylaw amendments to Articles V, X and XIII were approved by the International, and will go into effect immediately.

**POT DRAW WINNERS:** Teferi Gebretsadik, Charter meeting; Michael Teeter, Friday meeting; Corliss Barnes, Saturday meeting; Ludwig Becker, JTA; Jeff Dixon, CTS; Jose Rosado, Wednesday meeting. The CTS rolling pot was lost by John Hamrick; next month's rolling pot will be \$450.

## In Lasting Memory...

*"Life is eternal, and love is immortal,  
And death is only a horizon;  
And a horizon is nothing  
save the limit of our sight."*

~ Rossiter Worthington Raymond

**Odessa Honorable,** Transit Operator who retired in 1994 after 16 years of service, passed on February 12, 2016. Services were held in Covina, California on February 26, 2016.

**Betty Jones** passed away February 12, 2016. Sister Jones worked as a Transit Order and in Pass Sales for 27 years. She leaves behind a large extended family, including 19 great-grandchildren.

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

## 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.*

## Membership Meetings

### Tentative Agenda

### PLEASE NOTE :

Friday meeting has been eliminated  
Saturday meeting time has changed

### CHARTER MEETING

Thursday, March 3, 2016  
8:00 p.m.  
The Labor Temple, Hall #1  
2800 1st Ave., Seattle, WA

### CLALLAM TRANSIT

Tuesday, March 8, 2016  
7:00 p.m.  
Vern Burton Memorial Bldg  
Port Angeles, WA

### SATURDAY MEETING

Saturday, March 5, 2016  
Noon  
The Labor Temple, Hall #1  
2800 1st Ave., Seattle, WA

### AFTERNOON MEETING

Wednesday, March 9, 2016  
3:30 p.m.  
The Labor Temple, Hall #8  
2800 1st Ave., Seattle, WA

### JEFFERSON TRANSIT

Monday, March 7, 2016  
7:00 p.m.  
Port Townsend Community  
Center, 620 Tyler Street,  
Port Townsend, WA

Among Topics to be Discussed: Election Committee  
Unfinished Business: **None**

## Executive Board Report

February 23, 2016

All members of the Executive Board were present except Loren Cook and Tyler Zimmerman (working FTO pick) and Patrick Murray (working VM vacation pick).

**MOTION:** by Ninus Hopkins to continue the Full Time Officers salaries using the same formula as used previously in 2015. Carried unanimously. Motion was inadvertently left out of January agenda and *News Review*

**MOTION:** by Shannon Shay to accept the 2016 budget as amended. Motion carried.

## Arbitration Update

- Andrew Price:** Grieved a picked report beings split on a Saturday in violation of contract: heard November 11, 2015; briefs filed February 16, 2016, decision pending.
- Mark Kelly:** Grieved union work being performed by a subcontractor (bus wraps). Postponed pending Bus Wrap ULP filed by Metro
- John Marx:** Grieved creation of swing shifts for Millwrights. Postponed pending ULP filed by Metro. The Union filed an appeal with PERC, in the interim Management and the Union continue discussions.
- Elaine Monzon:** Grieved termination for alleged falsification of a Metro document; Arbitration held January 13, 2016, decision pending.
- Gary Archer:** Grieved improper assignment of overtime; The Union did not prevail on the Arbitrators decision as a whole, some grievances remain in question.
- Michael Maw:** Grieved historical practice and contract language regarding assignments of Millwright shifts and assignment of overtime; schedule pending. The Union filed an appeal with PERC, in the interim Management and the Union continues discussions.
- Carey Watson:** Grieved a suspension for alleged Serious Misconduct; schedule pending.
- Ray Moore:** Grieved non-revenue work being subcontracted out; scheduled May 2016.
- Kimberly O'Neal:** Grieved 5 days suspension for a serious infraction; schedule pending.

## Major Religious and Secular Holidays

### March 2016

- |   |  |
|---|--|
| <b>2</b> 19 Day Fast begins (sunrise) – Baha'i          | Equinox – Wicca                              |
| <b>3</b> What if Cats and Dogs Had Opposable Thumbs Day | Naw-Ruz (sundown) – Baha'i, Zoroastrian      |
| <b>4</b> Employee Appreciation Day                      | Holi (sundown) – Hindu                       |
| <b>7</b> Masha Shivaratri (sundown) – Hindu             | <b>21</b> World Poetry Day                   |
| <b>8</b> Telugu New Year – Hindu                        | <b>23</b> Holika Dahan – Hindu               |
| International Women's Day                               | Purim (sunset) – Jewish                      |
| <b>13</b> Vaisakhi – Hindu                              | Magha Puja Day - Buddhist                    |
| Daylight Savings Time starts                            | <b>24</b> Maundy (Holy) Thursday – Christian |
| <b>14</b> Pi Day  | Hola Mohalla - Sikh                          |
| <b>15</b> Ramanavami - Hindu                            | <b>25</b> Good Friday – Christian            |
| <b>17</b> St. Patrick's Day - Christian                 | <b>27</b> Easter – Christian                 |
| <b>20</b> Palm Sunday – Christian                       | <b>30</b> Mahavir Jayanti - Jain             |

\*This list was compiled from information found online. Any errors are unintentional. If there are dates you would like included in upcoming months, please send an email to: crowe.recsec@atu587.org

## Help! I need to talk to someone!!

To talk to someone in the  
 Strictest confidence in a  
 Safe place about a  
 Work related incident  
 Leave a message on the

**CISM Team Hotline – 206-263-3761**

## NEWS REVIEW

### ATU Local 587

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 Transit Operator Position #1  
 Transit Operator Position #2  
 Transit Operator Position #3  
 Transit Operator Position #4  
 Transit Operator Position #5  
 Transit Operator Position #6  
 Transit Operator Position #7  
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### Articles/Letters to the editor

Letters/contributions must include printed names, signatures, work ID numbers, addresses and phone numbers that can be verified during working hours. Letters that cannot be validated will not be published. All articles/letters are subject to editing and should be limited to 1000 words or less. Not all letters can be published due to space limitations. Cut off is 5:00 p.m. on the 15<sup>th</sup> of each month, if the 15th falls on the weekend/holiday, cut off is close of business on the following business day. Any submission from a member of Local 587 to the *News Review* deemed unprintable by the Recording Secretary shall be forwarded to the Executive Board for final decision to publish.

**Send letters and articles as original Word documents to Cheryl Rowe at: [crowe.recsec@atu587.org](mailto:crowe.recsec@atu587.org)**

# What, No Super Bowl?

By Atlantic Base Shop Steward Chuck Lare, #12497

We did not make it to the Super Bowl this year but we still have an opportunity for negotiating a Super Bowl contract with Metro. Let's not make the same mistake as the Hawks failing to score in the first half of our contract negotiations. Let us learn. Let us score now while Metro has swapped out its "first string" General Manager and is fishing for a replacement.

While Metro waits to field a new General Manager, we best take the offensive. Run the ball to the public, the ultimate arbitrator of our contract. The public, the "12th-man," can be brought to cheer for us to win a meaningful pay raise, stop the outsourcing of our work, guarantee adequate break time, win a fair customer complaint system that respects our professional integrity and remove the workplace hazards across all classifications.

To score significant points in contract negotiations we best start with an active membership that management understands can and will take action if our demands are not met. Acquiring an active membership, willing to take action, necessitates transparency so members feel they are a part and have ownership of the contract negotiations. The transparency provides accountability that gives the members the confidence they need in deciding what actions to take.

Determining actions to take follows once the membership has taken ownership of the negotiations. The member's ownership of the negotiations could result in hundreds of work action participants. And into the thousands if we add the communities we serve —

we then have a movement. A movement that can provide us a meaningful pay raise, stop the outsourcing of our work, guarantee adequate break time, provide a fair customer complaint system that respects our professional integrity and remove the workplace hazards across all classifications.

Transparency must not just come in the form of words anymore than democracy can be defined in the mere terms of a ballot box or right to vote. The transparency must be in the form of engaging members in many conversations, education as to what negotiating strategies to consider, joint decision making, and developing a reiterative process that builds to a level where significant actions can take place.

To start:

- Find out what matters to every member;
- Develop and ratify a platform for the transit system we all deserve — hold conversations and trainings with ATU 587 and community members;
- Use a communication loop to keep members informed and get feedback — create a communication tree where one member is responsible for staying in touch with a few others about what occurred each time there is a bargaining session;
- Bargain beyond mandatory subjects — address what the communities we serve desire, e.g. "more on-time service";
- Open up negotiation sessions — members who witness the process themselves feel more informed;
- Never have conversations with management away from the table — we are stron-

ger with a commitment to transparency, not relying on individual relationships but instead rely on our collective labor power.

Let's act now while there is plenty of "game time." The Seahawks in their last game against the Panthers failed to score in the first half and in their second half scored too little, too late.

While there is still time, Shop Stewards can start scoring by winning grievances at the First Step. Winning at the first step is an emotional boost to the shop steward and wins respect for, and confidence in, shop stewards. This building of member's confidence in the shop stewards can be leveraged when the shop steward calls upon members to participate in work actions.

Work actions can take many forms like the "end-run" the Shop Floor 587 Caucus facilitated in winning Labor & Industries (L&I) citing of

Metro for the life threatening lack of access to the bathrooms and forcing Metro to fund the Comfort Station Coordinator. We also can partake in work actions that leverage the "12th-man" — public participation. The public participated in the Shop Floor 587 Caucus rally of ATU 587 members, the Transit Riders Union and other community representatives in front of Atlantic Base. This work action rally culminated in the last contract receiving an 80% "No Vote" and then a second vote of 64% "No."

Let us not be about the "No" but about the "Yes" for a Super Bowl contract that wins us a meaningful pay raise and restores our 3% COLA floor, guarantees adequate break time, a fair customer complaint system, and removes the workplace hazards.

## Continuing Education for Shop Stewards and Potential Shop Stewards

*Continuing education for Shop Stewards and potential Shop Stewards will be held at the Labor Temple Hall, Saturday, March 5th at 11:00 a.m., one hour before the Noon union meeting. The cut off time for requests for a courtesy detail is by noon of the Monday before the Saturday meeting. Come and talk about issues concerning our members and discuss strategies on how we can best advocate and represent our membership. Hope to see you there*

# Drug Testing

By Michael T. Cathey, #11552

February 13, 2016

**D**ear Ms. Lori Jones,  
King County Employee  
Drug and Alcohol  
Department

I would like to relate an experience that I had yesterday when I had to get a random DOT alcohol and urine test for drugs. I would request that a copy of this letter be retained in my employee records jacket. A copy is also being sent to ATU Local 587, to be retained in my records there. A union officer has examined this correspondence and has asked to post it in the union newsletter to which I agreed, so that other employees might be informed about drug and alcohol testing procedures and protocols.

After getting the paperwork from a Base Chief I proceeded to the testing clinic in downtown Seattle. I checked in and had about a 20 minute wait to be summoned to begin the alcohol testing procedure with a nurse. I was unsure what the protocols were for this test. The nurse opened a drawer that contained perhaps 100-200 mouthpieces for the breathalyzer, each sealed in a plastic bag. The nurse asked me to pick one and open it. Being in this clinic I had handled their pen to sign in, a clipboard, touched doorknobs and countertops. I felt uncomfortable handling anything that I was going to place in my mouth without first washing my hands. I did not even want to open the bag that contained the mouthpiece for the machine without some basic sanitation. I have recently been ill with the flu, an upper respiratory infection and head cold and feel that my immune system is degraded from that

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*I was quite upset about results that I knew, without a doubt, were false.*

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and was being extra cautious because I did not want to expose myself to any virus that might be present in a medical clinic. Having no sink in the testing room I did notice a large bottle of hand sanitizer and proceeded to dispense a full stroke of the sanitizer, saturating my hands with it. As I worked the sanitizer into my hands the room was permeated with a strong odor of alcohol. The nurse conducting the test did not try to prevent me from using the alcohol based sanitizer, but immediately remarked that the alcohol fumes in the room might affect the test outcome. My response to that was then we should wait until the alcohol fumes have dissipated and then proceed with the test. The nurse replied that it was "probably OK" to just do the test.

She installed the mouthpiece on the machine. I inhaled deeply and blew into the machine. It was apparent to me from her behavior that something was up. I asked what the problem was and she said that there was alcohol in my system and that the machine indicated positive for it. I was dumbfounded because I had consumed my last drink of alcohol in 1985. I immediately questioned the results and she defended the machine's accuracy and so on. My response to that was if the machine tested positive then something was amiss somewhere and I was quite upset about results that I knew, without a doubt, were false.

As an aside, I felt the machine in use was rather battered looking with the electrical cords twisted into knots. The clinic itself is rather run down, shoddy, poorly lit and none too clean for that matter. My observations of this clinic didn't give me much confidence in this facility or the equipment. I had just returned the week before from leading a work group to an orphanage and outreach mission in Mexico and there is no doubt in my mind that the clinic there was far cleaner in every respect.

The nurse called to inform you of the results of a positive alcohol test. It was still quite early in the morning and you had not yet arrived to work so the nurse left a message and told me I had to wait until she heard back from someone at Metro before I could leave. I asked for, and received permission to call the Base Chief who gave me the testing paperwork and informed her of what was happening. Eventually the nurse had me proceed with the urine test for drugs and at the conclusion of that I was told that I could leave. I was really confused at this point and was informed by the nurse that the amount of alcohol I tested positive for (.009%) was far below the threshold set by the DOT.

I returned to North Base and informed the Base Chief of the circumstances and was still quite angry about this entire sorry experience. She reassured me that it was a done deal and

not to worry about it. I asked if, and requested that, the lab test the urine sample that I provided for alcohol (assuming that is possible) to get the facts of this situation clarified. In my mind this whole episode brings into question the level of training by this clinic's staff and an obvious defect in the protocols in administering this test.

By coincidence, I happened to have an appointment later in the morning with my doctor for a follow up for the aforementioned illness. His clinic also conducts similar tests and so I questioned him quite closely about how the test that I had just done had been administered. He told me that there should never be any kind of alcohol product even in the room that alcohol tests are conducted in, let alone something like hand sanitizer that contains 60% alcohol and off gases rapidly, especially in so confined a space as the test was conducted in. He also told me that when conducting blood draws for blood alcohol tests that alcohol swabs cannot be used to clean the area the needle is inserted as it would skew the test. I mention this only to note that probably most employees that are sent for testing are unaware (as I was) to the sensitivity of this testing equipment. Employees are really at the mercy of the people conducting these tests and have to depend on them to do the testing correctly. In my case there was a definite flaw in the testing at this facility. In my opinion the company that is contracted to administer these tests is providing King County with substandard service in a substandard facility.

Regards,  
Michael T. Cathey

# Where Do Your Fully Paid Healthcare Benefits Come From?

By Doug Frechin, Shop Steward, North Base #13467

Your benefits are defined in the King County Charter, as amended in 1989, Section 550 Career Service. The document titled, "Performance Audit of Part-time Employment in King County," dated May 7, 2014 from the King County Auditor's Office has the information we need:

- "The King County Charter addresses employee membership in the career service. (King County Charter, Section 550, as amended 1989). By default, all county employees are members of career service except for certain categories of employees in elected or managerial positions and other specific roles, including part-time and temporary, except those employed at least half time. The county code defines part-time employees who work under the half-time threshold as 'part time,' and those over the half-time threshold as 'part-time regular.' Career service employees receive leave benefits and are eligible for medical, dental, vision, life, and disability benefits." And:
- "Part-time employees who work over half time receive the same benefits as full-time employees. All of the county's full-time employees are eligible to receive county-paid benefits including medical, dental, vision, and basic accidental death and long-term disability insurance. Benefits cost about \$16,000 per employee in 2014." And:
- "King County Code defines 'part-time regular' and 'term-limited temporary employees as members of career service.'"
  - King County does not always follow the guidelines set forth regarding Career Service. The following excerpts are from a Seattle Times article dated 10/18/1997 and titled, "Some 2,500 Temps to Get \$24 million—King County Settles Class-Action Lawsuit":
    - "By next summer some 2,500 King County workers denied benefits over the last eight years could find a hefty check in the mail." (Note: Eight years would be since 1989 when the Career Service language was amended in the King County Charter as mentioned above.) And:
    - "For a number of years the county engaged in a sad episode of employment practices," said (Executive Ron) Sims, who had long fought to end what he called a pervasive practice of hiring temporary and part-time workers and denying them benefits. And:
    - "The class-action suit mushroomed from a complaint by 22 county workers that they were denied medical, vacation, holiday and other benefits paid other workers."

King County Metro Transit workers were not part of this class action that I can find. This lawsuit did lead to improved language in the very next ATU 587/King County Metro Transit Collective Bargaining Agreement dated 11/1/1998 to 10/31/2001 that was signed on 10/1/1999 by Barry Samet for ATU 587 and Ron Sims for King County Metro Transit. Here in

part was the "new" language in Article 12-Benefits, Section 1-Medical, Dental, Vision, Life, and Long Term Disability Benefits:

- "B. All full-time Employees, part-time assigned and on-call Employees who are regularly scheduled to work half-time or more, and their dependents will be covered by the medical, dental, vision, life, and long term disability plans developed by the Labor-Management Insurance Committee." And:
- "E. For the purposes of this AGREEMENT, 'half-time' shall mean twenty (20) hours per week."

Next we have two Washington State laws that are dated from 2002 as they are currently written. The first is RCW 49.44.160 Public Employers-Intent. This is part of that language:

- "The legislature intends that public employers be prohibited from misclassifying employees, or taking other action to avoid providing or continuing to provide employment based benefits to which employees are entitled under state law or employer policies or collective bargaining agreements applicable to the employee's correct classification."

The second is RCW 49.44.170 Public Employers-Unfair practices-Definitions-Remedies. This is the entire language:

"(1) It is an unfair practice for any public employer to:

- (a) Misclassify any employee to avoid providing or con-

tinuing to provide employment-based benefits; or  
(b) Include any other language in a contract with an employee that requires the employee to forgo employment-based benefits.

(2) The definitions in this subsection apply throughout chapter 155, Laws of 2002, unless the context clearly requires otherwise.

(a) "Employee" means a person who is providing services for compensation to an employer, unless the person is free from the employer's direction and control over the performance of work. This definition shall be interpreted consistent with common law.

(b) "Employment-based benefits" means any benefits to which employees are entitled under state law or employer policies or collective bargaining agreements applicable to the employee's correct classification.

(c) "Public employer" means: (i) Any unit of local government including, but not limited to, a county, city, town, municipal corporation, quasi-municipal corporation, or political subdivision; and (ii) the state institutions, and state agencies. This definition shall be interpreted consistent with common law.

(d) "Misclassify" and "misclassification" means to incorrectly classify or label a long-term public employee as "temporary," "leased," "contract," "seasonal," "intermittent," or "part-time,"

*continued on page 7*

# Who Holds the Power?

By Kathy Maddux #20243

## \*whispering

Psst! Over here! Didja hear the one about the tripper that can never be cancelled? Even at the expense of up to three other trippers? Leaving potentially hundreds of other passengers having to wait for different buses?

## \*stop whispering

I've always believed that, until proven otherwise, everyone

deserves to be treated equally, with dignity and respect. Isn't that the crux of non-discrimination and fairness? In my humble opinion, ALL bus riders should be treated thusly. Until proven otherwise!

## \*whispering

Psst! Didja hear? Discrimination IS ALLOWED, in fact ordered from "on high", for certain "important" passengers! VIPs who, in fact, are decision

makers, perhaps politicians. Seems to me, if everyone were treated equally, having certain trippers cancelled when driver and/or equipment shortages occur, perhaps solutions could be found much more quickly! Rather than "this trip MUST always run" (regardless of the cost to so many others!)

## \*not whispering

I will always strive to discriminate against NO ONE,

attempting to be equal and fair to all.

It's a shame this is not an effort shared by all of King County and its employees. Were this mal-treatment coming from us at the bottom of the food chain, it would not be tolerated. Yet, from upper levels, it is allowed.

## Who holds the power?

## Healthcare Benefits, continued from p. 6

or to use a similar label that does not objectively describe the employee's actual work circumstances.

(3) An employee deeming himself or herself harmed in violation of subsection (1) of this section may bring a civil action in a court of competent jurisdiction."

The above mentioned references to the King County Charter and King County Code and the two RCW's can be used to argue in the grievance procedure if you feel that you have been deprived of any benefits to which you feel you are entitled. This is because they fall under the umbrella language found in our current CBA from 11/1/2013 to 10/31/2016, Preamble, page 10. Here is part of the Preamble I am focusing on:

"Employees are entitled to fair wages and working conditions as provided in this AGREEMENT, including all protections preserved by law."

Some of our current CBA language attempts to circumvent the intent and spirit of the King County Charter, King County Code and the two RCW's as it relates to those Part-time workers who should be qualified as the Career Service and receive all of the full paid benefits they are entitled to. Next we have the "Memorandum of Agreement Between King County Department of Transportation and the Amalgamated Transit Union, Local 587," dated 10/1/2013. Subject: Part-Time Operator Benefits Eligibility. I will be focusing on the language that relates to pieces of work that are "scheduled" under the four hour threshold. Some, not all, actually take longer than four hours, and the Career Service language should be followed:

"Agreement: King County and Amalgamated Transit Union, Local 587, have agreed to the following standards of eligibility for part-time operators.

C. Other Agreements

3. "A posted average pay time of 4:00 hours or more guarantees benefits. A posted average pay time of 3:59 hours or less does not guarantee benefits regardless of actual time operated."

Due to the language mentioned in "C. 3." above, you could be deprived of your Career Service benefits. But wait, there is language to protect you from the employer if your piece of work is in real time four hours or more. It's been in the CBA since the 1999-2001 version, as mentioned above in paragraph 11, "For the purposes of this AGREEMENT, 'half-time' shall mean twenty (20) hours per week." The current language in the 2013-2016 CBA goes even further, it says "...'half-time' shall mean 20 paid hours per week."

Another problem we are having is when a Full Time Transit Operator transfers back to Part Time and for whatever reason is unable to secure a piece of

work that is over four hours or more. One such individual was denied Career Service status based on "C. 3" above, when s/he picked a "scheduled" piece that was 3:57 but in real time, with the paychecks to prove it, was working four hours or more per day. The second injustice was based on the same above mentioned MOA, under B. New Plan Term Eligibility (1/1/2014-12/31/2016):

"2. Alternatively for 2013 through 2015, if a PTO receives 1040 paid hours or more in the 26 pay periods ending with the pay period that includes June 30, s/he will be eligible for fully-paid benefits effective the following year beginning January 1 through December 31."

**UPDATE:** A modification to the MOA was signed on February 10, 2016, to help members maintain their full benefits when a Full-Time Operator converts to Part-Time status.

# Transparency in Promotion

Submitted by VM Executive Board Representative Cory Rigtrup

In the absence of light, darkness flourishes. This is why I support PACE, it shines light on the direction this Agency should be heading. This article is dedicated to everyone whom desires to move up through the ranks in VM.

VM has a long-standing tradition of Leads being the gateway into Management. Without alternative opportunities for non-Lead members to gain managerial experience, the avenue for promotion remains rigid. So, the historic career path for advancement starts from a trade's worker, to a Lead, then onto Management. Thanks to PACE, this is changing. You see, the old process is flawed because it excludes the roughly 200 non-trade workers in VM from having a career path. But that's another story; this article is about transparency in promotion.

Throughout the years I've heard talk, rumors, scandals and gripes about how promotions are given and to whom. Amazingly, these complaints aren't always from folks who didn't get the job, but also from those who did and found the experience less than visible.

## Disclaimer:

I've never been offered membership to the "good ol' boy" club, so I can't tell you if it actually exists.

Before I get to all that, I'll explain what I'm after. I want members who are desirous of promotions to have opportunities, by way of a fair system that rewards hard work and dedication with just results. I believe the main ingredient in the recipe should be effort, not relationships. That is also the

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*Even though what I seek may sound simple, apply for a promotion, take a test, get the results, it's met with demoralizing resistance.*

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premise of PACE, and is why I believe you should give it some latitude.

With that in mind, I set a goal a few years ago of making transparency a reality in the promotion process. Why? Because transparency has a natural way of filtering out influence from relationships. To date, this goal is far from accomplished, but headway has been made. Light is now shining on areas that aren't accustomed to being seen, causing an atmosphere filled with nervous energy. Communications, PACE, and the grievance process are proving effective tools in transforming this Agency into what it should be, benevolent. By the way, benevolence isn't something that needs to be negotiated for.

I reckon, even if the promotion process becomes fair and transparent, there will always be complaints from folks who don't get the job. After all, it's every American's right to complain. However, if this goal is reached, there will be a process established where candidates can get their results on how they tested and what the bar was for getting the job, along with reassurances of a fair process by an unbiased official having oversight (Union). Such a process really puts ownership

back on the candidates for their own performance. I call that just, and definitely transparent.

Currently, when a candidate fails to make promotion, a "Dear John" letter is sent out offering help by various sections in this Agency, addressing their shortcomings. While I applaud this effort, it does little to reassure the candidates that no "Hanky Panky" has transpired. Again, the reason I'm on this quest is folks have come to me with concerns, asking for help. When I ask questions of people "in the know" as to why candidates can't get their own results, I get answers that don't feel right.

Even though what I seek may sound simple, apply for a promotion, take a test, get the results, it's met with demoralizing resistance. Regardless that Metro is a Public Agency and anyone can file public information request, the individual results aren't shared. Results are privileged only to those "in the know"; candidates and your Union are not "in the know." Why?

## My example:

A few years ago, there was a posting for a Lead promotion in my classification. Six months and a tremendous amount of wasted time later, Metro said

no one could qualify for the position. We talked about this in VM's Labor Management Relations Committee (LMRC) and the Union's contractual involvement in the hiring process. I recall there was some question at the time of the language's limits. Frustrated with the results, I stated I would apply for next recruitment and report back to the committee, so that we could pound out the issues after the fact.

Keeping my word, I did apply for the next recruitment. I was deemed ineligible for testing, because I was reviewed as having poor relationships with Management. Ironic isn't it? Me, a sitting Board Officer in a LMRC being told my relationship with Management was the problem. About this time I realized, if this could happen to a vocal proponent like me, then there's likely truth to some of rumors I've been hearing all these years. Well, it was about that time I set this goal of transparency.

I'm intentionally stopping the story here; if I were to continue I believe damage could be done to relationships that already need fostering. I believe in PACE, I also believe it has a handle on this issue and that change is forthcoming.

Until then, I will take a moment and apologize to all those who I represent. If you are one of those caught up in this change of process right now, I apologize. I know you're wearing the burden of this flawed system; I wish a speedy resolution to the issue. If you find yourself frustrated on why this whole thing is taking so long, I'll surmise by writing; there are those who are afraid of the light.

## Letters to the Editor:

# Shout out

*Dear Brothers and Sisters,*

I'd like to give a shout out to our North Base Equipment Service Workers! While there has been a lot of talk recently about dirty buses, ours at North continue to be maintained by, in my opinion, the best crew in the county!

Every night, this crew checks fluids, does walk-arounds, walks the inside of the bus, blows/vacuums the buses out, they do a great job at leaving us clean buses. I've worked other bases, as well as ridden buses from other bases, and have never seen this level of quality. I appreciate the work they do!

*Kathy Maddux 20243,  
North Base Ops*

# Benefit Access Fee

*Dear Editor,*

Are you being charged a benefit access fee by King County Metro? I specifically stated in my open enrollment that I should not be charged a benefit access fee; my spouse has no other medical benefits from another employer. Well guess what, on the first pay check of the month I was charged a benefit access fee. I complained to King County Benefits and requested that I be refunded my access fee that had been charged to me. I was refunded my fee from the first pay check and I am no longer being charged a benefit access fee as I had requested during open enrollment.

I believe that King County Metro knew about this problem of everyone being charged a benefit access fee when they selected no benefit access fee during open enrollment and instead of fixing the problem, they just continued to charge everyone the benefit access fee until you complained about being charged (How PACE friendly is that?). They know if you don't complain in a timely manner they can charge this fee to you for the whole year.

I recommend that you check your payroll advice and complain to METRO immediately and tell them to stop collecting the benefit access fee they are not authorized to receive and to refund to you all the benefit access fees they have taken from your paychecks so far this year. Call King County Benefits 206-684-1556 and get your money back.

*In Solidarity;  
Brother Michael Shea  
#56528*

# Union Dues

Lisa Nault, East Operations, #3647

In August 1992, although it was under \$20.00 per month, I still wondered, what is the deduction for dues and who is this Union? Working a minimum tripper, being a FT student at the UW and a single parent, that "small" deduction was noticed and missed. I admit, I did ask some questions, like is this optional? At that juncture in my life, if it wasn't food or rent money, well there wasn't much left for anything else most of the time. The answer I got was this is a closed shop. It spurred me on to investigate. I met Local 587 officers and active members. I give credit to my family for instilling values like stewardship, responsibility and a strong work ethic. I began to understand, I would have to work at being an active member if I

wanted my dues to have meaning and value. I am proud to be a 23 year member of ATU and honored to have been able to do the work that I have done over the years. We have many new members to our ATU family. Welcome Brothers and Sisters. I hope you, our future, will be involved and active and contribute your ideas and talents. The protections we have and potential future gains are worth protecting, fighting for and investing in. When you invest in your family, you benefit also! (I know, I know, it all sounds so corny.) Just check the news, Friedrichs vs California Teachers Association, for example. In the United States, Union density and position have been under attack since they began.

**WE ARE THE UNION**

## KEEP YOUR ADDRESS CURRENT!!

**(A request from our Local 8 Union office staff)**

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

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

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



## *The 2nd Vice President's Report*

# A House Divided

By Mike Whitehead

At the February cycle of membership meetings there was a terminated member from VM asking the membership to approve arbitration per our bylaws. While this termination had taken place prior to my taking office, it is now one of my many matters of business. I have been in the position as a business agent for 8 months and I have come to see that VM labor issues are more in the contract interpretation / job preservation areas of the CBA as opposed to Operations, where the major labor issues are discipline / termination. Unfortunately this is a termination.

In my time spent researching the documentation, going to bases and discussing the termination with members I had started to see some red flags, first and foremost management's epic failure handling the events up to this termination. In conversations with members involved in this matter, I was told repeatedly members had talked with management numerous times, when the issues were minor and manageable, yet management remained silent. It is a well-known fact that conflict happens; it is one of many human traits, changing civilizations memorialized in history. What had happened at this work location is not uncommon and has happened

at other locations, yet this one work location's management allowed the conflict to compound through time, provided in their own documentation, up to the point that management had to finally react. How? By termination; an excellent example of leadership.... NOT!

I also want to acknowledge management at other bases where conflict has arisen and management intervened rapidly with guidance, not discipline. I have recently worked at a base where management responded within hours of an incident and resolution was support, not discipline. I support and endorse this positive type of management.

To a lesser extent, the Union can take blame by not educating

the membership and not providing support and direction at this time of conflict. One positive step your Union has taken is the reintroduction of the Shop Steward training program that now educates the membership. This training is encouraged and offered to all members. The next level of training is currently being devolved and will also be available to the membership. In addition, the Officers are making an extended effort answer all emails, return all phone calls and visit more bases. There will be a more concerted effort to educate the membership and encourage the involvement of the King County "Alternative Dispute Resolution Program" that is available to us as King County employees. This is a

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positive process that is an additional and much better way to resolve dispute. You do not give up your rights to other processes, the ADR is quick and no cost, confidential and has a proven track record of success through understanding and resolve, NOT Discipline.

And finally to the membership as a whole, we have an expectation, obligation and need to be respectful to one another. We come to work to support our personal lives and families, and the environment we create must be positive. When there is conflict at the work site reaching out is an option.

So here we have the six membership meetings come to fruition and what do we have, a house divided, members sitting on one side of the Union hall tightly clenching their opinion and members sitting on the other side of the hall tightly clenching their opposite opinion. And who really wins here, not us brothers and sisters... Miss management wins.

*"A house divided  
against itself  
cannot stand."*

*—Abraham Lincoln*

*"Keep your sticks sharp and  
don't poke your own"*

~MW



## *The Financial Secretary/Treasurer's Report*

# Working For You

By Patrick Brady

### Membership Census:

In the month of January we received 40 new members and had 28 members deducted due to voluntary withdrawal, suspension, retirement and/or death. Our total membership is now 3991.

### Income and Expenses for June:

Our January's income was \$ 294,462 up from the previous year's January income of \$266,655. Once mandatory per capita fees to the International ATU and various Labor Councils were taken out, what remained was \$222,007 to pay our expenses.

January's expenses were \$151,982. The previous year's January expenses were \$225,482. With the close of the month we start the year with a surplus \$70,004. Having monthly expenses this low is very rare. Only eight times in the past 60 months have we had expenses lower than \$175,000.

### Growth in our Reserves:

Between January 31 of 2015 and January 31 of 2016 we had a reduction in our reserves of \$345,644. As recently as 2011 these reserves were in excess of a million dollars. In the month of February I anticipate returning \$200,000 back into our reserves

while retaining what we require in our regular accounts to take care of business and protect our cash flow.

### Creation of the Local Budget for 2016:

#### WArticle VI Section 7 Executive Board Shall Create a Budget in February:

I wish to express my appreciation for Executive Board Members- Kevin Banks, Eric Butler, Tzur Wilfand, along with budget and auditing veteran, Paul Tefft for the work they did to bring forth the 2016 Budget document. Because I have yet to live through a 12 month cycle, some of the territory which this budget goes through is unknown to me. These members have the experience of living through some of the expenses we are anticipating. Specifically, the upcoming expenses relating to our special election and the negotiations with KC Metro.

The other part of developing a budget is understanding the size of our Membership and what possible changes should be considered. How we end up on December 31st, on the income side, has some real question marks. We will continue to be conservative in all our calculations and show responsibility in our spending.

As per our Bylaws this Budget will be presented at our March cycle of membership meetings for "comment and review."

### Please forward to me your thoughts and priorities:

With the year 2016 underway I am spending a fair amount of time thinking about what our priorities will emerge to be this year. In other words, what constitutes the "finish line"? More specifically, in the areas I have responsibility for, how high should I be aiming?

Let's start with the obvious - the financial health and strength of our Local. Together we operate a company which has approximately 4000 "customers". Those customers are you, the Members. Members who all should feel a sense of pride and ownership for both the "why" we exist, and the "how". We all should ask "why" we exist. We start every membership meeting with the words, "Brothers and Sisters, we gather again to promote the objects of this Union". Our mission and charter is to provide for fair wages and working conditions for our members. We have complex Labor Agreements with our transit agencies which include many good benefits which we and our predecessors worked hard to secure. As members of this

Local we have good jobs which provide security for us and our families. If you are unhappy with any aspect of the "contract", then when you are surveyed prior to negotiations, please forward to us your thoughts and priorities. I consider a reasonable finish line to be a successful round of contract negotiations with King County Metro. It has been almost six years since a contract that was mutually negotiated with King County and was both ratified by our membership and signed by the members of the King County Council.

The second place my mind goes is to "how" we operate. I have enjoyed working on your behalf, on behalf of 4000 members, to offer a great level of customer service which reflects our great organization. Our recent budget exercise underscores the amount of overhead and fixed-costs we carry. Through your dues we keep a staff of four full-time OPEIU Local 8 employees who are very skilled in their jobs and carry out their responsibilities with great professionalism.

Your five Full-Time Officers (temporarily down to four) plus our elected Executive Board work because of you. Many members checked my name on the election ballot and I thank them for their confidence. Today I work to earn the confidence of all 4000 members, and your opinions and input means a great

*continued on page 11*

# Welcome to the Oasis!

By Morgan Michaels, South Base #3717  
Harmony Hunter, 1st line D-53

**W**e would like to thank Fred Coats for taking the initiative to get the permissions to open The Oasis. He stocked the initial supplies for coffee. From what I understand he has been asked to help other bases with information to start one in their areas. So, again: Thanks Fred for your vision and concern for us. If you ever want a job, you know where to come.

Now — a BIG Thank you to Heather for donating the refrigerator — this was such a surprise and very much needed — only took a couple of hours to fill up and use.

Our break room at Burien is up and running. Please stop in, take a peak, and enjoy our great little piece of paradise during our hectic schedules. We still have a couple of things we need to do. We are using organic products when available. We have all sorts of drinks, snacks, yogurt, fruits, CHOCOLATE! We are testing sandwiches (so far so good), and pastries. Let us know if we are missing anything of importance. Any donations to the room are greatly appreciated. If you ever want to donate and don't know what: a safe bet is always water and K-PODs of all kinds. This room is

100% funded by US! Since the room is now sufficiently supplied, donations will now be needed to support it. It really is a peaceful, quiet place to relax for just a bit. We would also be appreciative if you would clean up after yourself: Since this IS our room, if it needs doing — DO IT! Be careful with the coffee machines, especially the Keurig, please replace the water if the “add water” light comes on; also throw away the pod you have used. If you have questions or comments, you can either leave a note in the room (Harmony and I just love those darn “sticky” notes!). We are waiting for a White Board (maybe to take a bit of stress off the paper and pens!) to be delivered soon (don't worry Metro — this is our dime).

ENJOY!!!!

And finally: We are getting so much positive feedback from all of you. You can see and feel the relief in all your voices and comments that this was desperately needed and that we are doing the right thing — but, let's be very clear, we could not have even come close to what we have to offer without all your help, comments, and donations. So we, Morgan and Harmony, THANK YOU ALL

for everything you do for the room.

Don't be surprised to see a Pierce driver or PD in the room!!!!

If you don't know us, just ask (most) anyone can/will get you

headed in the right direction to find us.

FYI: DO NOT USE THE WATER FROM THE COMFORT ROOMS. Not for Human Consumption! Only use the provided water in the room.

## Financial Secretary's Report, continued from p. 11

deal to me. Soon, you'll be facing another ballot opportunity which will likely include three issues. Again, we will elect a First Vice-President, we will vote as a membership on taking in the 153 members of Local 1383, and we will elect delegates for the Fall International Convention. I hope all of you will participate.

I participate in active discussions all the time with our members about the “how”: How to be the best transit union in the country. Please, please take the time to attend one of our monthly meetings. Over the course of the Seattle meetings each month we often see fewer than 100 members attending. There are always some serious topics being discussed and decided upon - including some potential bylaw amendments. I would like the “how” of how our

Local operates to be at a high level. I strive to always show professionalism and proper respect for all Members, for all co-workers, for our employer and for the tax-paying public. The purposes of a labor organization are based on high ideals and a belief in the mutual good.

I write this with the hopes of improving the dialogue with you about the best way to be the strongest labor union in the city and the best ATU Local in the country. Your Officers do not take your dues monies for granted. As I stated in my article last month, if we ever have to operate in an environment where members choose to send in their dues voluntarily, I want to all 4000 members to say “Yes.” Yes to membership, yes to participation, yes to strength.