



# Teamster

SUMMER 2019



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MARKS  
20  
YEARS**





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## WORKERS HAVE WAITED LONG ENOUGH

The struggle to ensure the retirements of millions of hardworking Americans continues. But the reintroduction of essential bipartisan legislation by a long-time pension protector could go a long way toward bolstering nest eggs jeopardized under the current system.

With the new Congress now seated in Washington, the Teamsters want to let lawmakers know it is time to work together across party lines to secure the hard-earned retirements of retirees and workers. These hardworking Americans deserve to receive the benefits they were promised.

Fortunately, the Rehabilitation of Multiemployer Pensions Act would solve the problem. Introduced by Reps. Richard Neal (D-Mass.) and Peter King (R-N.Y.) last month, the bill is a continuation of an effort to reform the system that first began in 2015. The seven House Republican co-sponsors understand the value of the bill and should be lauded for supporting this legislation.

There's no time to lose. There are about 1.5 million retirees in desperate need of quick action to save the retirement nest eggs they spent decades contributing to on the premise they would be financially secure in their golden years. There also are hundreds of thou-

sands of workers who are enrolled in these pension plans who deserve assistance.

As it stands, there are more than 300 multiemployer plans across the country—including the Teamsters' Central States Pension Fund—that are in danger of failing. Congress needs to find a solution that will deliver for these hardworking Americans who are paying, or have paid, into the pension pool and have played by the rules all their lives.

As of now, the Central States fund is facing an unfunded liability of \$17.2 billion, the largest of all multiemployer plan shortfalls. The Bakery and Confectionary Union pension is second with a \$3.2 billion shortfall, while the United Mine Workers are third at \$2.4 billion. Other threatened multiemployer plans face a total shortfall of \$13.6 billion. That's why the Teamsters are stressing the importance of Congress coming up with a solution as soon as possible.

Workers and retirees aren't asking for a handout; they just want what is rightfully theirs. The Teamsters urge those on Capitol Hill to work together and pass a bipartisan solution that will make workers and retirees whole. They've waited long enough.

*James P. Hoffa*

## VICTORY FOR WORKERS IN TRANSPORTATION INDUSTRY

# Supreme Court Rules Against Forced Arbitration



The United States Supreme Court recently ruled that workers in the transportation industry cannot be forced to waive their rights through private arbitration agreements. The case, *New Prime Inc. v. Oliveira*, was decided on January 15, 2019.

“This is a great victory for all workers in the transportation industry, including employees, legitimate independent contractors, and drivers misclassified as independent contractors who are suffering egregious wage theft,” said Fred Potter, Teamsters International Vice President and Director of the Teamsters Port Division. “Although we have consistently

challenged employers’ attempts to compel private arbitration to avoid a public legal battle, the U.S. Supreme Court ruling makes it clear that employers cannot and should not require drivers to waive their right to their day in court through binding arbitration agreements.”

Numerous companies across the country are misclassifying their workers as independent contractors, which denies them workplace protections under the law. Port truck drivers are challenging their misclassification status and attempting to recover stolen wages by filing claims with the regulatory agencies to win their right to dig-

nity and justice on the job.

For years, the Teamsters have been shining a light on the issue of misclassification for port drivers. And nowhere has that effort been more intensive than at the twin ports of Los Angeles and Long Beach, the main gateway for products made in Asia. While companies and CEOs profit substantially from the sale of those goods, those who help bring them to market are suffering in silence.

For more information on the port truck drivers’ campaign, visit [www.JusticeForPortDrivers.org](http://www.JusticeForPortDrivers.org), like us at [www.facebook.com/Justice4PortDrivers](http://www.facebook.com/Justice4PortDrivers) and follow us on Twitter @PortDriverUnion.

# Another Win for Workers in West Virginia

## JUDGE DECLARES PORTIONS OF RIGHT-TO-WORK LAW UNCONSTITUTIONAL

Working families in West Virginia won a much-needed victory recently when Circuit Judge Jennifer Bailey declared key portions of the state’s right-to-work law unconstitutional, more than two years after the anti-worker legislation was passed.

Bailey ruled the falsely named Workplace Freedom Act unconstitutional because it allows workers to refuse to pay dues even though the union must still represent those workers. Unions are required to represent workers at union work sites whether workers are union members or not.

Bailey rightly explained that the law “would take unions’ property without any compensation.”

General Secretary-Treasurer Ken Hall, who has been leading the fight against right to work in West Virginia, has long said the legislation is in violation of the state’s constitution.

“We applaud Judge Bailey’s ruling,” Hall said.

Bailey wrote that “membership is the lifeblood of

any union,” and forcing unions to provide the same services to all workers, whether union members or not, “seriously hampers the unions’ ability to recruit new members and retain old ones,” and amounts to “giving free riders something for nothing.”

The Teamsters Union couldn’t agree more. Right-to-work states have lower wages, higher poverty rates, less health benefits and more workplace fatalities.

State elected officials also know that you don’t help the economy by taking money out of workers’ pockets. They know that rebuilding the state’s infrastructure—roads, bridges, water lines, energy grids—is a more common sense solution that helps workers and businesses than enacting right-to-work laws that only benefit the already wealthy.

Although this was a big victory for working families in West Virginia, unions must remain vigilant and continue to beat back these endless attacks on wages and benefits—things unions have spent decades fighting to achieve.





## CASTING DIRECTORS AND ASSOCIATES RATIFY NEW AGREEMENT

Casting directors and casting associates represented by Locals 399 and 817 ratified a three-year contract in January, securing significant gains for the more than 500 members represented by the two motion picture locals.

The steering committee focused on two major issues facing casting professionals during the negotiations with the Alliance of Motion Picture & Television Producers (AMPTP) – the “stretching” of pay that occurs when episodic television productions run long and raising wages for the associate casting directors.

“This was the sixth agreement since organizing this group,” said Tom O’Donnell, Director of the Teamsters Motion Picture and Theatrical Trade Division and President of Local 817. “After a long and protracted negotiating process, this is easily our best agreement.”

### Path Forward

Entering negotiations, the steering committee believed the stretching of pay issue could be solved by educating the AMPTP on exactly how episodic television production has changed for casting professionals in the digital era. As part of the new agreement, the AMPTP agreed to include a newly drafted sideletter to address the issue on future productions.

“We really wanted to try to get the AMPTP to understand the importance of what our casting professionals do,” said Bernie Telsey, a steering committee member and casting director represented by Local 817 in New York City. “The job today is not the same job it was when we first organized in 2005. Given

the evolution of the industry and the demands of casting television, that additional time between pre-production and longer episodes must be built into our compensation. After a good deal of back and forth, I believe the AMPTP recognized that, and we now have a path forward.”

Within the motion picture and television industry, associate casting directors have remained one of the lowest paid groups on a production. While the Teamsters have negotiated significant hourly wage increases in previous agreements, they still lag behind when compared to similar positions in other crafts.

“With this agreement, we secured a decent increase in associate casting director wages, however, it is still by no means reflective of the job they do, the experience they have and the time they put in for each production,” said Gary Zuckerbrod, casting director, shop steward and Local 399 Trustee.

Local 399 and 817 were able to secure a 26-percent increase in the first year with a 3-percent increase in the second and third years. This will bring casting associates up to \$19 per hour in the final year of the agreement. There were also increases to the pension contributions for associate casting directors secured in this round of negotiations.

“We are very proud of each and every one of our Casting Steering Committee Members from both Local 399 and Local 817,” said Steve Dayan, Secretary-Treasurer of Local 399. “Without their support, insight and guidance on their pressing issues, we would not have been able to secure a fair and important agreement with the AMPTP.”

# TEAMSTERS HONOR FALLEN FIREFIGHTER

## LOCAL 340 MEMBER CAPT. JOEL BARNES DIED A HERO

**O**n a cold and snowy Sunday, thousands of people from Maine, around the country, and the world, gathered in Portland to honor Captain Joel Barnes of the Berwick Fire Department. The 32-year-old firefighter, a member of Local 340, died on March 1 while fighting an apartment blaze. He was remembered for his kind heart and heroic actions, having died shielding a fellow firefighter from the flames.

More than 2,500 people, many of them fellow firefighters, lined the street in front of the memorial to pay their respects and celebrate the life of Capt. Barnes, surrounded by Teamster tractor trailers there in solidarity.

Barnes was one of three bargaining unit members at the Berwick Fire Department in Maine and an active Teamster member. He was a member of the Teamsters negotiating committee.

"Capt. Barnes was a true hero. His dedication, service and sacrifice to his craft are unquestionable. He was the best example of a Teamster, helping and protecting others," said Brett Miller, President of Local



340 in South Portland, Maine.

"Capt. Barnes was dedicated to his profession and to helping other people. Listening to everyone at the service talk about how he touched their lives, that same theme rang through," said Traci St. Clair, business agent for Barnes and the Berwick bargaining unit.

This was the first firefighter fatality in the state in decades. Local 340 representatives helped organize the service, working alongside other firefighter unions, fire departments and other public employers. Lt. Joe Carroll, a member of Local 340 with the Westbrook Fire Department, helped coordi-

nate the service.

At the memorial, Jon Keenan, also a Teamster firefighter with the Westbrook Fire Department, joined Miller in presenting Barnes's family with the Medal of Valor. The medal is given for heroic action above and beyond the call of duty that is at extreme personal risk and instrumental in rescuing and saving another's life.

A "last call" was sounded at the service, a poignant moment in memoriam of a firefighter lost in the line of duty. The radio dispatcher called out for Barnes three times, then thanked him for his service, leadership and friendship.

# IOWA TEAMSTER WINS SEAT ON JOHNSON COUNTY BOARD OF SUPERVISORS

**O**n Dec. 18, 2018, Royceann Porter was elected to the Johnson County Board of Supervisors becoming the Iowa county's first African-American to ever serve as supervisor. As a member of Local 238 in Cedar Rapids, Iowa and an International Organizer, Porter understands what is at stake for the working men and women of her state.

Prior to running for public office, Porter, as a member of the Iowa Teamsters Political Team, had a long history of fighting to raise standards in her community. In 2015, Porter was part of a successful community campaign to increase Johnson County's minimum wage to \$10.10. When the initiative was rejected by the Iowa Legislature, Porter helped convince 156 businesses in Johnson County to voluntarily adopt a \$10.10 minimum wage.

Porter also campaigned that year to raise support for the John-



son County Community ID program. The vital service provides government-issued IDs to members of the community that didn't have access to the traditional forms of identification, like the elderly, students and legal immigrants. Iowa adopted stricter laws for voter identification in 2017, so the program has become even more important for these members of the community.

"I've always tried to do what I can to help others in our community that don't have a voice," Porter said. "It's a lot like being an organizer: People that can't stand up for themselves need others to help them fight."

In 2018, Johnson County Supervisor Kurt Michael Friese passed away suddenly. A local restaurant owner, Friese volunteered to provide food for the Johnson County Democratic Party BBQ fundraiser each year. Porter teamed up with Friese each year, cooking food for the event.

"It was such a shock at the

time," Porter said. "Kurt had done such great work for the community, it was such a loss."

Jesse Case, Secretary-Treasurer of Local 238, knew that Porter was the right person to fill Friese's shoes, even if she didn't realize it herself. Case encouraged Porter to run for the open seat on the board.

"Royceann is the perfect example of what our members can do with the right support and encouragement," Case said. "She has the compassion and skills that you would want in someone representing your interests. I am proud of what she has done as a member of the Teamsters, and I know she will only continue to do great things as a county supervisor."

"With Jesse's encouragement and the support of the union, I was confident that I could not only run, but win the seat," Porter said. "What Kurt did was important, and I am proud that I can continue to carry on his work to honor his memory."



For more information about Teamsters running for office, or if you would like to let us know if you are running, scan the QR Code with your smartphone's camera or QR reader (*available for free*).



# COMMITMENT TO SKILLS AND SAFETY FOR PIPELINE CONSTRUCTION MEMBERS

STEWARDS FROM TEAMSTER LOCALS ATTEND ANNUAL MEETING

More than 200 stewards and business agents from local unions in the U.S. and Canada that represent members in the pipeline construction industry attended the 7th annual pipeline stewards school recently. The school covered a variety of safety topics, includes a review of the most recent national contract, a report about the status of the pipeline workers' pension fund and reports on services offered by Teamster departments.

Jim Hoffa, Teamsters General President, greeted the numerous first-time attendees with words of encouragement to keep participating in meetings such as this and at their local unions.

"Due to the tremendous work that Bubba Davis (Director of the Teamsters Building Material and Construction Trade Division) and David LaBorde (Director of Teamster Pipeline Projects) have done with this meeting year after year, the word has gotten around and people are coming here enthusiastically," Hoffa said. "And, your training of Teamster members has taken off. Over 1,250 members trained to work on pipeline projects last year.

"This nation needs pipelines and these pipeline projects mean more good jobs for Teamster families," Hoffa said. "The pipeline pension fund is doing very well and that is essential. Having a strong pension fund along with the opportunity for good paying jobs means the pipeline construction industry will continue to grow."

More Canadian local unions and members participated this year than ever before with 20 representa-



tives from eight Canadian local unions attending.

"I am proud that we have Canadian Teamster members here representing thousands who work on pipelines across our country," said Francois Laporte, President of Teamsters Canada. "We fight together and we build things together, and the pipeline is a good example. These projects show how unions from two nations can come together."

As a summary of the last year's progress in the industry, Davis said, "Our members are the best trained in the pipeline construction industry. This is due to our commitment to skills and safety on the job. We want every member to come home at the end of their shift."

In addition to presentations from various Teamster departments, there was also an overview on the status of current pipeline projects in Texas, Minnesota, Wisconsin, Ohio, West Virginia and other states, and early information on planning for future projects.

TWO DECADES OF TRANSFORMING THE TEAMSTERS

# HOFFA MARKS 20 YEARS





March 19, 2019 marked an important milestone in Teamster history. On that date, General President James P. Hoffa became only the second General President to log 20 years as head of the Teamsters Union. Over the course of those two decades, the Teamsters have regained their mantle as the strongest union in North America through rebuilding its finances, organizing the unorganized and negotiating the strongest contracts in labor. In corporate boardrooms, on Capitol Hill and throughout the labor movement, the Teamsters again command respect.

“When our administration took office 20 years ago, the union was on the verge of bankruptcy and was hopelessly divided,” Hoffa said. “We faced employers bent on destroying our union and others willing to spend large sums of money to keep workers from joining the

Teamsters. We found good union employers fighting for their survival in the face of government policies that rewarded companies sending jobs overseas. We also faced employers who wanted to take advantage of our weakness to cut wages and health care benefits, and eliminate pension and retirement plans. We engaged these challenges from day one.”

Under Hoffa’s leadership, the Teamsters Union has strengthened its foundation by putting its financial house in order, and by establishing a real Strike and Defense Fund. Another important change came to the union in 2002 when the Hoffa administration convened the first-ever Special Convention to ensure that the Teamsters Union had the financial resources to grow and organize new members. The Strike and Defense Fund currently stands at approximately \$206 million.

“By establishing a dedicated Strike and Defense Fund and designating funds for organizing activities, we made a commitment to grow the Teamsters Union, increase Teamster power and provide the support Teamsters deserve on the picket lines,” Hoffa said.

The union’s strike fund had been bankrupted by the prior administration and employers knew workers couldn’t afford to strike. By developing a real, strong Strike and Defense Fund, employers got the message. Instead of offering little or no support to our brothers and sisters on strike, the International Union now offers real protection for workers.

And instead of having to ask for assistance from other unions because of an empty treasury, the Teamsters have rebuilt their general fund as well. When the Hoffa team assumed office, the Teamsters Union had less than



**“I WILL NEVER APOLOGIZE FOR STANDING UP FOR MY FELLOW TEAMSTERS AND ALL AMERICAN WORKERS.”**  
-JAMES P. HOFFA



\$9 million in net assets. In the last 20 years, it has increased to \$329 million as of April 2019.

## Organizing

Organized labor has long been opposed by anti-union corporations and the politicians they control, but the last 20 years have seen a nonstop attack on working families. In that time, the country has experienced the worst economy since the Great Depression and a constant outsourcing of work. Many unions have seen a significant decline in their membership.

Not the Teamsters.

“Our union has continued to

collective power to negotiate stronger contracts for members.

Organizing is the essence of who the Teamsters are, and the Hoffa administration knows we all must work hard to defeat well-funded, vicious anti-worker forces. Employers have been doing everything they can to oppose unions’ ability to organize, from worker misclassification schemes to multi-layered contracting. The Teamsters are confronting these challenges head on.

In the core Teamster industry of freight, membership losses due to deregulation were offset by the union’s aggressive organizing at UPS Freight (formerly

drivers and win them the justice, respect and dignity they deserve at the gateways of the U.S. supply chain. Port drivers and the Teamsters have coordinated 16 strikes over the past five years to build worker power and expose an industry built on exploitation, wage theft and discrimination.

In solid waste and recycling, thousands of workers have been organized across the country. Organizing in the airline industry has brought more than 80,000 new Teamsters into the union over the past 20 years. In passenger transportation and the private school bus industry, the



do what no other union has done during this difficult time—organize,” Hoffa said. “When we were elected, the union was divided. Today, locals, Joint Councils and the International Union work together to ensure that workers who want Teamster representation get it.”

The Teamsters Union currently has approximately 1.42 million members and continues to grow.

Under Hoffa’s leadership, the Teamsters Union is the most active organizing union in the country. Hoffa knows that growing union density strengthens the union’s

Overnite Transportation), which kicked off in 2006. Now the Teamsters represent nearly 13,000 drivers and dockworkers at the company.

The Teamsters represent more than 200,000 public sector members, unsung everyday heroes who provide a wide range of public services. On the Las Vegas Strip and across the nation, the Teamsters have organized thousands of workers at casinos, raising standards in the valet parking industry and other traditional Teamster crafts.

At the ports, the Teamsters are fighting to organize port

Teamsters have organized more than 50,000 drivers, monitors, aides, attendants, mechanics, dispatchers and more all across North America.

## Contract Victories

Organizing is the first step, but the work doesn’t stop there. Hoffa and his team have fought hard to negotiate the best contracts in many industries, raising wages and benefits and improving conditions for hundreds of thousands of workers.

In the Passenger Transport Division, the Teamsters achieved an unprecedented victory in

2011 by successfully negotiating and ratifying a National Master Agreement (NMA) with the largest company in the industry, First Student, Inc. The agreement is the only one of its kind in the industry and includes many benefits that set the bar on protections and workplace rights. In addition to the First Student NMA, the Teamsters have secured representation and contracts with other leading companies in the passenger transportation industry. As of 2019, the Teamsters have agreements with the four largest private school bus operators in North America.

nual wage increases, protections against subcontracting and increases to health and welfare funds, plus other improvements.

In the rail industry, higher pay, job stability and strong benefits are the key ingredients in the freight rail contract covering about 70,000 members of the Teamsters Rail Conference, made up of members of the Brotherhood of Locomotive Engineers and Trainmen (BLET) and Brotherhood of Maintenance of Way Employees (BMWED).

And the recently approved UPS contract, the largest private collective bargaining agreement in the United States covering

UPS Teamsters with the most lucrative compensation and benefits in the industry.

## Politics

When it comes to shaping politics and policy for this union, Hoffa's tenure as head of the Teamsters started off strong and hasn't looked back since.

From the get-go, his administration was on the ground fighting alongside thousands of Teamster brothers and sisters in as part of the "Battle of Seattle" against the failed policies of the World Trade Organization (WTO). Hoffa led 40,000 pro-labor



Some other examples include the recently ratified contract covering more than 4,400 workers at Anheuser-Busch, which raised wages \$2.50, improved retirement security, maintained the excellent benefits and job security and included a signing bonus.

The contract for more than 16,000 Costco workers in California and in the East provides workers with the best wages and benefits in the retail industry.

At ABF Freight, a national contract covering about 8,000 drivers, dockworkers, mechanics and office workers provides an-

250,000 workers, provides all UPS Teamsters—full-time and part-time workers—with tremendous gains in wages, benefits and working conditions and excellent opportunities for part-time workers to gain full-time employment. This agreement protects the livelihoods of UPS Teamsters and their families well into the next decade.

Since the Hoffa administration began negotiating the UPS contract in 2001, the total amount of new money paid to UPS Teamsters in wages and benefits increased to more than \$14.5 billion and continues to provide

demonstrators calling for real reform.

From there, the fight moved into other areas of trade, like against granting permanent normalized trade relations (PNTR) with China, the ongoing implementation of the North American Free Trade Agreement (NAFTA) and opposing the enactment of myriad other unfair trade deals. Hoffa sounded the clarion call against these broken trade agreements and helped raised public attention to the issue.

One of the best examples of his administration's political strength has been demonstrated



over two decades in the fight to keep unsafe Mexican trucks off the nation's highways. The Teamsters Union is single-handedly responsible for this effort.

A provision in NAFTA would have allowed freight haulers from Mexico, who are not kept to the same safety standards as American trucks, on our nation's highways. Through constant lobbying efforts, rallies and countless other grassroots efforts, these dangerous trucks are still not threatening the safety of America's drivers.

And that is likely to continue, given the ongoing negotiations involving the revamping of NAFTA. The Teamsters have made curbing cross-border trucking a priority in the union's effort to create a fairer North American trade policy.

But trade issues are hardly the only fight Hoffa has led for this union. For years, the Team-

sters have been front-and-center in defending the pension security of its members and millions of others. In 2015, after months of lobbying, the union fought off proposed cuts to the Central States Pension Fund. Now the focus is finding a solution that will secure pensions for some 1.5 million Americans whose retirements are jeopardized.

Hoffa spoke at a major rally last July in Columbus, Ohio calling for a congressional fix, and did the same thing a couple of weeks later in Detroit during a town hall event that featured now House Speaker Nancy Pelosi (D-Calif.) and other lawmakers. He is calling for the passage of the bipartisan Rehabilitation of Multiemployer Pensions Act, introduced in January by Reps. Richard Neal (D-Mass.) and Peter King (R-N.Y.).

Sticking up for unions and their ability to collectively bar-

gain has always been paramount for the Teamsters. Hoffa has led that charge in state after state where legislatures have sought to reduce the power of unions by approving right-to-work legislation.

One of the most spirited efforts came in Wisconsin in 2011, where then-Gov. Scott Walker demanded that collective bargaining rights be stripped from most government workers. Teamsters were among the first protesters at the Capitol in Madison, bringing their families and the now-iconic "Stop the War on Workers" signs.

These fights haven't always been easy. In 2015, for example, the Teamsters and other unions beat back efforts to implement right to work in West Virginia, only to have the Legislature there approve it the next year. But the public is beginning to catch on to the right-to-work



ruse. The Teamsters joined in to help defeat a Sussex County, Del. effort to approve right to work in early 2018, and Missouri voters rejected implementing the policy last August as part of a ballot measure in the “Show Me State” by a two-to-one margin.

One thing that has helped the Teamsters through all these political battles has been the continued growth of the DRIVE (Democratic, Republican, Independent Voter Education) political action program. Created over 60 years ago by former Teamsters General President James R. Hoffa, DRIVE funds the union’s efforts to defeat anti-worker legislation at all levels of government. DRIVE is funded directly by contributions from Teamster members and is one of the most powerful PACs in the country.

The Teamsters under General President Hoffa have also

championed bipartisan initiatives such as their 2015 “Let’s Get America Working” campaign, which called on lawmakers of different political parties to come together to improve infrastructure, focus on training the next generation for 21st century jobs and allow workers to earn a middle-class wage.

### **New Challenges**

Another important period in Hoffa’s time in office was February 2015, when Chief Judge Loretta Preska of the United States District Court for the Southern District of New York approved an agreement that ended more than 25 years of government oversight of the Teamsters Union. The agreement dismissed the lawsuit brought by the U.S. Attorney for the Southern District of New York, which led to a consent decree that the union has operated under since 1989. By

agreeing to end the lawsuit, the government acknowledged that there had been significant success in eliminating corruption from within the union.

The consent decree was replaced with a final order, in which the government’s continued involvement in the internal affairs of the Teamsters Union will be phased out over a five-year transition period.

“This historic event for the Teamsters was the direct result of decades of hard work and our success in driving corrupt elements from the union,” Hoffa said.

### **Brothers and Sisters**

“A good union is one that’s there for its members, whether or not they’re at work,” Hoffa said. Over the last 20 years, Hoffa has made the union about more than just organizing and contracts. Through various programs, the union is making lives





better for working families everywhere.

In November 1999, the General Executive Board created the James R. Hoffa Memorial Scholarship Fund. Since then, thousands of children and grandchildren of Teamster members have eased their financial burden in college with the scholarship. The scholarship fund has assisted over 4,000 students with scholarships, awarding more than \$10,000,000 in funds.

Through the Teamsters Disaster Relief Fund, thousands of members affected by disasters have been helped through difficult times. The fund receives donations from members, local unions and their affiliates.

Whether helping out in the wake of Sept. 11, 2001, Hurricane Katrina, flooding, tornadoes, wildfires and even the tainted water in Flint, the Disas-

ter Relief Fund has benefited thousands of members and their communities.

The Teamsters have also encouraged women in the union to assume more leadership roles through the Teamsters Women's Conference. Since it started in 2002, attendance at the annual Women's Conference has increased every year it has been held and is one of many ways the union has become more all-inclusive in the last 20 years.

Hoffa also established an innovative program that helps active military personnel transition to a career in transportation. The Teamsters Military Assistance Program (TMAP) provides commercial driver's license (CDL) instruction. Once the CDL is earned by a participant, the union and employers provide job placement assistance.

"We have accomplished a lot

in the last 20 years but there is always more to do," said Hoffa. "Workers' rights and the gains we have made never stand still—we are either on the rise or someone is trying to take what we have—we only win by constantly fighting for more."

Reflecting on serving the Teamster membership for 20 years, Hoffa added, "It has been my greatest honor to serve the great men and women of this union. I look back with pride knowing that because of the strength of the Teamsters, thousands of workers have been able to retire with dignity, thousands of children had illnesses treated because of excellent union-negotiated health care, and that thousands of Teamster families could be a part of the American middle class because they belonged to the Teamsters."

## DHL CONTRACTOR EMPLOYEES JOIN LOCAL 986



### 108 KWK TRUCKING EMPLOYEES SEEK IMPROVEMENTS

**S**ergio Rodriguez is a five-year employee at KWK Trucking in Los Angeles. He and his co-workers recently voted to form their union with the Teamsters on February 28.

"It feels wonderful being a Teamster, seeing our long effort finally pay off," said Rodriguez, a lead driver. His employer, KWK Trucking is a contractor for DHL Express.

On February 28, 108 drivers in the bargaining unit voted 83-23 to be represented by Local 986 in South El Monte, Calif.

"We work with drivers from DHL who have a contract that includes strong retirement security, great health care and other

benefits," Rodriguez said. "We want to negotiate a strong first contract that will provide these kinds of improvements."

Management set up numerous roadblocks to organizing. KWK Trucking hired four union busters to conduct daily captive audience meetings, one-on-one meetings and attempted very hard to persuade the drivers to vote no.

"The drivers remained strong and united throughout the entire process and were not fazed by the company's union-busting tactics," said Chris Griswold, Secretary-Treasurer of Local 986. "We look forward to negotiating a strong first contract that addresses the drivers' needs."

## LOCAL 525

### **Kurtz Ambulance Service**

A group of 10 firefighters/Emergency Medical Technicians (EMTs) in Illinois have voted unanimously to join Local 525. The election was held by mail ballot and votes were counted on February 26. The vote was 8-0 in favor of Teamster representation.

The firefighters/EMTs work for Kurtz Ambulance Service in East Alton, Ill. They all serve employees of Olin Brass, a large manufacturing plant in East Alton.

"We welcome these workers and we will work with them to negotiate a strong first contract that addresses their issues," said Kevin Engelke, Secretary-Treasurer of Alton-based Local 525. "They perform an important job in our community and they deserve a secure future."

Workers are also seeking fair pay and improved benefits, Wessel said.

## LOCALS 483 AND 670

### **Food Services of America**

On March 8, a group of 34 drivers in Idaho and Oregon working at Food Services of America, Inc., which US Foods is in the process of purchasing, voted to become members of Local 483 in Boise, Idaho and Local 670 in Salem, Ore.

The two locals filed a combined petition to represent the workers. The

vote was 23-9 in favor of Teamster representation. Local 483 will represent 32 of the 34 workers, while Local 670 will represent two.

"It feels good to be a Teamster," said Vince Nye, an employee in Meridian, Idaho for the past four and a half years. "We are seeking fair pay."

"For far too long, this company has taken advantage of these workers," said Timothy Acevez, Secretary-Treasurer of Local 483.

## LOCAL 727

### **Reyes Fleet Management**

In March, mechanics employed by Reyes Fleet Management, a subsidiary of Reyes Holdings, LLC, voted overwhelmingly in favor of union representation, selecting Local 727 as their collective bargaining representative.

"On behalf of all Local 727 members, welcome to our Teamster family," said Local 727 Secretary-Treasurer John Coli Jr. "We look forward to fighting for a strong first collective bargaining agreement."

Local 727 also currently represents more than 700 employees of the Reyes Holdings subsidiary Great Lakes Coca-Cola Distribution, Inc.

## LOCAL 2010

### **UCLA, UCSB**

Lead childcare teachers at UCLA and UCSB recently

finished their negotiations and became members of Local 2010.

"Congratulations to our dedicated childcare workers and welcome to the Teamsters," said Jason Rabinowitz, Director of the Teamsters Public Services Division and Secretary-Treasurer of Local 2010. "This great win caps a years-long fight by these courageous workers for union representation and fair treatment in the face of terrible opposition from UC."

"Teamsters proved that there is power in unity and demonstrated the importance of standing firm against unfair treatment and wage inequalities, and has allowed us to have an active voice in the workplace," Alisa Daniels, UCLA lead teacher.

## LOCAL 429

### **Americold**

Workers at Americold, a temperature-controlled warehousing and logistics company, voted on February 6 to join Local 429 in Wyomissing, Pa.

There are 124 workers in the bargaining unit. The employees at the warehouse in Leesport, Pa. work as forklift drivers and janitors/porters.

"It feels great being a Teamster," said Harlen Aquino, a forklift driver and six-year employee. "Working so hard to get to this point has been an

awesome experience. Now we need to negotiate a strong contract."

"We are excited to welcome the workers at Americold and we will work with them to negotiate a strong first contract that addresses their major concerns," said Bill Shappell, President of Local 429.

## LOCAL 391

### **Stericycle**

By a more than three-to-one margin, drivers at Stericycle's Haw River, N.C. facility voted recently to join Local 391 so they can better fight for respect and dignity on the job.

Moses Darden, Local 391's lead organizer, said workers are demanding better working conditions, affordable health insurance and job security, all issues that will be guaranteed in a strong Teamster contract. Local 391 is located in Greensboro, N.C.

The organizing effort that led to victory came after workers withstood numerous mandatory captive audience meetings, visits from corporate executives and ride-alongs from management. But the Teamsters helped counter those efforts. The union's Waste Division reached out to other locals with Stericycle workers, and in turn Locals 377, 20 and 813 sent photos and encouraging words to these North Carolina workers.



# Teamsters Escalate Campaign for Justice at Sysco

The Teamsters Union is stepping up its campaign for worker justice at Sysco, the largest broadline foodservice provider in the country. More than 10,000 workers at Sysco are Teamsters.

The escalation follows Sysco's calculated nationwide campaign of threatening and disrespecting its employees, and its flagrant violations of the law when workers seek union representation. Workers want to stop management's fa-

voritism, create a fair pay system and stem increases in health insurance costs that make it too expensive for working families.

Workers have been fighting back by organizing as Teamsters. In recent months, more than 1,000 workers across the country have voted to become Teamsters.

The campaign includes educating Sysco customers and the general public about the company's well-documented history of violating workers' rights. Sysco has

been the subject of federal investigations of labor law violations in virtually every location where workers have chosen union representation.

## Organizing for Power

In February, drivers at Sysco near Miami voted to join Local 769, the second organizing victory in less than three weeks at Sysco. The vote count was 100-25 in favor of joining the union and there are 132 drivers in the bargaining unit.

"Rather than valuing its hard-working employees who make this company successful, Sysco continues to disrespect them, flagrantly violate the law when they seek union representation, and still demand that they work harder and faster," Vairma said. "Like more than 1,000 workers across the country in recent months, Sysco South Florida workers are saying 'Enough is enough' and standing together to take action."

"This victory continues the strong worker organizing momen-





tum at Sysco in South Florida,” said Josh Zivalich, President of Local 769 in Miami. “Sysco workers are tired of the way Sysco is mistreating them and they are demanding change now.”

In late January, drivers and helpers from Sysco’s Sygma Network in Monroe, Mich. near Detroit voted overwhelmingly to join Local 337.

There are 116 drivers and helpers in the bargaining unit. Workers in both locations want a fair and level playing field and an end to what feels like an endless string of company takeaways.

Last fall, 253 Sysco drivers near Boston voted overwhelmingly for Local 653 representation at the company’s New England distribution center that serves customers in five states.

Some of Sysco’s most egregious actions have taken place in Oklahoma, where the company fired five stewards who are members of Local 886 in Oklahoma City.

The stewards worked at the

company’s Norman, Okla. center and were vocal in fighting against a company-backed effort to withdraw recognition from Tulsa union members.

The union has filed numerous unfair labor practice charges against the company over the firings. The union has also appealed a ruling by the National Labor Relations Board that the firings should be settled in arbitration.

As the workers wait for a ruling on the union’s appeal, they all say they will not stop fighting until they win the justice they deserve. Fortunately, as Teamsters, they have a process to fight their firings. If they had been nonunion, they would have been at-will employees and had little recourse.

James Daniels, one of the fired stewards in Oklahoma, worked at Sysco in Norman for 33 years—30 of those years as a steward—when he was targeted by management for termination. The company alleged he was dishonest over drinking a soda on duty—an excuse to

fire him for his union activism. Since his firing, Daniels has worked on several organizing campaigns at Sysco, where he has delivered important messages to workers.

“I tell Sysco workers that they need to stick together and fight for positive change on the job by forming their union,” Daniels said. “The only way to improve things at Sysco is for workers to organize and negotiate a legally binding contract—a Teamster contract.”

Nathan Ray is another steward who was fired. He is driving for another Teamster-represented company while he waits to hear about his case.

“Don’t be intimidated by the company, the Teamsters have your back,” Ray said. “The only way to get things fixed is to stand together and organize.”

For more information, visit the “Foodservice Teamsters Fight for Justice” page on Facebook at [www.facebook.com/SyscoUSFworkers](http://www.facebook.com/SyscoUSFworkers).

WAGES, BENEFITS INCREASED AND JOB SECURITY PRESERVED

# ANHEUSER-BUSCH AGREEMENT RATIFIED



**M**embers at Anheuser-Busch's breweries in the United States have voted to ratify a new five-year agreement by 88 to 12 percent, with 63 percent of members voting. The contract covers more than 4,400 workers at 12 facilities across the U.S.

"This contract provides our members at Anheuser-Busch with the solid wages, excellent benefits and job security they deserve," said Jim Hoffa, Teamsters General President. "Our members work hard to make this company successful, and this contract recognizes their efforts."

Wage increases, improvements to retirement security and a ratification bonus were all included in the new contract which went into effect March 1, 2019 and has a five-year term. As with the previous agreements, it maintains excellent benefits and job security.

In another victory for workers, the Teamsters National Negotiating Committee argued successfully for a memorandum of understanding with Anheuser-Busch to keep a commitment for all 12 breweries to remain open for the term of the agreement.

## Security

"Our negotiating committee listened to the membership and negotiated a contract that provides job security and financial security for these hardworking men and women for the next five years," said Greg Nowak, Director of the Teamsters Brewery and Soft Drink Conference. "I'm proud of the work of the committee and look forward to implementing the new agreement."

"Everyone is happy with the new contract," said Ryan Smith, a Local 633 member

working at the Merrimack, N.H. brewery for the past seven years. "The rest of the negotiating team did a good job and spent a lot of time listening to members to get their feedback on what they wanted in the new contract."

The Merrimack brewery not only makes the famous A-B brands Budweiser and Bud Light, but also produces craft brews for Blue Point Brewing.

"More and more of Anheuser-Busch's breweries have been branching out into craft beers since they have gained in popularity," Nowak said. "We are pleased with this addition as it keeps our mem-

bers working and provides a product that consumers enjoy."

## 'Good Union Job'

A member at the Baldwinsville, N.Y. brewery said they brew at least 63 different brands at her location alone and that she was grateful for the new contract.

"It's a contract that I can live with, that I can retire with," said Michele Buck, a member of Local 1149. "My father, brother and even my sister have all worked here. I know how important it is to have a good union job."

All 12 Anheuser-Busch breweries in the U.S. employ members of the Teamsters who brew, bottle and package the brands produced by the company.

The brewery locations are: Los Angeles; St. Louis; Jacksonville, Fla.; Newark, N.J.; Houston; Fort Collins, Colo.; Williamsburg, Va.; Cartersville, Ga.; Merrimack, N.H.; Fairfield, Calif.; Columbus, Ohio; and Baldwinsville, N.Y.





# Journey to Drive

*New Apprenticeship Program Puts More Teamsters Behind the Wheel*

Anyone who works in trucking or follows the transportation sector knows there is one topic that has dominated the industry in recent years: the persistent shortage of drivers.

While the effects of deregulation are largely to blame for the decline in drivers, as fewer workers are attracted to the harsh demands of jobs in the nonunion sector, the shortage has led to all kinds of proposed solutions including the use of new technology to fill the gap in the labor supply.

But there is another remedy, and it draws from centuries-old

practices in the skilled trades: the apprenticeship. Today, Teamsters are paving a new road for countless workers who want to build careers in the transportation industry. Teamsters have developed a number of apprenticeship programs at locals and Joint Councils, especially in the construction industry, but the new Teamsters Apprenticeship Program is the first national effort by the union that is focused on the transportation industry.

“This program is designed to promote the craft and train people to build strong middle-class careers in the transportation indus-

try,” said Lamont Byrd, Director of the Teamsters Safety and Health Department.

Since it was launched in 2015, more than 240 CDL-A apprentices have been trained in the program. The goal is to train more than a thousand dock worker/drivers in five years. The Safety and Health Department worked closely with ABF as well as the Teamsters Freight Division to put together the curriculum of the apprenticeship program.

## **DOL Certified**

Like many freight companies, ABF has been hit by the driver shortage. So the company turned to the Teamsters for help in bringing new drivers on board. In addition to ABF and DOL, Teamsters have partnered with community organizations focused on outreach to disadvantaged communities in order to recruit young workers into the apprenticeship program.

At 18 years old, an apprentice dock worker is registered with the DOL when they enter the program. Their progress is monitored by in-





To read the full version of this story or to find out more about the Teamsters Safety and Health Department, including trainings and other resources, visit [teamstersafety.org](http://teamstersafety.org) or scan the QR Code with your smartphone's camera or QR reader (available for free).

structors. After 144 hours of dock operation training, they go through 2,690 hours of supervised work experience. Once they are of age, they begin training to upgrade to a CDL. This involves another 240 hours to train for their CDL-A licenses, followed by another 2,690 hours of work experience.

"You have young people on the

one hand who are trained to do the work and, on the other hand, you have companies that are struggling to find drivers. The apprenticeship program is building a bridge between the two," added Chee Chang, a program manager with the Teamsters Safety and Health Department who manages the worker trainings and helped design the program.

The Teamsters secured federal grant funding to support the development of the apprenticeship program, which will be sustained by employer contributions. And the union is also looking to apply for state-level grants to further support the effort.

### New Blood

A checklist...that's how some current dock workers at ABF described the extent of their training before the Teamsters Apprenticeship Program was introduced. That checklist is now a 157-page manual, written by the Teamsters Safety and Health Department in consultation with the company.

"It's important to make a good connection with younger folks so

they can carry on the work and keep this industry going," said James Mullens, a 24-year ABF dock worker and member of Local 957 in Dayton, Ohio. Mullens joined more than a dozen other ABF dock workers at a training at Local 776 in Harrisburg, Pa. in March to sharpen his skills as instructor to new dock worker apprentices.

"This program really got me thinking more about how we talk about the union with new hires and figure out better ways of teaching people who are just starting in the industry. And with the outreach at job fairs and high schools, I think it can help lead to a better recruitment system for dock workers and show that this is actually a good job with good benefits," said Lindsay Mandelik, who has been working on the docks at ABF in Dayton for five years. She also attended the "Train the Trainer" event in Harrisburg.

By turning back to the practices of earlier generations, Teamsters may help turn back the trend of the driver shortage and jumpstart a new generation of union truck drivers.

## Thousands of Teamsters Participate in Safety and Health Trainings

**T**eamsters Safety and Health provides a range of resources and training for members across many trades and industries. In 2018, more than 7,400 workers (including more than 2,000 Teamster members) participated in training programs held around the country. Trainings are conducted through an affiliated consortium of 12 Teamster training centers as well as the Rail



Workers Hazardous Materials Training Program, which represents nine rail unions.

Covering everything from construction to transportation to warehouse to airline professions, Safety and Health programs focus on training workers in underserved populations and providing members with the

skills they need to work safely on projects in their communities.

*For more information, visit [teamstersafety.org](http://teamstersafety.org).*

# Miracles do Happen

## *Long-Lost Mother and Daughter Find One Another at Local 777*



**T**eamsters often refer to their fellow members as brothers and sisters, but it's not every day that the union brings together actual blood relatives. That's what makes the story of Mary Kay Krekan-Trout and her daughter Sandra (Sandee) Dumas so extraordinary, because that's exactly what happened: the two had been separated and searching for one another for decades, and through what they describe as an act of God, mutual friends that they each worked with at Teamster school bus yards helped to connect them.

Krekan-Trout, Dumas and their co-workers who connected them are all members of Local 777 outside of Chicago, Ill.

"They both look alike and you can tell that they are related," said Local 777 President Jim Glimco. "They've got a great relationship and it's one of those magical stories...It's really great."

Mary Kay Krekan-Trout gave her daughter up for adoption when she was born. The adoption was supposed to be an open adoption, meaning that Krekan-Trout would regularly receive letters and pictures as updates on how Sandee was doing. Krekan-Trout and Dumas say that sadly it was treated as a closed adoption because of a legal mix-up.

"It's in the past, we've got a lot to do and we're going to do it," Krekan-Trout said.

"This is what I wanted," Dumas said. "I turn 40 on April 18 and this is my 40th birthday present. There's so much we've found out, and so much we have yet to find out, and it's going to be an amazing adventure."

### **Reconnecting**

The adventure started when Dumas took a DNA test that she got from Ancestry.com. The DNA test confirmed a mother-daughter match, and she found out her mother's name.

Dumas began looking on Facebook, where she found out that Krekan-Trout worked for Illinois Central School Bus. Dumas had just started working at First Student, where she met Tina Applebee. Applebee was acquainted with a school bus driver named Randy Brooks, who knew Krekan-Trout. Brooks and Applebee put the long-lost mother and daughter in touch with one another for the first time since 1979.

"I told Mary Kay, 'She looks just like you,'"

Applebee said. "They were both ecstatic; they've been spending almost every day together since. I'm just very happy that they were able to find each other."

"The time between reaching out to be put in contact with my mother and then meeting her, that Thursday through Friday, I think that was probably the longest time of my life," Dumas said.

Krekan-Trout received a phone call from Brooks telling her that they had finally found her daughter, and she broke down sobbing tears of joy. Within eight hours they were in contact with one another and they made plans to meet in person at a restaurant called Alfie's in Glen Ellyn, Ill.

"It was amazing. I thought I would never be able to find her, and then I found her," Krekan-Trout said. "We took each other off each other's feet. The first thing we said to one another was

point they nearly worked together at the same Laidlaw school bus yard, but missed each other by two weeks.

### **Teamster Family**

Since reuniting, Krekan-Trout and Dumas have found out that as one would expect, they have a lot in common. Both of them love horses and horseback riding. They have similar mannerisms; both say they talk with their hands. They finish each other's sentences.

Both of them are proud Teamsters as well. Krekan-Trout is a shop steward at her Illinois Central school bus yard, and she said that being a Teamster has made her a stronger advocate for her fellow drivers. When Dumas lived in Kansas, she was part of the initial conversations around bringing the Teamsters into the school bus yard where she worked, and the workers successfully organized the yard after

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***"She's a bus driver, so am I. Miracles do happen, and this is one of them. The one up above had something to do with this, but the school bus industry and the Teamsters did too. It's the luck of Local 777."***

**—Mary Kay Krekan-Trout**

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I love you and I've been looking for you."

### **Catching Up**

They stayed at the restaurant until it closed and then sat in the car for four hours talking to one another. After four decades, they had a lot of catching up to do.

They found out that they were both gaining more family members—Dumas now has another two brothers and three sisters, along with many more aunts, uncles, nieces and nephews. Through Dumas' adopted family, Krekan-Trout is gaining another daughter (Sandee's sister) and a grandson, Dumas' biological son who she placed in an open adoption at birth.

They also found out, amazingly, that at one

she moved back to Illinois.

"If you've got a union backing you, you don't have to take out a bus that's unsafe," Dumas said. "Working for a union shop versus a nonunion shop, the union makes conditions safer and better for everyone, and everyone has a voice."

Sandee Dumas and Mary Kay Krekan-Trout say that after all they have been through, they will always be part of one another's lives, and indeed they seem inseparable.

"Our interests have been pretty much parallel; our lives have been pretty much parallel, unbelievably so," Krekan-Trout said. "She's a bus driver, so am I. Miracles do happen, and this is one of them. The one up above had something to do with this, but the school bus industry and the Teamsters did too. It's the luck of Local 777."



Scan the QR code with your smartphone's camera or QR reader for more.

**T**he Teamsters stood shoulder to shoulder with workers affected by the longest federal government shutdown in American history earlier this year.

The shutdown, which lasted from Dec. 22, 2018 to Jan. 25, 2019, forced 800,000 Americans who work for the federal government to go more than a month without pay. The effect reached far beyond government workers, though. Hundreds of thousands of federal contractors—many of whom are low-wage workers in the service sector—didn't get paid and won't be reimbursed for lost wages.

The economic loss due to the shutdown was tremendous.

### Rallies

In the thick of the shutdown, General President Jim Hoffa joined other labor leaders at a rally in the

Hoffa said. "It's time for elected leaders to get off the sidelines and back to negotiating an agreement that will return workers to their jobs with pay. They deserve it, their families deserve it, and the American public deserves to have a functioning government that provides the services their tax dollars are supposed to cover."

### Union Solidarity

It wasn't just in Washington, D.C. where Teamsters showed their solidarity with those affected by the shutdown.

As a gesture of union solidarity, members of the Local 357 Executive Board led a group of Teamsters employed by Republic Airline on a visit to the Indianapolis International Airport Terminal Radar Approach Control Facilities (TRACON) to bring lunch to air traffic controllers. The air traffic controllers,

# LONGEST

# SHUTDOWN

# OVER

# Teamsters Stood with Affected Workers

nation's capital to call for an end of the shutdown. "We all know what's going on," Hoffa told union workers, including many Teamsters, at the rally outside Nationals Park. "We are here to rally with you and call for the vote. It's time for this to come to an end."

The rally was one of several that occurred during the shutdown, including a rally outside the AFL-CIO headquarters and another in one of the Senate office buildings.

"Congress is getting paid, but the most essential people, the government workers, aren't getting paid. I call for them to go on and do their job!"

who had been working without pay due to the government shutdown, are members of the National Air Traffic Controllers Association.

Local 357 President Josh LeBlanc is a Republic Airline pilot who has been with the company for over 18 years. He emphasized that the government shutdown was having a negative impact on pilots not just at Republic Airline, but all across the country.

"We are doing this to show solidarity with our brothers and sisters in aviation who are affected by the federal government shutdown and to bring awareness to the many different issues this continued shutdown is creating," LeBlanc said.



# In Memoriam

## Teamsters Mourn the Loss of Union Leaders

Teamsters throughout the country are mourning the loss of two union leaders: Wallace Clements and Ben Leal. Both served in important positions at the International Brotherhood of Teamsters and the local level.

### WALLACE CLEMENTS

Clements, a longtime Teamster leader, passed away on January 19, 2019 at the age of 91.

He was born September 21, 1927 in Soddy, Tenn. and served in the U.S. Navy during World War 2. He moved to

Chattanooga in 1954 to work at Dixie Ohio Express as a truck mechanic.

He later went to work for the International Brotherhood of Teamsters, serving as the Director of DRIVE from 1983 to 1995. In this position, he was on a first-name basis with members of congress, presidents and other elected officials. He was proud to help those get elected who would best represent union interests. He had a great passion for politics and was once a delegate for Tennessee to the presidential convention.

He also served the union as Director of Retiree Affairs from 1999 to 2001.

"Wallace Clements was a proud union man and a tenacious fighter for workers," said Jim Hoffa, Teamsters General President. "His dedicated service and exemplary leadership will be missed."

He is survived by a son, Mark Edward



Clements and wife Jaye, daughter Lana Joyce Rossy and husband Jeff, daughter Lisa Ann Franklin and husband Bobby. He is also survived by nine grandchildren and nine great-grandchildren.

### BEN LEAL

Leal, the former Secretary-Treasurer of Local 856, passed away on Feb. 8, 2019. Leal began his career in the union in 1956 and served as the principal officer of Local 856 from 1982 through 1993.

"Brother Leal was a strong, committed and effective Teamster leader," Hoffa said. "He grew the ranks of our union, bringing more workers the benefits of Teamster representation. He will be sorely missed by all Teamsters."

Leal served as a Trustee on the Teamsters General Executive Board from 1986 to 1997 and was also a Trustee on the Executive Board of Joint Council 7.

Leal also served as a Trustee on the Western Conference of Teamsters Pension Trust Board for almost 30 years and was the Chairman of the Western Conference of Teamsters' Professional, Public, Medical, Communication, and Clerical Division.



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

FROM: The Independent Disciplinary Officers  
Hon. Barbara S. Jones  
Hon. Joseph E. diGenova

DATED: March 6, 2019

### I. INTRODUCTION

The following is Magazine Report 1 of the Independent Disciplinary Officers (“IDO”) for 2019 regarding activities from December 1, 2018 through March 6, 2019, conducted pursuant to the Final Agreement and Order of February 17, 2015.

### II. NEW MATTERS

#### A. Former Local 683 Principal Officer Todd Mendez

On March 6, 2019, the Independent Investigations Officer (“IIO”) issued a report to the IBT General President recommending that a charge be filed against former Local 683 Secretary-Treasurer Todd Mendez (“Mendez”) for bringing reproach upon the IBT in violation of Article II, Section 2 (a) and Article XIX, Sections 7(b)(1) and (2) and Section 14(a) of the IBT Constitution, through failing to reasonably cooperate with the IIO by intentionally testifying falsely during his IIO sworn examination on February 2, 2017. The report alleged that Mendez falsely claimed the Local’s lawyer drafted a “confidentiality agreement” as part of a settlement agreement for a lawsuit brought by a former employee against the Local and Mendez personally alleging sexual harassment and other causes of action.

Local 683 is located in El Cajon, California. Local 683 represents approximately 2,755 members in the San Diego area. Mendez was the Local’s Secretary-Treasurer and principal officer from January 1, 2010 until December 31, 2018, when his term of office ended after he lost a contested election.

On May 28, 2015, the Local’s former office manager filed a civil action in the Superior Court of California, San Diego County, against both Mendez and Local 683, alleging causes of action for Pregnancy/Gender Discrimination, Sexual Harassment, Wrongful Termination, and other claims.

On October 6, 2015, the office manager’s attorney sent a proposed “Confidential Settlement Agreement and General Release.” The proposal did not include a monetary penalty for any breach of confidentiality applicable to the Local or its Board members.

On October 8, 2015, the Local’s Executive Board held its monthly meeting. The minutes reflected a Board vote on the Settlement Agreement had been tabled.

Additionally, at that October 8 Board meeting, Mendez gave each Board member present a separate document entitled, “Confidentiality Agreement” (“Mendez Document”). The Mendez Document falsely purported to be between the parties to the lawsuit. In truth, it was not part of the settlement proposal from the office manager or the final Settlement Agreement with her that he signed on behalf of the Local. The Mendez Document purported to forbid Board members from discussing the terms of the settlement with anyone, including Local members, with a penalty clause purportedly making the Board member liable for \$5,000 in liquidated damages for each such disclosure.

At his IIO sworn examination on February 2, 2017, Mendez falsely testified that the attorney for the Local and for him, had drafted the Mendez Document he presented to the Board. Other Trustees testified that Mendez told them that the Local’s attorney had drafted the Mendez Document and he said she was the one advising they sign it.

Contrary to Mendez’ claim, the Local’s attorney testified under oath she had no involvement in the preparation, drafting, or circulation of the Mendez Document, and that she had never seen the Mendez Document before it was shown to her at her IIO deposition. Moreover, there would have been no purpose for the Local’s lawyer to draft a confidentiality agreement like the one Mendez distributed with a more severe punitive provision for breaches against the Local than that sought by the plaintiff.

Mendez was involved in a contested Local election during the period the lawsuit was pending. The Local’s attorney testified that Mendez had informed her he did not want the allegations against him to be known to the Local members before the election. Mendez never told the members about the settlement before the election, which was held on December 18, 2015. Mendez was re-elected.

The IIO’s Report recommended that a charge be filed against Mendez for testifying falsely during his IIO sworn examination concerning the document he distributed and caused Board members to sign, purportedly subjecting them to financial penalty for disclosing the terms under which the Office Manager’s lawsuit was settled. Accordingly, the IIO recommended that a charge be filed against Mendez for bringing reproach upon the IBT in violation of Article II, Section 2(a), and for violating Article XIX, Sections 7(b)(1) and (2) and Section 14(a) of the IBT Constitution by obstructing, interfering and unreasonably failing to cooperate with the Independent Investigations Officer as set forth in the Final Agreement and Order. Pursuant to ¶ 32 of the Final Order, the General President must file with the IRO written findings setting forth the specific action taken and the reason for such action within 90 days, or by June 4, 2019.

### III. PROGRESS OF EXISTING MATTERS

#### A. Local 817 Member James Norizsan

On November 28, 2018, the IIO recommended to the Executive Board of Local 817 that a charge be filed against former Local 817 member James Norizsan (“Norizsan”) for violating the IBT Constitution Article II, Section 2(a) and Article XIX, Sections 7(b) (1), (2), and (9), by knowingly associating with a prohibited person under the Final Agreement and Order, Frank Radice (“Radice”), who was permanently barred from the IBT for being a member of Organized Crime.

On December 19, 2013, the Independent Review Board (“IRB”) recommended to the General President that Local 817 member Radice be charged both with being a member of the Gambino organized crime family and with unreasonably failing to cooperate with the IRB by not appearing for his sworn examination. On December 20, 2013, the General President adopted and filed the charges against Radice. The General President referred the charges back to the IRB for adjudication, and on March 12, 2014, the hearing on the charges was held. The evidence included an affidavit from an FBI Special Agent concluding that in the FBI’s expert opinion Radice is a member of the Gambino Organized Crime Family. On June 18, 2014, after reviewing the evidence, the IRB found both that Radice was a member of the Gambino Organized Crime Family and that he had failed to reasonably cooperate with the IRB. On June 18, 2014, the IRB permanently expelled Radice from membership in Local 817, the IBT and IBT affiliated entities. On June 18, 2014, the IRB filed Application 170 with United States District Judge Loretta A. Preska, seeking court approval of the order. On March 4, 2015, Judge Preska found the evidence supported the IRB Decision.

On April 3, 2015, the union sent to Norizsan and other members of Local 817 a notice that Radice had been permanently expelled from the IBT. Furthermore, Norizsan had notice of Radice’s bar based on notices that appeared in Teamster magazine, which were sent to all affiliates and members.<sup>1</sup>

On September 29, 2016, Norizsan was indicted in the Eastern District of New York on charges relating to falsifying IRS forms and ERISA violations.<sup>2</sup> At trial, Norizsan testified under oath that he was Radice’s brother-in-law. Norizsan admitted he knew union members’ contact with Radice was forbidden. Norizsan admitted that he continued to have contact with Radice after he was barred. He admitted the communications went beyond family matters. That the contact was not for family reasons was further corroborated by their repeated scheduled meetings held at a bank, a location unrelated to family matters.

On November 28, 2018, the IIO issued a report recommending to the Local 817 Executive Board that a charge be filed against Norizsan for violating the IBT Constitution Article II, Section

2(a) and Article XIX, Sections 7(b) (1), (2), and (9), by knowingly associating with a prohibited person under the Final Agreement and Order, Radice, who was permanently barred from the IBT for being a member of organized crime.

Pursuant to Paragraph 32 of the Final Agreement and Order, the IIO designated this as a matter within the jurisdiction of the Local 817 Executive Board. On January 29, 2019, counsel for Local 817 submitted to the IRO a proposed affidavit and settlement disposing of the charges. However, after being advised by the IIO of additional discussions between counsel for Local 817 and counsel for Norizsan regarding the terms of the affidavit and settlement, the IRO is awaiting a modified proposed disposition.

### IV. ONGOING INVESTIGATIONS

The IIO is currently conducting a number of investigations throughout the country. In the time period of this report, the IIO has received and processed approximately 52 hotline calls reporting alleged improprieties.

The IDO do not comment on ongoing investigations or identify areas or conduct under investigation until a formal recommendation of charges is served upon the IBT pursuant to the Final Order.

### V. TOLL-FREE HOTLINE

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 ensure that all calls are treated confidentially, the system which records hotline calls is located in a secure area on a dedicated line in the Independent Investigations Office and accessed only by an Investigator. Please continue to use the toll-free hotline to report improprieties that fall within IIO jurisdiction by calling 1-800-CALL-472 (800-225-5472).

### VI. RELOCATION OF IIO OFFICE

The Office of the Independent Investigations Officer has been in the process of relocating from its premises in New York City to a location in the Washington, D.C., metropolitan area. The relocation is currently expected to be completed on or about April 30, 2019. The new address of the IIO will be as follows:

Hon. Joseph E. diGenova  
Office of the Independent Investigations Officer  
1515 N. Courthouse Rd, Suite 330  
Arlington, VA 22201

<sup>1</sup> In addition, the April/May 2015 issue of the Teamster magazine also included a list of “Persons Permanently Barred from the IBT by Action Initiated by IRB”. Radice was on that list.

<sup>2</sup> There was a hung jury in Norizsan’s first trial; he was acquitted after a re-trial.

The toll-free hotline will continue to operate normally throughout the transition. Mail correspondence should be addressed to the new office in Arlington, VA beginning April 1, 2019.

## **VII. CONCLUSION**

The task of the IDO is to ensure that the goals of the Final Agreement and Order are fulfilled. In doing so, it is our desire to keep the IBT membership fully informed about our activities through these reports. If you have any information concerning allegations of wrongdoing or corruption, you may call the toll-free hotline number, or write to the Independent Investigations Officer Hon. Joseph E. diGenova for all investigations at the following IIO office address:

Hon. Joseph E. diGenova  
Office of the Independent Investigations Officer  
1515 N. Courthouse Rd, Suite 330  
Arlington, VA 22201

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