



Teamster Members

Welcome to the Teamsters!

Teamster Purpose, History, Structure, Rights





Dear Teamster Member:

Welcome to the International Brotherhood of Teamsters. You are part of a proud tradition in the labor movement. For over one hundred years, the Teamsters Union has been a leader in setting the standard for higher wages, better benefits and improved working conditions for workers throughout the United States, Canada and Puerto Rico.

The Teamsters are committed to negotiating the best collective bargaining agreements and providing the strongest day-to-day representation for all of our 1.4 million members. Many fights have been won by Teamsters over the years, from shorter workdays to individual grievances in the workplace to major legislation in Congress.

There are over 400 local unions within the Teamsters Union. Everyone benefits when the members unite to achieve common goals. I encourage you to become an informed and active member, and work with us to bring dignity, justice and fairness to the workplace.

This booklet will give you a brief overview of the Teamsters Union. The history of the union is one of unity and strength, words that we, your International Officers, intend to make a priority for the 21st Century. Workers choose the Teamsters Union because we are the best at building a better, more secure future for them and their families. We are happy to have you join our ranks as one of these members.

Fraternally,

James P. Hoffa
General President

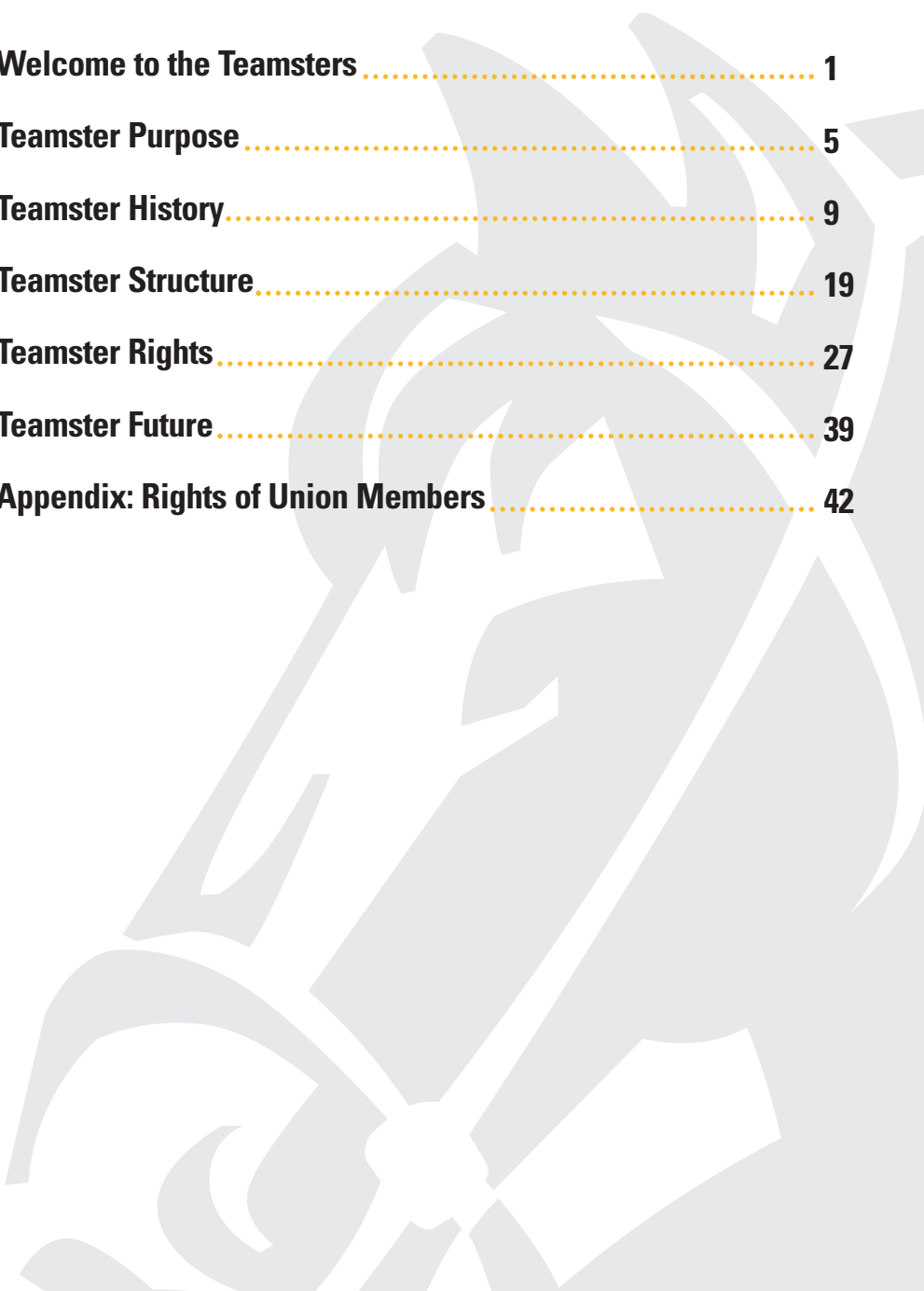
Ken Hall
General Secretary-Treasurer



Welcome to the Teamsters

Table of Contents

Welcome to the Teamsters	1
Teamster Purpose	5
Teamster History	9
Teamster Structure	19
Teamster Rights	27
Teamster Future	39
Appendix: Rights of Union Members	42







Welcome to the Teamsters





Welcome to the Teamsters

“I’m Proud to be a Teamster”

Being a member of the Teamsters Union gives you many rights and benefits on the job. It also gives you a chance to join with other working people to win changes in your workplace and your community on the national and international stage.



Teamsters Are Strong!

The Teamsters Union is made up of 1.4 million workers who are employed in a variety of public and private industries.

There are approximately 625,000 retired members of the Teamsters Union throughout the United States, Canada and Puerto Rico who maintain their affiliation with the Union and support important issues for working people.

Unlike the company, plant or shop where you work, your union is a democratic organization where you and the other members have the right to elect local leaders and decide the policies that will affect you. You are a member of one of more than 400 local unions in the Teamsters Union. Each local has been

assigned a number by the International to designate its location and is chartered to reflect the industries represented.

This booklet provides an introduction to your Union both at the International and local levels, and tells how you can get involved.

Your Teamster “Steward”—one of your coworkers who coordinates union activities at the workplace—will answer other questions you may have. It is important to get a telephone number or e-mail address from your steward so you can easily access your representatives.

The Union Advantage

If you don’t have a union in your workplace, you don’t have guaranteed wages, health benefits or a secure pension. You are an “at-will” employee. You check your rights at the door, and your employer can fire you or change your conditions of employment at any time and for almost any reason.

There are real advantages to having a union for you as an individual and for society in general. By forming a union with your co-workers, together you will have the strength to negotiate a legally binding contract with your employer that includes better wages, affordable health care, a secure retirement and a safer workplace.

According to the U.S. Department of Labor in March 2011, 93 percent of union workers have access to medical care benefits through their jobs, com-



pared with only 69 percent of nonunion workers. 93 percent of workers in unions have access to retirement plans versus 64 percent of nonunion workers. Seventy percent of union workers have guaranteed pensions, compared with 14 percent of nonunion workers. Roughly 84 percent of workers in unions have paid sick leave compared with 64 percent of nonunion workers.

And the more union members there are in this country, the better off every one is. Throughout our history, when unions are strong, wages go up, health care coverage improves and pensions are strengthened. When unions are under attack, as they are today, we're all in danger – our jobs, our communities and our families.

Solidarity Counts

Plant managers, company presidents and supervisors have numerous resources available to them to accomplish their goals. They belong to associations and coalitions that help advance their objectives.

Workers, on the other hand, have only their numbers to protect them and the numbers by themselves do not insure suc-

cess. It requires that the workers act in unison to achieve better wages and working conditions.

Get Connected!

The International Union has an official website that can be accessed through www.teamster.org. Log on to find out the latest activities and issues affecting Teamster members and ways you can help support Teamsters and their families in their struggle for workplace justice. Click on to your Trade Division or Trade Conference to read up to date information on what's going on – from contract fights to political activities affecting your specific industry.

You can also get the latest union information and become involved through:

- [Facebook.com/Teamsters](https://www.facebook.com/Teamsters)
- [@TeamsterPower](https://twitter.com/TeamsterPower) on Twitter
- [YouTube.com/user/TeamsterPower](https://www.youtube.com/user/TeamsterPower)
- TeamsterNation.blogspot.com

The Teamsters Union also publishes an official magazine called the “Teamster”, newsletters for every Teamster division and conference, and various other publications.





Teamster Purpose





Teamster Purpose



The IBT Constitution

The Teamsters' Constitution lays the foundation and structure for the 1.4 million workers who make up the organization. It spells out the duties and responsibilities of all officers and members. It is a product of over 100 years of organization. Please take the time to read through the Constitution.

It will provide you with information on how the union operates, and ways members and union leaders can work together to achieve common goals.

Teamster Purpose

The second article in the Teamsters Constitution sets up the mission and purpose of the organization. It states, in part, that the Union's primary responsibility is to organize and educate workers so that they will attain a higher standard of living. In summary the key role that the union plays includes:

- Organizing workers so that they have a voice in the workplace.
- Educating workers so that they know their workplace rights and can participate fully in our democratic society.
- Involving workers in the political process so that their issues are addressed.





- Negotiating and enforcing contracts with the employers so that each worker will be treated with dignity, justice and respect.

Teamster Recognition

Everywhere you go throughout the world people recognize the Teamster name. People from other countries e-mail the Teamsters Union requesting Teamster hats,

T-shirts and other union items.

The word “Teamsters” and “power” are synonymous in the minds of many people both within the Union movement and the public at large. And even though the union movement is sometimes portrayed in a negative way by parties who have little first-hand knowledge of the Union, members speak with pride when referring to both the accomplishments and the history of the Teamsters Union.







Teamster History





Teamster History

An essential element in understanding your union means knowing its history. Many of the procedures that have been established regarding the structure of the union and the rights and responsibilities of the members and officers can be explained through a study of the past efforts of our union members and leaders.

Team Drivers Form Union

Prior to 1900, Teamsters were drivers who delivered goods by horse drawn wagons. The expanding industrial base within North America brought with it an expansion of the delivery of goods thereby making team drivers important players in a

growing economy.

Teamsters often worked long hours for little pay, typically 12-18 hours a day for \$2.00. And, the Teamsters had to assume liability for bad accounts, as well as lost, stolen or damaged goods. In 1899, the Team Drivers International Union (TDIU) was formed in Detroit after Teamsters in several areas began to form local unions. In Chicago in 1902, a group broke away and formed a second union called the Teamsters National Union (TNU). The two groups had differing views on whether wagon owners could be members. In 1903, the two unions merged to form the International Brotherhood of Teamsters. Cornelius Shea was the first president and Union headquarters was located in Indianapolis. The newly formed union affiliated with the American Federation of Labor (AFL), which had been established in 1881 as the umbrella federation for unions. The AFL was organized around specific trades or crafts thus giving rise to the phrase "trade unions."

The Teamsters' charter from the American Federation of Labor (AFL) identified it as a "trade union," even though driving a team of horses was not considered a specific trade. AFL President Samuel Gompers recognized the key role Teamsters would play in the developing industrial economy.

Anti-Union Sentiment

Unions as a whole, and the Teamsters specifically, struggled against mainstream anti-union sentiment that existed in the



developing “free market” economy of the United States and, to a lesser degree, Canada. Canada’s experience in comparison to the United States was quite different in that the Federal government was and still is highly decentralized, giving the provinces in Canada control over the labor-management relationship rather than a central authority. Also, Canadians were more suspicious of capitalism and had a tradition of parliamentary government and a labour party that accepted labour as a natural partner in the economic system. As a result, in Canada there was a stronger belief in the basic rights of workers to organize.

Nonetheless, some of the most violent strikes and difficult labor battles were fought during this period by workers in all industries and in both countries.

The toughest battles during this period were fought over workers’ request to be “recognized” as having a right to form a union. That is why recognition often appears as the first section of the contract.

Teamsters Support Other Unions

In 1905, 4600 Teamsters struck in solidarity with tailors working for Montgomery Ward Company in Chicago. This strike lasted over 100 days and, in the end, 21 lives were lost. Subsequently, the company prevailed in breaking the strike.

This example is typical of how Teamsters throughout history have helped support other workers in other unions struggle against oppressive employers. These struggles were often

fought against employers who had support from local and national governments, courts and law enforcement agencies. Worker solidarity and civil disobedience were the only means workers had to express their dissent against unfair wages and working conditions. There were no legal protections for organizing and forming a union other than case-by-case rulings within the court system.

Ironically, during this period of severe hardship, members often pooled their resources and willingly agreed to share food and shelter with other workers who were on strike. Often members would be assessed fees that would then be sent to other union brothers and sisters fighting for rights in the workplace. Today, management often exploits this old custom of working people by threatening workers who are attempting to form a union that their union will levy assessments against them. Assessments in today’s labor movement are extremely rare.

Motor Carrier Replace Horses

In 1907, the Teamsters turned their attention to organizing when Daniel Tobin became the General President. The union began to organize beer wagon drivers, gravel haulers and bakery/confectionery delivery workers. The name of the union and the logo were changed to reflect the growth and change.

This diversification helped to increase Teamsters membership to 40,000. In 1912 the first transcontinental delivery of goods by motor carrier was accomplished by Teamster drivers.



Teamster History

North America was changing. Goods had to be supplied to an increasingly mobile society. The Teamster members held a vital role in making this mobility possible.

In 1914, World War I broke out in Europe. Teamsters played a crucial role in the war effort. Union members helped secure military success by rapid deployment of overseas troops and supplies from ports to battle lines. Speeding through Europe, American trucks were a key part of the U.S. war effort.

At this time the economy was growing and the Teamsters Union was growing right along with it. Membership grew from 40,000 to 60,000 in 1915. President Tobin emerged as a pre-eminent labor leader after the war and secured for the Teamsters Union a solid position in the labor movement.

Canadian Teamsters

Although there had been Teamster locals in Canada since 1906, the union affiliated with the Canadian Trades and Labor Congress (CTLC) the Canadian counterpart to the U.S. American Federation of Labor (AFL) in 1920. As the economy prospered, so did organized labor and Tobin persuaded local unions to double their per capita assessment so the Teamsters strike fund could be improved.

Fighting The Depression

In October, 1929 America's economic boom ended with the stock market crash on Wall Street, which signaled the start of the Great Depression. A chain of misery



and despair gripped the Nation. Unemployment rose from 3% to 25% and bank failures were commonplace.

Teamster membership shrank as a result of the depression so the union increased its efforts to organize, with an emphasis on the growing over the road trucking industry and the food processing industries. Consequently, membership rose to 146,000.

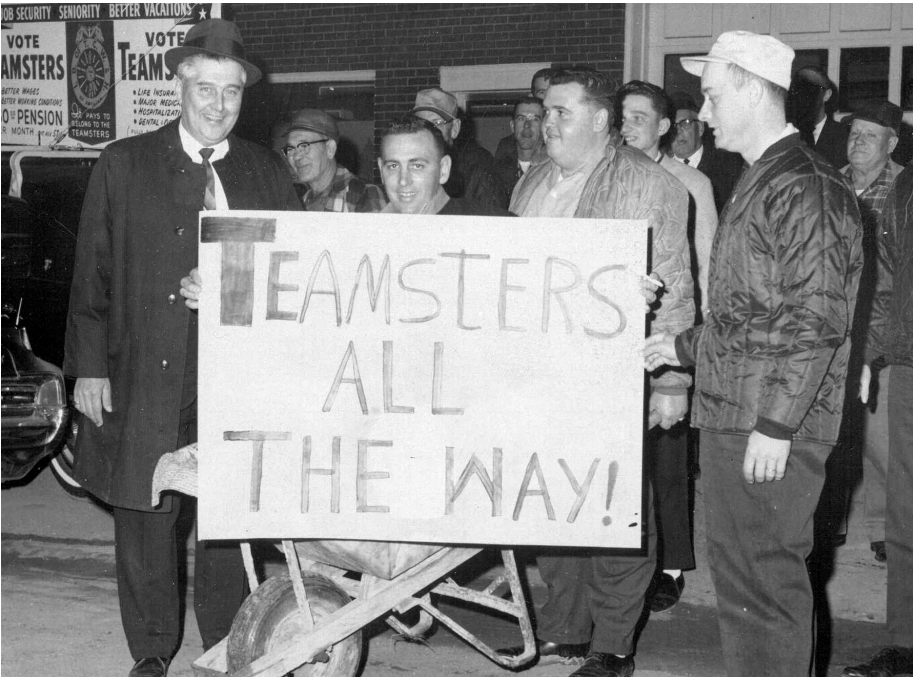
During the Great Depression, the Teamsters embraced President Franklin D. Roosevelt and his concern for the plight of the "forgotten man." A number of legislative victories supported by the Teamsters and approved by FDR were designed to pull the country out of the Depression. The National Recovery Administration (NRA) was central to Roosevelt's legislative plan. It established minimum wages and maximum hours of labor for each industry. Hours were reduced to spread employment over more workers.

In 1934, one of the most significant strikes in Teamster history occurred in

Minnesota when Teamsters Local 574 fought to protect union workers from the “Citizens Alliance.” This “Alliance” was an intolerant coalition of employers who hoped to form an organization that would weaken and ultimately destroy the unions, so they could install “company unions” under their control. The lines were drawn and the battle was brutal. Before the Teamsters came out victorious, several members were killed in street battles and many others wounded. The Teamsters were successful in building community support for the workers and used a very effective strategy that incorporated other unions and workers. This strike served as a turning point for workers everywhere in that it signaled the power workers had when they stuck together.

Workers Win Right To Organize

One of the key products of the increased militancy and activity of workers in the 1930’s was a U.S. Federal labor law, the *National Labor Relations Act of 1935 (NLRA)*, which was enacted to “level the playing field” during organizing and bargaining efforts. The intent of the law was to make management’s intimidation and interference illegal. Employees who worked in the railroad industry in the United States had attained protection in 1926 through the *Railway Labor Act (RLA)*. Today, the *Railway Labor Act* covers railway and airline employees in the U.S. only.





Teamster History



U.S. Policy Toward Unions

The first section of the *National Labor Relations Act* in the U.S. lays out the underlying premise of why organized labor is important in securing a healthy society. You will find these sentiments in all labor legislation.

According to the NLRA of 1935, “It is hereby declared to be the policy of the United States to eliminate the causes of certain substantial obstructions to the free flow of commerce and to mitigate and eliminate these obstructions when they have occurred *by encouraging the practice and procedure of collective bargaining and by protecting the exercise by workers of full freedom of association, self-organization and designation of representatives of their own choosing.*”



Also that same year the U.S. Congress passed the Social Security Act. In 1938 the Teamsters struck for, and worked hard to achieve, the Fair Labor Standards Act (FLSA) that established a maximum workweek of 44 hours and a minimum wage. The Motor Carrier Safety Act of 1938 prescribed maximum hours of service for drivers of motor vehicles operated by common and contract carriers.



When the U.S. entered World War II in 1941, President Roosevelt (FDR) asked Teamsters President Tobin to sit on the National War Labor Board, which was responsible for settling labor management disputes through arbitration. By 1942, 125,000 Teamsters were involved in moving troops to the frontline to defeat the German army.

Taft-Hartley And The Open Shop

Post-war Teamsters membership hit 900,000 members despite the anti-union Taft-Hartley Act of 1947, which outlawed “closed shops,” jurisdictional strikes and secondary boycotts. Taft-Hartley also made possible the Right-to-Work “for less” laws, which has had a devastating effect on union strength.

Although Taft-Hartley threatened to weaken the union in the United States, the developing area-wide and multi-state bargaining strategy was paying off. Truck drivers were nearly unbeatable in sustained job actions.

At the 1952 IBT convention, Tobin announced his retirement after 45 years at the helm of the union. Dave Beck was elected his successor. The next year International union headquarters moved from Indianapolis to Washington, D.C. for strategic reasons so the union would be close to the halls of Congress.

The 1950’s have been referred to as the “Golden Years” for economic development in the North America. Equipped with labor law protection, workers formed unions and a strong middle class emerged in the United States and Canada. Employers were making money and unions were negotiating higher wages and better working conditions.

National Freight Contract

In 1957 James R. Hoffa was elected General President of the Teamsters. Hoffa

was known for his loyalty to Teamster members and his determination to fight for improvements in their wages and working conditions. He ingeniously timed the expiration dates of multiple freight contracts so they coincided with each other and was successful in negotiating the first-ever National Master Freight Agreement, a contract that consolidated the power of freight drivers nationwide. The first National Master Freight Agreement was signed in February, 1964.

The political action committee DRIVE (Democrat, Republican, Independent Voter Education) was also formed by Hoffa in 1959 in response to the anti-union legislation that had developed.

The rising strength of the union brought on an onslaught of attacks not only against the Teamsters Union but also against President Hoffa himself. The whole of government, courts, business and law enforcement agencies tried to undermine the strength that had been built through organizing and solidarity.

Although the myths and legends surrounding General President Hoffa abound—one thing is for certain—Teamsters members remain loyal to his memory because he increased their wages and quality of life. He devoted his life to raising the standard of living for millions of working families.

Continued Growth

During the 50’s, 60’s and 70’s the Teamsters continued to negotiate strong contracts in the transportation and delivery industries



Teamster History

such as United Parcel Service (UPS). Each successive General President added other industries that depended on trucking to the ranks of the Teamsters Union. These industries include brewery and soft drink, newspaper, dairy, motion pictures, and “public” sector employees. The union continued to grow in strength and numbers. At the same time, the union faced intense scrutiny by law enforcement and government regulators intent on weakening a

powerful union.

In 1976 a separate division within the International Union was recognized and the Canadian Conference of Teamsters was established. In 1992, in recognition of the desire to acknowledge autonomy for Canadian workers, a special resolution was passed at the International Convention providing for a more independent affiliation and changing the name to “Teamsters Canada”. Teamsters Canada has greater



autonomy in both elections and developing policy for Canadian workers and is affiliated with the International Brotherhood of Teamsters (IBT), the Canadian Labour Congress (CLC) and, in the province of Québec, the Québec Federation of Labour (QFL).

In 1991, the structure and governance of the Teamsters Union was changed to require a direct election of the International officers by the membership instead of by convention delegates which had been the system since the Union was founded.

In 1997, Teamster members at UPS successfully carried out an historic strike in the package delivery industry at United Parcel Service (UPS). For many unionists this strike was a benchmark for a renewal in the labor movement.

A New Era

Pride, strength and growth define the renewed spirit and determined mission of the Teamsters Union following the election of James P. Hoffa in 1999. A fresh energy and strong sense of solidarity infusing the membership, from the General President to the newly organized, has made the Teamsters Union the leader in restoring the power to the labor movement in the 21st century.

Under the Hoffa Administration, the Teamsters General Executive Board has been determined to make the Teamsters Union the strongest and most effective union in the world. In a bold move to bolster organizing, the Teamsters Union,



together with five other progressive, like-minded unions formed a coalition called "Change to Win." The Change to Win unions are building a movement of working people with the strength to demand dignity and respect for all workers, and provide them with the means to achieve their own slice of the American dream: a paycheck that supports a family, affordable health care and a secure retirement.

Through recent tough economic times, President Hoffa and his team worked to protect Teamster members and all workers through strong contract enforcement, aggressive organizing, and political involvement at every level – local, state and federal. President Hoffa has become the primary spokesman for American workers by building stronger than ever relationships with Congress, the President and the media.





Teamster Structure





Teamster Structure

The structure of the Teamsters Union is unique in that most of the dues money paid by the members is kept at the local union level where it is used to represent Teamster members on a day-to-day basis. Teamsters Local Unions are autonomous: this is why the Union is strong. Each Local Union makes decisions that are in the best interest of the members they represent. Coordinating bodies have been built into the structure of the Teamsters to assist local unions with organizing, negotiations, political action, education and industry specific issues or problems.

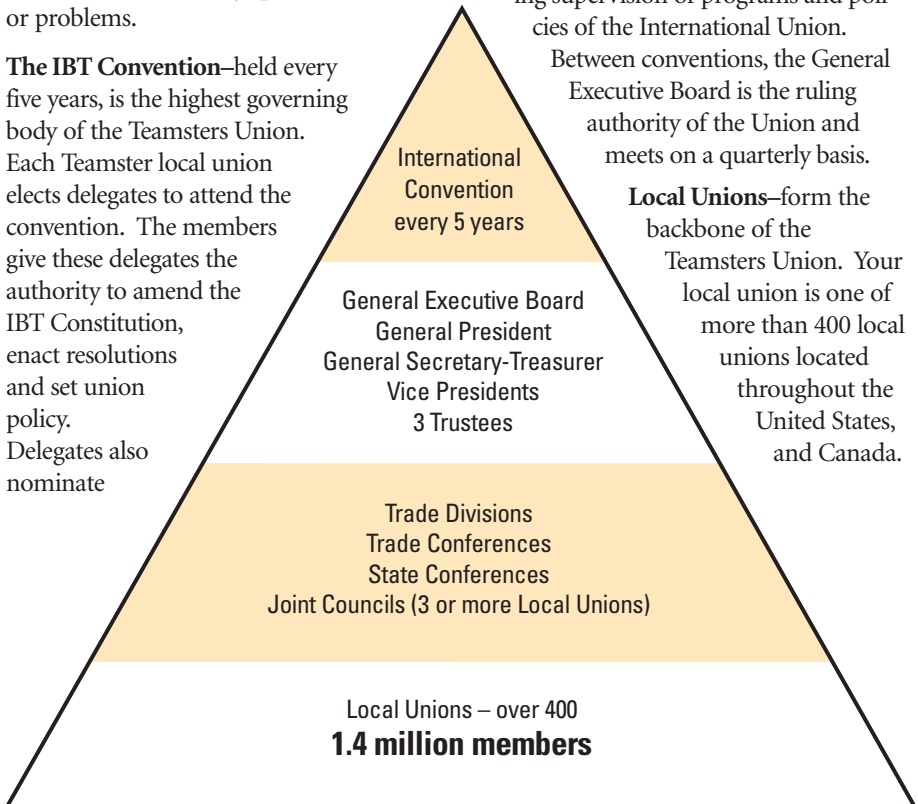
The IBT Convention—held every five years, is the highest governing body of the Teamsters Union. Each Teamster local union elects delegates to attend the convention. The members give these delegates the authority to amend the IBT Constitution, enact resolutions and set union policy. Delegates also nominate

candidates for International Union Office. Like the Republican and Democratic Conventions, candidates are elected to run for the General Executive Board offices of the General President, General Secretary-Treasurer, Vice Presidents and Trustees.

The General Executive Board—is responsible for the administration of the Teamsters Union. Since 1990 members of the General Executive Board (GEB) are directly elected by Teamster members. The top officer of the Union is the General President who guides the union's daily activities including supervision of programs and policies of the International Union.

Between conventions, the General Executive Board is the ruling authority of the Union and meets on a quarterly basis.

Local Unions—form the backbone of the Teamsters Union. Your local union is one of more than 400 local unions located throughout the United States, and Canada.



Local Union Leadership

One hallmark of the Teamsters Union is strong autonomy held by the local unions. This autonomy gives the members more control over their local affairs than most other unions. Many local unions retain experienced labor attorneys, certified public accountants, full-time business agents, organizers, administrators and clerical staff. The members elect their own officers from within the ranks of the membership.

Teamster leaders emerging in this environment are equipped to fill the roles of



skilled negotiators, organizers and business agents. This goes a long way toward establishing and maintaining the stability of the organization while providing democratic control over the relationship between members and officers. The Teamster members of today are the Teamster leaders of tomorrow.

Some locals are chartered based on a specific location, while others target an industry or company, such as freight or

small package, private sector or public sector, industrial or craft. However, most Teamster locals are “General Locals,” meaning that the Local Union represents members in any number of industries or sectors of the economy.

Just as the local is the backbone of the International Union, the steward is the backbone of the local union. Stewards are members elected or appointed to represent workers in a particular area or work site.

Local Union Structure

Local Union Membership

Local Executive Board
President, Secretary-Treasurer,
Vice President, Recording
Secretary and three Trustees are
elected by the membership
every three years.

Executive Board Meeting
Held Monthly

General Membership Meetings
Where the Action is!
Held Monthly

**By-Laws for local
administration are adopted
by the membership**



Teamster Structure

Local Union Stewards

The steward system is the way through which members enforce their rights in the workplace. Each local differs somewhat in the way stewards are selected and the duties that they are given. Generally speaking, the communications follow the sample below:



The number of stewards that your bargaining unit has varies from workplace to workplace. Stewards can be either elected by the membership or appointed by the local union. Usually you will have a designated steward for your job, area or shift.

Sometimes members will “shop” for a steward because they do not like the answer they received from the steward assigned to their work area. While this type of behavior is understandable, it weakens the structure within the workplace and ultimately weakens your position in relation to management. If you feel as though your steward is not responding to you appropriately, talk to

your steward first and if you are still not satisfied, tell the steward you would like to speak to the local union’s Business Agent.

Every time you have a problem in relation to your employer, you should let the steward know about it. It is helpful to write down any pertinent information so you and the steward can work together to document any violation of your rights.

Some actions taken by Management are direct violations of your rights spelled out in the contract (see chapter on TEAMSTER RIGHTS) or law, and need to be processed through the appropriate procedures. Other actions, while annoying or hurtful, may not be violations and; therefore, cannot be processed through the contract. Your steward and Business Representative have the most thorough understanding of your rights and will let you know what avenues are available for addressing issues you have with the employer.

All solutions to worker problems must be made through the local union because the local union is responsible to all members, not just a few individuals. Labor law places this right and responsibility on the Local Union; therefore, if management tries to get you to agree to something, be sure to run it by your union steward.

The members of each local union determine how their local is run through local union “by-laws” that must conform to the International Constitution and Law. These by-laws, and certain other administrative activities of the local, are often discussed and voted on at general membership meetings.

General Membership Meetings

One of the most important responsibilities of a Teamster member is attending the monthly membership meetings. The membership meeting is where you get the opportunity to exercise your democratic rights within the local. It is where you make your voice heard in relation to issues of importance in the workplace as well as decisions being made by your elected union leadership. It's also where we learn what's going on in our locals and how to participate in union activities. Also keep in mind that other members may need encouragement to attend or may have a difficult time getting to the meeting. Going as a group gives you time to discuss issues with fellow members.

Trade Divisions And Trade Conferences

The Trade Divisions and Conferences that are organized at the national and international levels, provide special help to locals who have members in particular industries or perform specific types of work. These locals have a common interest in that they either bargain in the same industry or with the same employer at different locations. The trade divisions and conferences serve as an information clearinghouse for bargaining on a national or regional scale. They also provide industry experts to testify at the government level on behalf of or against proposed legislation, which will





Teamster Structure

affect workers in a specific trade. These divisions and conferences are:

- Airline
- Automobile Transporters
- Bakery & Laundry
- Brewery & Soft Drink
- Building Material & Construction
- Dairy
- Express
- Food Processing
- Freight
- Graphic Communications
- Industrial Trades
- Motion Picture & Theatrical
- Newspaper, Magazine & Electronic Media
- Package
- Port
- Public Services
- Rail
- Solid Waste, Recycling & Related Industries
- Tankhaul
- Trade Show & Convention Centers
- Warehouse

Joint Councils

In cities with three or more local unions, Joint Councils are established to help coordinate the activities of the local unions and other affiliates of the International Union.



Joint Councils decide questions of jurisdiction and try cases against local unions brought by members or other local unions. The Joint Councils often employ organizers and D.R.I.V.E. representatives to strengthen their power locally.

State and Multi-State Conferences

There are five state or multi-state conferences:

- Illinois
- Missouri-Kansas-Nebraska
- New York
- Ohio
- Pennsylvania

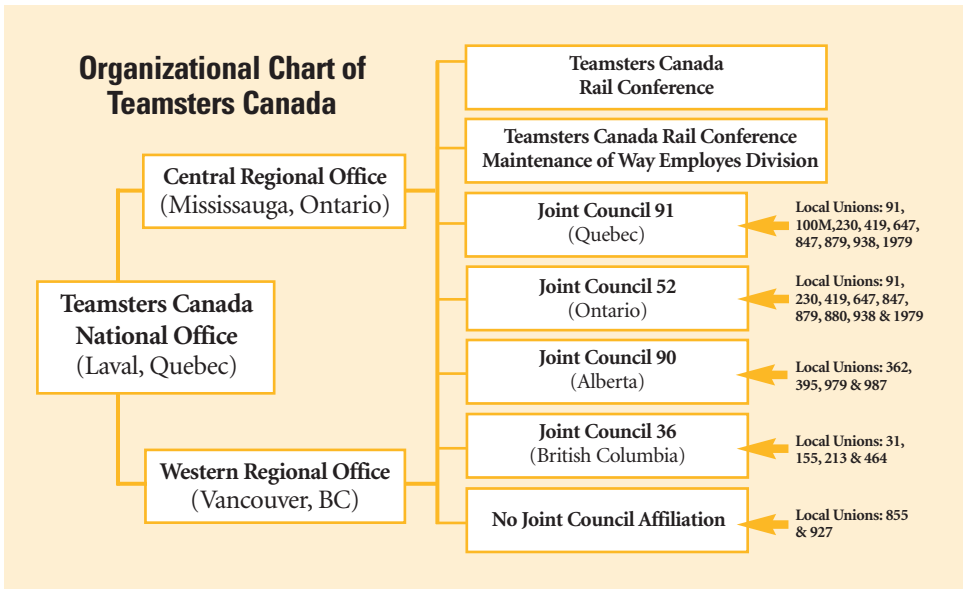
All local unions and Joint Councils within the state conferences affiliate in

order to coordinate state-wide activities, including area wide collective bargaining, organizing and political activity.

Teamsters Canada

Because businesses crossed national boundaries in their attempt to make profits and increase productivity, workers found it in their best interest to join hands across these same national boundaries.

Historically, workers in the United States and Canada have understood the strength they gain by working together for the common good. As discussed in the section on Teamster History, Canada has established a regional structure within the International Union called “Teamsters Canada.” Below is a structure chart showing the offices and locals that make up Teamsters Canada.







Teamster Rights





Teamster Rights

“It Is The Policy Of The United States”

When the National Labor Relations Act (NLRA) was passed in 1935 covering 90% of private sector employees in the United States, both the U.S. President and Congress stated in the first section of the Act that it was the policy of the United States and in the best interest of the country for workers to belong to unions. In Canada, each Provincial law expresses this same sentiment.

The Railway Labor Act (RLA) includes the same sentiments and was passed in 1926 to cover employees in the railway industry only. Today the Railway Labor Act covers the airline and railway industry. Similarly, some state and federal laws have the same kind of language covering public employees.

Although it is often difficult to identify this sentiment today, the political leaders of that time realized that organized labor was the only viable counter balance to the “free market” system, which forms the

bedrock of capitalism. It was hoped that labor could provide the necessary restraint on the unbridled competition inherent in the economic structure of capitalism.

To insure the health of organized labor, labor laws protect two basic rights: **the right to Organize and to Bargain.**

Workers have the right to join together for their protection and to work in unison for their interest in the workplace.

The Right To Organize

Although your workplace was probably already organized when you took the job, workers in unorganized/non-union companies have the right to join together and form a union to further their interests within the workplace. In your place of employment, the men and women who work there, at some point, got together and asked management to “recognize” the union. Non-union employers often try very hard to keep workers from doing this through fear and intimidation or offering them benefits for remaining non-union.

Unfortunately, these short-term tactics cover up one critical fact that non-union employers do not discuss and that is that all employees in the United States who are not unionized are considered “employees at will.” This term means that the employer can establish rules, change your hours of work, require overtime, or fire you for no good reason. Only unionized workers are protected from these types of heavy-handed activities. And unionized workers have



a voice in determining the wages, hours and working conditions in their industries and plants.

As we have discussed earlier, in some of the Canadian provinces workers do have an additional protection through law for “wrongful dismissal,” but proving the case can be very difficult.

The Right To Bargain

Once workers form a union in the workplace, labor law goes on to protect workers right to bargain over wages, hours, and working conditions—or to negotiate a contract.

What Is Included In Most Contracts?

The contract is a formal agreement between the workers and their respective employers covering all aspects of the working environment. Most contracts contain the following items, format and procedures:

- 1. Recognition**—This article defines the legal relationship between the Union and the employer. It basically states that you, as a group of workers, are recognized as an organized group under the law. It explains who is covered by the contract—the bargaining unit (BU).
- 2. Hours Of Work**—Lays out the hours and breaks that you are allowed during the day. It often includes holidays and overtime provisions.
- 3. Seniority**—This article defines how your length of service will be computed and used in determining rights and benefits on the job.
- 4. Grievance Procedure**—Spells out the process by which disputes between union and management will be handled. Over the years certain principles have been accepted as standards which are useful in insuring that workers do not receive unfair discipline. Generally speaking, this language will include procedures management must follow before issuing any form of discipline including verbal and written warnings, suspensions and discharges. Most contracts contain “just cause” language which helps to insure that management has a justifiable reason for the discipline. Also, a fair investigation and progressive forms of discipline can be included.
- 5. Vacations**—Provides for the number of days you receive and how to schedule the days off.
- 6. Holidays**—Spells out the holidays that are provided and pay provisions for those who work on holidays.
- 7. Sick Leave**—Types of sick leave available whether paid or unpaid.
- 8. Disability**—Terms of both long and short term disability.
- 9. Wages**—Pay scale, increases and incentives.
- 10. Pension**—Retirement program.
- 11. Health Care Insurance.**
- 12. Management Rights**—A management clause that protects their

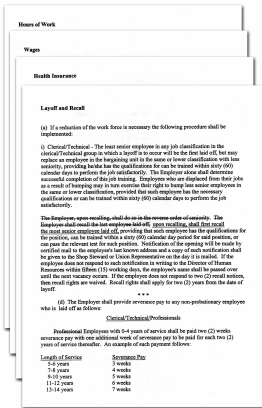


Teamster Rights

right to direct operations. In essence it establishes their right to most issues not covered by the contract.

- 13. Non-Discrimination**—A clause that emphasizes workers' rights to expect a working environment free from discrimination based on age, gender, race, sexual orientation, disability, etc.
- 14. Safety and Health**—sets up committees, procedures for identifying and reporting unsafe situations, special equipment or clothing, etc.

These issues are usually included in most contracts. Depending on your job or industry there could be additional language to cover job bidding, part-time workers, travel and meal allowances, etc.



Grievance and Arbitration Procedure

The *most* important Article in the contract is the Grievance and Arbitration Procedure. This provides the enforcement procedure for all of the other articles which define your benefits and rights in the contract.

What is the Grievance Procedure?

This part of the contract is the judicial procedure that provides for a series of “steps” or meetings where the union accompanies the member in seeking a resolution to violations of the contract that arise in the workplace. For the sake of clarity, take the example of a worker who is entitled to overtime pay according to the contract but does not receive it from management. If the employer failed to rectify the situation a grievance would be processed in accordance to the grievance procedure to insure the member’s payment.

Below is a sample a grievance procedure—steps and time limitations vary from local to local and contract to contract.

- STEP 1:** The steward, member and supervisor try to informally resolve the problem.
- STEP 2:** If step 1 is unsuccessful, the steward and member formalize the complaint in writing and submit it to management on an official grievance form.
- STEP 3:** If step 2 is unsuccessful the Local Union Business Agent and Human Resources try to work out a settlement.
- STEP 4:** If step 3 is unsuccessful, the problem is forwarded to arbitration and heard by a neutral, third party whose decision is final and binding. In some cases, the problem may be heard by a Grievance Panel made up of equal members of labor and management reps. If they deadlock, then the problem goes to arbitration.

FINAL STEP: Resolution

How do we determine what rights to bargain over?

The first time you negotiate with management can be a very intimidating experience. The local union will provide guidance and usually has contracts negotiated by other groups in similar jobs or industries that you can review prior to drafting “proposals”—suggested items to be included in the contract. The key to understanding the provisions in your contract is reading it thoroughly and going to membership meetings where the language is discussed. Also, ask the business agent or steward for an explanation of language. And remember, members have the final say as to what language will be accepted through a voting process at the end of negotiations.

Who negotiates the contract?

A committee that is made up of Teamster members, stewards and the business agent from your local union, usually negotiates the contract. Committees made up of representatives from all of the affected local unions negotiate the larger National Agreements. Issues specific to a local or regional area are negotiated locally and added as supplements to the Master Agreement.

For example, a nationwide team negotiates the National Master Freight Agreement (NMFA), the UPS contract, and the Anheuser Busch National Master Agreement in the U.S., and the Purolator contract in Canada. Local supplements to the master agreement are negotiated at the

local level. These national contracts provide for more power by combining everyone into one force that does not allow management to move production to another site during negotiations.

What you achieve through negotiations depends on the solidarity you demonstrate to management. Too often members do not realize how damaging internal conflict can be during this critical period of labor management negotiations. Bargaining strength depends on the degree of unity you have with your fellow co-workers.



What should I do during negotiations if I hear rumors, or if management tries to influence me?

Talk to your steward:

Many rumors are started by both sides during negotiations. The most frequent rumors develop around either strikes or plant closures—both sides like to remind the other side of their power base during negotiations.



Teamster Rights



Always confirm rumors about contract language with the negotiating committee, but remember—both sides will be testing out different proposals and may not want the essential core of the proposal to be leaked out at the worksite.

Remember the dynamics of bargaining.

The pressures of negotiations take many forms and it is critical for you to give the negotiating committee your full support. Always assume that their actions are for a good reason. Never believe what management has to say about their ability or tactics. It is a natural tendency for management to try to discredit the negotiating

committee to the union members. Just remember their jobs and benefits are on the line just like everyone else.

“Divide and Conquer” is a tactic used very effectively by management:

Another dynamic that enters into the bargaining arena is the importance of a particular proposal. For example, if the workers are younger and view their jobs as a temporary stepping stone to some other occupation they will place more interest in perhaps wages, holidays or vacations. If, however, the workers are older they may place more weight on seniority, pensions and health care. Skilled

negotiators may see the need for a maintenance of standards clause or a need to weaken the “management’s rights” clause. As you can see trying to come up with language that will incorporate everyone’s interests is very difficult. Often these differences are played out among the negotiating team members.

In the end, the members who are covered by the contract will determine whether it is acceptable or not. Each member has the right to vote as to whether the local accepts the contract or rejects it. The decision to accept or reject must be made with serious consideration and understanding of the consequences.

I have heard people say “I know some workers who are non-union and they have pretty good benefits without a contract.”

Statistics show that union workers have higher pay, better working conditions, retirement benefits and health and welfare. They are also the only group that cannot be fired without “just cause.” Non-union employees who appear to be “better off” in the short run are usually much “worse off” in the long term. When things go wrong, which is usually the case, they are left standing alone. Unfortunately, managements’ short-term tactics tempt inexperienced workers. One look at Silicon Valley shows this problem.

In the early development of the computer industry in Silicon Valley, employees seemed to be skyrocketing to money and benefits. Today, the sad stories of lost hopes and dreams abound. Hundreds of workers have been dismissed as “obsolete” and can not find a

job in the industry or area.

Non-union employees must rely on either favoritism or the “good will” of their supervisors. Only unionized employees have contracts and enforcement procedures.

Are there laws that protect workers’ rights?

As mentioned earlier, current legislation (laws) was fought for and won with the support of the labor movement.

Unfortunately, there is very little workplace protection without a union. Most of the laws passed to protect workers’ rights cover a very narrow range of issues. Below is a brief listing of some of the U.S. laws that pertain to workers: (Most of these areas are covered in one law in the Canadian provinces.)

Social Security Act (1935)—provides retirement benefits for workers who reach a certain age and no longer work. Although the original Act intended Social Security to be a “safety net,” it has become the single source of income for over half of the retired population.

Fair Labor Standards Act (1938)—Sets minimum wages and minimum hours of work.

Motor Carrier Safety Act (1938)—Prescribes regulations for transportation safety.

Civil Rights Act (1964)—Prohibits discrimination on the basis of race, sex, age, religion or national origin.



Teamster Rights

Occupational Health and Safety Act (1970)—Provides minimum standards for workplace health and safety.

Americans with Disabilities Act (1990)—Prohibits discrimination against people with disabilities and requires companies to make “reasonable accommodations” for workers with disabilities.

Family Medical Leave Act (1993)—Provides 12 weeks of unpaid leave for serious family illnesses.

Workers Compensation Acts—Each state has a law governing payment to workers when they are unable to work because of an injury.

Although these are not all of the laws affecting working conditions, it is obvious that law does not cover most of the issues covered by the contract. Therefore, being a part of the union and establishing your rights within the contract is critical to your work life.

What should I do if I think my rights are violated?

First, read the contract.

Make sure you understand what the language says. If there is no violation of contract language, regulation or law, most Arbitrators and Grievance Panels will not rule in your favor. Unfortunately, just because something isn't fair does not make it a violation of your rights. The law requires that Arbitrators stick strictly to the contract language.

Know your Weingarten rights.

One of the most important protections you have against disciplinary actions is a Supreme Court ruling in the U.S., a law in Canada, insuring workers the right to have a union representative present when there is a discussion with management that could lead to discipline. This decision is referred to as the WEINGARTEN RIGHTS in the U.S.

YES, YOU HAVE RIGHTS!

If you are called into a meeting with any management representative and have reason to believe that disciplinary action may result, read them your Weingarten rights...

MY WEINGARTEN RIGHTS

“If this discussion could in any way lead to my being disciplined or terminated, or affect my personal working conditions, I respectfully request that my union representative or steward be present at this meeting. If this discussion could lead to my being disciplined and you deny my request for representation, I choose not to answer any questions.”

It is important to make sure that you ask for union representation, because if you do not ask, the employer is not required to offer union representation. Basically, you should state the following in all situations where you think the questions could lead to discipline:

“If this discussion could in any way lead to my being disciplined or terminated, or affect my personal working conditions, I respectfully request that a union representative be present at the meeting. Without representation, I choose not to answer any questions.”

Talk to your Steward.

Ask questions and try to understand the “intent” of the language.

If the Steward asks you to take notes or document the incident you believe violates your rights—it is because the grievance procedure requires documentation.

Be willing to file a grievance and assert your rights.

Often workers are afraid to file a grievance because they believe management will retaliate. This is illegal, even though some managers are either unaware of it or think that workers will not know.

Group Activities Protected By Law

So far, the description of rights has centered on the contract, grievance and arbi-

tration procedures, legal procedures and the role of your union steward and business representative or agent.

In the beginning of this section, the basic rights provided by the labor law were cited: To organize and to bargain.

Organizing

“To organize” concerns organizing a group of unorganized workers. But, the law also protects your right to organize within the union setting in relation to issues and problems that arise that are not covered by any of the contractual or legal procedures available. In the Labor Movement this type of organizing is often referred to as mobilization.



Mobilization

The most effective way of demonstrating the power that workers have in the workplace is through “concerted activity” which is protected by the labor law. Some activities that would be protected are:



Teamster Rights

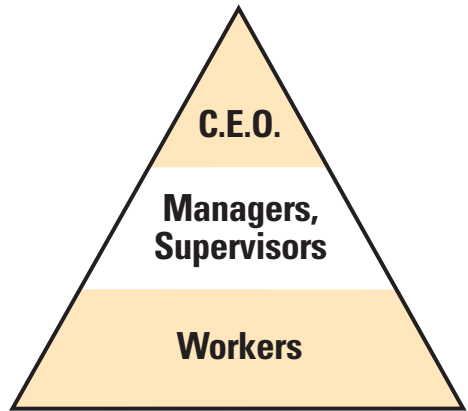
- Meeting at breaks and lunch to discuss union issues or problems of concern.
- Rallies and slogans emphasizing workplace issues.
- Wearing buttons, ribbons, t-shirts, caps, etc. that show unity—unless there is a pre-existing company rule concerning such issues.
- Talking union and encouraging other members to become involved.
- Displaying union insignia, unless there is a pre-existing rule.
- Filing group grievances over safety or health issues.
- Leafleting before or after work.

Why should I engage in these activities? Isn't that what the union is for?

Members often wrongly believe that they should be “taken care of” by the union. If you think about this concept logically you will realize that the union is only as strong as the members who make up the unit. The best negotiator in the world cannot achieve a good contract without the power to back up the demands. If you look at the structure of most organizations and analyze the source of power, the importance of mobilization and participation becomes clear.

“Show Me The Power”

When you look at the power structure in this way, it is clear why management is so concerned about the issue of control and discipline.



Prior to the enactment of laws governing labor management relations and the creation of the legal and contractual procedures for resolving workplace conflict, workers used “concerted activity” to accomplish their goals... “Concerted activity” was deemed more destructive than the orderly legalistic procedures. Both labor and management agreed to abide by the collective bargaining, mediation, grievance, arbitration and Board procedures to insure highly competitive and productive companies.

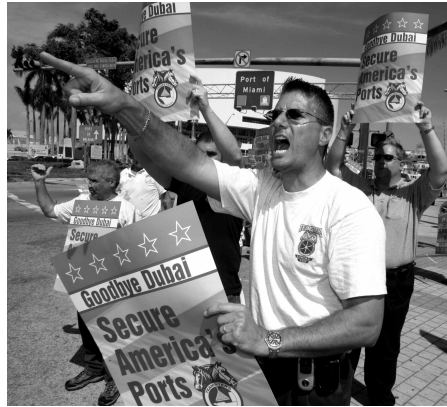
Unfortunately since the bulk of labor law has been passed, management’s attitude toward the very procedures that were designed to keep workplace conflict peaceful has deteriorated. A central tactic in its strategy to undermine the strength of organized workers is delay.

- Delay in bargaining.
- Delaying in grievance handling.
- Delay in arbitrations.
- Delay in Board hearings.

Sometimes the only way to demonstrate to management the importance of following the proper procedures in a timely manner is to show what happens when workers flex their muscles.

Unfortunately workers have become so accustomed to either accepting very bad working conditions or allowing management to wield total control that getting together and exercising their right for “concerted activity” rarely comes to mind.

Acting together in unison can be done in a number of very creative ways, but you must be sure any type of group activity is well planned and a part of an overall strategy.







Teamster Future





Teamster Future

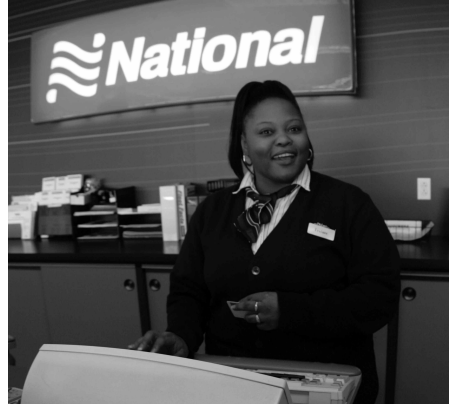
What Lies Ahead For Teamsters In The Twenty-First Century?

The Teamsters have combined the experience and knowledge of the past with the strategic planning and technology of the future to place the Union on the cutting edge of leadership in the labor movement. There is a new vitality in the Union, which can be seen in some of the major campaigns that have been launched and won in recent years.

Employers are taking notice of the changes that are currently underway within the Union. They understand that the Teamsters are here to stay and will work with the employer when workers are treated with dignity, justice and respect or fight against them if workers are treated with disrespect or unfairness.

Teamster leadership has come into its own. Throughout the country young men and women are stepping up to the challenge of leadership and showing that young workers are determined to put labor in the center of the economic debate. The current generation realizes that only through an organized labor movement, can the global economy work for all workers.







Appendix: Rights of Union Members

Union Member Rights and Officer Responsibilities Under the LMRDA

The Labor-Management Reporting and Disclosure Act (LMRDA) guarantees certain rights to union members and imposes certain responsibilities on union officers. Many of these protections have been incorporated in the International Constitution and your local unions bylaws. The LMRDA, applicable to most members in the United States, provides:

Union Member Rights

Bill of Rights – Union members have:

- Equal rights to participate in union activities.
- Freedom of speech and assembly.
- Voice in setting rates of dues, fees, and assessments
- Protection of the right to sue.
- Safeguards against improper discipline.

Copies of Collective Bargaining

Agreements – Union members and non-union employees have the right to receive or inspect copies of collective bargaining agreements.

Reports – Unions are required to file an initial information report (Form LM-1), copies of constitutions and bylaws, and an annual financial report (Form LM-2/3/4) with the Department of Labor: Unions

must make the reports available to members and permit members to examine supporting records for just cause. The reports are public information and copies are available from the Department of Labor.

Officer Elections – Union members have the right to:

- Nominate candidates for office.
- Run for office.
- Cast a secret ballot.
- Protest the conduct of an election.

Officer Removal – Local union members have the right to an adequate procedure for the removal of an elected officer guilty of serious misconduct.

Trusteeships – Unions may only be placed in trusteeship by a parent body for the reasons specified in the LMRDA.

Prohibition Against Certain Discipline – A union or any of its officials may not fine, expel, or otherwise discipline a member for exercising any LMRDA right.

Prohibition Against Violence – No one may use or threaten to use force or violence to interfere with a union member in the exercise of LMRDA rights.

Union Officer Responsibilities

Financial Safeguards – Union officers have a duty to manage the funds and property of the union solely for the benefit of the union and its members in accordance with the union's constitution and bylaws. Union officers or employees who

embezzle or steal union funds or other assets commit a Federal crime punishable by a fine and/or imprisonment.

Bonding – union officers or employees who handle union funds or property must be bonded to provide protection against losses if their union has property and annual financial receipts which exceed \$5,000.

Labor Organization Reports – Union officers must:

- File an initial information report (Form LM-1) and annual financial reports (Forms LM-2/3/4) with the Department of Labor.
- Retain the records necessary to verify the reports for at least five years.

Officer Reports – Union officers and employees must file reports concerning any loans and benefits received from, or certain financial interests in, employers whose employees their unions represent and businesses that deal with their unions.

Officer Elections – Unions must:

- Hold elections of officers of local unions by secret ballot at least every three years.
- Conduct regular elections in accordance with their constitution and bylaws and preserve all records for one year.
- Mail a notice of election to every member at least 15 days prior to the election.
- Comply with a candidate's request to distribute campaign material.
- Not use union funds or resources

to promote any candidate (nor may employer funds or resources be used).

- Permit candidates to have election observers.
- Allow candidates to inspect the union's membership list once within 30 days prior to the election.

Restrictions on Holding Office – A person convicted of certain crimes may not serve as a union officer, employee, or other representative of a union for up to 13 years.

Loans – A union may not have outstanding loans to any one officer or employee that in total exceed \$2,000 at any time.

Fines – A union may not pay the fine of any officer or employee convicted of any willful violation of the LMRDA.

• *The LMRDA does not apply to local unions whose members are employed by State and Local Governments.*





Notes:





**International Brotherhood of Teamsters
Training & Development Department**

25 Louisiana Avenue, NW
Washington, DC 20001
202-624-8117

www.teamster.org/traininganddevelopment.com