



Local 1277

News

May, 2021

1744 North Main Street • Los Angeles, CA 90031 • (323) 222-1277

Website: www.atu1277.com



One for our side!

Getting the First Notch in Our Metrolink Belt

By Jeff Shaffer, Financial - Recording Secretary

The first arbitration procedure, at ATU Local 1277's newest unit, the commuter heavy-rail commuter line, Metrolink, took place earlier this year. At issue, was a variety of issues, ranging from time-limits violation to avoiding delays. All the alleged infractions that were assessed to our members were, at best, a third-level category of formal discipline. Yet, management chose the most severe discipline—*termination*—as its decision, its form of retaliation.

Along with any of your Executive Board members, I often refer back to prior arbitration and disciplinary cases and experiences in order to adequately prepare myself. I think about all circumstances and details when going over any relevant documentation so I can be successful when I argue for a brother or sister's just cause in disciplinary cases.

In this instance, our first arbitration at Metrolink, I had done just that. I took all the experience I have been through during my 24-plus year career with our Union when I began going through all the documentation at hand. *None of this documentation—the facts, the issues, the people involved—led me to the opinion that termination should or would be considered.* As happens sometimes, we (Local 1277) were completely shocked that a termination was not only being considered but had been presented as management's decision.

So, we had our first arbitration at the new unit. Another first was the fact that I had never had a case before this particular arbitrator. Nevertheless, we made our arguments fully, and pointed to all the missteps that had occurred during the entire process leading up to arbitration. We thoroughly covered all the issues, from time-limit violations, to the charges being levied, and Metrolink management's complete disregard for the long-established arbitration-request process.

After doing all this and laying out our case in full, I looked back and wondered if we missed anything or, possibly, could have made any other arguments. Believe me, we are always our own worst critics! With the arbitration in the hands of this unknown arbitrator, all we could do was wait for their decision.

Well, brothers and sisters, that decision came in via e-mail in April, and we won the arbitration! Not only did we win the right for our member to be reinstated, but for also to be made whole. I must admit, I do enjoy being 1 for 1 right out of the gate. And now, Metrolink realizes that ATU Local 1277 and its unit there are forces to be reckoned with!

President's report

We demand political action!

News and Notes as the Pandemic Lingers On

By Art Aguilar - President, Local 1277

Yes, there appears to be some light at the end of the tunnel, with respect to the global Covid pandemic that has killed more than 3,000,000 people worldwide, more than 570,000 in our country alone, and more than 145 treasured brothers and sisters from within our ATU International. Some cities and states are beginning to relax dining and other outdoor-activity precautions (hopefully, not too recklessly). That's the good news.

But there's still some less-than-good news concerning the health and safety of our brothers and sisters who continue to work hard and diligently on the frontlines as they serve the mass transit-dependent public across the United States and Canada.

Even as restrictions are relaxed, it remains hard to enforce mask mandates. These safety and commonsense health provisions have generally protected our members on the job. *But these regulations are not uniformly enforced across the U.S. and Canada. Some cities and states are more diligent about enforcement, some seem to care less. The result is continuing danger to our members, public-transit riders, and the security of mass-transit systems themselves.*

As it has been all through this crisis, the ATU has been a strong, outspoken voice for strict mask mandates in public and, most certainly, on mass transit. We continue to *demand* that transit agencies, private contractors, and elected officials (many put into office with our help!) step up and fully enforce mask mandates, as well as deliver protection and policy changes that will keep our members and the riding public safe!

Pass the PRO Act!

The *Protecting the Right to Organize* (PRO) Act is the most significant pro-working people and families legislation to come before Congress in a very long time. I am greatly pleased to report that this landmark legislation passed the House of Representatives in early March. *It passed, I must remind everyone, with almost only Democratic votes! That's right: we saw only five Republicans supporting this vital, sensible and long-overdue pro-union bill!*

Continued to page 2...

Continued from page 1...

And, unfortunately, in a 50-50 Senate—even with the strong support of President Joe Biden (a committed union backer) and the important vote of Vice President Kamala Harris—the outlook for the PRO Act is uncertain. Believe me, our ATU International, and all of organized labor, is working furiously to get some Republicans to join the Democrats in passing the PRO Act and sending it on to President Biden for his signature.

Here are the PRO Act's highlights. It would:

- **Protect** workers who try to organize a union from management retribution or firing
- **Strengthen** the federal government's power to punish employers who violate workers' rights
- **Outlaw** mandatory meetings set up by employers that try to stop union-organizing efforts
- **Weaken** efforts by companies like Uber to classify workers as independent contractors, opening the way to expanded union organizing and membership

It's a great bill, brothers and sisters, and let's hope we can convince some Republican senators to see the national economic and social benefits of the PRO Act!

\$85 Billion for Mass Transit!

That's how much money is earmarked for expansion and renovation of the country's mass-transit systems under the excellent and much-needed *American Jobs Plan* proposed by pro-working people President Biden. Much like the PRO Act, this historic and crucial bill will need *Republican* support in Congress in order to become law. The *Democrats* in both houses certainly are on board with the legislation but, as always, *Republican* arms have to be twisted.

Some of the highlights of the enormous American Jobs Plan include:

- **\$85 billion** to improve and expand mass transit systems across the country
- **\$115 billion** for repairing 10,000 small bridges used by cars and mass transit throughout the U.S., and upgrading at least 10 major urban bridges in large cities
- **\$174 billion** for electric vehicle incentives
- **\$46 billion** for clean energy manufacturing
- **\$40 billion** for dislocated (obsolete industries) worker programs

The American Jobs Plan is a big-time winner, brothers and sisters, and we heartily encourage all commonsense elected officials to support its passage. As International President John Costa has said, "*We urge Congress to take immediate action to pass this bill, for a stronger, more just economy for all.*"

Amen!

The key to advancement **It Pays to Get Educated!**

By Mauro Varela - Treasurer, Local 1277

Brothers and sisters, the classes for the Joint Apprenticeship Committee (JAC) Programs are either underway, or about to start in the near future. This last batch of applications turned out to be very hard to go through because many ATU Local 1277 members are heeding the call to complete their units in order to make the move from the bus side to the rail side at LACMTA.

The list of qualified candidates is noticeably getting longer and longer every time. That is a good thing. I encourage you to keep that trend going! More interested, ambitious, and qualified members may well help us open *other* classifications to the JAC program or, better yet, show the Authority that its workforce is very highly trained, motivated, and qualified—thus strengthening any demand for more pay!

So, this is just a reminder to those brothers and sisters who have not yet jumped aboard the education express train. The JAC programs are a great way to promote to a new, higher-paid classification.

There are, however, *very strict requirements that have to be met*. You must have 24 units of college-level electrical or electronics credit (from an accredited school). Your attendance *must* not be at or above a Step 2 or higher, and you must not have any disciplinary incidents in the previous 12 months before your application. For most brothers and sisters, the biggest hurdle may be those required 24 units. For various reasons, many members can't or won't enroll in school in order to get those required units. There may be understandable reasons for that.

Don't Let Money Stand in the Way!

Please do not let finances be a reason you do not get your units! LACMTA has a tuition- reimbursement program that is there to help, so that money shouldn't be the reason for not completing your units which are needed to help you get promoted. In case some of you didn't know, the Authority will reimburse you up to *\$250.00 per unit* for Undergraduate/Certificate classes, and up to *\$375.00* for Graduate classes.

Brothers and sisters as you can see and, I'm sure have been told by others who have taken advantage of the JAC programs, it always pays to get more education. Both in the short term (while in school), and in the long run (promotions, career advancement, and stronger financial security for you and your family).

So, if you have not done so yet, I strongly advise you to look carefully at the schedules for the closest local community college to you, and then enroll there. *Remember, that the greatest investment you can ever make is the investment in yourself!*

Keeping an eye on coaches

The Bus Condition Card

By Errol Frazier - Vice President, Local 1277

At the properties represented by ATU Local 1277, both Operations and Maintenance come together—sort of like a packaged set. This situation applies at Riverside Transit Agency (RTA), SunLine Transit Agency (STA), and Long Beach Transit (LBT). Our members ably and diligently perform much-needed work in both fields.

At the Los Angeles County Metropolitan Transportation Authority, our brothers and sisters do all the maintenance work. Over at Metrolink, which operates only heavy-rail trains, our Union represents both Dispatchers/Chief Dispatchers and Communication Coordinators.

At RTA, STA and LBT, what is known as a bus condition card becomes a very important building block for both Maintenance and Operations personnel.

For our Maintenance people at these three agencies, the bus condition card starts to build the process of the next day's roll-out. As the coaches begin to come into the yard from that day's runs, the bus condition cards are checked.

There are a few boxes on the card that are checked almost every day, with an eye on wear and tear items that are stressed out due to repeated runs. Such items include any kind of body damage, exterior paint blemishes, effects of vandalism, and window etching and scratches. These are relatively normal occurrences, to be expected on a mass-transit bus that is consistently in use day after day.

Some other boxes on the bus condition card are *not* checked regularly, some examples being parts, or items that our members must touch, move, or manipulate in some way to make sure it is working, or secured, or possibly broken or otherwise non-functional. The bus yards at these three properties are set up in such a way that coaches that need, say, brake adjustments because of accumulated mileage will be parked in a designated lane or area. Buses that may need radio work are parked in another lane or area. This "separation" applies to all normal fixes that are part of a coach's maintenance.

The Operators' Part

There is another area or lane in which buses will be collected in order to repair them. But there is only one way that a coach can get to this place: Someone, and that is usually the Operator of the particular bus, the brother or sister who drives that coach on its assigned runs, must bring the problem to the attention of Maintenance.

Our Operator may not know that filling out the bus condition card is greatly helping Maintenance people better and more efficiently manage their workflow/priorities. ***However, the Operator may also not know that by failing to fill out a bus condition card, may put another brother or sister Operator in harm's way on a future run.***

The Operators' completed bus condition card gives our Maintenance crews a valuable head start towards fixing all of the defects and problems that must be attended to. Operators and the agencies own Operations Departments benefit from the filled-out bus condition cards because they—in theory and hopefully—mean that they are providing their mass transit-dependent public with safe and secure coaches.

*Right here, let me add that it is the responsibility of everyone who drives, services, or maintains the equipment and coaches to stay vigilant and concerned about safety. Safety is job #1—at our yards and on the road. Operators: If you see an unsafe condition on any of your buses during your runs, *please contact your dispatcher for the appropriate protocol*. And for our Maintenance members, if you see a defect and can't find that card right away, then please be sure to report any defects to your Leader or Maintenance Supervisor. If you are an Operator, go to your dispatcher and ask for a bus operator card and write down the defects and turn it in.*

I must report that just recently, one of our Operators was hurt by a box that is there for him or her to secure their personal items while they are driving. The box fell on our member's head, causing a serious—and *completely unnecessary*—injury. Because of it, our member was forced out of work for *almost a year* because of that heavy unsecured box! Thankfully, I can tell you our member was able to overcome this injury and make it back to work, but only after many months of recovery.

Please, brothers and sisters, we must always count on each other when it comes to safety. We truly are our brothers and sisters' keepers!

Is a Union Job Worth Having?

By John DiRito - Executive Board Member-at-Large

Good morning, afternoon, and evening, brothers and sisters. I hope this newspaper finds you and your family well. As the title asks, is it worth having a union job? Many of you have already formed an answer in your head, but most assuredly not everyone has the same answer! Even though the likelihood is high that a union member is reading this article, many brothers and sisters often ask, "Is it worth it to pay my dues?" And why would they question that? Why would anyone think they're better off on their own?

Well, here's a slew of answers I've heard over the years as an officer, and even prior, as a Shop Steward, and even before then, just as a dues-paying member:

- I'm better off with my own money than giving it to the union.
- I can keep the monthly dues in my pocket and feed my family.
- The union doesn't *do* anything; management gets away with murder.
- We never see a union representative here, so why should I pay?
- The union spends my money on things/or political activity I don't agree with
- I don't like my union rep

Continued to page 4...

Continued from page 3...

I'm sure I didn't even cover all the complaints I've heard, but mostly they are the ones I've heard over and over again. So, let's tackle these concerns and see if we can't help get folks back onboard!

First, unions were formed because employers were straight-up taking advantage of hard-working men and women (*check out the current events regarding Amazon workers and their fight for a union—it's a good read*). From wage theft and unsafe working conditions, to forced extended working hours and child labor, the list of unfair labor practices simply went on and on.

Second, the way to shift power into the hands of working people, was to band together and take the power from bosses and organize to form a united front that stood up for all workers' rights. It was these basic principles that gave rise to the union organizations that people know today. In fact, having weekends off and recognized holidays also rose from workers demanding to have at least two days off so they could rest and spend time with family. *It was the unions that invented the weekend!* Even overtime laws and pay and a normalization of the eight-hour workday arose because of union power-bargaining on behalf of workers.

The money that our Union collects helps to pay for the very same bargaining that nets our members the contracts and working conditions we have today. Now, some may contend that it isn't enough, and that their individual working conditions are "terrible"! While this is often a personal opinion, there are cases that are proven with facts, and in either scenario, I challenge those members to seek out their Shop Stewards and file a grievance. The grievance is part of our union power that forces management to address our concerns, complaints, and violations of our contract!

Being a democratic entity, your union also uses funds to hold elections of Executive Board members and Shop Stewards. This is a direct function and guarantee that members are represented. *In fact, by choosing not to participate in the election process, you are, in a sense, silencing your own voice.* You are leaving it up to chance that those who *do* vote will pick someone that represents you best, and who would also help guide our Union to a better and stronger future. In fact, did you know that even when it is not election time, you still have the power to voice your opinion on how your Union's money is spent?

Every month, there is a membership meeting held for all members in good standing, and part of that meeting is not only informative, but takes a tally of votes for financials and even political actions. So, when members say they don't have a voice in their union, or that the union will do what it wants anyway, we have to ask if this is coming from an active member participating in the process? Or merely someone who has a different opinion and not taking full advantage of their rights as a union member to make himself or herself heard? (*Of course, because of the pandemic, our current membership meetings are being held via the Zoom app.—have you "attended" one yet?*)

While many members disagree over whether unions should be involved in political action, it cannot be disputed that many of our rights and protections came to be law because of that same political action! Just as members joined together to form a power base, so do the unions join with law-making representatives and empower those politicians who will help pass laws that protect workers and their families. The 40-hour work week? Labor Code-233? The Family Medical Leave Act?

And, most recently, *SB 95, which just gave all of you an additional 80 hours of Covid leave, effective January 1, 2021 and running until September 30 of this year.* All these excellent, pro-family advances are directly related to union activity which got these rights enacted into our law books. Our union, along with our effective statewide arm, the ATU's California Conference Board, continues to work closely with elected officials to give you better and safer working conditions.

Keep in mind this has been just a brief overview of what our Union does and stands for, but hopefully it's helped some readers understand what it means to be part of a movement that fights for workers (*Who are you! You are the working men, women, and families we work hard to represent*).

Re-thinking Things

So, let's circle back and address some of these earlier negative opinions.

- I'm better off with my own money than giving it to the union.
- I can keep the monthly dues in my pocket and feed my family.

These may seem like sound, logical opinions at first, but if we examine our talking points, one person could not possibly save/manage/or otherwise provide enough on their own to help the workforce as a whole. One solo worker does not have enough "financial power" to go in and negotiate with management a contract that would help all members, or even themselves.

- The union doesn't *do* anything; management gets away with murder.

The grievance procedure is part of all our contracts, and management will always be held accountable, when it is reported! The worst thing a member could do is observe a contract or safety violation and be complicit in not reporting it. You, the members, are the union. We must always fight to uphold our contract.

- We never see a Union person here, so why should I pay?

When you look in a mirror, you should see a union person! When you interact with other employees in your unit/section/classification, you should be seeing a union person! Your Executive Board members and Shop Stewards are your frontline representatives, but they are not the sole acting force in our Union. Our membership is our greatest asset, and that's you!

- The union spends my money on things/or political actions I don't agree with

Again, the union empowers political representatives who will help us fight for workers' rights. If you are a blue-collar worker/professional, chances are those rights will benefit you and your family.

- I don't like my Union rep

Not all members will be happy with our Union's democratic voting process, but your Executive Board goes to great lengths to ensure that regardless of who wins, that representative will do the best they can for all members, not just the ones who voted for them. You can be sure your voice is counted by participating in our Union democracy and voting!

Hopefully, this article has given you a bit of insight as to what ATU Local 1277 representation means, and perhaps it may even inspire you to get involved, go to a meeting, and take an interest in your Union and future!