



And so you asked

By **Jon Hunt** • ATU Local 757 President

No more transit strikes in Oregon: Arbitration will settle disputes

For many years, Amalgamated Transit Union locals were covered by the Federal Transit Act, which required public transit employers to arbitrate contract disputes. Though Oregon transit locals lost the right to arbitrate contract disputes in 1982, the fact that arbitration always hung over the parties' heads made settling contracts at the bargaining table a priority. In fact, there were no transit strikes in Oregon until 2004, and that strike occurred because we had no right to arbitrate.

After 25 years, we once again have interest arbitration rights to settle public transit contract disputes in Oregon.

A requirement of the 115-year-old Amalgamated Transit Union is that local unions offer arbitration to settle contract disputes prior to any strike action against employers. Since 1965, worker rights protections afforded under Section 5333b (formerly Section 13c) of the Federal Transit Act required public transit

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VP's Report

By **Sam Schwarz** • ATU Local 757 Vice President

Let's see, where do I begin? At TriMet, the powers that be are using policies that the union did not agree to nor recognize. These are tactics that can only promote a bad working relationship with the union and union members. One of the basic tenets of labor and management is to agree on a policy and stick to it. TriMet has demonstrated time and time again that the policy they agreed to will only work if it has punishment attached to it. We believe the policy is meant to address the improvement of skills and customer service. Other ongoing issues at TriMet are the use and misuse of Wackenhut. When there are more Wackenhut present during the Starlight Parade than fare inspectors and supervisors, I don't see how we are serving the public or how TriMet can say we don't need more inspectors and supervisors.

In fact, when it comes to security and safety of the workforce, TriMet gets very low marks. For the last several years at Willow Creek Station, supervisors and fare inspectors have complained to their managers about the situation and how dangerous it is. Naturally, TriMet ignored it until The Oregonian got wind of the situation, which includes gang activity, drug dealing, and weapons. Our supervisors and

fare inspectors are threatened every time they respond to a call at Willow Creek.

Then there is the constant use of mini run operators because of the shortage of full time operators. If you treat your employees fairly, you will have no problem hiring new ones. And the current employees will pass this on when talking to the public about their jobs.

We continue the expedited arbitration process and have resolved over 15 grievances that were scheduled for arbitration.

In Canby I met with the manager and a driver over a complaint, and it is clear to me that there is no policy that is being followed, and the manager has poor people skills. It seems the operators never get the benefit of the doubt. The basic rule in business is that you treat your employees the way you would treat your customers. Wheels in Canby have dedicated a manager solely to watch video tapes and punish the drivers. We will soon be in negotiations and will bargain over these issues.

In Eugene, the operators face the same issues about customer complaints, and there they are trying to establish a policy with input from the operators.

Congratulations to Ed Townsend on his retirement, and to all of our recent retirees.



Interim Report

By **Kevin Kinoshita** • Interim Financial Secretary-Treasurer

Since I have taken office as the interim financial secretary-treasurer, there have been numerous changes in the way we are conducting business. All checks are signed by both the president and vice president. All invoices from vendors are double-checked and verified to ensure this Local is not getting double billed. All invoices are paid on time so we are not responsible for late surcharges or additional bank fees. I am in constant contact with US Bank, our third party administrator.

I have contacted various vendors who owe us reimbursement. Some of the reimbursements included sending rail and diesel mechanics who were assisting with

the ASE and rail signals seminars.

This Local is continuing with the expedited mediation process. We have had over 25 mediations so far, with numerous settlements. I have been assisting Sam Schwarz during this process and we have more mediation meetings coming up.

As the financial secretary-treasurer, I've participated in pension trust hearings and joint labor meetings; testified and defended members in mediation hearings; been responsible for reports sent to the International and local labor councils, State of Oregon and State of Wash-

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Union officer election coming up

Nominations for the position of **union financial secretary-treasurer/recording secretary and any other positions** that may become open will be accepted at the Charter Union meeting in Portland on Monday, July 16, 2007. The meeting begins at 7:30 p.m. Members nominated for Union office must be present to accept their nomination, or submit a letter to the Union office by 4:30 p.m. July 16, prior to the nomination meeting, indicating acceptance of the nomination. The meeting will be in the Machinists' hall, 3645 SE 32nd Avenue, Portland. The upcoming election for this position shall be for a term commencing on August 21, 2007, and ending June 30, 2009. To be eligible to run for Union office, members must be in good standing with the Union and have paid dues for two years.

Amalgamated Transit Union - Division 757

Representing working men and women in Oregon and Washington at:
TriMet • Lane Transit District • Rogue Valley Transportation District • Portland Public Schools • Lamar Advertising Company (formerly Obie Media) • Valley Transit Association • Laidlaw Transit Services, Inc. (TriMet Lift, Portland) • American Medical Response Northwest (Josephine County) • Laidlaw Transit, Inc. (Portland Public Schools, Corvallis School District, Corvallis City Transit) • MV Transportation, Inc. • C-TRAN/C-VAN • Salem Area Transit • WHEELS • Northeast Coalition of Neighborhoods, Inc. • Tillamook County Transportation District • ATU Retired Member Chapter



What IS this?

The four outside pages are news from and about your Union. The other pages are produced by the Northwest Labor Press, and are about the labor movement as a whole.

ATU Local 757 Officer Reports

TriMet Center Transportation

As reported by JACK NEWBERRY

Well, this month I'd like to talk about a meeting I attended a while back. It was an Employee Support meeting, conducted by Mr. Tim Garling, senior director of operations. Mr. Garling would like to see TriMet be #1 in the nation. He realizes that it's going to take a lot of work, but if we can all get on the same page and somehow start working together, it can be done. (Yes, he understands that it's management, employees and the union.) He wants to give more responsibilities to the garage managers so they can make final decisions on the issues that are brought before them. He also said that the current CSI program is a bad one and that it's being changed. He wants management personnel to step up and give the operators the support that they need to perform their duties professionally. Mr. Garling is committed to becoming more proactive and working with the union to resolve the many issues we have.

I'd like to report that the E-Board officers from Center, Merlo and Powell have met with Mr. Garling on some issues and he was very helpful. I'm very optimistic that we can expect and should notice a different attitude in our middle management, one of more employee support. Well, let's see how long it takes to trickle from top management down to middle management!



TriMet Merlo Maintenance

As reported by JEFF HUNT

There were no new pre-filings this month. We heard one Step 2 grievance, about contractors performing Facilities Maintenance work. This time it was the cyclone blower. One of the many problems with this is that when contractors are working without Facilities Maintenance mechanics or apprentices, training opportunities are lost.

The remedy for this grievance is to create a trainer position for Facilities Maintenance. Not all the details have been worked out yet, but it is looking like we will have a trainer soon. This will be a union job and will be hired from within the plant maintenance seniority.

A member came to me the other day and asked me if I thought I should go with him to a meeting with two managers. The member was given no details about the meeting except that he must attend. You should not go in to a meeting with management alone, especially if you don't know what it is about.

In this case management was trying to make the member the fall guy for their mistake and the member would have certainly been disciplined. The meeting was a lot different having an officer there because management knows that we know your rights and are prepared to protect them. If you find yourself called into a meeting with no union representation, invoke your Weingarten rights. If you are unsure, come see me or any officer.



Portland Public Schools

As reported by RANDY SHAW

I want to congratulate all of our participants who went to the State Rodeo in Redmond Oregon. Karen Currah, Julie Higgins, Chris Helmer, and Eric Stewart competed. Robin Strand, Kim Strange, Smokey Stover, and myself, along with Sandy from Safety, were judges, Mel and Phil came around with water (both drinking and spraying) to keep us cool, and Mama Leora and her husband joined us, as well as Karen's parents, to cheer on our drivers. There was plenty of hard work but everyone had a lot of fun and it was well worth it. Julie Higgins took second place in minibus, and Eric Stewart took third place in novice conventional. We were all proud to have represented Portland Public Schools (maybe now the School Board will be too.)

I am sure everyone had a great time at the end-of-the-school-year party. We all want to thank Robin, Mama Leora and everyone who helped.

I hoped we would have had a contract by the time you read this, but that hasn't happened. Late on the afternoon of June 11, while we were in our E-Board meeting, we received a faxed offer from the District. It was too late to respond Monday night, as it was meeting week, and half of our negotiating team was out of town on June 12, so we reconvened on the 13th to look over the proposal. It started off okay. It was from Tom Gunn and he stated that he would do everything he could to get this settled. He said to call him, and provided us with his office and cell number, but he needed an answer by June 16. We spent eight hours going over the proposal. We faxed over some minor changes. Then on June 14 we received this ultimatum: accept the offer the way it is and do so by 5 p.m. June 15 or the offer is off the table and we go back to negotiations.

Our drivers are mad. They don't like to be threatened. They don't like being treated this way. So we are in the process of setting up more dates.

The drivers don't have a Strike Relief Fund to help, so I have appointed Leora Mahoney as chairperson to set up a committee. You can make contributions to any

US Bank for PPS Drivers Relief Fund. I have made a \$20 contribution and Kevin Kinoshita, our interim secretary-treasurer, made a generous personal donation to get us started.

Hang in there. I know it's going to be hard, but we're family. We'll get the contract we're asking for if we stick together, and refuse a contract forced down our throat, as the District wants to do. These are times when we need to help keep each others' spirits up. If you or someone you know needs help, please let us know and we will put you in touch with someone.



TriMet Lift

As reported by LES GREEN

Well, summer is here once again and the living is easy ... unless you work for the TriMet system. After nine years, I still have not mastered it, and doubt if I ever will.

With that said, I would like to welcome our new drivers. We can use your talents and skills in a job that will make you think you are working for Disney in Fantasyland.

Last, but not least, contract negotiations are once again upon us as our current contract expires Nov. 30, 2007. We need all your thoughts and ideas (written) so we can begin getting ready for a long tough fight in order to improve the current contract. We must all get involved in the effort. Well, enough for now.

TriMet Merlo Transportation

As reported by BRUCE HANSEN

Here at Merlo, things are getting busy. Time loss continues to be one of the most hard-hit areas. If you have time loss issues, please pull your attendance for the past 12 months. To do this, see your station secretary: Wendy, Phyllis, or Debbie.

They are continuing to put people into categories of time loss, CSIs, and FMLAs. If you are one of these people, please contact your assistant manager and have them pull your CSIs and CSI notes and see how they have been categorized.

They are starting to crack down on time slips. Don't let this discourage you from filling out time slips. Make sure you fill out a yellow card.

The 52s, 76s, and the 78s appear to be working now. But, it is still early and I have not heard from any PM drivers on this issue. If you have any concerns please contact me or drop a note in my mail.

For those wondering where I have been, I continue to assist Jack Newberry at Center

Street.

Accident Reviews and Appeals have started using the new program of two operators, two trainers and a chairperson to split the vote if needed.

We are working with management concerning the layovers at 94th and Foster for the 14 and 71 routes. We are trying to move the outhouses away from the benches and to provide better lighting. Any concerns or questions regarding this issue should be directed to either Jack Newberry or myself.

Remember: always think safety first, and take your breaks.



C-TRAN/C-VAN

As reported by ROY JENNINGS

I would like to let everyone know what a great job our paratransit dispatcher shop steward, Jill Carrillo, is doing. She works hard for her members every day, and she makes sure that I remember my responsibility to them. Thank you, Jill, for what you do!

We all need to thank the following members for the great job they are doing on your behalf: Scott Miller, Jim Collell, Agime Trottier, Marge Makinster, Michele Gill, John Schaeffer, Jill Carrillo, Lorna Derheim, Sandy Newsome, Sheila Carder, John Sannes and Joe Hendrix. Each of these members are working hard on your behalf. Thank them.

On June 12 our union members picketed the C-TRAN Board of Directors meeting at the Battle Ground City Hall. In attendance were over 50 C-TRAN Members and C-TRAN retirees, as well as our brothers and sisters from the Central Labor Council. We all need to thank Joe Hendrix for the job he did in setting up this event. He did an outstanding job! It's my hope that in the future we will not have to take this kind of action again. But when or if we do, you can rest assured that you have sent C-TRAN a message, which they received. Outstanding job everyone! Thank you! I hope everyone had a wonderful 4th of July!



WHEELS

As reported by JOHN HARVEY

What is a hostile and harassing workplace? Hostile work environment harassment occurs when unwelcome comments or conduct based on sex, race or other legally protected characteristics unreasonably interferes with an employee's work per-

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ATU Local 757 Officer Reports

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formance or creates an intimidating, hostile or offensive work environment. The victim is anyone affected by the conduct, not just the individual at whom the offensive conduct is directed.

Harassment that results in a tangible employment action occurs when a management official's conduct results in some significant change in an employee's employment status, including a work assignment.

Belittlement of one worker by another worker is also harassment. The responsibility is with the employer to stop this kind of behavior. If you have witnessed any behavior of this kind, please bring it to my attention so we can deal with it before it gets out of control.

Laidlaw Portland Public Schools

As reported by ANNA TOMPTE, Liaison Officer

Hey, everybody! It's that time of year again. School's over. I hope everyone has a great summer and I look forward to seeing you all back in September.

I still have not heard anything new about the buyout. All we can do is continue to wait and see what happens. I really don't think we have anything to worry about. If anyone at LES has any concerns or complaints on any topic please feel free to email me at saphiredolphine@yahoo.com.

Have a great summer and I hope to see everyone at the union picnic.

Hunt

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agencies and their successors, to settle contract disputes through arbitration.

We lost Section 13c arbitration rights in Oregon in 1982 when a state court judge ruled in a Lane Transit District lawsuit that factfinding was the same as arbitration. Since factfinding was a required step in the collective bargaining process for Oregon public employees at that time, the judge ruled that arbitration under Section 13c was not necessary. Had Labor Law 101 been taught in high school during the judge's era, that ruling would have probably been different.

In any event, the 2007 Oregon Legislature and Governor Kulongoski found it appropriate to require mass transit districts, transportation districts and municipal transit systems to settle contract disputes through interest arbitration. Oregon House Bill 2537 adds transit workers to the interest arbitration statute that currently covers police and firefighters.

There had never been a strike against a public transit system in Oregon until 2004, when Lane Transit District forced employees out for six days. The strike was unnecessary, and as Roger Martin, Executive Director of the Oregon Transit Association said before the 2007 Senate Business, Transportation and Workforce Development Committee, the general manager responsible for that strike is no longer there.

In fact, the Oregon Transit Association opposed HB 2537, even though its three largest transit systems (Portland, Eugene and Salem) took a neutral position on the legislation. Roger Martin gave passionate testimony before the Senate Committee in opposition to the bill. Speaking in op-

position to the bill, Roger Martin testified:

"We oppose the bill by vote of the executive board of the Oregon Transit Association. You're talking about a union that is one of the top industrial unions in the state for salary, for retirement benefits, for health benefits. The teachers union should do as well as the Amalgamated Transit Union does."

Responding to a question about why transit agencies were not present to testify against the bill, Martin said: "All of these people have upcoming labor negotiations, and they are fearful. This is a tough union. You all need to realize the ATU is damn tough. The former general manager of Lane Transit went toe-to-toe with the Amalgamated Transit Union and they sponsored a local initiative to cut her salary in half, and it passed! So these folks don't want to get in a fight with the ATU. I don't have to directly. I get along with Jim (referring to ATU lobbyist Jim Markee) very well and we worked together on a lot of things, but let face it, this is a tough union and they have done very, very well! You're just giving them a little more tool to do even better, and if you're going to do that, at least somewhere along the lines the transit systems need some money to go with it."

The real winner from this legislation is the public. Those who ride the system and share the roads with buses benefit. A transit strike is disruptive in many ways. With interest arbitration required once again to settle transit contract disputes, transit systems and the union need to work harder to settle the contract at the table themselves, or let a third party decide for them.

No officer report given



TriMet Powell
ROSE JORDAN-FAIRLEY



TriMet Center Maintenance
CHAD MATHER



TriMet Light Rail Transportation
MICHAEL T. OLIVER



TriMet Light Rail Maintenance
MICHAEL CONNER



TriMet Salaried Employees
JIM FOWLER



Lane Transit District
WALT BOYNTON



Rogue Valley Transportation District
TOM HENNEY

Salem Area Transit
KEN RICHINS

MV Transportation
DENNIS TONG

Laidlaw Corvallis
CHRIS GROOMS/BOB MCGUIRE

ATU Local 757 Officers

President-Business Representative.....JONATHAN HUNT
 Vice President-Assistant Business RepresentativeSAM SCHWARZ
 Financial Secretary-Treasurer/Recording Secretary.....VACANT

Executive Board Officers

TriMet Center Maintenance.....CHAD MATHER
 TriMet Center Transportation.....JACK NEWBERRY
 TriMet Powell MaintenanceOPEN POSITION
 TriMet Powell TransportationROSE JORDAN
 TriMet Merlo Maintenance.....JEFF HUNT
 TriMet Merlo TransportationBRUCE HANSEN
 TriMet LRT MaintenanceMIKE CONNER
 TriMet LRT Transportation.....MICHAEL T. OLIVER
 TriMet Monthly Rated Employees.....JIM FOWLER
 Lane Transit District (LTD).....WALT BOYNTON
 Portland Public SchoolsRANDY SHAW
 Laidlaw Education ServicesKENDALL GREENAWALT, JR.
 C-TRAN.....ROY JENNINGS
 Salem Area Mass Transit District.....KEN RICHINS

Liaison Officers

TriMet Merlo Extra BoardSTEVE ECKLES
 TriMet Center Extra BoardTERRY McMURRY
 TriMet Powell Extra Board.....KHRIS ALEXANDER
 TriMet Ruby JunctionDOUG "SPUD" HENDERSON
 TriMet Ruby Junction MaintenanceJOE RUFFIN III
 TriMet ElmonicaJASON CHOI
 TriMet Elmonica Maintenance.....VACANT
 SAT Maintenance.....DON ELZNIC
 LTD Chairman.....DEB BITTERLICH
 LTD SecretaryTOM SHACKELFORD
 LTD Maintenance.....LEE LASSE
 LTD Extra BoardCARL FADDIS
 Rogue Valley Transportation DistrictTHOMAS HENNEY
 Valley Transit.....NICK NOTARAS
 AMR Southern Oregon-Josephine CountySEAN GARTLAN
 Laidlaw Educ.Services (Portland School Bus)ANNA TOMPTE
 Laidlaw Transit Services, Inc. (TriMet Lift)LES GREEN
 Laidlaw (Corvallis City Transit)BOB MCGUIRE
 Laidlaw Education Services (Corvallis Schools).....CHRIS GROOMS
 MV Transportation, Inc.....DENNIS TONG
 C-TRAN.....SCOTT MILLER
 C-VAN.....JIM COLLELL
 WHEELSJOHN HARVEY
 Tillamook Cnty. Trans. DistPATRICIA OSTRANDER-NICE

July Meetings

Charter

Charter members meet 7:30 p.m. Monday, July 16, in the Machinists Building, 3645 SE 32nd Ave., Portland. Charter day members meet 10 a.m. Tuesday, July 17, at Schoppert Hall, 1801 NE Couch, Portland.

Retirees

There will be no regular meeting July 4th. Instead, retirees' meet 10:30 a.m. July 11th at Oaks Park.

Salem Transit/WHEELS

Salem members meet 7:30 p.m. Tuesday, July 17, at the Comfort Inn and Suites (formerly Salem Inn) 1775 Freeway Court NE, Salem.

Lane Transit

Eugene members meet 7:30 p.m. Wednesday, July 18, and Eugene day members meet 10 a.m. Thursday, July 19, at the Woodworkers Local Lodge, 1124 South A St., Springfield.

Corvallis Laidlaw City Transit/Schools

Corvallis members meet 7:45 p.m. Thursday, July 19, at Woodstock Pizza, 1045 NW Kings Blvd., Corvallis.

Rogue Valley Transportation
 Medford members meet 7:30 p.m. Thursday, July 19, at the Hampton Inn, 1122 Morrow Rd., Medford.

Portland and Laidlaw School Bus Drivers

Portland school bus members meet 6 p.m. Thursday, July 19, at Rigler School, 5401 NE Prescott, Portland.

C-TRAN/C-VAN

Vancouver members meet 7 p.m. Sunday, July 22, at the Laborers Hall, 2232 NE Andresen, Vancouver, WA.

Tillamook County Transportation District

Tillamook members meet 1:00 p.m. Sunday, July 22, at the Odd Fellows Hall, next door to the Bay City Fire Hall in Bay City.

AMR Northwest Josephine County, LAMAR Advertising and Valley Transit

See your liaison officers.

PLEASE NOTE: ATU members are invited to attend any of the above-listed meetings.

Kinoshita

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ington; and handled all aspects of the financials.

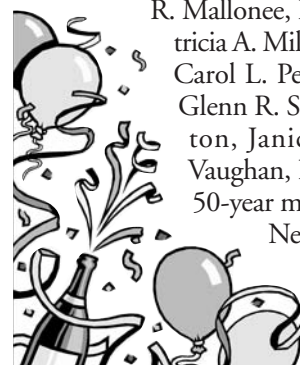
I would like to thank everyone who purchased raffle tickets and participated in the Unions for Kids poker run. Even though you might not have won the grand prize of a brand new Harley-Davidson, or any prizes at all, you are all winners in my book simply for participating. The proceeds go to Dornbecher Hospital, and the kids really appreciate your generosity. This run would not

be successful without volunteers and donations. If you would like to help out next year, give me a call and I will put your name on a volunteer list.

Lastly, our hearts and prayers go out to all of our ATU families who recently lost loved ones. For families who have lost loved ones, please call the Union office and speak to Taylor about the ATU funeral benefits.

Retirees' Corner

The following retirees will celebrate birthdays in July: Gene L. Andersen, George G. Baertlein, Joseph R. Barnes, William R. Boyce, John W. Brown, Handy Brown, Donald J. Callaghan, James R. Camenzind, Arlene C. Chambers, In S. Chang, Jane F. Clark, Max D. Collings, Vern A. Collins, Paul A. De Shaw, Enrique B. Del Rosario, Donald K. Dickson, Robert M. Gardner, James W. Garman, Craig B. Heverly, Robert J. Hughes, James E. Jackson, Robert E. Johnson, Johnny B. Jones, **Reino E. Karjalainen**, Charles W. Lee III, David N. Lieberman, Patricia B. Madaia, Larry R. Mallonee, Richard D. Mauratt, Carl Mc Cray, Craig Michelson, Patricia A. Millard, Judith A. Moore, Greta M. O'Brien, Millard B. Peake, Carol L. Petersen, John E. Quinn, Gary T. Rictor, James E. Rock, Glenn R. Siefker, Durrelle Singleton, Michael L. Stahr, Phillip T. Staton, Janice M. Thompson, Robert E. Van Dyne, Richard L. Vaughan, Patricia R. Wilkie, Johnny B. Williams. The names of the 50-year members are shown in bold type.



Next month's regularly scheduled ATU 757 Retired Member Chapter meeting is Wednesday, August 1, 2007, at 9:30 a.m. at Westmoreland's Union Manor, 6404 SE 23rd Ave. Coffee and doughnuts will be served at 9 a.m.