



Local 1277

News

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CENSUS

The Power of the Census

By Mauro Varela - Treasurer, Local 1277

Let's start with the basics, brothers and sisters: What is the census? **Census: An official enumeration of the population, with details as to age, sex, occupation and other factors.**

Just as it says in the definition, the census is the enumeration—or official—count of every man, women and children inhabiting the city, town or rural district they reside in. Why is the census so important and why do we need to participate?

Because it is a governmental responsibility under the U.S. Constitution (Article I, Section 2): "The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct."

But aside from it being a Constitutional requirement, the biggest reason for everyone to be accurately counted is **power!** The census is extremely important because it determines the political influence that a city, county, rural district or state will have over the next 10 years. I specifically refer to **fiscal power and political power.**

Fiscal power is about the amount of money that is allocated to the city, rural district or state based on the data received from the census. With the information that was received from the 2010 census, for example, the State of California was entitled to about **\$675 billion a year or about \$6.75 trillion over a 10-year period!** That money was earmarked to build new roads, schools, hospitals, and expand police and fire departments, and public transportation projects.

However, this funding does not get spread equally among the country or even the states. It gets dispersed according to the population size and information gathered during the last census.



One can see how important it is to accurately count everyone, and the consequences of not doing so. For example, there is an estimated 2.5 million people in California who were not counted during the 2010 census. That could have translated into hundreds of millions of dollars over the last 10 years that could have provided more social services, improved our roads, improved public transit projects, built more schools to ease overcrowding, or increased public safety/emergency services. We need to get it right this time. We need to make sure we count everyone!

Political Clout

The census isn't only about money and services. Getting it right will give us the **political power** I was referring to earlier. *It is about fair representation in Congress.* Every ten years, the results of the census are used to reapportion the House of Representatives, determining how many seats each state gets. With the 2.5 million people who were *not* counted during the last census, *California lost three potential additional representatives in the House.*

Currently the ratio of constituents to representatives (congress members) is approximately 600,000 to 1. Why is this important? *With all the anti-union legislation that has been brought forward recently, having three more pro-working family representatives could make a difference.* Representation is not only affected at the national level; it affects us here locally and with potentially greater consequences. After each census, state officials use the data to redraw the boundaries of both the congressional and state legislative districts, adapting to population shifts. I can't stress enough the importance of counting everyone!

It is estimated that out of the 2.5 million people who were not counted during the last census, 5% of those were children between the ages of 1-5 years old. Some other sometimes-hard to count population groups are veterans, union workers, people of color, homeless, and immigrants. As you can see, our membership fits in almost every category, ***which is why it is so important to make sure we do our part and make sure we fill out the census when we get it.*** It will even be easier for everyone to get counted this time: **the 2020 census will be done online.**

Everyone will receive a postcard with a link to the census, which will go live on April 1, 2020, Census Day. You will have the option of filling out a paper form, if you prefer, however you will have to go and get that form from a designated location. Taking the time to answer about 10 questions can shape the future of this country for the next ten years. *Let's make it count, and count for everyone!*

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Simple Questions

So, what do the census takers want to know? The questions have not yet been finalized, but here's what we know now: They will ask for the number of *every* persons living at your residence. Names, sex, age and date of birth, your origin (Hispanic, Asian, other), race, relationship to each person, and whether a person lives or stays somewhere else. As some of you may or may not know, there was a lot of controversy over one of the questions that was proposed to be added. ***That question referred to asking about citizenship status.*** I'm happy to assure you that question will not be part of the upcoming census, and therefore no one should be afraid of, or discouraged from, filling out the census.

Is the census confidential? Will it get reported to ICE? Is it safe and secure? These are all good questions. **Yes**, your census responses are safe and secure. ***The Census Bureau is required by law to protect any personal information it collects and keep it strictly confidential. By law, your census responses cannot be used against you by any government agency or court in any way—not by the FBI, CIA, DHS, or ICE. Census information can only be used to produce statistics.*** All Census Bureau staff take a lifetime oath to protect your personal information, and any violation comes with a penalty of up to \$250,000 and/or up to 5 years in prison.

It is worth noting that AB 1563 (Santiago) was signed into law very recently. Under this legislation, it is now a misdemeanor (violation) for anyone to 1) state falsely that they are a census taker, 2) interfere in any way with the actual operation of the census, and 3) interfere in any way with someone's effort to participate in the census. These are very worthy protections for a very important governmental project. Assemblymember Santiago (53rd District), from Boyle Heights, and a 100% supporter of labor, got the support of every Democrat for his bill; he has performed an excellent service!

I don't want to beat a horse to death, but I must stress the importance of filling out the census when you get it. ***Fill it out online, by mail, or in person, but fill it out.*** Making sure that everyone gets counted is what gives us power. Educate your family, your friends and neighbors, your congregation, anyone who will listen about the importance of getting counted and filling out their census survey. There will be more information for those interested in helping spread the importance of filling out the census. Please keep your eyes and ears open updates.

Legislative roundup

Organized Labor Scores Successes in Sacramento

By Errol Frazier - Vice-President, Local 1277

As happens every year, ATU Local 1277, through its watchdog in Sacramento, the California Conference Board (CCB), keep a sharp eye on the state legislature, particularly with respect to bills that affect working people and families.

In the 2019 legislative session, a number of pertinent bills were passed and signed into law by Governor Gavin Newsom. They go into effect on January 1, 2020. Here is a summary of some of the key legislation.

AB 9 (Reyes): Extension of FEHA Statute of Limitations

AB 9, known as the *Stop Harassment and Reporting Extension* (SHARE) Act, extends the deadline to file an allegation of unlawful workplace harassment, discrimination, or civil rights related retaliation under the Fair Employment and Housing Act (FEHA) from *one year to three years*. In so doing, AB 9 will impose a statute of limitations period that is *six times the length of the federal standard* and three times the length of the current State of California standard. This bill does *not* revive lapsed claims.

AB 51 (Gonzalez): Prohibition of Arbitration Agreements

AB 51 *prohibits* employers from requiring employees or applicants to waive any right, forum, or procedure for a violation of FEHA or the Labor Code as a condition of employment. Further, it also *bans* employers from threatening, retaliating, discriminating against, or terminating employees or applicants because they refused to waive any such right, forum, or procedure. In addition, to outlawing mandatory arbitration agreements, AB 51 also *prohibits* arbitration agreements that require employees to opt out of a waiver "or take any affirmative action in order to preserve their rights."

Notably, the express language of AB 51 provides that the law does not invalidate any agreement governed by the Federal Arbitration Act (FAA), and therefore it will not have any impact on the majority of arbitration agreements.

To the extent an arbitration agreement, class action or jury trial waiver is not governed by the FAA, effective January 1, 2020, an employer may only enter into such an agreement, an arbitration agreement, or class action or jury trial waiver with a California employee *if that employee voluntarily and affirmatively chooses to enter into such an agreement or waiver.*

SB 688 (Monning): Unpaid Wages

This law amends Labor Code § 1197.1, which currently permits the Labor Commissioner to issue a citation in the event of an employer failing to pay at least the minimum wage. The law expands the power to issue a citation in instances where the employer has contractually promised to pay more than minimum wage, but has failed to pay the promised wage.

SB 206 (Skinner & Bradford): Allowing California collegiate athletes to be paid for their abilities and images

This legislation rightly and belatedly allows collegiate athletes in California to earn some compensation for both their abilities and images. For far too long, colleges and universities here have made hundreds of millions of dollars from their athletic programs without paying a cent to the skilled men and women who actually perform the demanding work on the field. Now, these athletes will be rewarded for their accomplishments.

AB 5 (Gonzalez): Makes "gig-economy" workers employees rather than independent contractors.

Perhaps the "crown jewel" of organized labor's efforts in Sacramento this year, and certainly the most heavily fought-over bill of the session, AB 5 ensures that literally tens of thousands of California Uber and Lyft drivers (as well as more tens of thousands of other workers in businesses that rely solely on independent contractors) are now reclassified as employees of their firms.

For more details on this historic legislation, please see President Aguilar's story in our September paper, but, in essence, this army of "gig-economy workers" now gain the same basic rights as other working men and women (*especially union members*) now enjoy: healthcare subsidies, unemployment insurance, paid personal leave, overtime pay, workers compensation, and a guaranteed \$12/hour minimum wage. It's about time!

A valuable, excellent opportunity!

Education and Training: Your Keys To Career Advancement and Pride

By Art Aguilar - President, Local 1277

Once again, and for the most important of reasons, I am pleased to repeat myself and remind every ATU Local 1277 brother and sister that *education and training are the stepping stones to better, more rewarding—personally and financially—careers in your chosen field of work.*

Continuing its history of teaching and service, Los Angeles'—and organized labor's—famed Trade Tech is again offering a series of excellent classes this Fall, starting *August 26 and running until December 15.*

I strongly urge every Local 1277 member who wants to get ahead professionally, or who simply wants to expand his or her knowledge and better understanding of the trade-union movement, to consider signing up for this very valuable instruction.

Courses are generally divided between three-unit evening classes during the week and one-unit weekend classes. *Brothers and sisters, this is an excellent professional and personal education opportunity. I warmly encourage you to do as I did, and take advantage of these quality courses and experienced teachers!*

Labor Studies Classes Spring 2020

Must Pre-Enroll online a week before class starts

<http://college.lattc.edu/students/register-now/>

Fees: \$46/unit for California Residents

ASO Rep Fee: \$1 per semester

ASO Membership Fee: \$7 per semester

(optional but must opt out by 2/10/20)

Health Center: \$11 per semester

Checks Payable to: LATTC

Max Mont Scholarships are available for Labor Studies classes

3-unit online classes

Starts February 10th & End June 8th, 2020 (16 weeks)

3-Unit Online Classes*/All Labor Studies classes are transferable to CSU.

** meets GE requirements at Trade-Tech, CSU, and UC.

LS 3 – Labor Relations Law – Class 10080

Instructor: Gilbert and Sackman

LS 4 – Labor in America – Class 25525**

Instructor: Ghosha Maffei

LS 10 – Identity and Diversity in Labor – Class 21295

Instructor: Ericka Wills

LS 21 – Working Class in Cinema – Class 10126**

Instructor: Ericka Wills

LS 24 – Enforcing Workers' Rights – Class 25524

Jocelyn Lopez

As always, brothers and sisters, a lot of what the politicians do in Sacramento affects us at home and on the job. This is why your Union and the CCB, and all of organized labor throughout California, are so actively involved in the state's political process, and why we always urge you to keep an eye on it. **And, please note that all the sponsors of these progressive, needed bills are Democrats!**

3-Unit Evening Off Campus Class

Start Date: February 10th - End Date: June 8th

6:00 pm to 9:10 pm (Free Parking)

Mondays

LS 5 – Grievance and Arbitration – class 25522

Instructors: Tanya Akel and Jody Klipple

Location: Teamsters Local 2010, 9900 Flower St., Bellflower Ca 90706

LS 7 - Labor and political Action – Class 25947

Instructor: Marcos Holguin, SR Holguin

Location: ILWU Local 63, 350 W. 5th., San Pedro, Ca 90731

Tuesdays

LS 1 – U.S. Labor History – Class 25629

Instructors: Matt Bell and Matt Hart

Location: UFCW 324, 8530 Stanton Ave., Buena Park, Ca 90620

Wednesdays

LS 1 – U.S. Labor History – Class 25523

Instructor: Marcus Hatcher

Location: Teamsters Local 1932, 433 N Sierra Way, San Bernardino, Ca 92410

3-Unit Weekend Only OFF Campus Class

Saturday and Sundays, 8:30 am to 5:00 pm

May 16 and 17, May 30 and 31, and June 6 and 7, 2020

LS 2 – Collective Bargaining – Class 25545

Instructors: Joaquin Calderon and Marcus Hatcher

3 Unit Day Class At Trade Tech

Mondays 1:30 pm to 4:30 pm

Room C4-262 (School of Business and Civic Engagement Building)

****LS 4 – Labor in America – Class 10094**

Instructor: Lou Siegel

3-Unit Evening Class at Trade Tech

Tuesdays 6:00 pm to 9:10 pm

F5-315 (School of Liberal Arts Building)

****LS 21 – Working Class in Cinema – Class 22104**

Instructor: Mindy Chen

1-Unit Weekend Classes 8:30 am to 5:00 pm

**All Classes at Trade Tech Building B3, Room 309 (School of Health Building) Free parking in the Olive Street parking structure (between Washington Blvd and 21st St.) For weekend Labor Studies classes (only during class hours)*

LS 105 – Grievance Handling Skills – Class 25526

February 22 & 29

Instructor: Lou Zigman

LS 114 – Workers Rights – Class 25527

March 7 and 14

Instructor: Joe Paller, Gilbert and Sackman

LS 115 – Workplace Health and Safety – Class 10189

March 21 and 28 *April 4 is an optional 3rd day to Earn health and safety certificate

Instructor: Deogracia Cornelio

LS 106 – Labor and Disaster Relief – Class 25558

April 18 and 25

Instructor: Armando Olivas

LS 121 – New Media for Unions – Class 25528

May 2 and 9

Instructor: Staff

***These classes meets the GE requirements at Trade Tech, CSU, and UC.*

Remembering those who have passed *In Memoriam*

During the past year, a number of ATU Local 1277 brothers and sisters passed away. We mourn their passing. The Executive Board and all of our active members and retirees offer our condolences to their families and friends. We remember these members now and forever. They will be missed.

- Guillermo Nueva** 6-6-18 Retired
- Tony Garcia** 12-18-18 Retired
- Douglas Runyan** 12-26-18 Retired
- Charles Christensen** 1-6-19 Retired
- Rudy Gutierrez** 1-25-19 Retired
- Stanley Inouye** 2-1-19 Retired
- Trudy Hughley** 2-6-19 Retired
- Frank Boyer** 2-14-19 Retired
- Hyok Kwon** 2-17-19 Retired
- Siu Ng** 2-17-19 Retired
- Jerry Nakauchi** 3-2-19 Retired
- Abidan Aceves** 3-3-19 Active
- Beverly Witherspoon** 3-9-19 Retired
- Enrique Ponce** 4-13-19 Active
- Kevin O'Connell** 5-12-19 Active
- Walter Cohen** 5-19-19 Retired
- Eduardo Garcia** 11-19-19 Active
- Karla Russell** 6-21-19 Active
- John Tsuji** 7-28-19 Retired
- Jesse Sermino** 8-25-19 Retired
- Frank Castro** 9-11-19 Retired
- William Cummings** 9-13-19 Retired
- Lorence Hubler** 9-30-19 Active
- Huy Tran** 11-18-19 Active
- Eduardo Garcia** 11-19-19 Active
- Wendell Cooper** 11-18-19 Retired
- Money Brown** 12-7-19 Retired



Rest in Peace, brothers and sisters...

<p>Here are the upcoming Local 1277 membership meetings for January and February. Please make every attempt to attend the meeting for your unit. It's <u>your</u> Union, and we need your participation at our meetings! All members will receive credit for the meetings.</p>	
<p>Tuesday, Jan 7: Tuesday, Feb 4:</p>	<p>Los Angeles area members: L.A. Building Trades Council, 1626 Beverly Blvd., Los Angeles. Morning Session 10:00 a.m. Evening Session 5:00 p.m.</p>
<p>Wednesday, Jan 8: Wednesday, Feb 5:</p>	<p>Metrolink Unit members: Union Offices, 1744 North Main Street. Morning Session 11:00 a.m.</p>
<p>Wednesday, Jan 8: Wednesday, Feb 5:</p>	<p>Riverside area members: 1074 E. La Cadena Dr., Riverside Morning Session 10:00 a.m. Afternoon Session 3:00 p.m.</p>
<p>Thursday, Jan 9: Thursday, Feb 6:</p>	<p>Palm Springs/SunLine members: Rebirth Temple of Faith, 1243 Gene Autry Trail, Room 115, Palm Springs Morning Session 10:00 a.m. Afternoon Session 4:00 p.m.</p>
<p>Thursday, Jan 9: Thursday, Feb 6:</p>	<p>Long Beach: Machinist Hall, 319 W. Broadway, Long Beach Morning Session 10:00 a.m. Afternoon Session 3:00 p.m.</p>