



# Local 1277

# News

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## Heads up, Long Beach Transit Members!

### **What You All Should Know About The Hearing Process: Response and Denial**

*By Errol Frazier - Vice President, Local 1277*

Recently, I was reading over a letter that had been sent to me by a member of the agency's management team. It was a letter of denial, which came to my attention after a Step 3 hearing. As I read the denial and understood the facts, it occurred to me that summarizing the issue and sharing the response would be helpful to all our Long Beach Transit Unit members. Further, such a review might well help one of our brothers or sisters avoid a similar situation.

One of our Operators, on an off day, was charged with a "Pass By". The Operator and the Shop Steward replied to the charges this way: "Yes, a Pass By did occur, but *accidentally*. It was not purposefully done." And, as we looked at and heard the video at the Step 3 hearing, we could hear the bus engine slowing down, as the Operator veers slightly right. The Operator had been a lady sitting on the bench at the bus stop. When the Operator first saw the lady, she did *not* look interested in getting on the bus.

But just as our Operator looks left and starts to veer back into the lane of traffic, and we hear the engine revving up, the lady starts waving her hand. With the aid of the video and sound, we tried to explain that the Pass By wasn't done on purpose. But our explanation, unfortunately, was to no avail—the charges against our Operator will stand.

### **Examining the Response**

*"Someone was sitting on the bus bench a designated bus stop."*

Article III of the Operations Employee Handbook, the section that details Your Responsibility as an Operator, states the following: *"The most important people in our business are the customers we serve; without their patronage there would be little need for our assistance"*.



Section 1.32 of the Handbook, Boarding and Discharging Passengers, provides the following: *"Operator must always be on alert for prospective passenger. A bus must stop at regularly designated stopping points to receive or discharge passengers where possible. These points are designated by bus stop signs."*

In addition, bus operators training on Boarding and Alighting mandates: *"You must stop whenever there is a person at the bus stop, regardless of whether they are standing or sitting."*

The agency's management-team person also mentions that our Operator was given this information many times and signed forms acknowledging that fact, and even listing dates of New Operator Training and SMART class refresher training.

The management rep continued: *"A passenger in a stop means that we need to Pull in and give them the opportunity to board or not. Our customers have busy lives taking care of their kids, getting to and from work or school...So we have to make sure we don't pass them by. Scan the bus stop for passengers. Pull over if you see someone in the stop. Open your doors and ask, 'are you waiting for this bus'?"*

The rep noted, we (Long Beach Transit) have the ability and the responsibility to call Communications and let them know if we suspect you have passed by a passenger.

The bottom line, brothers and sisters at Long Beach Transit, is this: *Please play it safe. Pull over if you see anyone at the stop. Open your door and ask, "Are you waiting for this bus?"*

## **Operators: This is important!**

# **Drivers' Restroom Break Rights Must be Clear**

*By Jeff Shaffer - Financial-Recording Secretary*

They're so routine and obvious, that we all take them for granted: *Restroom breaks*. That's right, brothers and sisters, those plain old everyday "I gotta go" moments.

For most ATU Local 1277 members, such breaks are common-place and easily taken care of. After all, you're on a particular property during your shift, and you know from your first day at work where the restrooms are.

*But what about our Coach Operators?* You'd think that our Operators at the Riverside, SunLine and Long Beach properties would have no problem dealing with this most basic human need during their workday. Guess what? That might be a wrong assumption!

As our International Union in Washington, D.C. notes in a recent study, "*Most people take access to a restroom in the workplace for granted, but bus and train operators often complete long runs without reasonable access to toilet facilities. For years, operators have avoided drinking water during the workday, relived themselves into bottles or on the street, and even wet themselves. The problem is especially hard on pregnant and older operators, those with bladder or bowel conditions, and for people taking diuretic medication.*"

The International's report correctly points out that even when restrooms are available, schedule pressures (on-time service) on Operators may mean that they do not have time to use and return from a restroom. Further, even when there is ample break time, procedures for leaving and securing a coach may be vague or simply unrealistic. Some available restrooms may be either unsafe or unsanitary. Operators may also worry about negative passenger reaction (*why should drivers have to worry?*) or plain embarrassment.

Bottom line: *The fact is, Operators' discomfort and stress of "holding it in" makes it more difficult to drive a coach safely and effectively.* This is just common sense and something we all know about and can relate to. The very last thing anyone wants is distracted and speeding drivers trying to find relief somewhere.

## **Feeling the Pulse**

Our International is putting out a survey on this important matter, trying to get Operator feedback. It will go out this month, and we will get it to our Operators at Riverside, SunLine and Long Beach. The ATU International considers the following as basic restroom rights for Operators:

- Rapid access to restrooms when needed, on all routes and all shifts
- **Safe access to clean, fully equipped facilities along routes and at the end of routes, with locations identified and updated**
- Adequate time to access, use and return from restrooms
- **No retaliation, discipline or threats for going to the restroom (Duh!)**
- Restroom use time built into scheduling
- **Clear policies on restroom access along the route, including how to notify dispatch, safe methods for leaving and securing the bus, communicating with passengers, discharging passengers**

The federal OSHA guidelines in this matter are pretty clear:

*"Employers must provide access to an adequate number of sanitary and fully equipped toilet facilities in places of employment. Employers of mobile crews (such as bus operators) are exempt from the requirement **if employees can leave their work locations (buses) immediately for a nearby toilet.**"*

OSHA can issue a citation or a fine if an employer refuses to provide access to clean, safe restrooms. In fact, if employers fail to abide by these commonsense, or allow supervisors to discipline workers who need restrooms, OSHA can take appropriate action against them. And OSHA had done just that over the years and around the country.

Finally, here are some contract-language highlights concerning restrooms that some of our sister ATU unions in California now have:

### **Local 192 – Oakland – AC Transit**

*"Suitable sanitary facilities shall be provided and employees shall have an opportunity afforded for use of same. These facilities shall be kept in a clean and sanitary condition. Bulletins shall be posted by the District giving the locations of such facilities. Notice of any change of facilities shall be made promptly, and the Union will be notified before such change is made."*

*"Operators will be given time needed for restroom breaks as long as they alert the Operations Control Center."*

### **Local 265 – Santa Clara – VTA**

*"Suitable sanitary facilities shall be provided by VTA and employees will be afforded an opportunity to use such facilities."*

*"VTA shall arrange for sanitary facilities on each line. VTA recognizes the importance of arranging restrooms as close to the end of the line as possible. VTA shall post lists on a quarterly basis, giving the locations of such facilities."*

*"No operator shall be disciplined for delay of schedule if the delay results directly from the employee's use of designated sanitary facilities and the location of such facilities precludes their utilization without a delay of schedule."*

### **Local 1605 – Concord**

*"If an operator reports that adequate facilities do not exist, the Agency will assign a supervisor to locate adequate alternative facilities in the area."*

You brothers and sisters at Riverside, SunLine and Long Beach know from your own experience just how important (and obvious!) these contract provisions are. Our sister unions have them, and there is *absolutely no reason why you shouldn't have the same fundamental assurances.* Please fill out the restroom questionnaire when you get it and return it to our office. This matter is too important for you to ignore.

## Vroom! Vroom! Vroom!

### **NASCAR Event at Fontana Speedway Honors Union Movement and Members**

*By Art Aguilar - President, Local 1277*

On Sunday, March 17—a bright, clear Saint Patrick’s Day—NASCAR graciously paid tribute to the union movement here in Southern California. Out at the famed Fontana Speedway, a number of ATU Local 1277 Executive Board officers and members of our Union took in all the action on a picture-perfect day. A large and enthusiastic crowd cheered the exciting race, and thoroughly enjoyed and appreciated the skill and daring of the drivers.

It was a very enjoyable event, and I warmly thank NASCAR for its recognition of union activity and efforts on behalf of the working people and families we represent. We are proud and grateful that a nationally known and influential organization like NASCAR reached out to the union movement in our area, and lent its support to our brothers and sisters.

NASCAR makes its solidarity very clear: Full support and appreciation for unions and the efforts they make towards improving the jobsite conditions, lives and security of working men, women and families.



NASCAR driver Larry Landon Cassill is flanked by two excited young fans.

### **Another Win for Organized Labor As Oakland Teachers Ratify Contract**

Following closely on the success of Los Angeles teachers in their job action against the School District, Oakland public school teachers won much of what they demanded after a seven day walkout.

The new contract gives 3,000 teachers and staff members an 11% raise over four years, plus a one-time bonus of 3% bonus. Aside from the raise and bonus, the new deal reduces caseloads for school counselors, psychologists and speech therapists. Both school nurses and substitute teachers received salary hikes.

Once again, standing strong and united, unionized working men and women fought for their students, rallied public opinion, and won what they so much deserved. Congratulations!

# BE SURE TO VOTE!

## **Jackie Goldberg for L.A. Board of Education!**

Our long-time sister and outstanding fighter for excellent public schools in Los Angeles, *Jackie Goldberg*, is very close to winning a seat on the Los Angeles Board of Education. The special election is set for *Tuesday, May 14*, and it is vital that every Local 1277 member, retiree and family get out and vote for this outstanding public servant and champion of quality education for everyone. *Jackie is close to winning, but we need your votes to get her over the finish line!* **Please vote for her on May 14, and ask your friends and neighbors to also do so.**

# *The scouts are right: Be prepared!*

## **Some More Preparedness Information For You and Your Families—Just in Case**

*By John DiRito - Executive Board Member-at-Large*

Good Morning, afternoon, and evening brothers and sisters! I want to share the second part of our disaster training with you all. During this session, we discussed meal preparations and the do's and don'ts of temporary shelter life.

The recent catastrophic wildfires in California have affected many people. Unfortunately, but inevitably, many individuals and families had to seek temporary shelter. I am pretty sure this is a situation that most of us living here in Southern California may not have thought much about—or prepared for.

The American Red Cross will plan for and assess the needs of a community between disasters and attempt to prepare accordingly. It estimates that if California were to get hit with a 8.5 or greater earthquake (*it could happen*), the likelihood is high that all services (water, power, transportation, passable roads and food supply) will be down, and families will have to rely on temporary shelter support for a week or even longer. Families would have to plan on surviving on rations and shelf-sustained meals for that period of time! The good news is the Red Cross will be there to help families manage in a crisis.

A few things you should be aware of should this need arise:

- The Red Cross requires *all* medications to be checked in upon arrival at a shelter. Anything from over-the-counter products like Tylenol to prescription medication must be accounted for with staff. In fact, you can expect to *not* be in possession of your meds; they will be given to you at the appropriate intervals. *Failure to register your medications could result in you being ejected from a shelter.*

- ***Firearms are never allowed inside a Red Cross shelter.***

- Homemade baked goods or meals will *not* be served to people in a shelter. So, as much as you may miss “home cooking”, this type of food simply cannot be used for sustenance in a shelter. Individuals and families may bring or consume their own homemade goods, but they will *not* be served to others.



## **ARE YOU PREPARED?**

- ***The Red Cross will greatly appreciate any type of help you can volunteer for while you are in a shelter. Once checking into a shelter, you will be asked if you are willing to assist, and what skill sets you possess. Any help is always appreciated, from handing out blankets to light maintenance or helping out in the field. There will be a Shelter Supervisor at every location who will find good use for any skill sets you are willing to share. And you don't have to worry that you will ever be put in charge of anything without having the proper training to do so.***

I hope that this information is helpful and remembered. By working together and following the shelter regulations, we should be able to overcome any disaster with minimum negative impact to ourselves and our families. *Be prepared and be safe!*

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

**Wednesday, April 3:** Riverside area members:  
**Wednesday, May 8:** 1074 E. La Cadena Dr., Riverside Morning Session 10:00 a.m. Afternoon Session 3:00 p.m.

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

**Thursday, April 4:** Long Beach:  
**Thursday, May 9:** Machinist Hall, 319 W. Broadway, Long Beach Morning Session 10:00 a.m. Afternoon Session 3:00 p.m.