



Local 1277 News

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President's report

Politics matters, it really does!

By One Vote—One Vote!—Organized Labor Suffers Crippling Double Body Blows

By Art Aguilar - President, Local 1277

In the past month and a half, organized labor has taken two destructive shots at the hand of the United States Supreme Court. Two terrible decisions—*each decided by one vote*—may well seriously curb organized labor's organizing and worksite influence, as well as cripple our political efforts. *In effect, working people and families' voice and agenda could be damaged far worse than it has been in the past.*

One vote, brothers and sisters, that's it: *One vote*. Not in a general political election, no, but on the Supreme Court. Two 5-4 decisions just handed down, one in May, the other in June, prove beyond any doubt how important it is to have the right justices (pro-union, pro-working people) on the Court. *And, as we have been reminding you again and again and again, it is all about which President appoints those justices.*

Therefore, it is all about who we send to the White House. *Therefore*, it is all about who we vote for. *Therefore*, it is all about getting politically involved and caring about candidates and elections! Here's why:

The five Supreme Court Justices who formed the majority that has torpedoed organized labor in these two cases were all appointed by Republican presidents! That's right: Justice Kennedy by President Reagan; Justice Thomas by the first President Bush; Justices Roberts and Alito by the second President Bush, and last—and worst—Justice Gorsuch by the terrible President Trump.

By comparison, the four Justices who, in both cases, sided with organized labor and the working families it represents were all appointed by Democratic presidents! Again, that's right: Justices Breyer and Ginsburg by President Clinton, and Justices Kagan and Sotomayor by President Obama.

Do you see a pattern here, brothers and sisters? Damn right: The *Republican* Party, as clearly shown by the kind of people it appoints to the Supreme Court, *doesn't give a rat's ass about your needs and goals! When it comes to working people's agenda vs. Corporate America's relentless drive to destroy unions and fatten its already-bloated profits, guess who comes in second—by a mile!*

Democratic Presidential appointees to the Supreme Court, on the other hand, *have time and again shown their understanding of working families' priorities and goals. They have sided with the union movement, and consistently voted to try to level the worksite playing field and narrow the obscene income inequality gap between working people and the rich bosses.*

Here are the two decisions by which the *Republican* majority on the Supreme Court has stuck it to working people and organized labor.

Banning Workers from Taking Joint Legal Action over Workplace Issues

On May 21, the U.S. Supreme Court (by that awful 5-4 majority) ruled that companies (management) could use arbitration clauses in employer-employee contracts to *prohibit* workers from uniting together in order to take legal action over disputed worksite issues. It is estimated that the Court's ruling could negatively affect some 25 million employment contracts.

It's perhaps only fitting that in these dark and hard right-wing days of the Trump Gang's rule in Washington, D.C., his own appointee (which tilted the Court to the hard right) wrote the majority opinion in *Epic Systems vs. Lewis*. In it, Justice Gorsuch cited federal law which favored arbitration. He essentially said that arbitration ("its speed and simplicity and inexpensiveness") would be whittled away if working men and women were allowed to exercise their right to unite and fight for their rights.

Get it? *The Republican-appointed majority on the Court decided that speed, ease and costs were more important than workers' rights on the job. It opted for procedure over rights, process over common sense, the corporate bottom line over working people's safety, benefits and hard-won rights.* The other four *Republican*-appointed Justices signed on to the opinion.

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What else would you expect, brothers and sisters, from a **Republican-appointed** majority on the U.S. Supreme Court?

In her dissent, **Democratic-appointed** Justice Ginsberg blasted the decision, warning *that* the result of this misguided and unfair verdict **“will be huge under-enforcement of federal and state statutes designed to advance the well-being of vulnerable workers.”**

What else would you expect, brothers and sisters, from a **Democratic-appointed** Justice who, unfortunately, along with her other three compassionate colleagues, are in the minority on the court?

*With this apparent destruction of workers’ class-action suits over jobsite issues in favor of arbitration, it may well be only a matter of time until the historically most effective and useful device (class-action suits) to Corporate America accountable for its violations and misdeeds and intimidation of workers **is lost forever!** Management will trample on worker’s rights because it knows that there is much less chance for lawsuits, and even if a suit arose, they (the bosses) would have a better chance in arbitration than in court facing a class-action suit.*

Now, instead of fighting together, employees will have to fight their grievances on a case-by-case basis, essentially discouraging them from standing up for their rights because of the lonely, difficult and expensive process of bringing a case to arbitration. **Democratic** President Obama’s administration had filed a brief backing workers’ rights for class actions but, predictably, the Trump Gang *reversed* this common sense course.

Think about this, brothers and sisters: **Had Democrat Hillary Clinton won the Presidency in 2016, do you think she would have appointed an anti-working family Justice to the Supreme Court? Do you?** Of course not; with her in office, the decision stripping away employees’ class-action suits would have gone 5-4 the **right way, in favor of workers’ rights!**

And, even more importantly, the *other* decision would also have gone 5-4 the *right* way!

Decision #2: *Janus v. AFSCME*

You may remember that, over the past several months, Executive Board Member-at-Large Doug Kurowski and I have tried to explain the *absolute* significance of the *Janus v. AFSCME* case.

Here it is, in a nutshell: Janus, an AFSCME-member Illinois public employee, went to court (with the help of right-wing anti-union money and attorneys), claiming that he should not be forced to pay union dues, *even though his union, year after year, represented all his work-related interests, fought his grievances, and won him strong contracts, benefits and retirement packages!*

Acting as a pawn for the bosses and the anti-union crowd, Janus claimed that having to pay dues somehow “violated his rights”. In some completely crazy way of thinking, he thought that it was o.k. for him to gain all the benefits of union membership and representation *without having to pay for those services, and the assistance and experience of his union officers!*

His case made it through the lower courts, much like a similar one a few years ago, all the way up to the Supreme Court. In the earlier case before the high court, no verdict was handed because of the death of a Justice, which left the court divided 4-4. The Justice who died would have voted *against* unions and in favor of union members “freeloading” (getting all the benefits of membership *without* paying dues). The decision would have been 5-4 the *wrong* way.

So, of course, when **Republican** President Trump had the chance, he appointed a hard-right-wing Justice, who provided the crucial deciding vote against unions in the recent *Janus* case. On June 27, by that same 5-4 margin, that *same* Justice helped approve “freeloading” and, in effect, made the “right-to-work” horror a *national* possibility.

Think carefully about this, brothers and sisters: Democratic President Obama had selected a pro-working people Justice to replace the one who had died, but the Republican-dominated senate would not even vote to confirm him! The Republicans bet that they would win the Presidency in 2016—as they did—and that “one of their own” would nominate an anti-union Justice. As he did!

The *Janus* decision, of course, hits the union movement hard. Organized labor could well lose a major source of its political and organizational funding—which is exactly what big business and its **Republican** political allies want. And the timing could not be worse: with critical Congressional mid-term elections coming up this fall, the Democrats, who rely on unions for financial support may find their campaign war chest significantly diminished!

And let’s *never* forget how important unions are to working people and families. Just in California, unionized men and women:

- Earn, on average, **13% more** than non-union employees (almost **\$6,000 annually**)
- Work at jobsites that have increased racial and gender equality
- Have **better access** to health insurance, and **more-generous** retirement benefits
- Are part of a movement that fights for social, political and economic justice

Now you see, brothers and sisters, once again, why your Executive Board repeatedly and loudly reminds you and your families, friends and neighbors, to get involved politically! It matters who we support politically, and who we oppose! It matters who we elect! It matters at all levels of government, from local, to regional, to state, to national!

ONE VOTE on the Supreme Court, and organized labor, the union movement, suffered a *double* defeat. The *wrong* President, an out-of-control **Republican**, snuck by labor’s **Democratic** choice, and now we are paying for it!

Between now and November, we will keep reminding you about how important it is to register to vote, to know the candidates and the issues, and always vote in your best interests!

ATU Local 1277 Celebrates 46th Annual “Old Timers” Day

By Adolfo Soto - Financial-Recording Secretary

On Saturday, June 9, ATU Local 1277 celebrated its 46th Annual Old Timers Day, with the now-traditional—and enjoyable—mix of dining, dancing, award presentations, nostalgia, fun and surprises.

A festive gathering of Local 1277 retirees and spouses, along with active members and Executive Board officers, took part in an afternoon of good cheer, shared memories and, above all, friendship, and union solidarity.

Over the years, Old Timers Day has featured two highlights: The announcement of our Union’s Shop Steward of the Year, and—in addition to many prizes being raffled off—the winner of our annual Grand Prize.



▲ *Sister Gwen Henry is judged “Best-Dressed Woman” at the Old Timers celebration. That’s “Not-Best-Dressed” Local 1277 President Art Aguilar next to her!*

(Left to right): *Financial-Recording Secretary Adolfo Soto; Treasurer Jeff Shaffer; Grand Prize Winner, Sister Pearlene Ridgeway-Smith; President Art Aguilar, and Vice-President Errol Frazier.* ▼



Grand Prize Winner

Our Grand Prize winner this year was *Pearlene Ridgeway-Smith*. Sister Ridgeway-Smith, a former Mechanic A at Division 1, started working at MTA in 1979 and joined Local 1277 on July 23rd of that year. She retired on July 29, 2002.

This year’s Grand Prize is a \$2,000.00 gift card for our lucky winner. All Local 1277 members and retirees join your Executive Board in wishing Sister Ridgeway-Smith an enjoyable time in using this money in any way she chooses!

As always, it was a thoroughly enjoyable and rewarding event. *We look forward to seeing everyone next year, at our 47th Old Timers Day!*

Be fully aware of this potential health problem!

Work-Related Asthma

By Errol Frazier - Vice-President, Local 1277

I recently had the pleasure of sitting in on a significant health-related interview session. The interviewer, Bindi Gandhi, a consultant for the Occupation Health Branch of the California Department of Public Health (CDPH), was present as a guest of the ATU International Union. The aim of her interview was to collect data about workers' jobsite health.

Trust me, brothers and sisters, this forum really opened my eyes to a potentially *serious* health-related danger that exists in the work place: *Asthma*.

The California Department of Public Health contacted ATU International. President Larry Hanley and asked if our Union would assist it in its quest to learn more about the occupational dangers we face every day simply by performing our important and demanding jobs.

This particular session focused on work-related asthma. I listened intently as, one by one, the interviewees—six of our finest coach Operators from the Long Beach Transit Unit—explained fully and clearly some of the consequences to their health as a result of their careers as mass-transit professionals.

Ms. Gandhi posed a very important question: *How do you feel when you get home from work?* I must say I was shocked and surprised when each Operator described similar and potentially dangerous—experiences. They all reported that their “*chests get kind of tight,*” or, “*I have a cough that can last between 45 minutes and an hour once I get home.*” Responding to those stories, Ms. Bindi started to educate about the condition we know as asthma.

Asthma is a Serious Health Condition

Asthma is a chronic lung disease that decreases the flow of air and makes it hard to breathe. Asthma could be work-related when it is caused or made worse by conditions at the jobsite. Symptoms can start right after an employee breathes in a particular substance, or hours after leaving work. Sometimes a person can suddenly develop work-related asthma from substances or conditions they have been working around, or in, for years.



Any employee experiencing wheezing, chest tightness, coughing, shortness of breath, or difficulty breathing *should absolutely see his or her personal doctor*. The employee should tell the doctor if exposure at work seems to increase or cause the symptoms. *Work-related asthma can be very serious. The earlier the exposure to harmful materials or conditions is recognized and stopped, the better the chances of controlling and combatting the person's asthmatic condition.*

Perfumes and fragrances that are used in personal care products, cleaning products and air fresheners in the work place can cause or trigger asthma. These products contain many different chemicals, including several known to cause asthma, even in people who have never had asthma before.

Asthma is no laughing matter, brothers and sisters. It is a very serious condition that can cause prolonged disability, threaten your careers and families' future and, in some cases, be fatal. All of this makes it ultra-important for us to be mindful of what personal and cleaning products we use, and make sure we are using them correctly. And, never forget, *always use all of the Personal Protection Equipment that your employers provide you!*

If you experience any of the symptoms mentioned above, or if you have any questions about asthma and the worksite conditions and material you are exposed to, *do not hesitate to talk to your Shop Steward and/or personal physician!*

Your work is very important. Your health even more so!

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

Tuesday, July 3: Los Angeles area members:
Tuesday, August 7: L.A. Building Trades Council, 1626 Beverly Blvd., Los Angeles. Morning Session 10:00 a.m. Evening Session 5:00 p.m.

Wednesday, July 4:
(CANCELLED)
Wednesday, August 8: Riverside area members:
1074 E. La Cadena Dr., Riverside Morning Session 10:00 a.m. Afternoon Session 3:00 p.m.

Thursday, July 5: Palm Springs/SunLine members:
Thursday, August 9: Cathedral City Branch Library, 33520 Date Palm Drive, Cathedral City Morning Session 10:00 a.m. Afternoon Session 4:00 p.m.

Thursday, July 5: Long Beach:
Thursday, August 9: Machinist Hall, 319 W. Broadway, Long Beach Morning Session 10:00 a.m. Afternoon Session 3:00 p.m.