

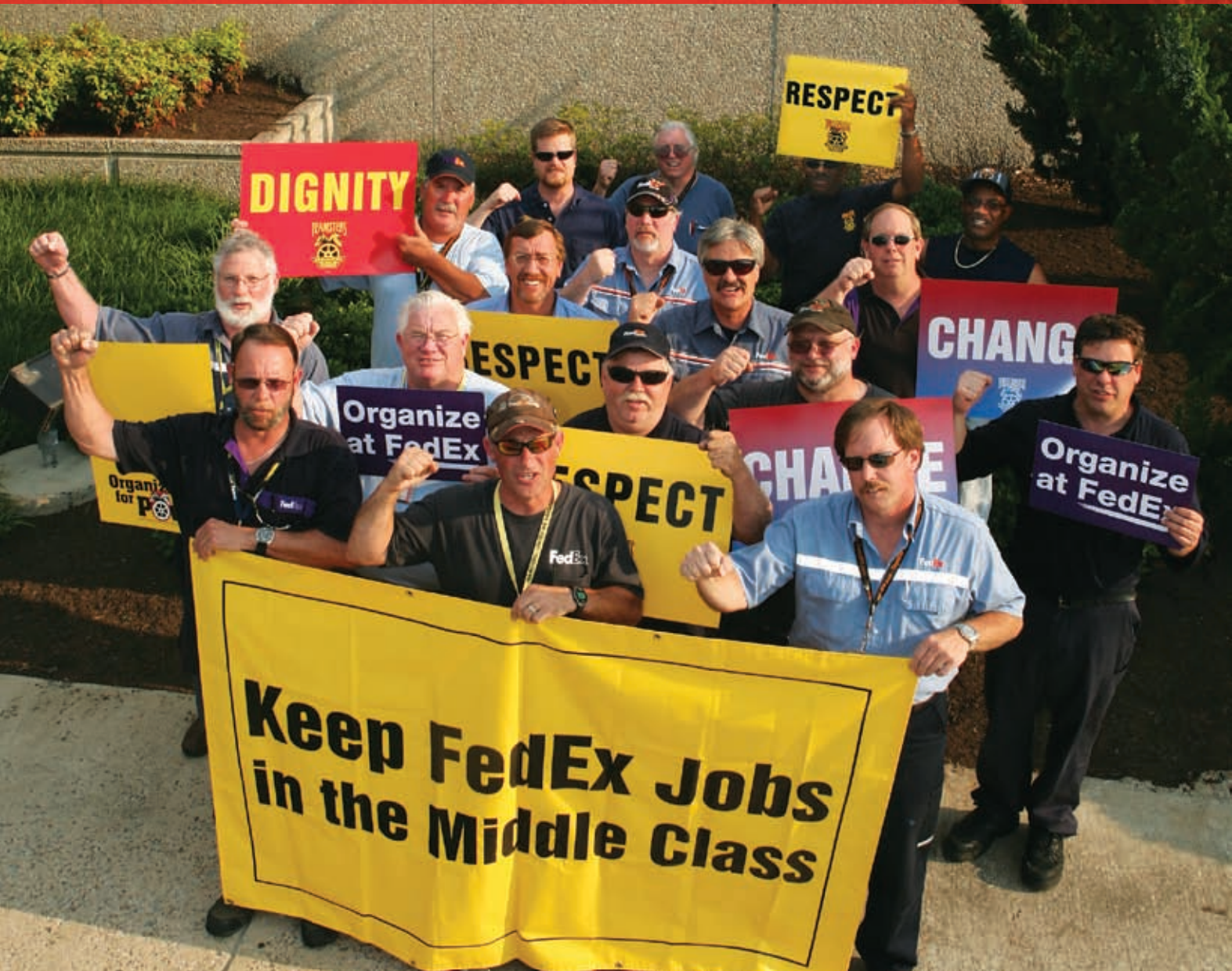
FedEx

INTERNATIONAL BROTHERHOOD OF TEAMSTERS

JULY/AUGUST 2009

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Organizing FedEx

Teamsters Gear Up To Deliver Victory To FedEx Workers

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Delivering Fairness

A MESSAGE FROM GENERAL PRESIDENT JAMES P. HOFFA

Corporate lobbyists have a time-honored trick of slipping a few words into major legislation just before Congress adjourns. Twelve years ago, a few last-minute words strengthened FedEx's hand against unions.

In October 1996, senators were rushing to adjourn so they could campaign for office back home. But first they had to finish a bill that funded airports – something they all wanted to pass. Just before the Senate recessed, FedEx lobbyists managed to add the words “express carrier” back into the bill. That meant that FedEx Express's labor relations for all employees would be governed by the Railway Labor Act, which is meant to cover railroads and airlines. Non-airline employees working for competitors of FedEx Express were governed by the other set of rules under which workers can form unions – the National Labor Relations Act.

Anti-Union Ideology

Under the Railway Labor Act, workers can only form national bargaining units. Under the National Labor Relations Act, workers can form bargaining units at individual company locations. It is much, much harder for workers at a company like FedEx Express to organize under the Railway Labor Act. Sen. Edward M. Kennedy recognized the injustice and took to the Senate floor. “Federal Express is notorious for its anti-union ideology, but there is no justification for Congress becoming an accomplice in its union-busting tactic,”

he said. The bill passed anyway.

It is well past time to right that wrong. Fortunately, Congress now seems inclined to restore fairness to the freight and package delivery industry. The House recently voted overwhelmingly to apply one set of rules to all express delivery companies. The Teamsters Union urges the Senate do the same so FedEx Express will have to treat non-airline workers the same way all of its competitors do – under the National Labor Relations Act.

Do the Right Thing

FedEx Express's exemption from the law that governs its competitors is absurd. Today, a whole slew of FedEx workers who never so much as touch an airplane are forced to organize under a law designed for airline and railroad workers. It is also unfair. FedEx Express package car drivers, tractor trailer drivers, loaders, unloaders, sorters and truck mechanics have an uphill battle to join a union. The workers who perform the exact same tasks at FedEx's competitors do not face the same legal obstacles.

FedEx's chief spokesman has even threatened to “destroy” anyone who gets in the company's way on this legislation. The company is gearing up to launch a multi-million dollar ad campaign to get its way. The Senate should resist the blandishments of FedEx lobbyists and do the right thing for all workers in the freight and package delivery industry.



First Observers

Teamsters Trained to Protect Our Nation Against Terrorism

Teamsters are now serving in a program authorized by Congress to help strengthen our nation's critical infrastructure against potential risks from terrorist attacks.

The First Observer program is intended to protect our nation's transportation systems where Teamsters work every day. The U.S. Department of Homeland Security's Transportation Security Administration awarded a First Observer grant to a consortium of contractors including the Teamsters Union.

Under the program, Teamsters are trained to spot unusual behavior and how to report suspicious activity through proper channels. Membership feedback on the training will be used to ensure training meets the needs of all Teamsters and other transportation professionals. Members who complete the training will be registered as a Teamster First Observer in the national database for future security notices and feedback.

As of late May, members of Local 771 in Lancaster, Pennsylvania and Local 667 in Memphis were trained as part of an initial field testing. The union's General Executive Board was briefed on the new program during the 2009 Unity Conference. At Unity, members, as well as three International Vice Presidents, received the updated one-hour training.

At the request of International Vice President Jim Santangelo, 500 members of Local 848 will be trained in June and

200 more members will receive the training at the Joint Council 42 meeting in July.

Big Goals

"We hope to train as many eligible Teamsters as we can, and those would be members who drive trucks, work as toll collectors or spend time along the nation's highways and roads," said Mark Johnson, the Teamsters National Training Director. "Our members cover millions of miles each week and they play a valuable role in keeping our country safer."

"As Teamsters, we are the leaders in the community," said Gary Murley, a 19-year member of Local 667 who is a road driver at YRC Worldwide Inc.'s Yellow-Roadway. Murley recently took the course. "Every time we have an opportunity to step up and help the community, we need to do that. We're the first to see things out of the ordinary."

First Observer training was developed by the Teamsters in partnership with Total Security Services International Inc., which has special expertise in vulnerability and threat assessment, security planning, anti-terrorism planning and training to safeguard America's public and private institutions.

"I commend our Teamster First Observer team," said Tom Keegel, Teamsters General Secretary-Treasurer. "We are committed to protecting our country first and then our national infrastructure, which is so critical in protecting our members' jobs."



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Against All Odds

Airline Division Saves Nearly 100 Jobs Despite Inherited Weak Contract

When United Airlines issued request for proposals (RFPs) for ground support and building maintenance work earlier this year, members of the Teamsters Airline Division took a deep breath.

RFPs generally mean one thing: outsourcing. And because the RFPs were issued for nine airport locations including LaGuardia, JFK, Boston, Newark, Philadelphia, Portland, Seattle, San Diego and Honolulu, Teamster airline officials had reason for concern.

“When you say RFP, you’re usually saying RIP: rest in peace,” said Phillip Stewart, a ground support/building maintenance shop steward and member of South El Monte, California’s Local 986.

To make matters worse, the Teamsters inherited a weak contract from AMFA, the previous union that represented United Airlines mechanics and related employees. The contract contained no language protecting ground support and building maintenance work from being outsourced.

“We assumed a contract that had a lot of holes in it,” said Clacy Griswold, a Teamsters Airline Division representative. “With no contract language to protect these jobs, we knew we were in a tight spot.”

Proactive Stance

Rather than sit back and watch jobs—more than 100 in all—be outsourced, members from the Airline Division, led

by Griswold, took a proactive stance to the situation by forming a Ground Support/Building Maintenance Committee. That committee met with management at United Airlines to discuss what options the union had to save jobs from outsourcing.

The committee, comprised of rank-and-file members, shop stewards, business agents and other airline representatives, met with United Airlines officials in February and April to hash out a plan.

“During those meetings, the company and the union took a look at innovative ways of keeping stations open. We crunched a lot of numbers,” Griswold said. “Due to the fact that we had no contract language protecting these posi-

tions, we had to think outside of the box. We looked at creative ways to be more efficient.”

Among other things, the union discussed using cross-utilization, or combining skill sets, to make work more cost-effective. Though the idea is still relatively new to the airline industry, it is currently being used at stations in California and has shown positive results.

Hard Work Pays Off

The hard work and brain power of the Ground Support/Building Maintenance Committee paid off. In April, United Airlines announced that it would keep open seven of the nine stations it originally planned to close, resulting in nearly 90 jobs saved.

Although some jobs will be lost, many throughout the Airline Division are calling United’s decision a victory.

“In the face of the economic climate and absence of contractual language, I think the Teamsters prevailed; we forged ahead for the greater good,” Stewart said. “I want to be very sober about the fact that we did lose two locations, but in the end, I think the Teamsters made the right choice. If we had not taken any action, those nine cities would have shut down and all jobs would have been lost.”

For the rest of the story, visit TeamsterMagazine.com/against-all-odds.





U.S. Foodservice Victory

Employees Win Representation After Year-Long Fight

About 250 U.S. Foodservice workers in Arizona have some celebrating to do.

That's because after a year-long battle, 250 workers at a facility in Phoenix have won Teamster representation thanks to a settlement handed down by the National Labor Relations Board.

The settlement, announced on May 18, 2009, includes recognition for all workers in the bargaining unit, as well as reinstatement and back pay for employees who were terminated during the organizing campaign.

The campaign to form a union was a grassroots effort that started when workers at the facility faced favoritism and job insecurity.

During the campaign, the company launched a massive anti-union effort, implement-

ing tactics that included threats and intimidation from management, captive audience meetings and, in some cases, termination of employees who took a pro-union stance.

Behavior by U.S. Foodservice was so egregious that the NLRB issued almost 200 labor complaints against the company throughout the course of the campaign, including a Gissel bargaining order—a court mandate forcing a company to bargain with a union. That order led to the May 18 settlement.

"This is a huge victory for the employees at U.S. Foodservice who fought so long and hard to form a union," said Ryan Proctor, a U.S. Foodservice employee and proud new Teamster. "Now we will have the opportunity to negotiate a contract for better working conditions, but most impor-



tantly, we have finally gained the dignity and respect we deserve."

Negotiations

Negotiations for a first contract with U.S. Foodservice are expected to commence shortly.

"We look forward to going to the bargaining table to establish a just and long-term relationship with the U.S. Foodservice Arizona Division. I am confident that we will reach an agreement that will be good for both the employees and the company," said John Williams, Warehouse Division Director.

Although Proctor now has the union representation he and many of his coworkers fought so desperately to achieve, he and others plan on keeping a promise that they aren't going to stop with U.S. Foodservice in Arizona. The warehouse workers have vowed to help other U.S. Foodservice employees organize.

"The goal is to implement a national agreement," Proctor said. "We won't stop with just one contract. No worker deserves to be treated the way we were treated."

Candidates On Call

Local 237 Holds Political Forum for Members

For public employees, there is nothing more critical than participation in the political process. That's why Local 237, which represents approximately 30,000 public employees and retirees in New York City, put on their first political forum recently. On April 18 at the Hilton New York Hotel, more than 500 Teamsters took part in Local 237's forum. With news crews in tow, the event provided an intimate preview of candidates running for New York City mayor, comptroller and public advocate.

"We came here because we care about this city," said Gregory Floyd, President of New York City's Local 237, in his welcoming remarks. "As the largest Teamster local in the nation, it is our obligation to lead."

Floyd told the audience that the local's voting muscle is flexed for city elections in November, when the union will again work tirelessly to elect worker-friendly candidates.

Local 237 will continue to host political forums in the Big Apple as November elections approach.

For the full story, visit www.local237.org

Tree Of Life Teamsters

Specialty Food Distribution Workers Join Local 952

Workers at Tree of Life, a specialty foods distribution center in Los Angeles, recently voted to join the Teamsters Union. The 69 workers are now members of Local 952 in Orange, California.

"I think the biggest thing this victory shows is the perseverance of this work group," said Patrick Kelly, Local 952 Secretary-Treasurer. "This group has never been union before and they worked hard over the last five years to gain representation."

Tree of Life employees say the primary reason they sought union representation was for greater respect on the job site. They are also seeking job security and fair compensation.

"The issue of job security definitely put our work group over the top," said Frank Borba, a Tree of Life employee. "Nobody can afford to lose their job, especially in this economy. We sought Teamster representation because of the reputation the Teamsters have to gain respect and to negotiate strong contracts with job-protection language."



Teamsters End Stalemate In Buffalo

Teamsters Come to the Aid of Rural/Metro EMTs and Paramedics

Numerous rallies, political pressure and community support all were instrumental in helping Local 375 in Buffalo, New York reach an agreement with Rural/Metro Medical Services after a nearly year-long stalemate.

The agreement marked the end of an effort to secure an agreement with Rural/Metro. Since June 30, 2008, 400 Rural/Metro paramedics and emergency medical technicians (EMTs) had been working without a contract since their five-year agreement had expired. A one-year, retroactive agreement was negotiated to cover this time period and expires on June 30, 2009. The second agreement is for four years and takes effect July 1, 2009.

Mike Wach, President of

Local 375, thanked the workers for their hard work in building Teamster power that enabled the bargaining committee to leverage an improved wage package.

"These dedicated paramedics and EMTs are heroes—they provide daily lifesaving services to their community," Wach said. "They deserve to be rewarded with a great contract that guarantees fair and good wages, and other great benefits."

"We value the communities we serve, we work hard for Rural/Metro," said Don Roth, a Rural/Metro worker. "We deserve a fair contract and we got one."

Community Support

The Teamsters and Rural/Metro, with the help of a federal mediator, reached the tentative agreement on April 27, 2009. That was the first time the two sides had met since November 2008.

The campaign to secure a fair contract kicked into gear in December, when Buffalo Teamsters attended Rural/Metro's annual shareholders meeting in Scottsdale, Arizona to directly address the company's board of directors and executives.

Members of Local 375 made

sure that the top executives running the company were made aware of their frustration with Buffalo management's reluctance to reach a new agreement with improved wages.

Rallies were held every Friday at various hospitals in and around Buffalo and local leaders met with Buffalo Mayor Byron Brown to voice their concerns, said Tony Vaccaro, Recording Secretary for Local 375. The workers also had a lot of community support, which helped tremendously, Vaccaro added.





Proud Eagle Members Ratify Contract

Brewery Drivers Win Wage Increases

Members of Local 175 in Charleston, West Virginia recently ratified a new, five-year agreement with Proud Eagle Inc., a

distributor for Budweiser and Yuengling breweries in the state. The beer distributor's employees had been represented by the Teamsters Union

for decades, but recently the company had been bought by a nonunion entity.

"We planned on holding strong with our members' benefits and wages, and our negotiating committee was tough, resulting in a new contract with wage increases and a lock on health care benefits," said Ken Hall, International Vice President and President of Local 175.

"At first the company asked for cuts in our vacations, but we fought back. I'm very pleased with the economic improvements in the new contract," said John Larch, a member of the negotiating team and a 30-year driver/salesman

for the distributor. "Plus, none of us in the unit have to spend money on insurance co-pays. We weren't sure what to think since the new company that bought the distributorship has two other facilities, both of which are nonunion."

The multi-year contract includes wage increases for the entire term—a huge selling point with all members, plus co-pays for insurance will be company-paid and pension payments will be maxed out by the employer.

Integral Part of Success

"I am real glad that we have five years that everybody knows we have security," said



Art Imitates Life

Teamster Leader Plays Himself in Film "Milk"

Allan Baird has lived in the Castro District of San Francisco his entire life. The 77-year-old retired President of Local 921, which merged into Local 853 in 2002, still lives with his wife in one of the best known gay and lesbian communities in the world. It was here that the true story behind the critically

acclaimed film "Milk" unfolded. It was a story in which Baird played an integral role, a role that he would portray on the silver screen nearly 32 years after Harvey Milk made history.

In the summer

of 1974, the Teamsters Union was locked in a battle with Coors, which was refusing to bargain with their Teamster distribution workers. Baird knew that Milk, a camera shop owner on Castro Street who was running for city supervisor, had become a political force. Baird enlisted the help of Milk and asked what it would take for Milk to get the gay community to support a Coors boycott.

"He told me that we had his support and he only had one request; he wanted the Teamsters to hire openly gay drivers in San Francisco," Baird said. "I immediately agreed." With Milk's support, the boycott took hold and continued for three years, spreading across California. And the union kept its word, hiring gay drivers within a week after Baird and Milk made the pact.

Baird and the Teamsters Union supported Milk in his run for city supervisor in 1977 when he became the first openly gay man to be elected to public office in California. So when representatives from the film "Milk" contacted Baird and asked him to share his story with the cast, he was happy to agree.

"I was invited to dinner with Sean Penn, James Franco and all the actors working on the film," Baird said. "Director Gus Van Sant decided after meeting me that he wanted me to play myself in the film. I was thrilled and accepted."

For the complete story, visit TeamsterMagazine.com/art-imitates-life.



Joe Dingess, a five-year member of the local. "I sat in on other negotiations and this went much better than we thought it might."

There are 47 members in the bargaining unit. Most are drivers/salesman while others are merchandisers/helpers on the routes. Some drivers have assigned routes they have worked for years and part of the contract guarantees that those routes will stay with them.

"On top of wage increases and good benefits, the company is now maxing out their contributions to our pensions," said Chad Stewart, a steward and 16-year employee of the beer distributor. "In past years we have had three-year terms on the contract, but the employer wanted to have a five year term. In order to for us to accept that, though, we had the employer agree to extra pay increases. Now we are getting ready for our busy season—Memorial Day through summer—so it's good that all of our guys are happy with the new contract."

"Our new contract with Proud Eagle is further evidence to our members that we will fight for their right to have good wages and benefits," Hall said. "Even during this time of economic uncertainty, many companies continue to turn a profit and, in the case of Proud Eagle, our members have been an integral part of their success for many years. For the next five years, these Teamsters will continue to receive the wages and benefits they have worked hard to achieve."

Infrastructure Gains For Northeast Rail

High-Speed Rail One Component

Since President Obama took office, the nation's rail system has taken on a much higher priority than in prior administrations. The current administration has allocated \$8 billion in stimulus funds for the Amtrak system. The funds are targeted mainly toward infrastructure repair and modernization—work that clearly falls under the purview of the Brotherhood of Maintenance of Way Employees Division (BMWED) of the Teamsters Rail Conference.

"The stimulus funding that Amtrak is receiving is over and above the normally budgeted amount for structural improvements," said Jedd Dodd, General Chairman of the BMWED's Pennsylvania Federation. We are already seeing an increase in hiring."

Work has already begun on part of the Northeast corridor near Newark, New Jersey where maintenance of way crews have been positioned to work on replacing the ties and track beds. The work is part of the \$50 million allocated for concrete tie replacement in New England.

Concrete Tie Replacement

At the rail yard in Linden, New Jersey, an active concrete tie replacement crew is currently tasked to improve the track bed of passenger rail lines that carry Amtrak and New Jersey Transit passengers along the Northeast corridor.

"We have a gang of about



30 guys each day of which 20 or so operate the track laying machine (TLM) while the others work as watchmen along the track," said L.A. Watkins, a 29-year BMWED member who supervises the work of the concrete tie replacement machine.

Several blocks in length, the TLM scoops up the worn out ties and replaces them with new ties. New concrete ties and other upgrades will prepare the track bed for faster trains.

"Late last year we had been replacing around 700 ties a day, but now we have days when we hit 1,900," Watkins said.

Keeping the tie crew alert and aware of train movement in the yard near them are their Teamsters working as watchmen every few yards along the track. Armed with signs and portable air horns, the watchmen are critical to the safety of the maintenance crews.



"Our watchmen are the life-guards of the railroad. We couldn't work without our crew of watchmen helping us," said Wes Wilkins, a 30-year BMWED member from the Philadelphia area, just as yet another passenger train sounded its horn and bustled through the yard.

A high-speed rail line requires both a complete track bed, but also a superior electrical source in order to power and guide the locomotive. This deficiency, combined with the age of the infrastructure itself (such as passenger rail tunnels dating back to the Civil War) contribute to the many bottlenecks along the corridor.

"The deferred maintenance of the rails that occurred during the Bush administration is hampering the introduction of faster, more efficient engines," said Fred Simpson, International Vice President and BMWED President. "We have to get control of our rail system so that we may improve it."

For the complete story, visit TeamsterMagazine.com/infrastructure-improvements-table-northeast-corridor.

Organizing FedEx

TEAMSTERS GEAR UP TO DELIVER VICTORY TO FEDEX WORKERS





“I heard a lot of skepticism in 2006 when we announced we were going to organize at UPS Freight. Now we have 99 percent of those workers organized. We organized at UPS Freight and we can do it here.”

— KEN HALL, INTERNATIONAL VICE PRESIDENT AND PACKAGE DIVISION DIRECTOR

FROM THE HALLS OF CONGRESS TO LOCAL UNION halls, the Teamsters are waging an all-out effort to organize FedEx workers across all of the company’s divisions.

This will be a long campaign, and Teamster members from all locals will be called upon to help.

General President Jim Hoffa and International Vice President and Package Division Director Ken Hall laid out the union’s plan to organize all workers across FedEx’s many divisions at this year’s Unity Conference.

“It is imperative that we organize this company both to preserve standards in our current contracts and to raise the standards across the package delivery and freight industries,” Hoffa said.

Past Victories

Hall said he has been asked how the union can afford to take on FedEx.

“My question to them is, can we really afford NOT to take on this company?” Hall said. “First and foremost, this is about those workers who work for a CEO who makes Forbes magazine’s billionaire list every year and is screwing the workers by taking away their pensions, their health insurance, reducing them to part-time so he can take their benefits away. We’re going to address that.”

Hall told members skeptical of the FedEx campaign to think about UPS Freight.

“I heard a lot of skepticism in 2006 when we announced we were going to organize at UPS Freight,” Hall said. “Now we have 99 percent of those workers organized. We organized at UPS Freight and we can do it here.”

Hall and Hoffa noted that this campaign will have battles fought in Congress and the courts, where two issues important to FedEx workers are being tackled: correcting a loophole in current federal law that would make it easier for FedEx Express workers to organize, and prohibiting FedEx from classifying its drivers as independent contractors.



Why this Campaign is so Important

Bill Gardner was fired from his job last year as a FedEx Home Delivery driver. FedEx employees Eric Herzog, Rudy Hernandez and Joe Nuno all have been subjected to the company's anti-union tactics.

All are actively seeking to form a union with the Teamsters, although it could cost Herzog, Hernandez and Nuno their jobs.

"No one should have to go through this type of intimidation and bullying to form a union," said Herzog, a senior aircraft maintenance technician at FedEx Express's Los Angeles terminal. Herzog said his benefits have been eroding from year to year. "We just want a voice at the table and the chance to bargain with the company."

"Why does this multi-billion dollar company so strongly oppose the union?" Hernandez asked. "The answer: corporate greed."

"FedEx has unfortunately fallen into the ever-so-popular corporate trend of greed and carelessness which has brought the middle class to its current turmoil," Hernandez said.

"We can't give up on this fight. We are on the right side," said Gardner, a member of Local 25 in Boston. "We need the help of all the Teamsters, for with solidarity we can defeat this enemy."

Nuno had this message for FedEx CEO Fred Smith and other FedEx officials: "We are the Teamsters whether you like it or not. We will organize at FedEx."

Express Carrier Legislation

First on the legislative front, Congress is considering legislation that would remove FedEx from its status as the only company of its kind allowed to classify its package delivery workers under the Railway Labor Act.

The measure is called the Express Carrier Employee Protection Act, and it is currently part of the FAA reauthorization bill.

The U.S. House of Representatives passed the bill on May 21. A companion bill is expected to be introduced in the Senate this year.

Right now, all FedEx Express workers are under the Railway Labor Act, the labor law covering workers whose work relates directly to aircraft operations, regardless of whether they ever touch an aircraft. This means workers from all classes and crafts must form a union nationally—a tough hurdle to get over for approximately 80,000 FedEx Express workers who are scattered all over the country.





Under the proposed legislation, workers who need an FAA license to work, like mechanics, will remain under the RLA. All other workers (sorters, drivers, loaders, truck mechanics and package-delivery drivers) will be placed under the National Labor Relations Act, just like at UPS. Under the NLRA, these workers can form unions locally.

Workers who remain under the RLA will still have to organize nationally, but the Teamsters have successfully organized other aircraft mechanics in the past—such as United Airlines, UPS and, most recently, Horizon Air.

Teamster Action on Capitol Hill for Express Carrier

Currently, the Teamsters are busy meeting with members of Congress, writing letters and testifying at hearings on measures that would make it easier for FedEx employees to organize.

Hall testified before a U.S. Senate subcommittee on May 13 urging them to support the express carrier legislation. For more on Hall’s testimony, see the story in this issue.

Hoffa and Hall praised the House for passing the bill, but said the work is not done. FedEx has vowed to fight hard to keep the Senate from including the express carrier legislation in the bill.

“The Teamsters hope the U.S. Senate will throw its support behind the express carrier measure and pass the FAA Reauthorization bill quickly,” Hall said. “Nearly 80,000 FedEx Express workers remain penalized by this unfair loophole. It’s time Congress fixed this egregious problem.”

Smith’s Blackmail

Fred Smith, billionaire and CEO of FedEx, is so concerned about this legislation that he recently threatened to blackmail legislators in Congress who support the amendment.

FedEx stated in one of its SEC filings that they would cancel a \$10 billion order to purchase Boeing 777 planes if FedEx workers were moved under the NLRA.

In other words, Smith decided to play politics with American jobs at Boeing, GE (the manufacturer of Boeing’s engines), and the dozens of other American manufacturers who supply components of Boeing’s planes.

Misclassification of FedEx Drivers

Another big issue in the FedEx campaign is how the company misclassifies its ground drivers as independent contractors. The Teamsters Union has several of its departments working on this

issue at both the state and federal levels.

By misclassifying workers as independent contractors, companies like FedEx avoid withholding income taxes and paying Social Security and Medicare taxes.

This egregious practice also hurts responsible employers who pay their worker-related taxes, provide basic workplace protections to employees and respect their workers’ right to join a union.

Workers misclassified as independent contractors receive no protection from workplace health and safety laws, no legal rights to equal opportunity in the workplace, no rights to job-protected family and medical leave and no rights to organize and collectively bargain.

“FedEx is still fighting us and has refused to bargain and even appealed in the federal court case. But I am not giving up my fight.”

— FORMER FEDEX HOME DELIVERY DRIVER BILL GARDNER

Class-Action Lawsuit

Gardner is part of the first group of FedEx drivers who successfully organized with the Teamsters. The election was certified in 2007 by the National Labor Relations Board but FedEx has refused to bargain.

Gardner is a lead plaintiff in the national class-action lawsuit against FedEx. He and other workers allege they have been misclassified as independent contractors instead of full-time employees. This designation allows FedEx to get away without providing benefits to workers and from paying taxes to local and state governments.

“FedEx is still fighting us and has refused to bargain and even appealed in the federal court case,” said Gardner. “But I am not giving up my fight.”

The Teamsters will also be ramping up the campaign to see that FedEx Ground drivers are properly classified as employees rather than independent contractors.

Currently more than 30 states have initiated investigations or proceedings against FedEx based on their flawed owner-operator contractor model. The Teamsters Union is working with policy-makers in state capitols across the country to increase worker protections and stiffen penalties against companies like FedEx Ground.

What You Can Do

It will take commitments from the multiple divisions and departments of the International Union, all Joint Councils and local unions to make this campaign a success. The Package Division is spearheading the FedEx campaign on all fronts.

“I want to join the Teamsters because we are in the struggle of our lives to preserve our middle-class quality of life that we have worked so hard for.”

— FEDEX EMPLOYEE ERIC HERZOG

“Only FedEx pilots are unionized—so only 2 percent of that company’s 200,000 employees in the U.S. are working under a contract,” Hall said. “This makes going to the bargaining table with unionized companies such as UPS much more challenging.”

At Unity, Hall discussed with local leaders what members can do and noted that while all locals would be asked to play a large role, UPS Teamsters will be asked to do even more.

Out of the gate, this campaign will be tasking UPS Teamsters and other supporters to get involved in political actions that will impact the union’s very ability to organize the many different kinds of FedEx workers who need a union.

As on other campaigns, such as the recent success at UPS Freight, UPS Teamsters will be educated and mobilized to act on behalf of their nonunion counterparts at FedEx. In the future, they may be asked to invite FedEx workers to their locals to attend meetings, leaflet at work sites and hold rallies.

Hoffa said FedEx workers are calling Teamster locals every day, seeking the same representation that UPS workers have.

“It is important for every local leader and Teamster members to educate themselves on this campaign,” Hoffa said. “If a FedEx worker reaches out to you or your local for help, the Teamsters Union expects you to help them.”

Never Giving Up

Gardner, Herzog, Hernandez and Nuno spoke at Unity about their determination to become Teamsters. The ranks of FedEx workers brave enough to join them is growing larger every day, even though it has meant anti-union intimidation and the possible loss of their jobs.

Why would they stick their necks out? Herzog put it this way: “I don’t know what the future holds but it worries me how every year our benefits are deteriorating while our company continues to prosper and grow.

“I want to join the Teamsters because we are in the struggle of our lives to preserve our middle-class quality of life that we have worked so hard for,” Herzog said.



Ken Hall Testifies Before Congress on Express Carrier, Outsourcing Measures

Union Urges Congress to Keep Both Measures in FAA Reauthorization Bill

Package Division Director Ken Hall testified before a U.S. Senate subcommittee on May 13 urging them to support two key pieces of legislation currently part of the FAA Reauthorization Bill, H.R. 915. Hall stressed the importance of the Express Carrier Employee Protection Act and creating a single regulatory standard when it comes to aircraft maintenance outsourcing.

"These two areas are of concern to Teamsters and the American public," Hall said in his testimony before the Senate Aviation Operations, Safety and Security Subcommittee.

Hall said the express carrier legislation is needed because it closes a loophole in current law allowing one company, FedEx, to misclassify thousands of its workers under the wrong labor law. This law has allowed FedEx to have an unfair competitive advantage and deprive its workers of rights that similarly situated employees working for other package delivery companies enjoy.



Private sector labor-management relations in the U.S. are governed by two laws: the Railway Labor Act (RLA) and the National Labor Relations Act (NLRA). The express carrier legislation restores the original intent of the RLA by stipulating that employees of an express carrier are covered by the RLA only if their work relates directly to aircraft operations. Employees whose jobs don't involve aircraft operations are covered under the NLRA.

Fair and Reasonable

Hall testified that the loophole in the current law means the majority of FedEx Express employees are deprived of the right to secure union representation in the same manner as their counterparts at other delivery companies. "The Teamsters believe that this legislation is fair and reasonable," Hall testified.

"For example, UPS employees who work as package car drivers, tractor trailer drivers, loaders, unloaders, sorters and truck mechanics can organize under the NLRA," Hall testified. "Employees at FedEx Express who perform precisely the same work requiring the same skill sets are treated dramatically different under our labor laws and are subject to the Railway Labor Act, even though

they never touch an airplane.

"Employees performing the same work, employed by companies that provide the same services, should have the same right to decide whether to form or join a union," Hall testified.

Hall also urged Congress to address the dangerous trend of outsourcing heavy aircraft maintenance on American commercial aircraft to foreign repair stations. Noting that the practice "has eroded passenger safety, increased homeland security risk and decimated a skilled workforce of American aircraft mechanics," Hall outlined the Teamsters' strong support of specific safety measures included in the FAA Reauthorization bill. These include putting an end to non-certified stations, both in the U.S. and abroad; requiring foreign stations to be inspected at least twice a year by FAA inspectors; and requiring that workers at foreign facilities be held to the same drug and alcohol testing rules as workers at U.S. stations.

"This is the only way to ensure the safety of America's flying public and to protect our homeland from the threats originating in a foreign repair station as a result of lax regulatory standards," Hall told the subcommittee.



HOPE On The Horizon

Mechanics and Related at Horizon Air Join Teamsters

FOR MOST AIRLINE MECHANICS, safety isn't just a precaution; it is a way of life.

Whether on the shop floor, at the terminal gate or while in flight, mechanics understand that what they do while on the job directly affects those who fly. And, as the old saying goes, it certainly is better to be safe than sorry.

That's why when management at Horizon Air, a passenger airline based in Portland, Oregon, restructured the company's quality control department, quality control inspector Mike Zdan knew something had to give.

A mechanic at Horizon Air for 18 years, Zdan knows safety and he knows the processes that must be done to make aircraft safe for the flying public—and grouping quality control with maintenance is not one of them.

"Quality control has always been separate from maintenance. We need that

separation so that there is a checks-and-balances system on the work that is done," Zdan said. "The new system the company implemented, which combines the two departments, has the potential to put planes in jeopardy."

For Zdan, the restructuring of the departments was a final straw. Although Zdan and his coworkers had union representation through Aircraft Mechanics Fraternal Association (AMFA) and contract language that forbade the restructuring of maintenance and quality control departments, the company walked right through the contract.

AMFA did nothing to stop Horizon Air from changing the protocol—a move that angered not only Zdan, but many of his coworkers.

"I was very disappointed with the way operations were taking place. I wasn't satisfied with the contract that was negotiated or the representation we had," said Horizon Air Mechanic Rich Chase.

Outsourcing Concerns

Along with the majority of his coworkers, Chase had concerns that went beyond safety.

Like most airlines today, Horizon Air is struggling financially. To save money, the industry trend is to outsource work to foreign repair stations where labor is cheap and standards are less strict.

While Horizon Air has yet to outsource maintenance work, many mechanics felt the issue wasn't a matter of if, but when. They questioned whether AMFA had the power to stand up to the company on the issue of outsourcing, considering the association couldn't even fight company changes that took place internally.

"Securing strong scope—or anti-outsourcing—language was the most important issue to us during this campaign and I think most guys will tell you that," Chase said. "Our AMFA-negotiated contract had some scope language, but it was weak and relatively minor. Although we expressed



“The Teamsters prove that they don’t just talk the talk; they walk the walk. They are honest and serious about representing us and they have the strength to stand up to the company.”

— RICH CHASE, HORIZON AIR MECHANIC

what we were looking for, AMFA addressed none of our concerns. We knew we had to make a change.”

With nobody else to turn to, mechanics at Horizon Air called on the Teamsters for help.

Time for Change

Under the direction of organizer Stephanie Patiga, Horizon mechanics and related formed an organizing committee and began a six-month-long campaign to join the Teamsters. They had their work cut out for them—AMFA ran a brutal mud-slinging campaign of their own—but said time spent organizing was worth it.

“The more I worked on the campaign, the more I saw Teamster representatives going above and beyond. Teamster organizers worked late into the night; they gave up their evenings and their weekends for people like me,” Chase said. “Their enthusiasm showed me that change was possible.”

Among other things, the Teamsters showed their power by inviting Horizon mechanic Ryan Hurley to Washington, D.C. where he and members of the Teamsters Aviation Mechanics Coalition (TAMC) lobbied Congress to pass anti-outsourcing legislation. The Teamsters also dominated a debate with AMFA and stepped up when the company attempted to make a unilateral change to its uniform policy.

Most importantly, the Teamsters ran a campaign free of insults against their competition.

“I felt it was a very professional campaign,” Zdan said. “The Teamsters didn’t smear AMFA or that association’s supporters. They simply put out facts and let our bargaining unit decide for themselves who was the best union.”

Victory

On April 20, that decision was made when mechanics and related occupations at Hori-

zon Air voted 245-187 to become Teamsters. More than 80 percent of the 484-member bargaining unit voted. Zdan and Chase couldn’t be happier with the outcome.

“I feel this is our best chance to get what we want and need,” Chase said. “The Teamsters prove that they don’t just talk the talk; they walk the walk. They are honest and serious about representing us and they have the strength to stand up to the company.”

Although the campaign is over, much work still needs to be done. Horizon mechanics, who are now members of Local 986, based in Los Angeles, California, have begun the process to elect shop stewards and will soon establish a negotiating committee.

“I look forward to obtaining a good, solid contract that we can be proud of,” Zdan said. “I’ve got a lot of time invested in this company and I don’t want to hurt the company. I just want a contract that is fair and equitable to both parties and I think the Teamsters can provide that.”



MAXIMUM SECURITY

3,200 Cook County Corrections Officers Join Local 714

“For far too long the corrections officers have not received adequate service and representation. These officers put their lives on the line every day and we look forward to helping them improve their working conditions through a Teamster contract. This is a great group of Teamsters.”

— BILLY LOGAN, ORGANIZING DIRECTOR, JOINT COUNCIL 25

THE OFFICERS AT THE COOK County Jail in Chicago have a tough job watching over more than 9,000 inmates at the largest single site county jail in the country, so when they needed a union that could fight for their rights they chose the Teamsters.

“With the Teamsters, we have the best chance of getting a fair contract and the Teamsters will stand up for us against the administration so that our rights are protected,” said Mark Robinson, the chief steward who has been a Cook County corrections officer for more than five years.

Robinson and his coworkers at the five-city-block jail that once held Al Capone, serial killer John Wayne Gacy and other infamous criminals voted recently to join Local 714 in Berwyn, Illinois. There are about 3,200 corrections officers in the bargaining unit.

“The Teamster difference is that the Teamsters is a union that actually backs its officers,” said Officer Jesse Lopez, a 12-year veteran of the Cook County Sheriff’s Office, which runs the jail, located on 96 acres in the nation’s third largest city.

For the past nine years, the officers had been under contract with the Metropolitan Alliance of Police (MAP), which did not provide effective representation, the officers said. In March, the officers chose the Teamsters over MAP and the American Federation of State, County and Municipal Employees (AFSCME) by an overwhelming margin.

“Local 714 and all the local unions in Joint Council 25 joined together and coordinated their efforts and resources to help these officers form their union with the

Teamsters,” said John T. Coli, Joint Council 25 President. “The corrections officers work hard every day under very, very difficult and dangerous conditions to protect the community. They deserve to be treated with respect and dignity, and as Teamsters they will achieve that.”

Billy Logan, organizing director for Joint Council 25, said it’s good to know that the corrections officers will soon have a strong Teamster contract.

“For far too long the corrections officers have not received adequate service and representation,” Logan said. “These officers put their lives on the line every day and we look forward to helping them improve their working conditions through a Teamster contract. This is a great group of Teamsters.”

‘Feeling of Strength’

Patrick Fitzgerald, an officer who has worked at the jail for nearly two years, said things will be very different as Teamsters.

“Our old union had a sit-back-and-do-nothing approach to things,” Fitzgerald said. “They never took the time to fight any of the issues. More often than not, they would side with the administration. The Teamsters are a large and strong union with the necessary experience. Being Teamsters gives us a feeling of strength. We know we have a large group of people standing behind us when we want to get our point across.”

The officers were tired of the poor service from the previous union, which included a long turnaround time for addressing their grievances, said Barb Cornett, a business agent with Local 714.

“The officers also want to receive enhanced training like the training the court service deputies receive,” said Cornett, who was a 20-year police officer. “The enhanced training will give the corrections officers more job opportunities. Also, during the past several years, the court service deputies have passed the corrections officers in pay. The corrections officers want fair pay.”

Local 714 represents the court service deputies, and the corrections officers have seen how the Teamsters have improved the court officers’ pay and working conditions. Also, Local 714 represented the corrections officers prior to MAP taking over representation nine years ago. Many of the veteran corrections officers regret losing that Teamster representation.

“We need to return to the way things were when we had the Teamsters before,” Lopez said.

Nick Palomino, a corrections officer at the jail for nearly 10 years, said he has been familiar with Teamster strength his whole life.

“My father, Lupo, was a member of Local 714 for 19 years. He worked for a manufacturing company,” Palomino said. “My brother worked at the same company and is now an officer at the jail. Coming from a family of Teamsters, I’ve always been impressed with the Teamsters.”

Palomino points to the gains the court service officers have made as Teamsters as a hopeful sign that the corrections officers can make similar advances in the future.

“The Teamsters will back up the corrections officers,” he said. “I’d like to see some improvements for all the corrections officers.”

A Safer Workplace

Improving safety is a big concern for officers. “We need to improve the condition of the building. Some of the areas are very old,” Palomino said.

Denise Hobbs, an officer for more than two years, agrees that safety is a major concern.

“From what I’ve seen, we often come second to the safety of the inmates,” Hobbs said.

Hobbs, like other officers, has to deal with a volatile mix of violent offenders and inmates who suffer from mental illness and substance abuse. She has worked in the women’s division and now works in the maximum security/mental health division.

“It’s a very dangerous environment,” she said. “I had fights last night on my tier.”

Hobbs said the senior officers have told her stories about the strength of the Teamsters.

“I knew we would get the best representation from the Teamsters,” she said. “I kept on hearing, ‘We need the Teamsters back.’”

Everyone kept saying, ‘It never used to be like this when we were Teamsters.’”

Legal Support

Another big problem is officers who face lawsuits by inmates. If an inmate feels his civil rights were violated, often they sue officers.

“The officers have had to pay for their legal defense,” she said.

Fortunately, the Teamsters Union offers its Team Legal Defense Plan, which provides top quality, affordable, nationwide legal assistance for Teamsters in law enforcement. The plan provides representation for duty-related civil and criminal incidents and preparation for grand jury hearings.

Anthony McGee, an officer for nearly

four years, initially supported a different union.

“Through the leadership of my chief steward, I was able to see the error in my ways and I soon supported the Teamsters,” he said. “I believe the Teamsters have the officers’ best interests in mind. The Teamsters’ record speaks for itself. The Teamsters have the proven ability to fight for the common man.”

McGee, who works in the intake/departure section, said he is looking forward to his first Teamster contract.

“I feel the current contract that we’re under has a total lack of respect for the officers,” McGee said. “I believe in basic fairness. We need clear contract language with no ambiguity.”

Lopez said officers supported the Teamsters because the Teamsters worked hard to clarify and solidify its message of bringing help to the officers. Lopez was active on the campaign early on, and he helped bring fliers into the jail so that officers would be



familiar with the Teamsters.

"I knew from my previous experience with the Teamsters that we needed the Teamsters back," he said.

"I'm relieved to be a Teamster again," he said. "It's a feeling of relief knowing that we have a union that's going to do something."

Gus Horemis, the lead organizer in the campaign who is training to be a business agent, said the officers want aggressive representation and they know the Teamsters can provide that.

"The officers are an intelligent group," Horemis said. "You're dealing with a show-me crowd. We showed them what the Teamsters will accomplish for them."

Fair Treatment

With the Teamsters, Robinson said, officers will be able to negotiate a strong contract that will lift morale.

"I just want to see the officers treated fairly," he said. "We need representation that will give us something to make the day a little better when we come into work."

Officers are entitled to take medical time off, similar to sick time, but they often face harassment from jail adminis-

"Officers do a hard job here and there's a lot of good people here. We want to make sure we're treated right. We know Local 714's history. We know they will fight to get us a fair contract."

— MARK ROBINSON, CHIEF STEWARD AND COOK COUNTY CORRECTIONS OFFICER

trators for taking the time off, Robinson said. Also, the administration has been cutting the minimum staffing levels, which increases the stress level for officers.

"In a sense, we're the inmates now," Robinson said of the cumulative effect of the harmful policies.

"Officers do a hard job here and there's a lot of good people here. We want to make sure we're treated right," he said. "We know Local 714's history. We know they will fight to get us a fair contract."

McGee and the other officers said it feels great to be Teamsters.

"I feel like I'm part of a brotherhood," he said. "The camaraderie of the officers

will only be enhanced as Teamsters. Our biggest challenge will be uniting everyone, but I'm confident we can do that as Teamsters. Once we get everyone on board and on the same page, there's no battle we can't win and no mountain we can't climb."

Hobbs agreed that the mood has improved, and officers have more hope as Teamsters.

"We're holding our heads up a little higher," she said.





Cleaning Up

Waste Workers Join Local 311

They perform hard work vital to public health and sanitation, handling residential, yard and bulk waste. And when it came to fighting for their rights, these workers wasted no time in uniting.

About 200 workers at Ecology Services in Anne Arundel and Howard Counties in Maryland recently voted by more than a 2-1 margin to join Local 311 in Baltimore.

“I think the vote sums up everything. We did this to help us all get a better work situation, to see better working conditions and respect,” said James

Myles, a driver. “We joined the Teamsters to let them know we’re equal, to turn this company around and do things the right way.”

Patience Prevails

The vote came after a difficult year for the workers. A previous unsuccessful vote resulted in objections by Local 311 and the workers, which prevailed through two labor board appeals and a hearing, and included charges against the company for inappropriate action during the organizing campaign.

Among the objections: that the company provided workers

the day off with pay the day of the election, and did not post a mandatory day of work, which had been previously agreed upon by the company and Local 311. Following a favorable decision by the labor board, the workers finally had a fair election, resulting in an overwhelming 115-57 vote for representation by Local 311.

“I’m awful proud of them, that after all this time these workers stood together, because when they stand together they can make good things happen,” said Neil Dixon, President of Local 311.

“The local worked very hard for this victory for these workers. They never gave up, and this victory is thanks to their resilience,” said Bob Morales, Director of the Solid Waste, Recycling and Related Industries Division.

Bringing it Home

The Ecology Services workers united over common concerns, recognizing the need for affordable health care and improved wages, but most of all, respect and fair treatment on the job.

A recent meeting held by Local 311 to accept contract proposals was attended by more than 100 workers. This participation is key, as the workers stand up for proper treatment on the job, and hope to negotiate a fair contract.

“It’s been tough fighting. We’ve been through a lot. We were to the point where we didn’t want to feel our job was on the line when we walked into the office to say something,” Myles said. “It was up to us to bring it home, and we brought it home.”



LOCAL 997

Bimbo Bakeries

Drivers and mechanics with Bimbo Bakeries recently voted by nearly a 2-1 margin to become members of Teamsters Local 997 in Fort Worth, Texas. The 73 workers joined the Teamsters in seeking job security and protections provided by a strong Teamster contract.

“We’re honored that these dedicated and united bakery drivers and mechanics are now a part of our union and we look forward to providing them with strong Teamster representation,” said Richard Volpe, Director of the Bakery and Laundry Conference.

Bimbo Bakeries USA is the U.S. division of the Mexico City-based Grupo Bimbo, a major producer of baked goods. More than 4,000 Teamsters work at Bimbo Bakeries nationwide.

LOCAL 25

Medford CPL

By a 3-1 margin, drivers who deliver Dunkin’ Donuts to satellite outlets have voted to join Local 25 in Boston.

The drivers at Medford CPL, Inc. in Medford, Massachusetts voted 12-4 to join Local 25. There are 18 drivers in the bargaining unit.

The drivers deliver donuts to satellite outlets, often located inside gas stations or convenience stores. The workers are looking to negotiate fair wages and improvements in safety and to gain respect in their workplace.

LOCAL 445

Walden, New York Police Department

Police officers in Walden, New York have voted by a 17-1 margin to join Newburgh-based Local 445, marking the local’s third organizing victory for 2009. This follows a recent victory for housekeeping staff at West Point’s Army Hospital. The staff voted by a 29-0 margin to be represented by Local 445. In March, oil delivery drivers at Wallace Oil in Middletown voted 16-2 to join the local.

In the past two years, Local 445 has won 25 of the 26 elections it has faced, increasing its membership by more than 1,200 new workers. The local now represents 3,600 members throughout the Hudson Valley.

“These were tough but rewarding victories,” said Adrian Huff, Secretary-Treasurer of Local 445. “Management threw everything in the book at us, but the employees hung in there and saw through the lies and threats.”

LOCAL 638

First Student

First Student school bus drivers and monitors in Brooklyn Park, Minnesota have voted overwhelmingly, 102-33, in favor of representation by the Teamsters Union, seeking fair pay, affordable health insurance, respect and a voice in their workplace. The 167 workers are now members of Local 638 in Minneapolis.

“I knew there had to be a change and we needed to speak up,” said Michael Mendenhall, a three-year driver with First

Student in Brooklyn Park. “This was a big team effort and there was a lot of motivation to vote Teamsters.”

According to Mark Rime, Secretary-Treasurer of Local 638, this is the first group of First Student workers that Local 638 has organized, and hopefully the beginning of more workers deciding to join the union.

“There is a movement of school bus workers in Minnesota, and across the nation, who are driving up standards in this industry by uniting as Teamsters,” said Jeff Farmer, Teamsters Director of Organizing and former Director of Organizing for Joint Council 32 in Minnesota.

LOCAL 29

Marshalls Bridgewater Merchants, Inc.

Sixteen maintenance workers at Marshalls Bridgewater Merchants Inc. in Bridgewater, Virginia, a warehouse that supplies Marshalls and T.J. Maxx stores with merchandise, recently voted to become members of Local 29 in Waynesboro, Virginia.

The workers cited job protection, respect and fairness on the job as the primary reasons for seeking representation.

“We chose the Teamsters because we were looking for a union that had power, a union that was going to put its foot down and stand up for us,” said Kenneth Siever, a Marshalls employee.

“I really applaud these workers for sticking together and sticking behind their belief that life could be better. They

“The Teamsters name recognition was critical in our success—the workers know the power of the Teamsters.”

— JOE GRONEK, SECRETARY-TREASURER OF LOCAL 402.

were intimidated terribly by the employer throughout the campaign, but chose to join the Teamsters despite that intimidation,” said John Farish, Secretary-Treasurer of Local 29.

LOCAL 402

Evergreen Trucking

Employees of Evergreen Trucking in Courtland, Alabama, recently voted to join Local 402 in Muscle Shoals.

The drivers, dispatchers and mechanics work at a “spotting service,” responsible for moving tractor-trailer rigs in and out of an International Paper plant located across the street from their yard. There are 20 workers in the bargaining unit.

“The Teamsters name recognition was critical in our success—the workers know the power of the Teamsters,” said Joe Gronek, Secretary-Treasurer of Local 402.

The workers want more job security, fair wages and overtime. Right now, they are on a 60-hour schedule and do not receive overtime after working 40 hours.

LEADERS ATTENDING THE 2009 Unity Conference celebrated the election of President Barack Obama and the 43,000-plus Teamsters organized last year, but everyone left focused on the tasks at hand—more organizing success this year and passage of the Employee Free Choice Act.

“We will continue to make organizing our top priority and we need to pass the Employee Free Choice Act,” said Jim Hoffa, Teamsters General President. “We have much more hard work ahead of us.”

More than 1,200 Teamsters—principal officers, rank-and-file members, organizers, business agents and others—from the United States, Canada and Puerto Rico attended this year’s Unity Conference. Unlike the past eight years, when President Bush was in office, this year’s event



had an air of optimism with President Obama now presiding at 1600 Pennsylvania Avenue.

Hoffa told attendees he has visited the White House five times as of early May.

On one occasion, Hoffa said, Obama and Vice President Joe Biden told him and other union leaders, “Welcome back to your White House.”

Still, Hoffa cautioned, much work lies ahead and Teamsters cannot rest with the Obama victory. Teamsters everywhere need to help pass the Employee Free Choice Act, and must hold members of Congress accountable.

General Secretary-Treasurer Tom Keegel, celebrating 50 years as a Teamster, implored leaders to continue fighting for justice for workers, recalling the Teamsters’ Minneapolis General Strike of 1934, which paved the way for organizing truck drivers and the growth of the Teamsters.

“Teamsters never give up, never give in, and Teamsters never back down from a fight,” Keegel said.

UNITED AND



Vice President Joe Biden

The Vice President, who addressed the conference via video, leads the White House Task Force on Working Families, unveiled in late January at a White House ceremony attended by Hoffa. The new task force is focusing on stabilizing the economy and making it work for America's workers again, and Hoffa is playing a key advisory role. Biden said the Obama administration has numerous goals to strengthen workers, including health-care reform and signing the Employee Free Choice Act.

"We can't have a strong middle class without a strong union movement," he said, slowing enunciating the letters, "U-N-I-O-N."

Although the political landscape has changed dramatically for the better, leaders

attending Unity. Bailey is a member of the executive board of the Teamsters Graphic Communications Conference (GCC) M767 in Kent, Washington.

"If you lose your job, you don't lose your union," Bailey said. "There are so many job



U.S. Rep. Maxine Waters, a California Democrat and longtime Teamster supporter, told the leaders they must hold Congress accountable to make the changes that got them elected.

"You can't let them forget," Waters said. "You must remind them that they were elected to change things."

Organizing Triumphs

Organizing Director Jeff Farmer told the attendees that the union accomplished its two union-wide goals in 2008: organizing more than 40,000 workers and electing Obama as president.

"As Teamsters, we delivered," Farmer said. "The goals for 2009 include organizing another 40,000-plus workers and passing the Employee Free Choice Act."

In 2009, as of early May, 10,000 workers

DETERMINED

2009 UNITY CONFERENCE FOCUSES ON ORGANIZING, POLITICAL VICTORIES

were reminded throughout Unity of the dire economic conditions facing the country and Teamsters everywhere. Teamsters in distressed industries such as freight, car-haul and newspapers have been especially hit hard.

Outside the hall, Rebecca Bailey, a journeyman pressman at The Seattle Times, said she found out she was laid off while

opportunities in the Teamsters." Bailey said she tries to convince younger workers to not withdraw from the union if they lose their jobs. Remaining in the union can help them find new work, she said.

Economist Weighs In

Robert Kuttner, an economist and founding co-editor of The American Prospect, brought home the struggle workers face every day during a 40-minute discussion on the economy.

"For the past 30 years, financial elites have had too much power and our working people have had too little," Kuttner said of three decades of anti-worker laws and policies. Kuttner cited misclassification of workers, flagrant union busting, trucking deregulation and other devastating trends that have hurt workers and benefited the financial elites. The problems have been magnified by fraud and exploitation on Wall Street by big business.



had already organized with the Teamsters, including 2,800 school bus and transit workers, 3,200 Cook County, Illinois Corrections officers and 500 mechanics at Horizon Airlines. There is strong organizing momentum, and the union has a goal of training and mobilizing 1,000 member organizers this year to help reach the 40,000 level again, Farmer said.



The campaign to organize 8,000 fleet service workers at Continental Airlines is under way. Two Continental fleet service workers, Gary Welch and Mark Cline, received standing ovations during Unity.

“The Teamsters Union is the only union that has the resources needed to reach our outstations and be successful in winning at Continental,” said Welch, based in Houston.

“We now know what the real Teamster difference is and know that we will be Teamsters. Continental Ramp believes in the Teamsters Union!”

International Vice President Ken Hall, Director of the union’s Package Division, addressed members about the union’s campaign to organize the mechanics and related craft and class employees at FedEx Express.

Speakers

Andrew Cuomo, New York Attorney General, a strong supporter of working families,



told leaders that his office is working hard to prosecute the wrongdoers on Wall Street in an effort to restore confidence in the financial system. Cuomo said he is also fighting against anti-worker laws and policies, such as misclassification of workers and the inequality of wages in the United States.

“The working families have built this nation,” Cuomo said. “It is the American worker that makes this country run, not the CEOs.”

International Vice President Fred Potter, the union’s new Port Division Director, talked about the importance of neutrality agreements—in which the company agrees to refrain from speaking negatively about the union to its employees—in organizing campaigns.

“These types of agreements help level the playing field in organizing campaigns, and

the UPS Freight campaign is a great example of what we can achieve,” Potter said.

International Vice President John Coli shared his experiences working with local, state and federal officials. That effort is more important than ever to tap into the federal stimulus money that’s available.

“There’s a lot of government money out there,” Coli said, urging leaders to focus on forging political ties. “We need to be aware of the opportunities out there. We need to get a piece of the pie and create more Teamster jobs.”

President Hoffa honored three members of the crew that crash landed a Boeing 747 in a field near Bogota, Colombia on



July 7, 2008. Captains Bryant Beebe, Ivan Dankha and Richard Dunlap managed to get the 747 fully loaded with 73 tons of flowers on the ground after losing power in three engines. All eight crewmembers



on board survived. This was the only off-airport B747 crash in history to have survivors. David Bourne, Airline Division Director, will take plaques to two other crew members who are still recovering from the accident and could not attend the Unity Conference.

International Vice President Cheryl Johnson, who is retiring, was honored at Unity by President Hoffa for her 40 years of service to the Teamsters. Hoffa noted Johnson's many roles, including Director of the Human Rights Commission (HRC). Johnson introduced the new HRC Director, Antonio Christian. Western Region Vice President Chuck Mack also retired.

Working Together

Joint Councils are more important than ever to the Teamsters Union and they must work closer with local unions to share resources and to better serve members,



leaders at the 2009 Unity Conference said. During a meeting of Joint Council and local union leaders held before the general session of unity, Teamsters discussed ways the two groups could work closer together by using successful strategies employed in previous campaigns.

Hoffa cited the success of the UPS Freight campaign, in which 12,600 workers at the former Overnite Transportation now belong to the Teamsters, because Joint Councils across the country worked together and they worked with their local unions and the International Union to organize the various terminals.

International Vice President John Coli, President of Joint Council 25 in Chicago, said Joint Councils teaming up with local unions are helping to pool resources and increase clout. An example within Joint

Council 25 is lobbying at the Illinois state Capitol in Springfield, where the union has successfully fought for the interests of public-sector Teamsters. Coli cited the recent organizing victory at Cook County Corrections, where nearly 3,200 officers joined Local 714.

Jim Santangelo, International Vice President and President of Joint Council 42 in Southern California, said his Joint Council works closely with the 22 local unions on charitable causes, political actions, a very effective phone-banking system, organizing campaigns, scholarship programs and the Helmets to Hardhats program, which helps veterans transition to Teamster jobs.

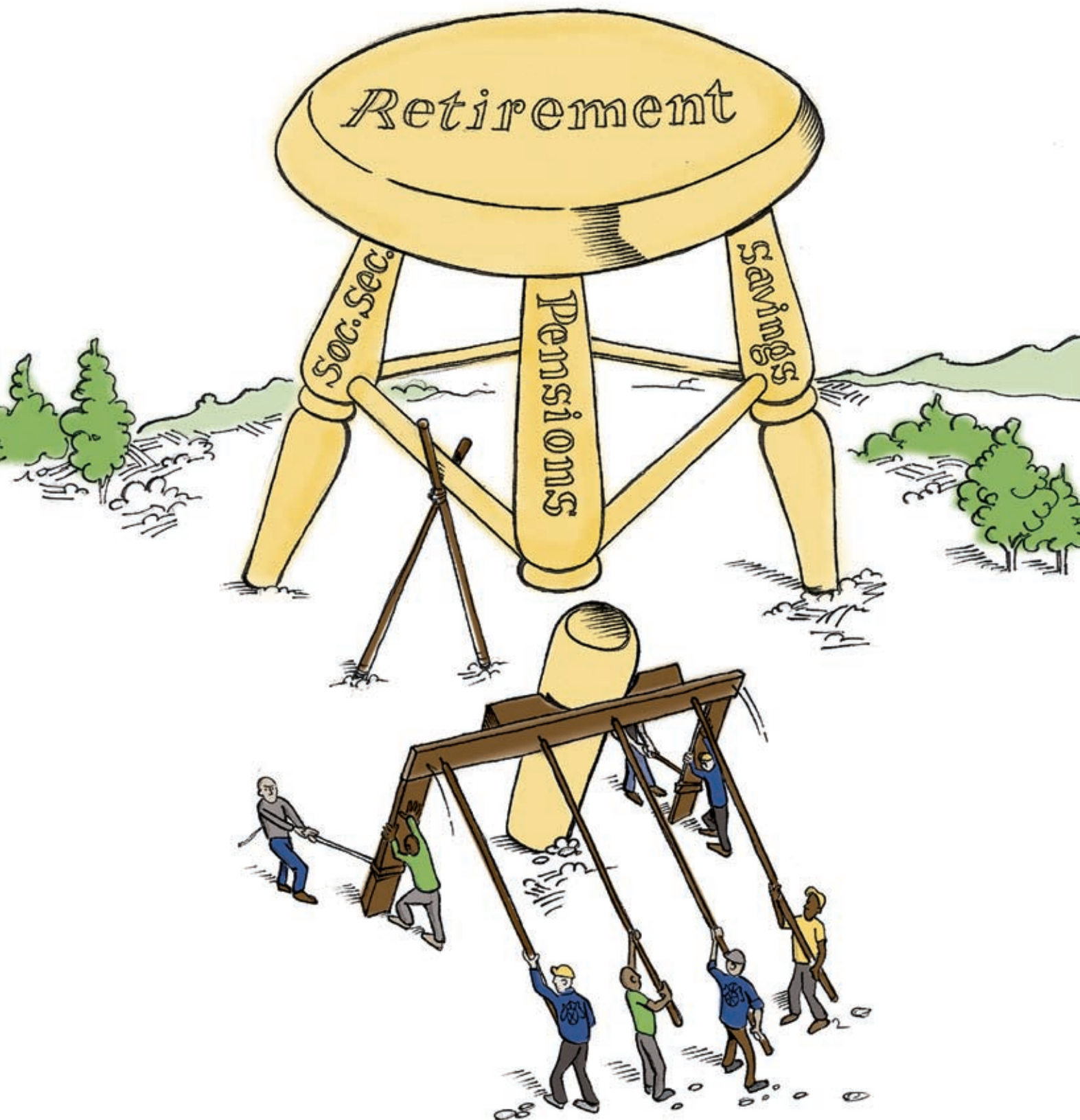
"We help coordinate these programs and services and our message to local unions is that they have to participate on behalf of their members," he said.

Throughout Unity, leaders talked about the importance—and the responsibility—of Teamsters working together to grow the union.

Outside the meeting hall, John Sholtes, an organizer with Local 79 in Tampa, Florida, helped sum up the message.

"As James R. Hoffa said back in the late 1950s, we need to 'organize, organize, organize,'" Sholtes said. "We need to in order to grow and increase our influence on society. We can accomplish this by strengthening our middle class through collective bargaining on a massive scale."





PENSION TENSION

Is a Comfortable Retirement a Thing of the Past for Working Americans?

Davey Grubbs is a 46-year old truck driver with 25 years on the job delivering cars for Allied Systems. A father of three and member of Local 391 in Greensboro, North Carolina, he said he's "a hard working man looking for a way so I don't have to do it until I die."

Grubbs blames the current economic crisis on deregulation in the banking industry and says, unfortunately, "Taxpayers are going to have to suffer through it." He has seen his self-contributory 401(k) go down 53 percent since 2007. As a participant in the Central States Pension Fund, he was already expecting to delay his retirement because of the necessary steps taken several years ago to preserve the fund.

"With changes that have been made I feel Central States will become solvent. We need to move legislation forward that buys more time for the market to come back," he said. "I'm going to have to continue working and hope that the market turns around and our investments rebound."

Wall Street's collapse has laid bare the inadequacies of our nation's retirement system. While all eyes are on White House and congressional efforts to get the country back on track, the worst retirement crisis since before Social Security was created in 1935 looms large on the horizon.

Unless an economic turnaround emerges soon, Washington will have to act to prevent thousands of pension funds nationwide from going belly up and to bolster retirement savings. And once

again, Teamsters are leading the charge to defend the gains made by generations of working people and their unions.

"The free marketers, free traders, trickle downers and deregulators have failed to deliver on their promise of long-term prosperity," said Tom Keegel, General Secretary-Treasurer. "Now it's up to us to clean up their mess and make things right for the people who built this great country of ours and who truly care for it."

Current Crisis Jeopardizes Retirement Security

Things have gotten so bad that the only people who can retire when they planned to and get the income they expected are Teamsters and others in defined benefit pension plans. Take Mike Furtado, a longtime Local 853 member who works at Dairy Berkeley Farms in Hayward, California. With 38 years in the Western States Pension Fund and getting ready to retire in the next few years, he said, "I'm fortunate and happy to have the Teamsters in our corner. We get the best people to advise us on how to invest."

Anyone with a 401(k)—the corporate answer to the more expensive, reliable defined benefit pension—now knows that they alone do not provide adequate retirement savings. At the same time, defined benefit pensions, the bedrock of union-won retirement security, continue to be under attack by those responsible for bringing on the global recession.

Remember the historic three-year decline in the U.S. stock market earlier this

decade? If that was a perfect storm, today's economic crisis is a tsunami that is wiping out retirement savings and pensions worldwide.

Pension funds are invested in stocks, bonds and other securities that have all been hit hard. The stock market lost 56 percent of its value between the high of September 2007 and the beginning of March 2009. Much of that \$13-trillion loss is showing up in reduced 401(k)s and the now dangerously low funding levels of defined benefit pension plans.

A measure of the predicament pension funds now find themselves in is, in the last year alone, the funding ratio (the ratio between what a pension plan is worth and what it must pay today's and tomorrow's retirees) for the 100 largest U.S. sponsors of traditional defined benefit plans, fell from 99.6 percent to 71.7 percent, according to Watson Wyatt, a leading global consulting firm. And things are just as bad in 2009 as pension funds, like all institutional investments, experienced a terrible first quarter.





"We need to send a message to our investment managers that they work for our funds. We have a say on how they run their companies and what they do."

— TOM KEEGEL, GENERAL SECRETARY-TREASURER

Without relief from Washington, underfunded pension plans may be forced to cut back on future payouts because of Pension Protection Act rules that took effect last year.

Congress Focuses on Retirement Policy

Behind all of these percentages, statistics and rules are real people who have worked hard all of their lives to feed, clothe, house and educate their children and who deserve to enjoy a decent quality of life in retirement.

"I've got 30 years on the job," said Albert Garone, a Local 804 member who works as a plant engineer for UPS in New York City. "I'm very thankful to the union for securing my pension, but what's guaranteed in today's economy?" Garone, who recently attended a union pre-retirement seminar with his wife Maureen Gleason, is not planning on retiring for a while. Nevertheless, he thinks that, "The government is bailing out corporations. They ought to stabilize the individual's security and guarantee our pensions too."

Such concern about the future of retirement has sparked much hand wringing in Washington, and Congress is now taking up the issue of how to fix the nation's broken retirement system. In the first step toward developing legislation to reform the system, lawmakers are holding a series of congressional hearings to assess the state of Americans' retirement security. The House Education and Labor

Committee is considering changes to strengthen retirement plans, a Senate panel is examining what will happen to workers nearing retirement because

of the faltering economy, and the House Small Business Committee is discussing the challenges small employers face in sponsoring retirement plans.

"Our system of retirement income security was completely unprepared for the sort of financial earthquake set in motion by the collapse of the housing bubble and its secondary impact on the stock market," said Dean Baker, co-director of the Center for Economic and Policy Research, in his testimony to the House Education and Labor Committee at a recent hearing. "Older workers were already inadequately prepared for retirement even prior to these events. The events of the last two years now put most of the baby boom cohorts facing retirement with very little to depend on other than their Social Security and Medicare benefits."

Baker's testimony underscores the growing realization that defined contribution (DC) plans, such as 401(k)s, simply cannot guarantee secure retirements like traditional defined benefit (DB) plans do. DCs come with no guarantees and no backing by the federal government. DBs guarantee a monthly check for life and are backed by the federal government through the Pension Benefit Guaranty Corporation (PBGC).

Like many Teamsters, Boston Local 122 member Jim Hollarand doesn't have to be told his 401(k) can't hold a candle to his pension. A 48-year-old shop steward with 25 years on the job at Martignetti wine and liquor company, Hollarand said, "Every morning in the drivers' room we

talk about these things. I have more than 100 guys in the warehouse. It's a younger crew and it's hard to get the right mix of wage and pension increases in our contract, so we have a lot to talk about."

Even though their New England Teamsters Trucking Pension Fund has had to make changes to stay solvent, he said, "I tell my guys, 'Your pension is a much better deal than a 401(k). At least the pension is a guaranteed benefit that you know you're going to get, you just have to work for it. With the 401(k) you don't know what you're going to get.'"

Acting PBGC Director Vince Snowbarger agrees. "Although there was a declining interest in defined benefit plans, say over the past couple of decades, that might turn around as people begin to understand the benefits that a defined benefit plan has to offer over a 401(k)," he said in a recent interview.

The Front Lines

"We need to send a message to our investment managers that they work for our funds," Keegel recently told Teamster trustees at the eighth annual Trustee Education Conference in Phoenix. "We have a say on how they run their companies and what they do."

Keegel has formed a task force of Teamster trustees to develop strategies to demand pension reforms in Congress and also to push for changes that can be made to ease pressure on Teamster funds without legislative approval.

Trustees came together at the annual meeting to share best practices, identify ways to help and grow Teamster funds, develop plans to protect Teamsters' retirement security and hold investment managers accountable.

“Our challenges today are far greater, and so too is our mission,” Keegel said. “We understand our role is about more than simply protecting our members’ benefits. As trustees, we are now on the front line of the effort to grow our union and support workers’ rights. And I’m proud to say that we are making a difference.”

Keegel and other participants stressed the importance of contributing to DRIVE now more than ever before as the union fights to protect Teamsters’ retirement security, which will require a political solution.

“If there was ever a time to participate in DRIVE, it is right now,” said Brad Slawson Sr., International Vice President. “We need to have all of us pushing in the same direction. It’s our responsibility to energize our membership because we have to work together.”

Keegel also recognized leaders of locals who used their collective financial might in the fight for economic justice in such campaigns as Oak Harbor Freight Lines, U.S. Foodservice and the black car industry in New York. They were awarded the General Secretary-Treasurer’s Trustee Leadership Awards.

Needed: Permanent Pension Reform

Corporate funded, anti-pension forces are using the economic crisis to attack

union-backed defined benefit pensions that guarantee lifelong income. These free market ideologues are the same people who drove the country into the worst economic crisis since the Great Depression. Having succeeded in weakening traditional defined benefit pension plans in the private sector, they are now pounding a steady beat to cut public pensions. They are trying to convince the public and policymakers that the country can no longer afford comfortable retirements for working people.

The Teamsters Union is on the front lines of the fight to protect pensions and a secure, dignified retirement for America’s workers. With more than 150 pension funds and more than 200 health and welfare funds, the Teamsters Union has financial power to make a difference.

In response to the sweeping decline in pension plan values last year, the Teamsters led a successful effort to win a temporary reprieve from the strict funding requirements of the 2006 Pension Protection Act (PPA). Signed into law in January, the Worker, Retiree and Employer Recovery Act lets pension funds defer their plans to meet strict PPA funding requirements.

And with no let-up to the economic downturn in sight, and the regulatory

clock ticking, Teamsters are once again leading the fight to reform the nation’s retirement system. This is a battle that will require Teamster allies in labor, business and government to work together toward a solution that will have to come from Washington.

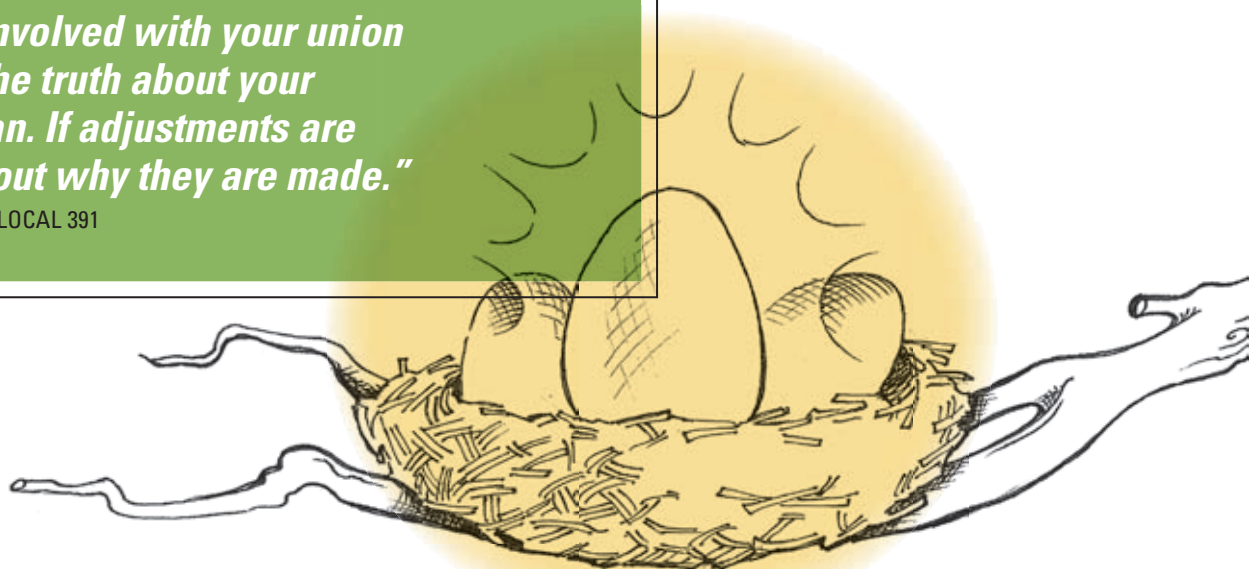
This time there is a difference in the struggle for pension security. President Barack Obama is in the White House and he understands Teamster concerns and those shared by working people everywhere. President Obama has made it clear that strong unions and the wages, benefits and working conditions that come with a union contract, are key to America’s economic recovery.

In the meantime, it’s important for working Americans, especially members of the Teamsters Union, to get involved and stay current on these issues and any changes to their retirement benefits.

“Be more involved with your union and learn the truth about your pension plan. If adjustments are made, find out why they are made,” Grubbs said. “Don’t just ride the train for free and when things don’t go well point your finger at those people who have had to make tough choices for others.”

“Be more involved with your union and learn the truth about your pension plan. If adjustments are made, find out why they are made.”

—DAVEY GRUBBS, LOCAL 391



REPORT TO ALL MEMBERS OF THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS

FROM: Independent Review Board
Benjamin R. Civiletti
Joseph E. diGenova
William H. Webster

DATED: June 8, 2009

I. INTRODUCTION

This is the Independent Review Board's ("IRB") Report Number 3 for 2009 to you on its activities conducted pursuant to the Consent Order. In this Report we will discuss matters that have currently come before us, including the progress of existing charges about which we have previously informed you.

II. PROGRESS OF EXISTING CHARGES

A. DON HAHS - BLET HEADQUARTERS, CLEVELAND, OHIO

We have previously informed you that Don Hahs, an officer of the Brotherhood of Locomotive Engineers and Trainmen (BLET), a Division of the Teamsters Rail Conference, allegedly violated his fiduciary duties to the BLET and its members, embezzled and converted BLET funds and property to his own use and the use of others, and brought reproach upon the IBT while President of the BLET by embezzling over \$58,000 from the BLET.

After an IBT panel hearing, Mr. Hoffa issued his decision removing Mr. Hahs from his current position in the BLET until his current term of office has expired in 2010, suspending him from membership in the BLET and the IBT for a period of one year, and requiring payment of a fine of \$44,963.97.

The IRB notified Mr. Hoffa and Mr. Hahs that it found the IBT decision to be not inadequate. The IRB has made Application 131 to the district court for Judge Preska's review. The matter is with Judge Preska.

B. RICHARD RADEK – BLET VICE PRESIDENT

We have previously informed you that BLET Vice President Richard Radek allegedly brought reproach upon the IBT, breached his fiduciary duty, and embezzled over \$6,700 in union funds by causing the BLET to pay for meals which had no union purpose and receiving an allowance which covered the cost of his home office supplies while at the same time causing the BLET to directly pay for his home office supplies. General President Hoffa filed the charges against Mr. Radek and a panel was appointed to hear the charges. Before a hearing could be held, Mr. Radek submitted to the IRB an agreement in which he permanently retired from the BLET, became ineligible to hold any appointed or elected office or employment with the BLET, the IBT or any affiliate of the BLET or the IBT, and made restitution for funds the IRB alleged he received. The IRB found the agreement served to resolve the matter. On May 27, 2009, the IRB forwarded the agreement to Judge Preska for review.

C. PETER INNAURATO – LOCAL 107, PHILADELPHIA, PENNSYLVANIA

We have previously informed you that that Peter Innaurato allegedly brought reproach upon the IBT and violated his membership oath while an IBT member by knowingly associating with a member of the Philadelphia La Cosa Nostra family. Mr. Hoffa notified the IRB that he adopted and filed the charges against Mr. Innaurato and he returned the charges to the IRB for a hearing. The IRB's hearing was postponed after Mr. Innaurato submitted to the IRB an agreement in which he permanently resigned from the IBT and Local 107 and agreed never to hold membership or any position in the IBT. The IRB found the agreement served to resolve the matter. On May 28, 2009, the IRB forwarded the agreement to Judge Preska for review.

D. ROBERT A. HOGAN - LOCAL 714, BERWYN, ILLINOIS

We have previously informed you that Robert A. Hogan, Joint Council 25 Vice President and Local 714 Secretary-Treasurer, allegedly failed to act appropriately after he created a situation likely to result in a violation of the Consent Order when he rehired Robert Riley to work at Local 714 and failed to take any action to prevent, and, after learning, to address Mr. Riley's ongoing contact with William T. Hogan, Jr., a prohibited person under the Consent Order.

The IRB held a hearing on April 2, 2008, and while the IRB was in the process of issuing a decision, the IRB received a proposed agreement between Mr. Hogan and the IRB. Mr. Hogan agreed to permanently resign all positions with Local 714 and Joint Council 25 and for a period of two years he would not hold any officer position with the IBT or any IBT affiliated entity. He further agreed not to be an officer or employee of Local 727 for five years. The IRB found the agreement serves to resolve the matter and made Application 133 to Judge Preska for review of the agreement. The matter is with Judge Preska.

III. TOLL-FREE HOTLINE

Since our last report to you, the hotline has received approximately 75 calls reporting alleged improprieties. As in the past, all calls which appeared to fall within IRB jurisdiction were referred for investigation. Activities which should be reported for investigation include, but are not limited to, association with organized crime, corruption, racketeering, embezzlement, extortion, assault, or failure to investigate any of these.

To assure that all calls are treated confidentially, the system recording hotline calls is located in a cipher-locked IRB room on a dedicated line and accessed by IRB staff only. It is not manned by an investigator; however, the recorded information if complete and within IRB jurisdiction is forwarded directly to the Investigations Office.

Please continue to use the toll-free hotline to report improprieties which fall within IRB jurisdiction by calling 1-800-CALL-IRB (1-800-225-5472). If you are calling from within Washington, DC, dial 202-434-8085.

IV. CONCLUSION

As always, our task is to ensure that the goals of the Consent Order are fulfilled. In doing so, it is our desire to keep the IBT membership fully informed about our activities through these reports and also through use of the website at www.irbcases.org.

If you have any information concerning allegations of wrongdoing or corruption, you may call the toll-free hotline noted above, use the IRB facsimile number 202-434-8084, or write to either the IRB Chief Investigator or the IRB office:

Charles M. Carberry, Chief Investigator
17 Battery Place, Suite 331
New York, NY 10004

Independent Review Board
444 North Capitol Street, N.W.
Suite 528
Washington, DC 20001

Horse Sense

Carriage Drivers Get In Touch With Their Roots

HORSE-DRAWN CARRIAGE drivers in New York City's Central Park recently got in touch with their roots by joining the Teamsters Union. In January, a coalition of owners, drivers and stable workers, all related to the Central Park carriages, joined New York's Local 553.

When a city council member in New York proposed a bill banning the carriages, in effect doing away with one of the oldest professions in the city and the jobs of more than 300 of these workers, the drivers realized their voices on the issue were not being heard.

"Local 553 has really given our voice some volume," said Frank Rodden, who has driven carriages in Central Park for 22 years. "The representation has been fantastic."

"The historical aspect of joining Local 553 is not lost on any of the new members," said Demos Demopoulos, Secretary-Treasurer of Local 553. "They all know

that Local 553 originally represented drivers of horse-drawn coal wagons when we became a local with the Teamsters Union more than a century ago."

Since becoming Teamsters, the carriage drivers said the union has already made great strides. Joint Council 16 President George Miranda also assisted them by making the union's lobbyist available to work with them. The political clout of the Teamsters was one of the biggest reasons they joined the union.

Like Family

Critics of the profession say the carriages are inhumane, but spending a few minutes with any of these drivers will dispel that myth quickly. The drivers are happy to talk about the care that goes into their horses, and more than a few pointed out that if they don't treat the horse well and keep it healthy and happy, the driver doesn't work.

"Horse carriage drivers are like family,"

said Antonino Salerno, a Local 553 Central Park carriage driver whose grandfather and eight brothers were all carriage drivers. "We talk about our horses like a parent speaking happily of their children... To be a horse and carriage driver, you must first love animals. Horses are beautiful, powerful animals, but also very delicate creatures that need owners who love and care for them."

"We're about 400 people strong. Politicians won't go out on a limb for 400 people, but they will for the Teamsters Union," said Colm McKeever, who has been a carriage driver for more than 20 years. McKeever said that approximately half of the carriage drivers are, like him, from Ireland.

"Demos and the Teamsters have opened a lot of doors for us," said Eddie Callaghan, a 21-year Central Park carriage driver from Northwest Ireland. "So far, we have been very impressed with the union."





Topic: What was the worst job you or a family member ever held, and how would a labor union, such as the Teamsters, have made the situation better?

THE JAMES R. HOFFA MEMORIAL SCHOLARSHIP FUND *2009 Essay Contest*

Deadline for submissions is

September 30, 2009



For Students attending a community college, 4-year institution or a technical/vocational program, Age 23 and Younger, who are Children or Grandchildren of Teamster Members.

For an application, contact your Teamsters Local Union office or visit www.teamster.org



General President Jim Hoffa says . . .

I WANT YOU!

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