

# TEAMSTER

## JUSTICE AT DIAMOND WALNUT

13-YEAR STRUGGLE ENDS WITH CONTRACT VICTORY





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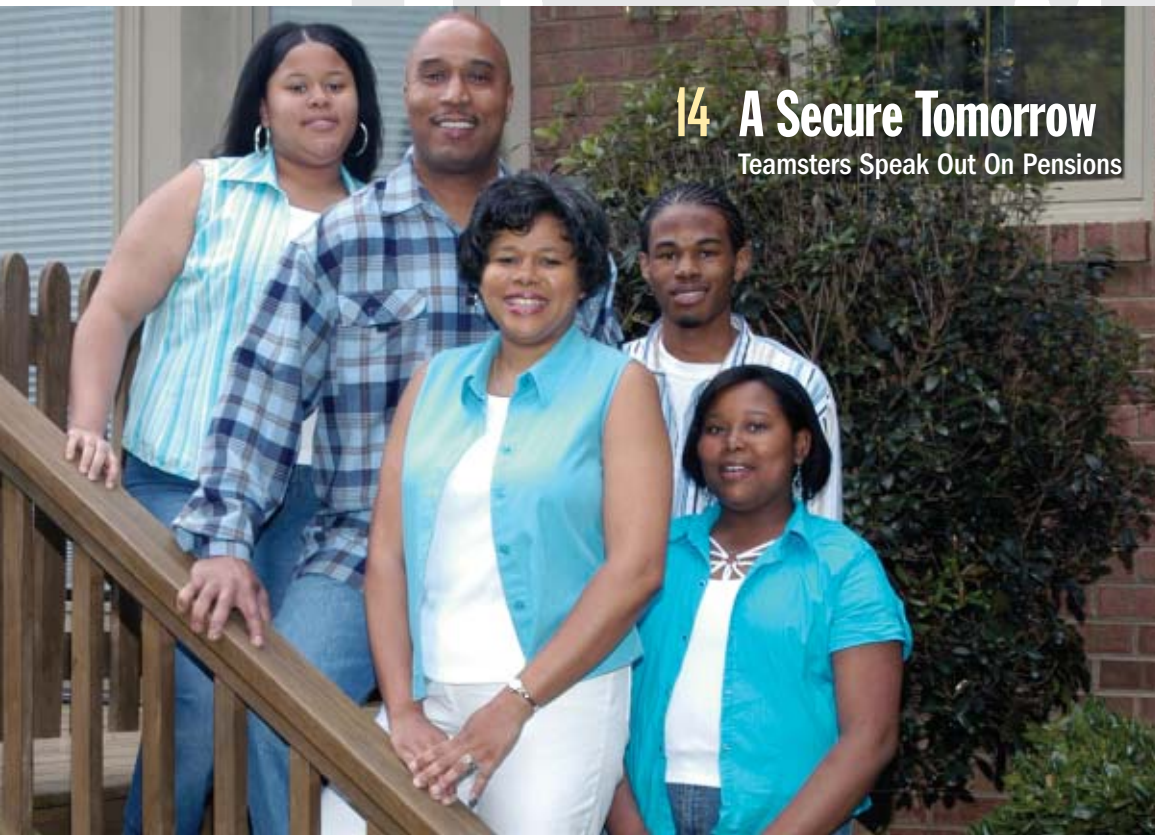
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# TEAMSTER

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A MESSAGE FROM THE GENERAL PRESIDENT

## Justice At Last

**O**ur recent victory at Diamond Walnut has given new meaning to the word “determination.”

For nearly 14 years, workers at Diamond Walnut fought for justice in the face of an unbending employer. These brave men and women were discriminated against, disrespected and treated like machines by a company bent on breaking their spirit.

They now have rights, dignity and a voice at work because they are Teamsters.

When they ratified their five-year contract, they taught everyone a lesson. They taught greedy employers that workers will not stand being mistreated and that joining a union is their legal right. They taught the rest of the labor movement and all working people that the Teamsters don’t quit working for their members when things get tough.

### Union Pays

Their new contract rewards the hard work, sacrifice and dedication they displayed throughout their ordeal. This resolution has been a long time coming and it represents the strength and power of a unified Teamsters Union.

For more than a century, employers have been saying that unions aren’t necessary. Time and again, this theory has been proven wrong by the greed and injustice of big business. Unions still

offer higher wages, better benefits and real protection from unscrupulous employers. All you have to do is look at the numbers.

### United We Stand

From police officers to rail workers, UPS workers to janitors, Diamond Walnut workers to truckers, union members fare much better than their nonunion peers. According to the Bureau of Labor Statistics, union workers’ median weekly incomes last year were 27 percent higher than their nonunion counterparts. On top of that, 70 percent of union members had defined benefit pensions compared with 16 percent of nonunion workers. And when it comes to health benefits, 90 percent of union workers receive them.

Our country’s greatness is derived from the principle, “United We Stand, Divided We Fall.” Management’s basic principle with regard to working people has always been “divide and conquer.” Teamsters at Diamond Walnut stood together to fight for a piece of the American Dream—and they are still standing united today. Their epic struggle is something we can all learn from and we can all be proud of.

*James P. Hoffa*



## Central States Pension Victory

### Kroger Ruling Results in \$13 Million Judgment for Workers

The Central States Pension Fund won a favorable ruling in federal court against the Kroger Co. that will result in a judgment of nearly \$13 million to the fund and its participants.

On March 30, Judge David Coar of the U.S. District Court for the Northern District of Illinois ruled that new hires at Kroger's Louisville, Little Rock, Houston and Dallas distribution centers and its Detroit dairy were eligible casual employees and were, in fact, offered permanent jobs by Kroger. As a result, thousands of current and former Teamster employees will be entitled to additional pension credits ranging from one month to two or three years.

"This is a major victory for these workers, the Teamsters and the Central States Funds," said Jim Hoffa, Teamsters General President. "Kroger tried to pull a stunt on these workers and Central States fought for these workers and protected their pension rights."

The litigation, which has been ongoing for more than 12 years, is a result of Kroger's practice of labeling every new hire at several locations covered by the Kroger Master Collective Bargaining Agreement as ineligible "casual" employees. The court order in this lawsuit awards contributions and audit costs of nearly \$3.4 million and indicates that Kroger is also liable for doubled interest, attorney's fees and costs totaling an additional \$9.8 million.

#### Memphis Appeal

The court previously ruled against the fund with respect to Kroger's Memphis location. The fund plans to appeal this ruling and pursue contributions on behalf of Teamsters members in Memphis. If successful, the judgment will increase by approximately \$4 million.

The court's decision follows two prior favorable rulings. In the first lawsuit, the court ruled that none of the employ-

ees hired at Kroger's Atlanta distribution center from 1987 to 1989 were ineligible casuals because the evidence showed that Kroger offered them permanent employment when they were hired. Kroger ultimately paid \$1 million to the fund in this case.

The second lawsuit was filed to collect contributions for the Atlanta locations for the periods not covered by the first lawsuit. In November 2004, the court again held that

none of the new hires were casuals and ordered Kroger to pay a \$2.7 million judgment.

As a result of the favorable ruling in the first lawsuit, 125 Kroger employees were awarded additional pension credit ranging from one month to over one year. If the favorable rulings in the second and third lawsuits are affirmed on appeal, more than 1,800 current and former Teamsters at Kroger will also be entitled to an additional pension credit.



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# UPS To Purchase Overnite

## Union Monitors Deal to Make Sure Members' Jobs are Protected

After going out on strike with the Teamsters for three years at Overnite, Anthony Pope has a renewed sense of hope that he will someday finally have a strong voice at work.

"I am overwhelmed by this news," Pope said, referring to UPS' announcement that it was buying Overnite.

Overnite workers represented by the Teamsters led an unfair labor practices strike against the company from October 1999 until October 2002.

"Here in Memphis, we have a lot of people interested in a union," said Pope, a dock-worker at Overnite. "We need a union. With the union, you have a voice. You have a contract. You have rules and guidelines for everyone. We're very hopeful this purchase will lead to positive changes."

Pope's coworker on the dock, Herman Lewis, agreed. "Everyone here is enthused by the news. It should be a positive thing."

"I look forward to these workers getting the strong voice they deserve," said Tyson Johnson, Director of the Teamsters Freight Division.

### A Watchful Eye

The Teamsters Union will closely monitor the purchase to make sure members' jobs at UPS are protected.

"The company has informed the union that Overnite will operate separately from UPS' package-delivery operations and that the pur-

chase will not affect any Teamster jobs, including feeder work performed by Teamster members," said Jim Hoffa, Teamsters General President. "However, we will carefully evaluate the deal and make sure that every Teamster job is protected."

The deal is expected to close during the third quarter of this year, and will require regulatory approvals and the approval of Overnite's shareholders.

"If this purchase helps UPS to continue to successfully compete in the global marketplace in the long run, it will increase our members' job security," said Ken Hall, Director of the Teamsters Parcel and Small Package Division. "We have been assured that this purchase will not affect bargaining unit work, but we will evaluate the purchase and work to ensure that it doesn't. I will work closely with General President Hoffa and our local union leaders to make sure our members' interests are protected."



## Easing The Transition

### Teamsters Participate in Work Program for Veterans

The Teamsters Union and numerous locals are getting more involved in easing the transition from military life to private employment. By working with an organization called Helmets to Hardhats, the union has again shown their dedication to American veterans.

Helmets to Hardhats eases the difficult passage into civilian life for military families, providing the best career opportunities, pay and benefits to veterans. The program collects information about jobs in the building and construction trades and works to provide former military personnel with that information. Job candidates can access that information on the program's web site, [www.helmetstohardhats.org](http://www.helmetstohardhats.org)

"I'm proud of our union's involvement in this program," said Jim Hoffa, Teamsters General President. "The Teamsters has a long tradition of assisting those serving in the armed forces any way we can. This great program adds a new chapter to that proud tradition."

### Local Involvement

Since the Teamsters Union appointed a designated liaison to the program, more and more Teamster locals are getting involved in the services Helmets to Hardhats provides. Local 251 in East Providence, Rhode Island has been putting decals on all their training trucks and other vehicles in addition to getting more involved with the organization. All work helmets are getting a similar treatment by Local 282 in Lake Success, New York.

Local 631 in Las Vegas recently put their first member to work through the Helmets to Hardhats program. The Teamster now works for Nevada Redi Mix. In addition to getting a member to work through the program, Local 631 is also putting up a two-sided Helmets to Hardhats billboard on their property.

The Teamsters' designated liaison to the program is Norm Bouley, International Organizer for the Building Materials and Construction Trades Department.

"I was in the military and my family has strong military ties, so I'm thrilled to be involved in this program," Bouley said.

Helmets to Hardhats is co-sponsored by all fifteen Building and Construction Trades organizations, as well as their employer associations, which together represent about 82,000 contractors.

## Fighting Back

### Teamsters and JAB Fight for Jack Johnson Pardon

In 1913, a man was convicted for taking his fiancé across state lines. She was white. He was black. He also happened to be a professional boxer and, since then, his name has dwindled into obscurity.

In order to right this wrong, the Teamsters Union is fighting for a pardon to bring Jack Johnson the recognition he deserves.

On April 6, Teamsters General President Jim Hoffa called on President Bush to pardon legendary boxer Jack Johnson, the first black heavyweight champion of the world. Hoffa

was joined by Eddie Mustafa Muhammad, President of the Joint Association of Boxers (JAB); three-time champion Iran Barkley; and Richard Steele, referee member of the World Boxing Hall of Fame.

The press conference was held on Capitol Hill with key lawmakers in attendance, including Sen. John McCain (R-AZ), Rep. Peter King (R-NY) and Rep. Jesse Jackson Jr. (D-IL).

#### A Cultural Icon

"Jack Johnson's story is more than a story about a great ath-



lete. He was the cultural icon of his day. He broke racial barriers in his fight for freedom and equality," Hoffa said. "We are fighting to restore his proper place in our nation's history."

McCain praised Hoffa's fight for Johnson's pardon and for his effort in helping JAB represent boxers' interests.

"I think that Mr. Hoffa and I share the belief that boxers deserve a lot better than what

they are getting from this sport."

Hoffa noted the growing support for Johnson's pardon that JAB and the Teamsters are receiving from professional boxers and members of Congress.

"We've got a number of House members in our corner so far, and we're asking the president to stand in our corner too," Hoffa said. "Support for our campaign is growing every day as the best and

## TEAMSTER-MADE

### Iowa Teamsters Add Spice To Life

If you're looking to spice up your life, some Iowa Teamsters can help.

Members of Cedar Rapids-based Local 238 help spice up the meals of millions of people each year. Local 238 represents 275 workers at Tone Brothers in Ankeny, Iowa, the largest spice production factory in the world.

The plant produces nationally-known brands such as Durkee, French's seasonings and Spice Islands. Tone's was founded in Iowa in 1873 and is now owned by Associated British Foods of London.



Tone's is the second-largest manufacturer of herbs and spices in North America, behind Maryland-based McCormick & Co.

Located in suburban Des Moines, the employees are Teamsters throughout the plant, performing a variety of jobs—production, material handling, warehouse, processing, sanitation, mill, order pickers, forklift operators and others.

#### Desirable Jobs

"These are well sought-after jobs in Iowa and hardworking Teamsters have been employed at the plant for at least 45 years," said Mike Stanfill, a Local 238 business representative.

Wages range from about \$13 per hour for sanitation workers to more than \$20 per hour for maintenance workers. All the workers receive excellent Teamster-negotiated benefits for themselves and their families.

In April, workers ratified a new five-year contract that increases wages (\$3 per hour over the term of the contract), improves vacation time, dental and eye care and provides more personal time off.

"The average length of service is 11 years and I've been working here for 16 years," said Jeff King, chief steward. "It's not surprising why. The Teamster contract provides us with excellent benefits, strong job protections and great security."



brightest in boxing step into the ring to fight for justice.”

### Travesty of Justice

Johnson earned the respect of fighters and fans alike for his courage and determination both inside and outside the ring.

During the height of Johnson’s career, he was convicted under the Mann Act in 1913 for transporting a white woman, his fiancée and future wife, across state lines.

Although the arbitrary nature of his conviction is well documented in history, it has served to push his legacy to near obscurity.

“It is a travesty of justice—it was a sham conviction,” King said. “It is a blot on our country’s history.”



## A New Face On The GEB

### Henry Perry Appointed as International Trustee

The Teamsters General Executive Board has a new member.

In May, Teamsters General President Jim Hoffa announced that Henry Perry, President of Local 667 in Memphis, has been appointed to the General Executive Board as an International Trustee.

Perry, a 34-year Teamster, is one of three International Trustees that oversee the union’s finances as part of the General Executive Board. He replaces Ron McClain, who

resigned to assume new responsibilities.

“Henry Perry is a tireless fighter for working people,” Hoffa said. “I look forward to working with him as we continue to build and strengthen our union.”

“I’m going to try to make the International Brotherhood of Teamsters as strong as possible,” Perry said. “My goal at Local 667 has been to increase membership and I’m going to do the same for the union as a whole.”

## Safety First

### Union Forces Retreat on Hours-of-Service Amendment

Representatives from the Teamsters, Congress, safety advocates and families of accident victims involving truck driver fatigue presented a united front on Capitol Hill on March 8 and forced Rep. John Boozman (R-AR) to withdraw an amendment that would extend drivers’ workdays to 16 hours.

Teamsters International Vice President John Murphy joined Rep. Mike Honda (D-CA) and spoke at length at a press conference condemning the Boozman Amendment as an attempt by big businesses, like Arkansas-based Wal-Mart, to save money at the expense of public safety.

Widely viewed as an amendment filed on behalf of the retail giant, Rep. Boozman’s proposal would help Wal-Mart’s bottom line rather than the drivers who would be forced into longer hours on the road.



### Emotional Testimony

More than 15 media outlets were in attendance and witnessed the emotional testimony of Daphne Izer and Rick Curl, parents of children who lost their lives in accidents that involved truck driver fatigue.

The vote on the amendment was scheduled to take place in Congress the next day, but due in no small part to the media coverage generated by this press conference, Rep. Boozman pulled the vote off the floor.

“We all celebrate the victory for highway safety advocates,” said Jim Hoffa, Teamsters General President. “However, the Teamsters Union and our allies will not relent in our fight against legislation that endangers our members and America’s drivers.”

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## Salad Days

### Local 890 Wins at NewStar Fresh Foods

In a double victory, Local 890 in Salinas, California negotiated a contract for warehouse workers at the NewStar Fresh Foods plant in Yuma, Arizona and organized more than 100 production workers at the same facility.

By a vote of 38-1, warehouse (cooler) workers ratified their first contract with the bagged-salad producer in late February. The contract raises hourly wage rates by up to 25 percent, and guarantees holiday pay, job security and medical benefits for approximately 60 workers.

The contract, which expires in November 2008, is part of a master agreement that also covers NewStar employees at the company's Salinas facility. The workers produce bagged salad in Salinas eight months of the year, then production is shifted to Yuma during the winter months. During the months before and after the transition, about 18 warehouse workers also work at a NewStar warehouse in Lemoore, California.

"This is a good contract for



me and my coworkers," said Luis Aguirre, a worker in the NewStar warehouse. "It gets us respect and raises our wages toward the levels of our coworkers in Salinas."

"This was a great agreement for the Yuma employees," said Frank Gallegos, Local 890 President and International Trustee. "The workers deserve all of the representation and the rights that a union contract offers."

#### Team Effort

In another vote, 105 production department workers at the Yuma facility voted to join Local 890. With this victory, Local 890 now represents pro-

duction, warehouse and skilled-trades workers at NewStar Fresh Food's plants in Yuma and Salinas.

"The production workers want the same benefits that their counterparts in Salinas receive," said Fritz Conle, a Local 890 business agent. "They want to make sure they'll be recalled when production comes back here next year. Plus, they want better wages, benefits and a seniority scale."

"I'm happy to be a Teamster," said Consuelo Moreno, a production worker at the Yuma facility. "My coworkers in the warehouse are Teamsters and they receive respect, better wages and benefits.

Workers in the production department deserve the same."

The campaigns were waged in tandem. "The warehouse workers approved their contract about three weeks before the production workers' vote," Conle said. "That was a big boost for them. They saw the benefits of being a Teamster."

"The contract and organizing drives are essential to raising the wage and benefit levels of our members, which must be done on an industry-wide basis," Gallegos said.

Several Teamster organizers worked on the campaign, including Ricardo Hidalgo and Esperanza Torres. According to Fred Gegare, International Vice President and Food Processing Division Director, "We are working with the Organizing Department to build a core of bilingual organizers who can go out and really do some organizing in the food processing industry. We're on the move."

***"The warehouse workers approved their contract about three weeks before the production workers' vote. That was a big boost for them. They saw the benefits of being a Teamster."***

**— CONSUELO MORENO, LOCAL 890**





## “Full Funding For Amtrak”

### Members Educate Rail Riders in California

The potential breakup of Amtrak came to a head in March with the launch of an aggressive attack on key congressmen by rail workers. The first targets were Republican congressmen in California—Rep. Jerry Lewis (R-CA) and Rep. Randy “Duke” Cunningham (R-CA). Teamsters Rail Conference members brought their message of “full funding for Amtrak” to passengers aboard Amtrak at the Solana Beach and the Needles stations.

“We choose Solana Beach and Needles because both of these congressmen not only have Amtrak stations in their districts but they are both

members of the very important Appropriations Committee. This committee will ultimately decide the funding level for Amtrak,” said Danny Gates, Brotherhood of Maintenance of Way Employees Division (BMWED) Legislative Director. “Since President Bush authorized a grand total of ‘zero’ dollars for funding, we have to take measures into our own hands.”

The Amtrak system was a product of the Rail Passenger Service Act passed by Congress in 1970. Passenger rail service over the previous years had been eclipsed by automobile and airline service. Cur-

rently there are approximately 16 long-distance passenger rail lines in the United States. In addition, many of these lines feed local commuter lines for metropolitan areas. Therefore, the continued operation of Amtrak will affect long-distance as well as local train service. In California alone there are approximately 3,500 employees of Amtrak. Among them are engineers represented by the Brotherhood of Locomotive Engineers and Trainmen and maintenance of way crews represented by the BMWED. Both units are part of the Teamsters Rail Conference.

#### Legislative Priority

The Teamsters support full funding for Amtrak in order to maintain a passenger rail system. Many cities across the country depend on Amtrak operations to support their local commuter lines and to bring in goods to factories and other businesses.

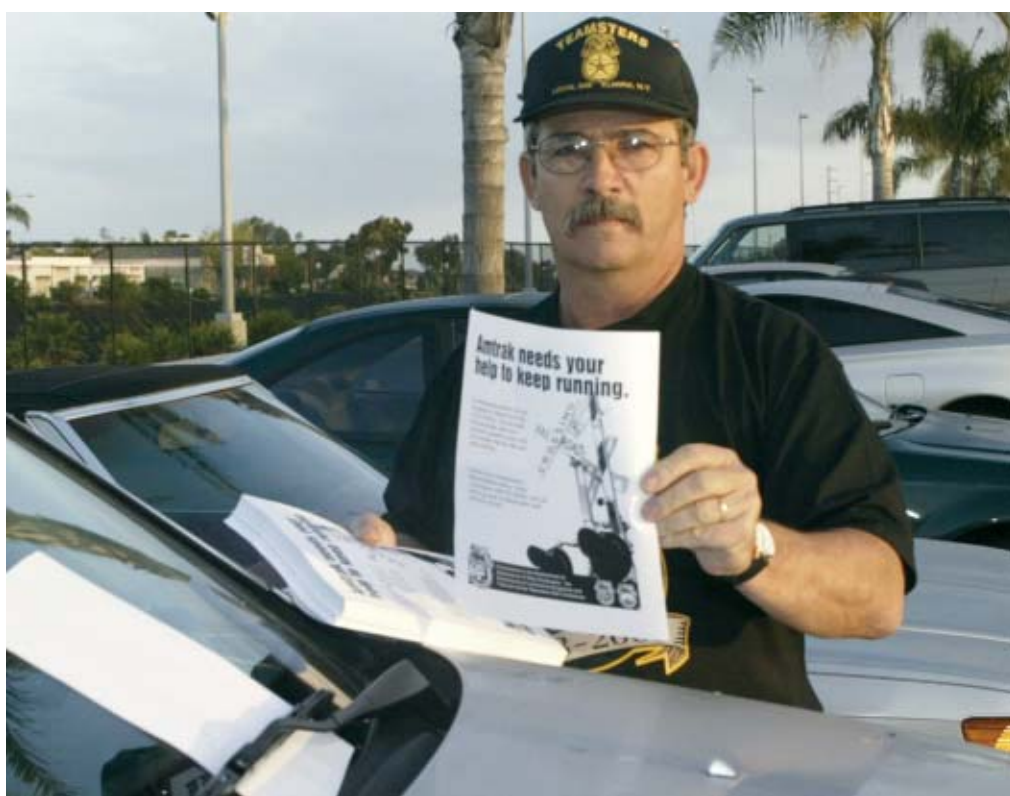
“Privatizing Amtrak or breaking it up is not the right solution. What they need to do is treat their workers fairly and

for the federal government to adopt a realistic long-term funding strategy,” said Jim Hoffa, Teamsters General President. “For years Congress has administered a Band-Aid-type approach to funding Amtrak—only funding it enough so that it survives another year. This type of dependent situation has got to end. Not only for the general public but for the stability of our workers’ livelihoods.”

BMWED members gathered on March 30 at the Solana Beach and Needles stations to inform riders about the funding priority. Armed with fliers titled “Amtrak Needs Your Help to Keep Running,” rank-and-file members greeted commuters and long distance rail riders at these towns.

“People were not happy to learn that their main mode of transportation might be cut off,” said Ricardo Canchola, a 22-year BMWED member.

“It’s a very serious situation,” said Louis Below, a BMWED member from Sacramento. “For us, there are a lot of jobs at stake.”



# Tough Nut to Crack

## Epic Struggle Ends With Contract Victory



**“W**e fought for almost 14 years to get here,” said Linda Geistzler, a worker who struck Diamond of America (formerly Diamond Walnut) back in 1991. After working at the facility for 20 years, Geistzler and fellow strikers spent years wielding signs on the picket line and participating in creative techniques to inform the public of their cause. All of their efforts had led to a day such as this, she said.

“Today, we want to get a contract for these kids,” Geistzler said, motioning toward the workers clustered in groups around the large Local 601 meeting hall in Stockton, California. “A union job is so much better than a nonunion one. These workers deserve a job with rights and security.”

“It’s been so long,” said fellow striker Arlene Cutburth, who had worked beside

Geistzler for over a decade before the strike. “I can’t believe this is happening.”

Since undertaking a strike against the world’s largest walnut producer, Geistzler, Cutburth and about 500 fellow Local 601 members coordinated an international boycott on Diamond-produced nuts, testified before the U.S. Congress and were jailed for nonviolent protests, in addition





to spending countless hours on the picket line. Geistzler and 20 coworkers even crossed the country by bus to draw attention to the contentious struggle between the Teamsters and Diamond Walnut.

They reached their goal on March 22, when hundreds of Local 601 members had the opportunity to vote on a new contract that would resolve what labor experts have labeled the longest strike in U.S. history.

Local 601 Secretary-Treasurer Lucio Reyes stepped to the podium. Reyes had led Local 601 for the majority of the strike and now about 80 strikers and much-newer Diamond employees anticipated his announcement.

"Brothers and sisters, we have a vote count," Reyes said. "It was 180 votes for the contract and 61 against. We have a contract!"

Workers erupted with cheers and applause. Several exchanged hugs. The workers had ratified a new contract, ending this tumultuous strike.

"This is how it should be," Geistzler said. "Everyone came together today. This is fantastic."

### An Historic Day

"This contract rewards the hard work, sacrifice and dedication of Teamsters at Diamond Walnut," said Jim Hoffa, Teamsters General President. "This resolution has been a long time in coming, and it represents the strength and power of a unified Teamsters Union."

The agreement between Local 601 and the company covers about 400 regular, full-year production and maintenance workers, and another 350 workers employed during the fall harvest season. The contract is the first between the parties since Teamster workers were forced to strike on September 4, 1991.

"There were times that I didn't think we'd see this day, but thanks to the Diamond Walnut workers, a strong Strike Fund and with the support of General President Hoffa and the International Union, we got it done," said Reyes, a former Diamond Walnut worker who was instrumental in negotiating the agreement.

The contract provides strong wage increases and establishes a 401(k) plan for current employees, and the company will provide training such as language classes

and instruction in forklift driving for workers who seek advancement opportunities. The pact also ensures that all workers' seniority is respected and will allow workers who have been on strike to return without current employees losing their jobs.

The dispute between the company and workers had its roots in the severe financial difficulties faced by the company in the mid-'80s. At that time, workers agreed to take a 30 percent pay cut to help get the company back on track. By the time the contract expired in 1991, the company was showing gross profits of more than \$171 million, yet no new contract offers reflected the workers' sacrifices during the tough period. When the workers struck, the company hired replacement workers.

The following years were difficult and hard-fought. The union began organizing the replacement workers; votes for union representation were held in 1992 and 1993, both of which were thrown out because of unfair labor practices and charges of discrimination against several workers.

# Strike Timeline

## 1985

### 1985

Teamsters at Diamond Walnut take voluntary pay cuts of 30 percent and more to help financial health of company.

## 1991

### June 30, 1991

Company grosses profits in excess of \$171 million, yet offers little in negotiations to honor the workers' sacrifices. The workers' contract expires.

### July 3, 1991

In a democratic election, Local 601 members reject Diamond Walnut's sub-standard contract offer. Teamsters would reject another offer later in the month.

### Sept. 4, 1991:

Teamsters at Diamond Walnut strike. Company hires replacement workers. Company announces its intention to keep the replacement workers.



## Sacrifice and Dedication

"This has been such a show of solidarity, all of the Teamster locals and other unions who helped us out when we were on strike," said Amanda Gomez, a 15-year Diamond employee who struck in 1991 and walked the picket line for years on end. Gomez began to cry when talking about the strike. "Those Teamsters that helped us, we didn't know them but they were there for us. The word 'brotherhood' in our union's title is right on—my fellow Teamsters defined 'brotherhood' by their actions. It's evidence of the kind of person that our union attracts."

"There was a time we were like a family at Diamond, lots of good people, managers and workers," said Norma DePauli, a former forklift driver and machine operator who worked at the company for 16 years. "Even after the concessions, we

were happy at Diamond, we had a lot of good will for the company—we thought we would retire from there."

Tensions were high before the strike, workers recalled. After its sub-standard contract offers were rejected, the company established a wall in the cafeteria separating management from its Teamster workers. The company even brought in "observers" who learned to do the workers' jobs.

"We had conceded wages in good faith, but to not have those reimbursed or even recognized when the company started showing a profit wasn't right," DePauli said. "It's a shame this strike had to come about, but the company didn't respect

what we did and we had to stand up for our rights."

"We had to train our replacement workers," said Cynthia Zavala, who worked at Diamond for 27 years before the strike. "It hurt knowing that these other workers were going to take our jobs. But we didn't have any choice—we were forced to do it."

## No Regrets

Local 601 workers voted to strike on September 4, 1991. Soon, the company announced the observers had been hired as permanent replacement employees.

"We couldn't believe it," said Alfonsina





# 1992

**Jan. 1992:**

Lucio Reyes is elected Secretary-Treasurer at Local 601.

**Oct. 1992:**

Replacement and striking workers vote on union representation. Unfair labor practices by the company skew the outcome and the National Labor Relations Board (NLRB) recommends a new election.

# 1993

**Oct. 1993:**

In a second election, replacement and striking employees again vote on union representation. However, many of the ballots are challenged by the Teamsters as illegal.

**Jan. 20, 1995:**

After ruling against the Teamsters' objections in mid-'94, the NLRB reverses that decision, stating the unfair labor practices occurred. A new election is recommended. Diamond Walnut appeals in federal court.



# 2000

**Aug. 2000:**

Teamsters General President Jim Hoffa visits the Diamond Walnut strikers. Hoffa promises to do "whatever it takes" to get justice.

**Oct. 23, 2000:**

Administrative law judge issues penalties against Diamond Walnut for the company's flagrant and continued violations of labor law.



Margaret Munoz, a former forklift driver who was one of the original strikers. "We had taken pay cuts and worked hard to help the company regain its strength. Yet despite a return to great profits, the company insulted us with contracts offering meager gains and ultimately kicked loyal workers out the door."

Munoz, Zavala and other coworkers had no regrets with their decision to strike.

"We knew we would have to give up things when we voted to strike," DePauli said. "We were at a point where we had to fight back and stand up for ourselves. Because of the company's actions, we felt like we had no choice."

Zavala's dedication to fighting for Local 601 and her coworkers was exceptional, and Zavala eventually became an important player in some of the strike's more innovative ploys to get attention.

"I went to Europe, to Switzerland, Spain,

***"There were times that I didn't think we'd see this day, but thanks to the Diamond Walnut workers, a strong Strike Fund and with the support of General President Hoffa and the International Union, we got it done."***

— LUCIO REYES, LOCAL 601 SECRETARY-TREASURER



# 2001

**June 27, 2001:**

Democratically elected delegates to the 26th International Convention of the International Brotherhood of Teamsters unanimously approve a resolution in support of the Diamond Walnut strikers.



**Sept. 4, 2001:**

Local 601 marks tenth anniversary of strike, vows to continue the fight for justice.

# 2004

**Oct. 2004:**

The Teamsters Organizing Department provides invaluable assistance during a whirlwind union election, and after 13 years of struggling for recognition, striking and replacement workers vote 311-262 to join Local 601.

# 2005

**March 22, 2005:**

Diamond Walnut workers overwhelmingly ratify a new five-year contract, resolving an epic struggle that began more than 13 years earlier.



Germany and Italy, to gather support for our international boycott of Diamond Walnut,” Zavala said. “I suddenly became the spokesperson while I was there. This led to me speaking in front of Congress, addressing senators about the passage of bills that would aid workers.”

“When people heard about our fast, they’d bring us liquids and help us pray,” Zavala said of her experiences fasting on the picket line with about 10 of her coworkers for 40 days and 40 nights. “Lots of union people came by to support us. Cesar Chavez’s son even visited to give us support. Seeing all of those people made us feel uplifted, it really brought our spirits up and kept us strong on the strike line.”

Zavala welcomed the experience, although she would rather have been at work. “We really stuck together on the line,” Zavala said. “And we always talked about how we’d go back to work together.

Settling the contract is what we prayed for on the line.”

## Joining Together

“The important thing was bringing everyone together,” Reyes said. “Any successful campaign had to include the replacement workers, so we had to convince them to join Local 601 as well.”

Doing this was difficult, in part because of the tension between the two worker groups.

“We were frustrated with the replacement workers,” Zavala said. “They took our jobs. Of course we were angry with them.”

“It was very hard at first,” said Jose Valencia, one of the original replacement

workers. “But lots of my coworkers and I didn’t realize what, exactly, the situation was.” Over the drawn-out strike, Valencia and several other replacement workers would come to call both strikers and replacement workers friends.

Soon after the strike began, workers had a chance to vote on whether they wanted to be represented by Local 601. This 1992 election began a lengthy struggle in courts from central California all the way to the U. S. Supreme Court. The first vote for union representation was thrown out due to the company’s unfair labor practices.

A second election was held in 1993. As part of the agreed-upon process, Munoz



**“Those Teamsters that helped us, we didn’t know them, but they were there for us. The word ‘brotherhood’ in our union’s title is right on—my fellow Teamsters defined ‘brotherhood’ by their actions. It’s evidence of the kind of person that our union attracts.”**

— AMANDA GOMEZ, LOCAL 601





***“This contract would not have come about if workers such as Margaret [Munoz] were not so dedicated. When we were able to bring together all of the workers, both the original strikers and the replacement workers, it truly was a team effort. This isn’t something one person could have done alone.”***

—LUCIO REYES, LOCAL 601 SECRETARY-TREASURER

and two other strikers were reinstated, primarily to provide an opportunity for the replacement workers to hear the union’s message. However, this election was complicated by charges of discrimination against Munoz and her coworkers who were given jobs far below their wage and skill level, specifically because of their role in the election.

“Going back was difficult,” Munoz said. “It was definitely hostile in there.”

Based on this discrimination against Munoz and other violations, Local 601 called for a new election. This started a tangle of appeals and counter appeals that lasted more than five years. The final outcome placed the U.S. Supreme Court, the 6th Circuit Court of Appeals and the NLRB on the side of Local 601. A third election was ordered.

“I can’t believe my name ended up in a Supreme Court case,” Munoz said. “But that just shows how serious we were about getting the justice we deserved.”

“This contract would not have come about if workers such as Margaret were not so dedicated,” Reyes said. “When we were able to bring together all of the workers, both the original strikers and the replacement workers, it truly

was a team effort. This isn’t something one person could have done alone.”

### **Hard Returns**

Well into the strike, Local 601 decided that any member who wanted to return to the plant could do so, and the company agreed to return them to their old jobs and respect their seniority.

Local 601 used this to its advantage, although returning to a plant staffed by the workers who had replaced them a decade before proved difficult for Local 601 members. “I had coworkers who would dump crates of walnuts when I was working,” said machine operator Teresa Michel. “I told them, ‘You’re hurting the company, not me.’”

Once she had re-acclimated to the plant, Michel and other Local 601 members spoke to coworkers about the benefits of Teamster representation and how the plant had been in the years before the strike.

“I knew that we had a good chance to bring the union back because the company

wasn’t treating its workers fairly,” said Michel. “I asked people, ‘Do you feel secure in your job?’ They always said ‘No.’”

“I had another job that paid better,” Amanda Gomez said. “But I felt that it was important to not lose the seniority I’d accumulated at Diamond. I went back and everything was in chaos. We didn’t have a contract so nothing was guaranteed.”

The NLRB ordered a unionization vote in October 2004, giving Local 601 just over two weeks to spread its message to strikers and the current workers at Diamond. Organizers worked 15-hour days before the election, beginning at 4:30 a.m. The campaign was a huge success. Strikers and replacement workers voted to join Local 601, paving the way for the historic contract. According to the editor of the forthcoming “Encyclopedia of Strikes in American History,” the Diamond Walnut strike is the longest in U.S. history.

Gomez did not regret returning to fight for a new contract.

“I’ll never forget what happened that night I got back to work,” she said. “When I got back home, my oldest son—who’s 25, old enough to remember when I worked at the plant before the strike—gave me a big hug. He told me it reminded him of how good things were back before the strike. He said, ‘I miss that smell of you coming home, the smell of the walnuts.’”





# A Secure Tomorrow

## ● ● ● Teamsters Speak Out on Pensions

THESE DAYS, PENSIONS ARE ONE OF THE BIGGEST CONCERNS FOR UNION MEMBERS. As a union member, there is a belief that if you put in an honest day's work and hard-earned years on the job, you deserve a good retirement. It's not just the union way—it's the American way.

More than 750,000 Teamsters are in multi-employer pension plans as part of collective bargaining agreements. These plans are traditionally more secure than single-employer plans and they allow members to take their pension with them when they change jobs within an industry. About 65,000 employers participate in 1,650 multi-employer plans in this country, and nearly 90 percent have fewer than 100 employees. Teamsters participate in about 200 different plans worth more than \$70 billion.

But pension plans across the board have been hit by changing demographics, an unprecedented stock market decline from 2000 to 2002, and falling interest rates, leaving many under-funded. The government's pension insurance agency is running record deficits to cover benefits for workers whose plans have defaulted. The shortfall at the Pension Benefit Guaranty Corporation (PBGC) soared to more than \$23 billion last year, raising concerns that a taxpayer bailout may be necessary. And with companies like United Airlines dumping their pensions through the bankruptcy process, even more plans are expected to go under this year.

Because multi-employer pension plans are part of collective bargaining agreements, funding can't simply be increased to cover shortfalls. Congress stepped in last year to provide much-needed relief to pensions—but only to single-employer funds. Multi-employer plans were ignored in an effort to discriminate against union members.

As a result, multi-employer plans across the country are being forced to reduce pension and health care benefits to keep the funds afloat. The Teamsters and other unions have joined with employers in calling on Congress to address the crisis this year by passing legislation that would provide meaningful relief for multi-employer plans. One important provision would let multi-employer funds further spread out their recent investment losses, giving them time to recover.





## Will Combs

REIDSVILLE, NORTH CAROLINA

**Y**ou could say that Will Combs has three jobs. He works as a package car driver for United Parcel Service, he is a deacon at the Elm Grove Baptist Church in his hometown of Reidsville, North Carolina, and he is a “full-time family man.”

Combs, 44, has a wife and three children, ages 11, 14 and 17. He spends most of his spare time with them, whether it’s tossing a football or “going into the backyard with my son and pointing out the spots he missed while mowing the grass,” he said.

As a Teamster and member of Local 391 in Greensboro, North Carolina, Combs is confident that he and his family will be taken care of after he retires thanks to great benefits and a strong pension. He has worked at UPS for 20 years and just started to think seriously about his pension and retirement a couple of years ago.

### Union Vs. Nonunion

“My plans for retirement haven’t really changed in the last few years,” he said. “Hindsight is 20-20 but you’ve got to have foresight also. I’m not too shocked about what is happening with pensions. When you have a Congress and an administration that isn’t friendly to workers, this is what happens.”

“I tell people that you have to be realistic. You can’t blame the Teamsters for what has happened with pensions. They bargained good wages and benefits for us and that counts for a lot. You can’t get mad at unions that not enough is being

done in Congress about pension reform,” he said.

“To look at how much the Teamsters have done for us, all you have to do is look at the pensions and benefits of a nonunion friend or relative,” he said. “I’ve got a cousin who works at a mill in Virginia and their pension is ridiculous. He’s not in a union. With his pension, it’s almost like he can’t even afford to quit working—like they’ve got to keep working until they die. Sometimes you just look at what others make and what they get from work and it’s like we won the jackpot.”

### Strong Leadership

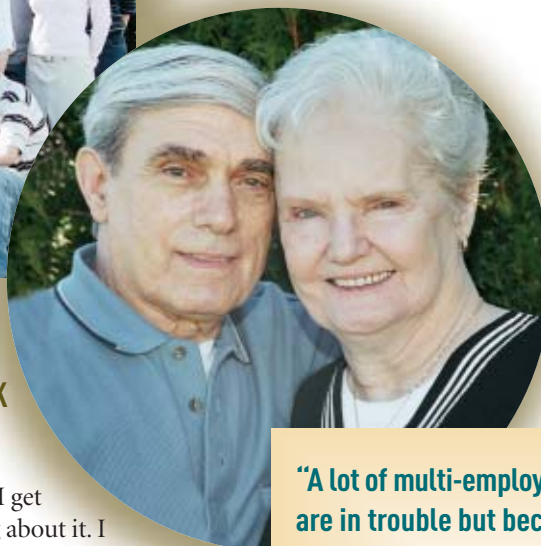
As far as his actual retirement goes, Combs said his wife has plans for them.

“She talks about traveling, going to see friends of ours from college,” he said. “But I just want to do what retired people do. I see them working in their yards, going fishing, going on cruises, fun stuff like that.”

Combs said he doesn’t worry about his retirement in large part due to the strong leadership of Local 391. “[President Jack] Cipriani and the whole group at the local, they do a great job on our behalf,” he said. “They’re good motivators and they know how to keep everyone involved.”

**“To look at how much the Teamsters have done for us, all you have to do is look at the pensions and benefits of a nonunion friend or relative.”**

— WILL COMBS



## Gino Arilotta

ROCHESTER, NEW YORK

**T**here were nine people in our home and we all lived on one paycheck,” said Gino Arilotta, a retired Teamster in New York. “My wife and I have seven kids and it’s a testament to the union that we lived on only my income. And it wasn’t just eating spaghetti every night. We had good meals. We had a good life.”

Arilotta retired as a freight driver with TNT Red Star in 1992 and has been an active Teamster retiree since then. A member of the union for 45 years, Arilotta still takes a daily role in the activities of his union, Local 118 in Rochester, New York. This includes joining the nationwide fight for pension reform.

“Pension reform right now—it’s like it has been for years,” he said. “Not enough is being done to help pensions in Washington, D.C. They certainly have opportunities to do some good for working people but they’re too busy looking out for their cronies.

“Honestly, I don’t even know what Congress is doing about pensions right now. A lot of multi-employer plans are in trouble but because a lot of them are union plans, I don’t expect a lot to be done about it. You know how unions stand with folks in Washington. They’re not for us and that’s nothing new,” he

said. “Sometimes I get burned up talking about it. I get on a subject like pensions and I get really riled up.”

### A Secure Pension

Arilotta retired with what he said is a perfect pension through the Upstate New York Pension Fund. He has seen the pensions some of his nonunion friends and relatives have and that only makes him feel more secure.

“There are so many other pension funds and I can’t keep up with all of them, but I know I have one of the best. I’ve seen some others and they come nowhere near mine,” he said. “I can’t say enough good things about the pension the Teamsters got me.”

Even with his great retirement package, Arilotta didn’t just sit back and retire. The next year, he started the Teamsters Retiree Chapter of Local 118.

“I wanted to continue my relationship with my local and my fellow Teamsters. The purpose of the chapter is to assist the retirees, protect and improve benefits while providing them a place to meet, eat and socialize with each other,” he said. “We do a lot of other things. We volunteer in the community, hold clothing drives and man phone banks at election time.

**“A lot of multi-employer plans are in trouble but because a lot of them are union plans, I don’t expect a lot to be done about it. You know how unions stand with folks in Washington.”**

– GINO ARILOTTA

### Keeping Busy

“I encourage others to start Teamster retiree chapters across the country,” he said.

Retiree chapters, he said, provide soon-to-be-retired and retired members with answers to problems that may pop up dealing with their pensions.

Arilotta keeps busy with his retiree chapter, but that doesn’t mean he can’t spare time to spend with his wife Ruth, their seven children, 19 grandchildren and newborn great grandchild. Most of them live in the area and he spends a good deal of time with his family. The life he provided his family, he said, wouldn’t have been possible without the Teamsters Union.

“It was a proud day when I became a Teamster. It was like becoming a soldier. People looked up to Teamsters. It meant so much to me then and still means a lot to me today.”





## Dee Finney FEDERAL WAY, WASHINGTON

**D**ee Finney takes pride in many aspects of her life. She's proud of the fact that she was the first female to be hired in the garage at Hertz Rent A Car at the Sea-Tac Airport outside of Seattle. She's happy that she only has 14 years to go until she retires.

Finney is especially proud of her Teamster job and the security she has knowing that she'll have more than a Social Security check when she retires.

"I've always had trouble saving money," said Finney, a member of Local 117 in Seattle. "With my pension, though, I know I have the upper hand. It's reassuring to know that it's there—that the money is being saved for me. I'm just working and building my savings for when I retire."

### Concerned Teamster

While Finney is confident in her retirement plans and her strong Teamster representation, certain things have made her concerned in the past few years. If politicians get their way, she said, only certain people will be able to have secure retirements.

"I get the feeling that Congress isn't doing everything they can to look out for working people," Finney said. "They could be doing a lot more in the way of

pension protection. I also realize that the company is trying hard not to put as much into our pension as they were in the past, but that's just how it works."

Finney said that no matter what happens in the halls of Congress, she knows that there is somebody looking out for her.

"As long as the union is standing behind me and my coworkers, those politicians are going to have a fight on their hands if they do anything to put our retirements in jeopardy," she said. "If we leave these things up to the politicians, our retirement money is just going back into the hands of Wall Street firms or people who are already making too much money as it is. Working people won't have any avenue for retirement if some politicians get their way."



**"I get the feeling that Congress isn't doing everything they can to look out for working people."**

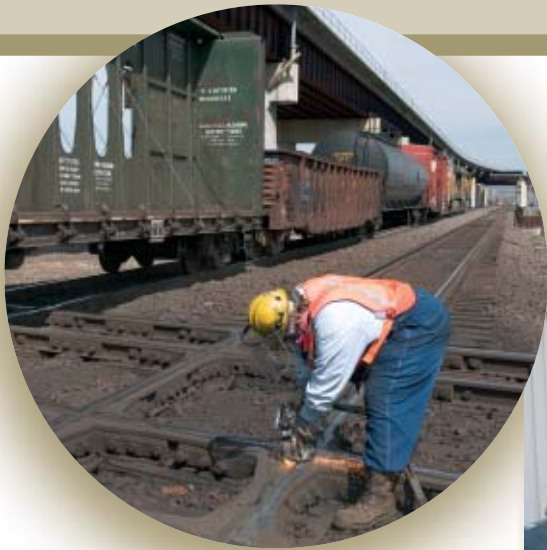
— DEE FINNEY

### Retirement Plans

Finney lives in Federal Way outside of Seattle. She has a fiancé living in New York and talks about retirement and the places they want to travel together. Since she was a child, Finney has wanted to see Australia.

"I've been dying to go since I was 15," she said. "I know that with my pension, I'll be able to do more than just make ends meet in retirement. I'll get to do the things I always wanted. I have lots of friends who aren't in unions and I know their retirement isn't as secure as mine. My pension leaves theirs in the dirt."

"Every chance I get, I tell my friends to join a union—the Teamsters if they can," she said. "I do a lot of recruiting for the union because I realize how much it does for working people like me. With the union, you've got something backing you up."



## David Louk KANSAS CITY, MISSOURI

**I**'m not too hip on any type of politician or even the whole two-party system," said David Louk, a Union Pacific employee and Rail Division Teamster. "Those old goats only sit up there in Washington, D.C. and argue. The only time I feel uneasy about my money is when some out-of-touch politician has control over it."

Right now, Louk is leery of government intervention in pensions but he knows something has to be done to aid pension funds. He's retiring in six years and wants to know the status of the money he has worked hard for.

"A few months ago, my wife said, 'You've only got about six years to go before retirement. Aren't you excited?' I said I could get excited about retiring but not about turning 60 years old."

It was then that Louk started thinking about the money situation for retirement. He has a good pension coming to him from the Railroad Retirement system but he's concerned about pension plans in general and isn't convinced the government is worried about the plight of regular workers who are counting on pensions for retirement.

Louk participates in the Railroad Retirement system, a federal system that is

part of the Railroad Retirement Act that is administered by the U.S. Railroad Retirement Board. The system provides retirement and disability annuities for qualified employees, spouse annuities for their wives or husbands and survivor benefits for the families of deceased workers.

Currently, 227,000 employees are covered by the Railroad Retirement system. To protect the Railroad Retirement system, the Teamsters are working with other rail unions to insure full funding for Amtrak. As part of the effort, the Teamsters has coordinated several congressional lobby days in Washington, D.C. where rank and file members visited with members of Congress to educate them on the importance of Amtrak service in their districts and the need to fully fund it.

"With politicians, I see that they have no money problems and no idea what real work is," he said. "They never had to work day and night and they never got called out at 2 a.m. into 40-below weather. They've never been out of money. Politicians just can't appreciate how important pensions are to people like me," he said.

### A Strong Union

Louk's pension is incredibly important to him. For 33 years, he has worked hard at

**"Politicians just can't appreciate how important pensions are to people like me."**

– DAVID LOUK

his job and worked a lot of overtime and it was all for one reason: growing his pension. Louk currently works on "frogs" for Union Pacific. Intersecting railroad tracks cross through each other on a special track section called a frog. When locomotives transfer wheels onto another rail, the impact grinds down this section of the rail and Louk repairs them.

He already has his retirement plans laid out. He and his wife are going to live on the Lake of the Ozarks in Missouri.

Louk and his wife don't have children but they have an active family life. In April, his parents celebrated their 68th wedding anniversary. It was a poignant reminder to Louk how important security is in retirement.

"Thanks to a good pension and the backing of a strong union, I know my wife and I are also going to be taken care of in our retirement," he said.



# Teamsters On Tour

## Getting the Facts about Pension Reform

**T**eamster officials are bringing the truth about pensions to locals across the country, debunking rumors and lies and uniting members behind a massive effort to fight for retirement security.

The first meeting was held in March at Local 89 in Louisville, Kentucky, where hundreds of members turned out on a beautiful Sunday afternoon to get the facts about the pension crisis affecting thousands of plans in all industries.

"I thought it was a very positive meeting and very informative," said Eddie Wilke, a Local 89 steward and 23-year Teamster who works for UPS. "It helped us to understand what is really going on with pensions. The more the union will stand together, the better off we'll be in the long run."

Similar meetings also were held in Memphis, Tennessee and Toledo, Ohio, where members gathered to learn the truth about efforts to fight for their retirement future.

"The more informed that we all are about difficulties facing the country's pension

system, the better off we'll be in fighting to protect our benefits," said Fred Zuckerman, President of Local 89.

### Acting as One

Teamsters are demanding that lawmakers step in and provide additional financial tools and funding flexibility to help pensions recover from the stock market slump of the past few years.

"It's crucial we start acting as one to secure our pensions," said Fred Gegare, an International Vice President and a Central States Pension Fund Trustee. "We all must be united behind pension protection legislation."



J.R. Botkins, a 32-year Local 89 Teamster who works for Allied Systems, said he now has a better understanding of how the federal pension law affects multi-employer plans and their funding.

"That was actually the turning point for me," Botkins said. "The whole time I had been thinking, 'How did this happen?' But I walked away feeling a whole lot better. It was the truth. You may not like it but you can live with it."

## Protecting Our Funds

### Teamsters Meet to Strengthen Pension Security

**F**aced with a national pension crisis, more than 250 Teamsters and benefit fund trustees gathered in March in San Diego to plan strategic and legislative initiatives that will protect and strengthen multi-employer pension plans.

"We are fighting to protect and fortify our pensions," said Jim Hoffa, Teamsters General President. "That means legislative relief in Washington and taking hard stances in negotiations with employers. These are tough times for pension plans across the board. And thanks to our strong contracts, Teamsters face more secure retirements than nonunion workers."

Last year, Congress acted to assist companies that participate in single-employer pension plans, but did nothing to resolve the same problems affecting multi-employer plans that guarantee the retirement security of union members.

Under Hoffa's leadership, the Teamsters Union has launched a massive national campaign to pressure Congress to pass pension protection legislation that gives multi-employer plans more flexibility to strengthen the system.

### Necessary Action

Trustees are aggressively protecting Teamster pension plans and finding innovative ways to secure members' benefits. Charlie Byrnes, a Fund Trustee and Secretary-Treasurer of Local 926 in Pittsburgh, is taking on employers and asking tough questions.

Byrnes said that employer Trustees were being paid \$600 a month to attend Trustee meetings. Byrnes cut back on meetings to save money by holding them every other month. He started asking tough questions, demanding that money managers justify their costs and provide discounts.

"Don't let them confuse you. Don't be afraid to ask questions," Byrnes said at the Teamsters Trustee Education Program. "It's our fund. It's our money. Without the Teamsters there wouldn't be a fund."

For more information on the pension protection campaign, go online to [www.unionvoice.org/campaign/pensionpetition](http://www.unionvoice.org/campaign/pensionpetition) and make your voice heard. Your retirement security is at stake.

# Victory In The Valley

## Transit Workers Join Local 166

**W**hen ATC Vancom continued to treat Cynthia Hernandez and her coworkers unfairly by changing their work schedules, disregarding their seniority and paying drivers with more experience much less, Hernandez was ready to scream. Instead, she picked up the phone.

Hernandez, the granddaughter of a Teamster truck driver, called Bloomington, California-based Local 166. Her call got the ball rolling on an organizing campaign that resulted in a resounding victo-

ry for the workers, who voted to become Teamsters.

"To me, the campaign wasn't about money, it was about respect," said Hernandez, who has worked for ATC Vancom for about three years.

### Fighting for Respect

The unit of 101 workers consists of full- and part-time drivers, lead mechanics, mechanics, clerks, receptionists and utility workers. They serve the communities of Hesperia, Victor Valley, Victorville, Adelanto, Apple Valley and San Bernardino County.

The ATC employees had worked for three separate companies before ATC recently won the contract to provide transit services. As a result, there are wage disparities that need to be addressed in contract negotiations.

Hernandez said workers were hearing rumors about the merger, but the company kept them in the dark. "We read about the merger in the newspaper," she said.

The merger resulted in many workers with more experience getting paid less than drivers with little experience. Workers also lost their seniority. "I've lost my seniority four times since I've worked at ATC," Hernandez said.

### Standing Together

Hernandez and her coworkers remained united throughout the campaign, noted Floyd Helms, a Local 166 business representative based in Barstow. "The workers are also seeking improved benefits, including better medical benefits," Helms said.

"We will negotiate a strong contract for these hardworking men and women," said Mike Bergen, Local 166 Secretary-Treasurer. "The contract will address the unfair disparities that exist."

Hernandez said joining the Teamsters has boosted unity in the workplace.

"The union has brought us together. Before, the workers from various departments kept to themselves. Now we're one big unit. It was never like that before," she said.





## LOCAL 20

### Delivery Connection

**D**rivers at Delivery Connection, who deliver furniture for Elder-Berman department stores, voted to join Local 20 in Toledo.

The drivers contacted the local after the company cut their pay, slashed their health care coverage and failed to pay them overtime. Shortly after the company found out about the organizing drive, they fired all seven workers.

"Local 20 filed an unfair labor practice charge, demanding that the workers be reinstated with full back pay. Six days later, the company reinstated the drivers and paid each about \$380 in back pay," said Norm Lewallen, a Local 20 organizer.

Later, the drivers voted 5-1 to join Local 20.

"Our President, Bill Lichtenwald, was instrumental in getting the drivers back to work," Lewallen said.

## LOCAL 137

### Land O' Lakes

**F**ifty workers at Land O' Lakes, Inc. in Orland, California overwhelmingly voted to join Local 137 in nearby Redding.

"We had trouble getting fair treatment from the company for a lot of years but people were afraid to do anything," said Rob Barker, an eight-year employee at the plant. "But finally we all realized it couldn't get much worse, so it was time to take action and stand up for ourselves."

The cheese processors, pasteurizers, lab technicians, shipping and receiving employees and other related workers, voted by a 2-1 margin in favor of union representation. The quest for job security, job

advancement, fairer wages and respect were the major issues of the campaign.

"The bosses told the workers that they could be fired and replaced at any time," said Dave Hawley, Local 137 Secretary-Treasurer. "Occasionally, they would get small raises, but then the company would raise the co-pay on their health insurance. They deserve better."

This was the second election at the facility in two years. Last year, the attempt at union representation was defeated by just one vote. In the days prior to the last election, the company made promises to improve health and welfare benefits, but failed to follow through on them once the vote was completed.

## LOCAL 238

### Farner-Bocken

**W**orkers at Farner-Bocken, a freight hauling company, voted 13-3 to join Local 238 in Cedar Rapids, Iowa.

"Cost increases to the workers' health-insurance coverage angered many workers," said Jesse Case, an organizer with Local 238.

On Christmas Eve, the company informed workers that their medical insurance deductibles were increasing from \$1,000 to \$6,000 for families, and from \$500 to \$2,000 for singles. In addition, their prescription drug cards couldn't be used until they had reached their deductibles.

The workers responded by reaching out to Local 238, which provides solid representation to more than 6,000 Iowans.

## LOCAL 89

### Irving Materials

**L**ocal 89's campaign to organize workers at Irving Materials, Inc. (IMI) in Kentucky continues to roll,

with the latest victory a card-check agreement at the concrete company's facility in Harrodsburg.

David Swift, a business agent and organizer at the local, along with Mike Fackler, another business agent, have spent the last six months meeting with workers at IMI construction sites throughout Kentucky.

"Local 89 already has several IMI concrete locations under contract and our goal is to organize all of the work sites," said Fred Zuckerman, President of Local 89 in Louisville, Kentucky. "Most IMI locations have five to 10 employees. By organizing more sites, the contracts negotiated will get stronger."

Within the last year, Local 89 has won elections in Hopkinsville, Campbellsville, Brandenburg and Winchester. In the most recent victory, the company recognized Local 89 as the bargaining representative through a card-check agreement. Local 89 hopes to organize an additional 12 to 15 IMI locations in the near future.

"By reaching out to all locations, our current members, along with our new members, will have the representation needed to get fair wages and benefits, and will build unity and strength in our construction division," said Kevin Evans, a Local 89 organizer.

## LOCAL 495

### Caterpillar Logistics

**W**orkers at an auto parts distribution center, who are concerned about their job security, voted to join Local 495 in Pico Rivera, California by more than a 2-1 margin.

The 23 eligible voters work at the Mazda Auto Parts Distribution Center in Ontario, California, but are employed by Caterpillar Logistics.

Approximately 25 other people employed by a temporary agency work at the plant and Local 495 leaders hope to make those workers part of the collective bargaining unit as contract negotiations proceed.

"Job security is the workers' biggest issue," said Hector Delgado, a Local 495 organizer. "When Caterpillar took over management from Mazda, Caterpillar took away the workers' pension plan and cut wages in half."

## LOCAL 142

### Kemiron/Eaglebrook Express

**T**ankhaul drivers in Schererville, Indiana now have a stronger voice after voting to join Local 142 in Gary, Indiana. Recently, the 44 drivers at Kemiron/Eaglebrook Express voted 28-13 in favor of Teamster representation. The workers haul acid used in steel mills.

"This is a classic organizing campaign that everyone wants to have," said Larry Regan, a Local 142 business agent. "These drivers are very union-minded. They took the company on at a company meeting and turned it into a union meeting."

The drivers' main concerns are Teamster benefits, retirement and job security. The company is a leading global manufacturer and distributor of industrial, water treatment, pulp and paper chemicals.

Others who assisted in the organizing campaign were Mike DiGrazia, Joint Council 25 Organizing Director, and Steve Matter, Local 705's Tankhaul Division organizer.

"Don Rippe headed the committee and did a fantastic job," said Les Lis, a Local 142 business agent. "He was the spark that turned this into a great organizing victory."

# Getting ORGANIZED





## Organizing Conference Acknowledges Victories, Details Goals

**B**rothers and sisters, we are in the midst of an organizing revolution,” said Jeff Farmer, Director of the Teamsters Organizing Department, in addressing more than 300 organizers at the Teamsters Organizers Conference in March. “In 2004, more than 22,000 workers were organized with your assistance.”

The effects of organizing have spread throughout the Teamsters, Farmer reported. “Forty-five locals and Joint Councils have added organizers within the past year,” he said. “And we have conducted more than 50 organizing training sessions across the country.”

This year’s Organizing Conference featured numerous success stories, as well as several workshops and a major rally in support of drivers at the port of Miami. The conference also emphasized the results of implementing the department’s strategies for organizing workers.

“Our organizing campaign tools used to be trinkets like T-shirts and hats,” said Roger Insprucker, President of the Ohio Conference of Teamsters. “Those worked with mom-and-pop operations but today we’re dealing with corporate America.”

### Multi-Step Strategy

Insprucker, a 39-year Teamster, pointed out that the Ohio Conference had organized numerous workers in 2004 by sticking to the Organizing Department’s multi-step strategy for assisting workers’ unionization efforts.

“To be successful, we need a strategy and someone who can walk us through an organizing campaign step-by-step,” Insprucker said. “That’s what’s so great about the Organizing Department.”

Many local, Joint Council and International Organizers addressed attendees, detailing local victories and the nationwide campaigns in the solid waste, freight and carhaul industries, as



well as DHL independent cartage contractors (ICCs) and Quebecor World printing facilities.

Numerous local organizers praised the organizing model implemented by the Organizing Department. Luz Perez, Director of Organizing for Local 901 in San Juan, Puerto Rico, said, “There’s nothing like worker-to-worker contact.” In 2004, Perez helped organize workers at a DHL ICC and a solid waste facility. Bert Haft, Organizing Director of the Graphic Communications Conference (GCC), explained the leverage campaign the conference is applying against Quebecor World, a printing behemoth that employs more than 37,000 workers in 17 countries. “In two-and-a-half years, with a staff of new organizers, we’ve made significant progress,” Haft said.

### Winning Public Support

Some at the conference talked about how winning support of the public was essential in their campaigns. Steve Sullivan,

## Q&A: Jeff Farmer

### Teamsters Organizing Director

Under the direction of Jeff Farmer, Teamster organizers are hard at work expanding the power of the union. *Teamster* magazine recently sat down with the union's Director of Organizing to find out more about where the organizing program is going and the challenges it faces along the way.

**Q. Why is organizing so important to the future of the union?**

A. It's really pretty basic—there's strength in numbers. Organizing is about building Teamster power for our members—the clout for strong, industry-leading contracts. And, of course, organizing brings dignity

and respect to nonunion workers when they join the Teamster family.

We belong to the most powerful union in North America. But to maintain and grow that power, we have to be the largest and fastest growing union too. That's the big challenge and that's what we're aiming for.

**Q. What are some of the challenges the Teamsters face in their organizing campaigns?**

A. First and foremost, it's employer opposition. Employers across the country are engaging in increasingly sophisticated, nationally coordinated anti-worker campaigns. We regularly see management harass, threaten, and intimidate workers, change operations, and even fire union supporters, all to discourage workers from joining a union and getting the protection and benefits of a strong Teamster contract. Companies like Allied Waste/BFI, Waste Management, DHL and USF Dugan, among others, have done everything they can to keep employees from organizing with the Teamsters.

**Q. Why are meetings like this year's Organizing Conference important?**

A. Our theme at these conferences is "Building a Mighty Army," and this conference gave us a chance to build a more professional army of organizers—with more than a dozen workshops ranging from immigrant rights to campaign communications to organizing and the law.

This is a diverse group of people—as you'd expect from such a large and diverse union. When organizers get to know each other, they're more likely to pick up the phone and share strategies and tactics. And they leave conferences like this one motivated and rejuvenated for the battles ahead, knowing the entire Teamsters Union is behind them.

**Q. How can rank-and-file members support organizing?**

A. Members can volunteer to work on organizing campaigns at their locals or simply reach out to potential members in their industry and talk to them about the benefits of being a Teamster. Right now we're asking UPS drivers and Teamster freight members who see DHL delivery drivers on their routes to stop and talk to them. No one is more believable about the benefits of being a Teamster than a Teamster member.



**"Organizers came in from the International and helped out. The International's program works."**

— JOHN SHERMAN, LOCAL 769 ORGANIZER



Organizing Director for Local 25 in Boston, cited a campaign at Veterans Transportation Services, Inc. in Waltham, Massachusetts as an example of the importance of public support. During the campaign, Sullivan solicited a letter from Teamster mechanics at the facility and appealed to a community voice.

"The drivers listen to a Haitian DJ during the day," Sullivan said. Soon, he won the broadcaster's support. "He invited us on his show to field questions from workers and their families. Reaching the workers' community was a key to building cohesiveness and winning that campaign."

Local 769 in Miami is also engaged in multiple organizing campaigns. Recently, nearly 1,000 Ft. Lauderdale municipal employees voted to become Teamsters. "We utilized contacts with state and local politicians, police officers, anyone who was concerned with standard working conditions," said Josh Zivalich, Local 769's Secretary-Treasurer. "The community support really helped our campaign."

"We built a volunteer organizing committee of people in different departments, met with workers one-on-one, and we distributed fliers," added John Sherman, a Local 769 organizer. "Organizers came in from the International Union and helped out. The Teamsters program works."





## Practical Knowledge Workshops Provide Useful Tools



From “Evaluating Your Campaign,” to “Strategic Targeting” the Second Annual Teamsters Organizing Conference included eight different workshops on key topics affecting organizers, workers and campaigns.

“In addition to feeling energized about building

Teamster strength and power, we want organizers to walk away from the conference with hands-on, practical knowledge,” said Jeff Farmer, Teamsters Organizing Director. “We design the workshops to deliver just that.”

Conference workshops included:

- **“Evaluating Your Campaign”** Workshop leaders reviewed techniques and methods to help predict which campaigns are more likely to succeed in bringing in new members and increase bargaining power for current members.
- **“Organizing and the Law I: Recognition”** and **“Organizing and the Law II: Other Topics”** Topics included voluntary recognition, election-day issues, post-election challenges, access to employer property, NLRB (National Labor Review Board) procedure relating to the processing and investigation of unfair labor practices, picketing and hand-billing.
- **“Strategic Targeting”** Participants discussed concepts of union

power and work through an exercise to select “smart” organizing targets to increase real bargaining power.

■ **“Tracking Campaign Information”** Participants explored various ways to manage worker information, from building initial lists to tracking assessments and using that information to develop campaign strategies and make decisions.

■ **“The Teamsters Organizing Model”** Participants discussed campaign reconnaissance, leadership identification, representative organizing committees, building majorities and winning recognition.

■ **“Organizing and Immigration Rights”** Attendees discussed issues specific to immigrant workers and organizers drew on their experience in the food processing industry.

■ **“More Effective Campaign Literature”** Participants learned how worker-to-worker, issue-oriented literature improves communication with key workers.

■ **“The Employer’s Campaign”** Participants discovered what organizers are up against in terms of anti-worker, anti-union materials and other facets of the employer’s campaign.



## Port Support 300 Organizers Hold Rally at Port of Miami

While attending the annual Organizing Conference, more than 300 organizers from around the country joined Port Division leaders to hold a rally in support of drivers at the Port of Miami who have been ordered by the federal courts to suspend any and all protests against shippers and carriers.

The Port Division is running a national campaign to organize all port drivers, who are widely viewed as the most exploited truckers in the world. The drivers at the Port of Miami took part in a national work

stoppage last June and were forced back to work when the county and terminal operators filed an injunction against the workers. A federal court ruled that as independent contractors they violated anti-trust laws with the work stoppage.

“There are 1,700 port drivers in Miami,” said Guillermo Perez, a driver who was worked in the port industry for 18 years. “There are delays in the port, no respect shown to the drivers and a now a court order that made us go back to work last July when we took a stand. Now we are in mediation.”

### Widespread Abuse

Perez’s frustration is something all port drivers share. They have essentially been told by the federal court that they have no rights as workers to fight the widespread abuse by steamship lines.

“We are out here today to return a voice to workers who have been undercut by the system,” said Chuck Mack, Director of the Teamsters Port Division. “This is a battle that we as Teamsters must fight for every driver in every port across America.”

Port drivers honked their horns and gave the thumbs up as they passed the rally, appreciative of the support offered by the union.

“We need to stop the abuse of port drivers,” said Eduardo Verdades, a 24-year support-trucking driver. “We believe that the Teamsters can represent us.”



# Gateway To

# R E S P E C T →

DHL EMPLOYEES WIN HISTORIC CONTRACT AT JFK

For the last eight years, Camille Pedretti has worked for DHL at New York's John F. Kennedy Airport. She works the night shift as an International Station Agent entering important data about shipments. During those eight years, Pedretti has been an exemplary employee. She has won awards and is well-liked by her colleagues and supervisors.

But Pedretti and her coworkers proved tougher than management bargained for when they successfully unionized the DHL gateway at the airport and more than 330 new members of Locals 295 and 851 ratified their first contracts earlier this year. The two New York City-area locals are the first to win contracts for new units at DHL.

"Management listens to us now. It's not just one-sided. We have respect and a voice on the job," Pedretti said. "The

Teamsters have a lot to do with that."

The JFK workers staff a 24-hour, seven-day-a-week international plane hub. The new Teamsters work in Building 263 at JFK International Airport, one of the world's busiest airports.

"These new contracts are historic and show the way to union representation for DHL employees across the country," said Jim Hoffa, Teamsters General President.

## Excellent Contract

Local 295 represents the drivers and warehouse workers while Local 851 represents the clerical staff at DHL's gateway facility. The locals waged a joint organizing drive and then worked together to negotiate the contracts.

"When we first started organizing, most of the employees really didn't know

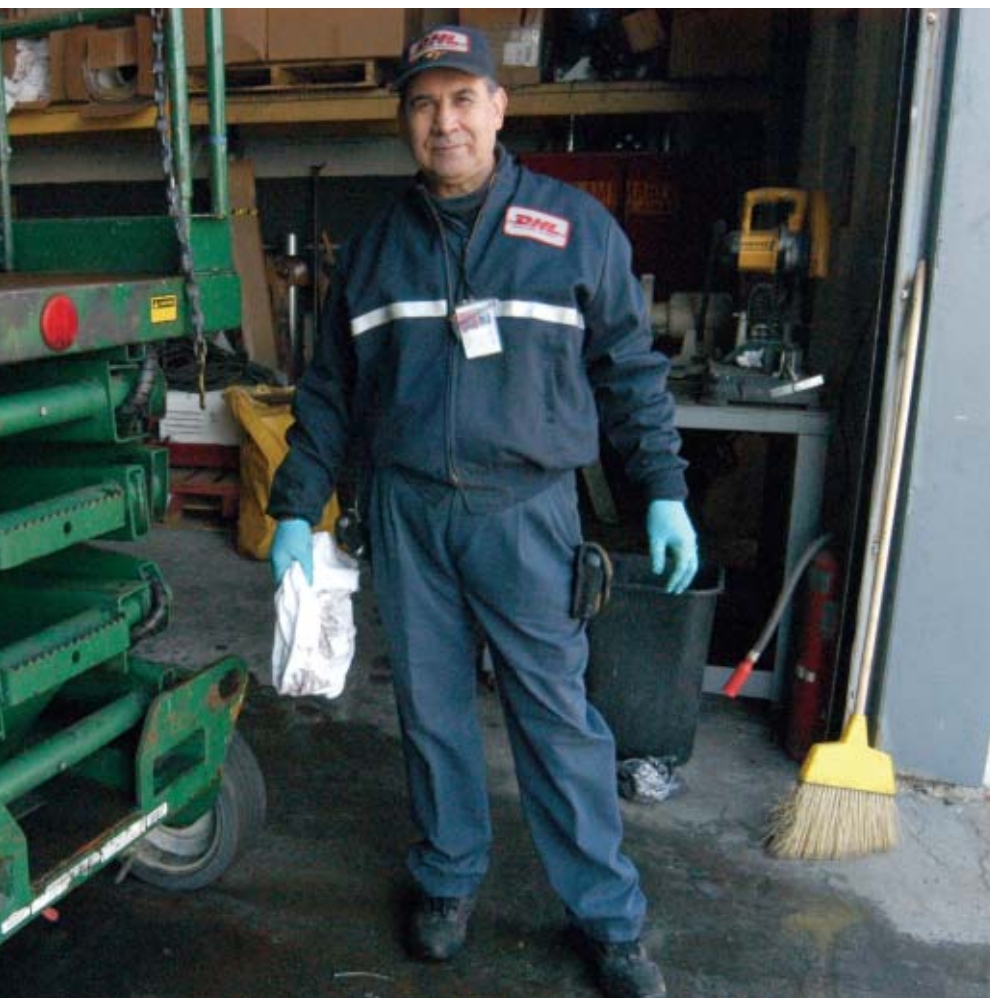
what a union was. We had to start by teaching them about unions and it worked," said Tom Conelias, President of Local 851. "We went from a close organizing victory to a 99 percent vote in favor of ratifying the contract. It was amazing. We

***"With the union, we feel secure and safe because we have somebody who will stand up for us."***

— CAMILLE PEDRETTI, DHL TEAMSTER







got a standing ovation as we reviewed the highlights of the contract. Now, these members are turning out for our membership meetings. It's a great feeling to see how this shop has come around."

Highlights of the contracts include wage increases, 100 percent employer-paid health premiums, pension contributions for the first time, and seniority and bidding rights.

"Our negotiating committee did an excellent job," said Anthony Blandino, a Facility Maintenance Mechanic at Building 263 for the last seven years and now a member of Local 295. "We went from paying up to \$200 every two weeks for medical coverage to paying nothing for the same, or better benefits, from getting maybe three percent raises every year to getting raises every six months, from having a pension no one knew anything about to having one even management wishes they had, from seniority meaning nothing to meaning everything. We finally have the respect and benefits we deserve."

"Before we became Teamsters, we had a pension plan that was really hard to figure out and we never got straightforward answers when we asked about it," said Debbie Contello, a new member of Local 851 who has worked at Building 263 for almost 20 years. "Same thing when we asked about vacation days. Now, with the union, there are no more secrets. Everything is open and honest."

### Respect and a Voice

Soon after Pedretti was told not to be so vocal in the campaign, she injured her shoulder and, after extensive surgery, was forced to go on disability. When she was ready to go back to work, her supervisor said there was no longer enough work to hire her back. The supervisor said she could re-apply for employment in another department, "if there were any jobs." The company eventually hired her as a part-timer in a new job, in a new department.

Pedretti called Conelias and let him know what was going on.



"We were almost done negotiating the contract. But we couldn't start out on such a bad note. I told management that we would not sign the contract until Camille got her old, full-time job back," Conelias said.

The company backed down and she is working the night shift again.

"I am so happy to be back. With the union, we feel secure and safe because we have somebody who will stand up for us," Pedretti said.

### Standing Together

"Since DHL purchased Airborne Express, it has tried to isolate its nonunion employees to prevent them from becoming Teamsters," said Walter Kane, an attorney for Local 295. "But these two locals broke through the wall and brought the union to the employees of Building 263. This contract is such a success that it will send a loud message to DHL workers across the country: it's time to join the Teamsters."

The Building 263 workers received a lot of support from other Local 295 members who came into contact with them on the job, as well as from DHL workers at other shops who have experienced what it means to be a Teamster since DHL purchased Airborne Express.

"This victory was all about unity," said Lou Calemine, President of Local 295. "I thank everyone who took part in this struggle. This is what the labor movement is all about—standing together for justice."

# In The Driver's



**H**ector Tomas was tired of being treated like an object.

“We were not being respected as employees,” said Tomas, a rental agent for Budget at the Ontario International Airport in Los Angeles. “Our seniority was not being respected. We were being treated like objects instead of people.”

So Tomas and 54 of his fellow rental agents, rapid-return agents, service agents and shuttle drivers decided to improve their lives and secure their future by joining Local 495 in Pico Rivera, California. It was a wise choice—Local 495 represents 1,600 employees at vehicle-rental agencies at the Ontario airport and four other airports in Southern California.

“We saw how Teamsters at other rental companies were treated much better, so we decided to make our own futures brighter,” Tomas said.

## Card-Check Victory

Budget granted card-check recognition to the 55 employees earlier this year. Card-check is a procedure where signed authorization cards are checked against a list of employees to determine if the union has majority status. The employer recognizes the union on the basis of this card check without the necessity of a formal election.

Local 495 now represents the entire Budget unit at the Ontario airport, which also includes service agents, tire and lube workers, rental representatives and shuttle crews. The workers’ victory is just the latest involving Local 495. Other recent victories include:

- **Hertz** 125 “transporters” at John Wayne Airport in Orange County;
- **National/Alamo** 70 shuttle drivers at the Los Angeles International Airport (LAX) through a card-check recognition agreement;
- **Hertz** 20 shuttle drivers at Long Beach Airport joined through a card-check agreement. Local 495 leveraged its other Hertz employees—rental representatives and service agents—in the campaign; and
- **Budget** 20 bus drivers, rapid-return agents and rental agents at the Burbank Airport joined through a card-check agreement. Since then, workers ratified a five-year contract that improved wages, substantially boosted the company’s pension plan and maintained a company-matched 401(k) plan.

In addition to the organizing victories, Local 495’s Secretary-Treasurer Bob Lennox recently negotiated a new Hertz



# Seat



Western Region Master Agreement. The five-year contract covers 1,100 workers from Seattle to San Diego, as well as Arizona, New Mexico and Utah. The pact includes wage increases and other improvements.

Local 495 hired a new organizer, Hector Delgado, earlier this year to boost its local organizing efforts.

## Team Success

“Everybody here works as a team—the business agents, stewards, local leaders,” Delgado said. “Bob Lennox has made organizing a priority and it shows by the success we’ve had.”

“We try to target infrastructure sites—workplaces that can’t move or relocate. Vehicle rental agencies fit that description,” Lennox said. “We also focus on mechanic-based services such as these rental agencies. It makes it a natural target for the Industrial Trades Division.”

Jim Lennox, a Local 495 business agent, is in constant contact with Teamsters at the five airports. As he makes his rounds, he has become familiar to the

nonunion workers as well, which has provided a big boost to organizing.

“When the nonunion workers began having problems, they reach out to us,” Jim Lennox said. “It really helps to make yourself known to all the workers.”

Jim MacLeay, who has worked at Budget at the Burbank Airport for more than 18 years, is glad to have a voice now—and a solid Teamster contract.

“As Teamsters, we’re now a group instead of just one person,” MacLeay said. “We saw the great benefits the Avis workers were receiving as Teamsters. It feels really good to be a Teamster.”

## Master Agreement Boosts Hertz Workers

**M**ore than 1,100 vehicle-rental workers in the West have a more secure future thanks to the new Hertz Western Region Master Agreement.

The five-year agreement calls for annual wage increases of 3.5 percent to 4 percent, and a 21-cent-per-hour pension plan boost over the term of the contract. The Teamsters also won improvements to the workers “leave of absence” policy, and workers will now get paid overtime for the sixth and seventh day when there is a master shift change.

The contract also makes sure workers stay in the Teamsters’ health care plan, and it calls for a “super buffer,” which protects workers from additional co-pays for the term of the contract. The company had desperately wanted to pull workers out of the union plan and into the company plan.

## Complete Support

“We took it to the membership and they stood with the local, giving a unanimous strike authorization vote,” said Bob Lennox, Secretary-Treasurer of Local 495 who is also Director of the Western Region for the Industrial Trades Division. “There was no way the workers were going to accept the company’s health care plan.”

“None of this was done without the complete support of the membership,” said Mary Gavin, a 26-year member of Local 495 and chief shop steward at LAX. “We’re thrilled with the outcome. And we’re also happy with a lengthier contract. Five years gives us footing. You can take out a car loan and pay it off; you can build five more years of equity in your home. It’s really the best.”

## REPORT 86 TO ALL MEMBERS OF THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS

FROM: Independent Review Board

Benjamin R. Civiletti

Joseph E. diGenova

William H. Webster

DATED: May 4, 2005

### I. INTRODUCTION

This is the Independent Review Board's ("IRB") Eighty-sixth Report 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 three new Investigative Reports, two Agreements and the status of pending charges about which we have previously informed you.

### II. NEW INVESTIGATIVE REPORTS

#### A. ANTHONY FANDACONE - Local 295, Valley Stream, New York

On April 13, 2005, the IRB issued an Investigative Report to the Members of Local 295 Executive Board concerning member Anthony Fandacone. The Report recommended that Mr. Fandacone be charged with bringing reproach upon the IBT by refusing to appear for his scheduled in-person sworn examination. The Executive Board was given 90 days to file the charge, hold a hearing and forward a final written report to the IRB. On May 2, 2005, the Local notified the Chief Investigator that it would inform Mr. Fandacone of a date to appear at a disciplinary hearing at Local 295.

Mr. Fandacone through counsel said he is willing to appear and give sworn testimony before the IRB. The IRB has this matter under consideration.

#### B. JOSEPH LAMPASONA - Local 295, Valley Stream, New York

On April 13, 2005, the IRB issued an Investigative Report to the Members of Local 295 Executive Board concerning member Joseph Lampasona. The Report recommended that Mr. Lampasona be charged with bringing reproach upon the IBT by refusing to appear for his scheduled in-person sworn examination. The Executive Board was given 90 days to file the charge, hold a hearing and forward a final written report to the IRB. On May 2, 2005, the Local notified the Chief Investigator that it would inform Mr. Lampasona of a date to appear at a disciplinary hearing at Local 295.

Mr. Lampasona through counsel said he is willing to appear and give sworn testimony before the IRB. The IRB has this matter under consideration.

#### C. THOMAS CALABRESE - LOCAL 851, VALLEY STREAM, NEW YORK

On May 4, 2005, the IRB issued an Investigative Report to the Members of Local 851 Executive Board concerning member Thomas Calabrese. The Report recommended that Mr. Calabrese be charged with bringing reproach upon the IBT by failing to appear for his scheduled in-person sworn examination. The Executive Board was given 90 days to file the charge, hold a hearing and forward a final written report to the IRB.

### III. MEMBERS ACTION PRIOR TO IRB PROPOSED CHARGES

#### A. PHILIP FASULO - Local 813, Long Island City, New York

Before formal charges could be recommended by the IRB to the IBT, Philip Fasulo, former member of Local 813, submitted an Agreement to the IRB. The Chief Investigator had scheduled an in-person sworn examination of Mr. Fasulo. At the sworn examination Mr. Fasulo would have been questioned regarding, among other things, his membership in Local 813 and whether he had any contacts with individuals who had ties to organized crime. He did not appear for that sworn examination. In the Agreement, while not admitting or denying wrongdoing, Mr. Fasulo agreed to permanently resign from the IBT and Local 813. The IRB found the Agreement served to resolve the matter and forwarded it to United States District Judge Preska for review.

#### B. THOMAS CERBONE - Local 851, Valley Stream, New York

Before formal charges could be recommended by the IRB to the IBT, Thomas Cerbone, former member of Local 851, submitted an Agreement to the IRB. The Chief Investigator held an in-person sworn examination of Mr. Cerbone and questioned him on, among other things, his membership in Local 851 and whether he had any contact with individuals who had ties to organized crime, and whether he had ever solicited drivers to pay money to him in return for their employment. In the Agreement, while not admitting or denying wrongdoing, Mr. Cerbone agreed to permanently resign from the IBT and Local 851. The IRB found the Agreement served to resolve the matter and forwarded it to United States District Judge Preska for review.

### IV. STATUS OF PREVIOUS IRB CHARGES

#### A. SCOTT DOYLE - Local 456, Elmsford, New York

We have previously informed you that Local 456 Member Scott Doyle failed to cooperate with the IRB by refusing to answer approximately thirty questions during his in-person sworn examination. Charges were filed and the Article XIX hearing panel found that the charges were proved.



Mr. Hoffa accepted the hearing panel recommendation and permanently barred Mr. Doyle from Local 456, the IBT and all IBT entities. The IRB notified Mr. Hoffa that his decision was not inadequate. Mr. Doyle then appealed the recommendation of the hearing panel, the General President's decision, and the IRB's determination and asked the IRB to submit the matter to the United States District Court. Subsequent to the IRB's submission of documents to Judge Preska, Mr. Doyle decided not to appeal to the court. On April 13, 2005, the IRB notified Mr. Hoffa that there was no reason to change the IRB's original conclusion.

#### **B. JOSEPH L. BERNSTEIN - LOCAL 781, DES PLAINES, ILLINOIS**

We have previously informed you that Local 781 President and Joint Council 25 Vice President Joseph L. Bernstein allegedly brought reproach upon the IBT and violated his membership oath when, subsequent to William T. Hogan, Jr.'s permanent bar from the IBT, he had knowing and purposeful contact with him. The IBT hearing panel found Mr. Bernstein guilty as charged. General President Hoffa adopted the hearing panel's recommendation and prohibited Mr. Bernstein from ever reclaiming membership in the IBT or participating in the affairs of any IBT affiliates but he was not prohibited from contact and association with IBT officers, members, employees, representatives and agents with respect to matters that do not involve union business.

On March 8, 2005, the IRB notified Mr. Hoffa that given Mr. Bernstein's conduct the IRB found the sanction imposed upon him inadequate. Mr. Hoffa's response was that he was standing by his original decision. The IRB informed Mr. Hoffa that his decision was inadequate and the IRB scheduled a new hearing on Mr. Bernstein for June 6, 2005.

#### **V. TOLL-FREE HOTLINE**

Since our last report to you, the hotline has received

approximately 85 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 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.

#### **VI. 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. If you have any information concerning allegations of wrongdoing or corruption, you may call the toll-free hotline noted above, you may use the IRB facsimile number 202-434-8084, or you may 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

# Reaching Out



## Teamster Delivers Supplies to Tsunami-Torn Region

As a 27-year UPS Teamster, one of Kevin O'Donnell's most prized benefits is the seven weeks a year of paid vacation that he accrues. He uses that vacation time to set off on adventurous expeditions, such as scuba diving and skiing, all over the world.

"I love to travel," said O'Donnell, who sorts packages at the UPS depot in Dayton, Ohio as a member of Local 957. "My vacation benefits as a Teamster mean I can see a lot of different places."

In May 2004, he purchased a ticket to fly to Cambodia and Thailand in February 2005 for a scuba diving adventure—his first visit to Southeast Asia. Then, on December 26, 2004, a devastating tsunami roared through the area where he was scheduled to travel.

O'Donnell decided this was his opportunity to help. He bought toothbrushes and tubes of toothpaste to give children in the affected areas. His UPS

supervisor donated Frisbees and hats for him to distribute, and O'Donnell also planned to take a number of UPS shirts for the children.

### Kids Helping Kids

To earn extra money for his travels, O'Donnell works as a substitute teacher in the Kettering City School District in Ohio. After mentioning the trip to his fellow teachers, dozens of students collected school supplies and cash to send with O'Donnell.

"I couldn't fit all the supplies in my duffel bag—they were so generous," O'Donnell said. "This is a case of kids and Teamsters doing good together."

The students donated crayons, markers, pencils, pens, handheld calculators, erasers and pencil sharpeners. Students also wrote letters for O'Donnell to give to Thai students on the other side of the ocean.

### Rewarding Experience

Once on the ground in Thailand, O'Donnell asked local residents for a recommendation of what school he should visit to take his bevy of supplies. He settled on Ban Kalim School, which is located just across the street from Patong Beach in southwest Thailand—one of the tsunami-affected areas. Before returning home, O'Donnell picked up letters from the kids at Ban Kalim to take back to students at the Kettering City School District.

Many of the students have written back to their new friends on the other side of the globe and O'Donnell said he plans to return to Thailand in November for another two weeks, and he will visit the Ban Kalim School again while he is there.

"It was a real, real rewarding experience to be able to help out," O'Donnell said. "To me, kids are kids, no matter where in the world they are."



# ELECTION SUPERVISOR'S REPORT

PREPARATIONS CONTINUE FOR LOCAL UNION DELEGATE ELECTIONS

*ELECTION SUPERVISOR OPENS OFFICE IN WASHINGTON, D.C.  
FOR DURATION OF THE 2005-2006 ELECTION CYCLE*

ELECTION SUPERVISOR REGIONAL STAFF IN PLACE

ELECTION RULES TO BE FINALIZED

ELECTION INFORMATION AND FORMS AVAILABLE AT IBTVOTE.ORG

IBT Local Unions have started the process of electing delegates for the 27th International Convention of the IBT, to be held in Las Vegas, Nevada in June 2006. Each IBT local union must elect delegates to send to the International Convention, and must conduct the election by the procedures in the proposed *Rules for the 2005-2006 IBT International Union Delegate and Officer Election (the "2006 Rules")*. Local unions have received instructions on how to prepare a plan for the delegate election. Most plans are due to the Election Supervisor by September 30 and will be reviewed for approval after that date, and most of the delegate nominations and elections will take place from January through April 2006. However, local unions with 10% or more of the membership employed by a seasonal food industry employer, and local unions with officer elections regularly scheduled for the fall of 2005 may be conducting delegate nominations and elections this year. You should receive notice by mail of the delegate nominations and elections at your local union. Advance notice of the nomination and election events will also be posted on local union bulletin boards. As local unions submit their plans and nomination and election events are scheduled, the Election Supervisor's website, [www.ibtvote.org](http://www.ibtvote.org), will post a master calendar of dates.

In June 2005, the Election Supervisor's Office moved to the Washington, D.C. location that it will occupy for the duration of the 2005-2006 election cycle. The address and telephone contact information for the Election Supervisor's Office is:

Richard W. Mark  
Office of the Election Supervisor  
for the International Brotherhood of Teamsters  
1725 K Street, N.W.  
Suite 1400  
Washington, D.C. 20006  
Phone: 1-888-428-2006 (Toll Free)

The Election Supervisor has designated Regional Directors around the United States and Canada. These Regional Directors are available to provide guidance to Local Unions in conducting the nomination and election of delegates, to provide information about the *2006 Rules* and procedures relating to the IBT International Officer Election, and to investigate protests. You can find a list of Regional Directors, with contact information, at [www.ibtvote.org](http://www.ibtvote.org).

The official comment period for the *2006 Rules* ended on June 3, 2005 (the *2006 Rules* remain available at [www.ibtvote.org](http://www.ibtvote.org)). After the comments have been reviewed by the IBT and the Government, the proposed rules be finalized and submitted to the United States District Court for the Southern District of New York for approval after June 3, 2005. The Government and the IBT will ask the U.S. District Court for the Southern District of New York to approve the *2006 Rules*, retroactive to May 1, 2005. **The *2006 Rules* as published for comment have been in effect as of May 1, 2005. Members, potential candidates, independent committees and all affiliates must abide by the *2006 Rules* as published for comment, including compliance with all provisions concerning campaign activities, fundraising, reporting and other requirements and obligations.** Appropriate provision will be made in the final *2006 Rules* with respect to the application of any changes from the *2006 Rules* as published for comment.

For information about the election process, forms, schedules, calendars, and protest decisions, please visit [www.ibtvote.org](http://www.ibtvote.org). We will also continue to provide updates on our work for the 2005-2006 IBT International Union Delegate and Officer Elections in the *Teamster*.

Richard W. Mark  
Election Supervisor



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Deadline for submissions is September 30, 2005