



Local 1277

News

April, 2018

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Support Our Right to Join in Union

Janus v. AFSCME Council 31 is an attempt by the rich to use the Supreme Court to further rig the economic playing field against workers. Working people know what we need to build a better life and will keep fighting for justice. Share this to support workers' right to join together in union.

THANK A UNION

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|---------------------|-------------------------------|-------------------------------|
| 1. Weekends | 9. Overtime Pay | 17. Age Discrimination Laws |
| 2. Paid Vacations | 10. Health & Safety OSHA | 18. Raises |
| 3. FMLA | 11. Health Care | 19. Sexual Harrasment Laws |
| 4. Paid Sick Leave | 12. Dental | 20. American Disabilities Act |
| 5. Child Labor Laws | 13. Vision | 21. Holiday Pay |
| 6. Social Security | 14. Collective Bargaining | 22. Military Leave |
| 7. Minimum Wage | 15. Breaks | 23. Equal Pay Act |
| 8. 8 Hour Work Day | 16. Wrongful Termination Laws | 24. Civil Rights |
| | | 25. Workers Comp |

AFL - CIO

Grievance & Arbitration Support

By Art Aguilar - President, Local 1277

As part of all the assistance and services provided by unions—and ATU Local 1277 in particular—your right to be represented in grievance hearings and arbitration proceedings is one of the most important.

Local 1277's able and experienced team of Shop Stewards, Union officers and, when needed, labor attorneys are always available to protect *your* interests in Step I or Step II grievance hearings or—if they go that far—before a neutral arbiter.

And, believe me, brothers and sisters: your union does well in these proceedings.

For example, just recently, a Local 1277 Coach Operator was involved in a pedestrian-vs. -bus accident because of a “blind spot” in his rear-view mirror. The transit agency at which he was employed *fired* our brother, even though the incident was an unavoidable accident. **Local 1277 immediately took up his cause and, after an arbitration hearing at which he was represented by one of our attorneys, he got his job back.**

In another recent incident, the case against a Local 1277 member was tossed out when union representatives alertly pointed out that management at this property had *violated a clause in our contract by failing to respond to the grievance within an agreed-to time limit (10 days).*

And in yet another recent case, a Local 1277 brother was *terminated* by his employer because he was caught “driving under the influence”. But our legal team was quick to point out that he had not been driving a *company* vehicle when the incident occurred but, rather, his *own*. The result: Our member was reinstated, with back pay *and* interest.

Our brother made a mistake—no question—but our intervention allowed him to have a second chance. ***By no means do we, as individuals, and as a union, condone any kind of impaired driving, but it is good to know that our legal team could help a member in need!***

Your Union's legal team—including outside attorneys—cost money. That is why we use part of your dues to pay for attorneys when needed, and that is why we have an Arbitration Fund, which you contribute to. You never know when you may need help at the grievance or arbitration levels, but you can be *sure* that that assistance is always there for you.

Just another—very important—way your Union serves you!

Editor's note: Please visit the www.atu1277.com website or atu 1277 youtube to view the videos about the extremely important Janus vs AFSCME case now being decided by the U.S. Supreme Court. By now, your Shop Stewards or Union officers have approached our members to re-sign your pledge cards to our Union. Upon signing, you will receive a “I'm In - 2018” pin.

Significant nuts and bolts...

Important Information Concerning Benefits and Your Personal Files

By Doug Kurowski - Board Member-at-Large

Sometimes, brothers and sisters, we take some basic things for granted. We don't really think about them until they are either called to our attention or, worse, until they may become significant in our careers and lives.

For example:

Be Sure You Know Your Benefits!

That seems pretty obvious, doesn't it? Your benefits—carefully negotiated by the Union bargaining teams at every one of our properties—are the icing on the cake which consists of your wages and jobsite working conditions. As the display on page 1 of this paper notes, your benefits cover a whole range of good things.

All ATU Local 1277 contracts we negotiate on your behalf include “benefit packages”. Some of the specific benefits may vary from property to property, but the differences are pretty small. The problem, as I see it, ***is that many members don't know, fully understand, or look into the details of these benefits—either during their careers or as they approach retirement.***

Please understand, and never forget, brothers and sisters, that your “benefits package” took years, even decades, to be won. It took strikes, occasional violence, union solidarity, and sometime political muscle to gain those benefits you so deservedly enjoy. *Believe me, they were not just handed to us!* Always feel free to ask your Shop Steward or any Union officer about your benefits, their specifics, how to best use them, and—very important, how to keep them.

An important reminder: *Please do not wait until retirement to look into the specifics of your benefits. Learn about how they were won, how they work, how they affect you, how to keep them, and how to improve them.* Being fully up to date on your benefits is a key part of being an involved and knowledgeable union member!

Your Shop Steward has the experience and understanding to explain any and all benefits in your Collective Bargaining Agreement or Memorandum of Understanding. Take advantage of their expertise and that of your Union officers, if you have any questions about your benefits. Feel free to contact us at any time at 323/222-1277, and select any officer from the menu.

Frederick Douglass, an historic 19th Century American figure in the struggle for human equality, rights and progress, once noted: *“If there is no struggle, there is no progress. Those who profess to favor freedom, and yet depreciate agitation, want crops without plowing the ground. They want rain without thunder and lightning. They want the ocean without the awful roar of its many waters. This struggle may be a moral one, or it may be a physical one, or it may be both moral and physical, but it must be a struggle. Power concedes nothing without a demand. It never did and never will.”*

Your Personal File

For the brothers and sisters of our MTA Unit, please understand the provisions of Article 27 (Records) of our contract with the Authority. *Local 1277 has secured wording that allows you an annual review of your personal file.*

Over the course of our careers at MTA, we may find ourselves in front of management, fighting to protect our integrity and jobsite rights or, for example, trying to explain a specific example, like exceeding the attendance policy.

So, always remember, before any derogatory statements can be entered into your personal/disciplinary file/record, you must be made aware of such negative comments.

Article 27 - Records

Section A – Entries in Disciplinary Records: “All entries made in an employee's disciplinary record, including letters and/or memoranda, will be discussed with the employee at the time the entry is made. Employees may sign that he/she has read the entry; however, the signature on the employee's record is not an admission of guilt, but only acknowledgement that the employee has read the entry. Union representatives may be present at the request of the employee. If the employee refuses to sign that he/she has read the entry, the Union Steward shall sign the entry in lieu of the employee, but only in the presence of the employee.”

Section B – Annual Record Review: “The Authority shall schedule as annual review with each employee.”

Section C – Review by Employee: “And employee may review his/her own record at a time scheduled by the Department/Division Manager.”

Section D – Removal of Entries: “Entries made in an employee's record in violation of the provisions of this Article will be removed from the record.”

Section E – Documentation: “No negative entries may be entered into an employee's evaluation unless it is substantiated by prior written documentation in the employee's record within the previous twelve (12) months.”

Our brothers and sisters in the Riverside, SunLine and Long Beach Units should know that they have the absolute right to request a review of their personal/disciplinary file/record. If you ever feel the need to check something in your file, know that you can do so, and that management must comply.

In closing, let me stress that all members should be aware of negative documents entered into their record. The reason for this is because negative comments may preclude you from advancement at any of our properties. I hope the information concerning benefits and records is timely and useful.

We work for it, we use it, we need it

Thinking about Money

By Errol Frazier - Vice President, Local 1277

Hello brothers and sisters,

As we head into our “favorite” time of the year—that’s right, paying our state and federal taxes—I think it’s a good idea to consider that essential item in our lives: money. But, we should also take a few minutes to look back at how we handled our finances last year and make plans to make this year better and more secure financially for you and your family. One of the most important factors to help strengthen your family’s future is thinking about money.

Most of us, especially our young members who are just starting your careers, must understand money for what it is: *simply, a tool*. Plain and simple, money is a tool to take you and your family where you want to be. Use your money, as you should any every tool—*wisely*. Do this, and most, if not all, of what you want and need can be had.

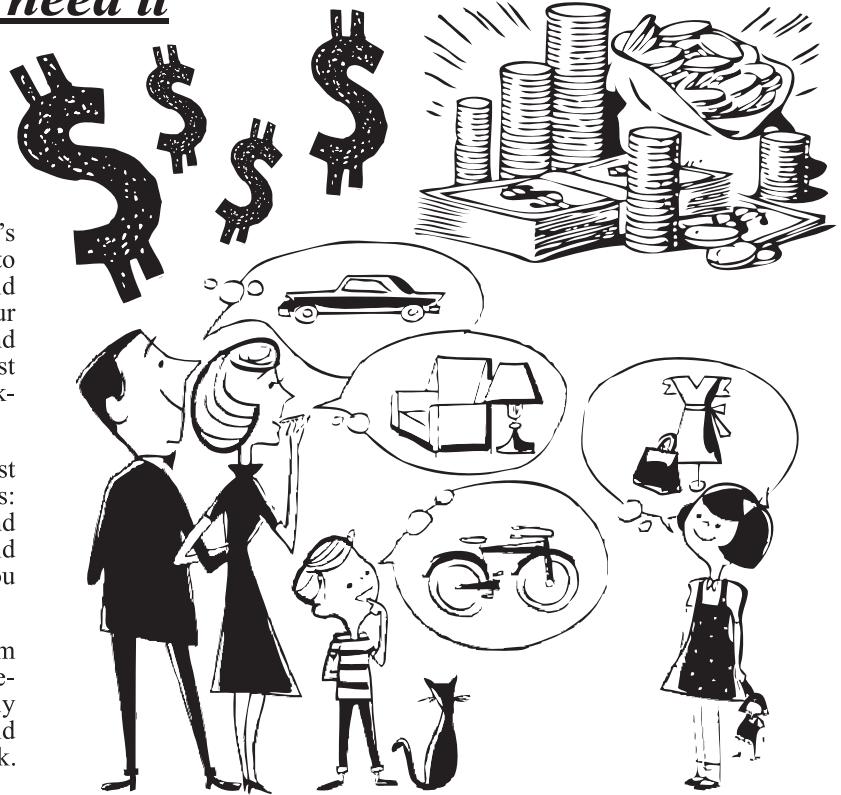
When I use the words, “where you want to be”, I am referring to—and hopefully, you are thinking of—your retirement. I will use some simple numbers to try and show you why you need to really start thinking about your retirement, and preparing for the day when you no longer need an alarm clock.

Most of us are paid from our jobs every two weeks. That means this year, and normally every year, you will receive 26 checks. So, in 23 years of employment, for example, at MTA, we will receive 598 checks. It may seem like a big number, 598, but for every new year, subtract 26. Further, consider all the challenges we face and monies that we must spend on the essentials (food, clothing, utilities, shelter, kids’ education, and transportation, for example) over the course of your life, and all those years and earned money goes fast.

While doing some reading, (*Money Matters: The Dollars and Sense of Making a Budget*), I found some strategies that may help you and your family prepare us for retirement.

For those of you who are young and just starting out, consider *The Here and-Now Budget*. Does any young person really want to be on a daily Ramen Noodle Diet? No, you do not, and here is a budget formula that was developed by financial expert and former Harvard professor Elizabeth Warren (now a very progressive *Democratic* U.S. Senator from Massachusetts) and her daughter, Amelia Warren Tyagi. Their thinking and conclusions may help you avoid such a fate (although in *moderation*, there’s probably nothing wrong with Ramen Noodles!).

Their idea is the **50-30-20 Budget**. The objective is to limit your necessities (mortgage/ rent, utilities, food, etc.) to **50** percent of your take-home income. The **30** percent should cover your wants (concert tickets, eating out, saving for a vacation) and other expenses that aren’t monthly. The last **20** percent of the formula should go towards your retirement/savings, or paying down large debts. I know that a lot of our 20-something members will find it hard to live strictly by this formula, but I hope you will all give it serious consideration.



Thinking about buying a new car? The **20-4-10 budget** can be a huge help for your down payment and your monthly payment. Try and think of it like this: you want to put down at least **20** percent of the total price up front, which will make your monthly payment smaller and more manageable. You do *not* want to finance the car for any more than **four years**, or spend any more that **10** percent of your gross income on your total transportation cost. Utilizing this plan can save you a minimum of \$70 per month on your payment for a car that cost \$15,000.00 that is being financed at 5 percent. That is a savings of \$3,300.00 over a four year period.

A **401k** or a **457 Plan** is also a very powerful tool to help you prepare. As noted in the *Oxford Handbook of Pensions and Retirement Income*, “If you invest \$1000.00 annually in one of these plans, the assets would grow over forty years to \$120,800.00, at 5 percent. At 6 percent, the same principle would grow to \$154,800.00”. Historical rate on return is 12 percent.

For those of us who are employed at MTA, you can take advantage of this great opportunity by contacting ICMA and starting your very own plan. Local 1277 members at our other properties (RTA, STA, LBT) can walk into any bank or credit union and ask about the retirement saving plans that they offer.

Brothers and sisters, the time during which we have our biggest earning potential, (our younger years), is the time we should start thinking and saving for retirement. When you retire, it should really be your golden years, and by using all the money-related tools that we have at our disposal, we can accomplish that.

That valuable item in your wallet

Keeping Your Very Vital, Career-Saving California Driver's License is YOUR Responsibility

By Jeff Shaffer - Treasurer, Local 1277

With so many day-to-day problems and decisions facing us in life, we sometimes may not be focusing on those important—often taken-for-granted—items that could affect our livelihood. I bring this up because there has been *a rise in the number of our members facing discipline, including termination, because they have not maintained a valid California Driver's License (CDL, or Class C).*

It is of the utmost importance that all Local 1277 brothers and sisters maintain a valid driver's license. With new and old laws concerning the road and travel coming into play, you need to be diligent when it comes to the status of your driver's license. **Take note, for example, that even a violation you may receive driving a non-commercial vehicle, may affect your CDL.**

Here are a few examples:

Violation of Hands-Free or Texting Law:

Regardless of what type of vehicle you are in at the time of violation, you will **lose your CDL for at least 60 days for your second violation of the cell phone hands-free or texting law, within a three-year period, and receive one (1) point on your driving record.**

You will lose your CDL for **at least 120 days for your third and subsequent violations of the cell phone hands-free or texting law, within a three-year period, and receive one (1) point on your driving record.**

Violation point counts:

Convictions that occur while you are driving a commercial motorized vehicle (CMV) or CDL holder are retained on your driving record as listed below:

- Major violations and disqualification actions, **55** years
- Out-of-service violations and disqualification actions, **15** years
- Accidents, serious violations, and disqualification actions, **10** years
- Railroad grade crossings and disqualification actions, **four** years
- Minor convictions, **three** years



A traffic accident for driving unsafely counts as **one (1) point**. Any accidents you contributed to or were responsible or at fault for, are normally counted as **one (1) point**. If you are convicted of reckless driving, driving under the influence of alcohol and/or drugs, or of a hit-and-run, you are charged **two (2) points**.

You will lose your privilege to drive if you are considered a negligent operator of a CMV when your driving record shows the following point counts:

- **Four (4) points in 12 months**
- **Six (6) points in 24 months**
- **Eight (8) points in 36 months**

You may be charged with a *higher* point count (6, 8, or 10 points) if you request and appear for a hearing, and if the original 4, 6, or 8 points were *not* assessed in a Class C vehicle.

A violation received in a CMV carries **1½ times** the point count. A Class A or B driver *who does not have a special certificate or an endorsement* may be allowed two (2) additional points before being considered a negligent operator.

You always want to be a safe, aware and courteous driver. And you should always know the rules of road safety wherever you are. But, equally, important, ***you should understand the rules and obligations that come with the privilege (not the right) of possessing a California Driver's License. Your careers depend on this!***

Here are the upcoming Local 1277 membership meetings for April and May. Please make every attempt to attend the meeting for your unit. It's your Union, and we need your participation at our meetings!

Tuesday, April 3:	Los Angeles area members:
Tuesday, May 1:	L.A. Building Trades Council, 1626 Beverly Blvd., Los Angeles. Morning Session 10:00 a.m. Evening Session 5:00 p.m.
Wednesday, April 4:	Riverside area members:
Wednesday, May 2:	1074 E. La Cadena Dr., Riverside Morning Session 10:00 a.m. Afternoon Session 3:00 p.m.
Thursday, April 5:	Palm Springs/SunLine members:
Thursday, May 3:	Cathedral City Branch Library, 33520 Date Palm Drive, Cathedral City Morning Session 10:00 a.m. Afternoon Session 4:00 p.m.
Thursday, April 5:	Long Beach:
Thursday, May 3:	Machinist Hall, 319 W. Broadway, Long Beach Morning Session 10:00 a.m. Afternoon Session 3:00 p.m.