



Local 1277

News

September, 2021

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

Website: www.atu1277.com

President's report

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Please Be Sure to Vote! **No, No, NO on the Recall!**

By Art Aguilar - President, Local 1277

It's crunch time, brothers and sisters. It's time to be damn sure that you, your families, co-workers, friends, and neighbors are voting No, No, NO on the right-wing, anti-democratic recall of our friend, Governor Newsom.

We've mentioned this many, many times over the years, but it is worth remembering it again: ***Organized labor supports its friends and fights its enemies!*** We back those politicians who help us. We vote for the political leaders who have stood with us during tough times. ***And we fight like hell against the anti-union, working families forces that threaten them and the issues that matter to us!***

Governor Newsom was there for us when we most needed him. Early in the pandemic, he brought in hundreds of thousands of N-95 facemasks to protect our front-line mass-transit professionals as we kept the buses and trains running throughout California. And, then, when the first vaccines were coming out, *he stepped up and jumped all public-transit employees to the head of the line for those life-saving shots!*

Newsom was there for us and now it is our turn to be there for him!

There's only *one* thing that can defeat our political friend on Tuesday, September 14, brothers and sisters: ***Apathy. A failure to vote. An "I-don't-care" attitude. A false (and very dangerous) belief that "It doesn't matter if I vote or not because there are so many Democrats in California there's no way he can lose."***

Wrong. ***Wrong. Wrong.*** If enough registered Democrats—and here I am talking to *you*, union members and households—*fail* to vote, ***for whatever reason***, then there is a chance that we may lose our pro-working people friend, Governor Newsom, and be faced with some *Republican* front man for the anti-democratic crowd of big out-of-state money, legal-election deniers, and hard-right-wing groups that want to destroy the needs and goals of working people and families!

And that would be both a political disaster and a rejection of labor's cardinal political rule: *Support our friends, fight our foes.* We cannot—and *must* not—allow this to happen!

Governor Newsom has demonstrated his support for unions and working people, especially those of us in mass transit! He helped us, and now we must help him! Please be sure to vote No, No, NO on this wasteful, expensive recall effort, and please ask everyone you know to do so, too! Thank you.

Official Rules and Regulations for Local 1277 Elections

General Information

Constitution and Campaign Rules

The nomination and election of Local 1277 Officers, Shop Stewards, and Delegates to the ATU convention will be conducted in accordance with the ATU International Constitution and General Laws dated, as amended, 2019, and the Local 1277 Bylaws, dated May 2013, and Federal Laws that may apply as outlined below.

Term of Office

The Officers and Shop Stewards and Delegate to the ATU Convention who are elected will serve a three-year term, which will begin on January 1, 2022 and ends on December 31, 2025. Installation of Officers, Shop Stewards and Delegates to the ATU Convention will occur at the ***10:00 a.m. or 5:00 p.m. Local 1277 membership meeting on Tuesday, January 4, 2022.***

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Official Rules and Regulations

Eligibility to Hold Office

For the Office of President, Vice-President, Recording-Financial Secretary, Treasurer, Executive Board Member-at-Large, and all Shop Stewards positions, the following will apply:

As provided in Article 13, Section 4(a), a candidate must have attended not less than six (6) meetings each year during the twenty-four months immediately prior to election. And, under Section 4(b), must have been a member in continuous good standing in Local 1277 for a period of two years or more immediately prior to nomination.

For Delegate to the ATU Convention, the following will apply:

As provided in Article 13, Section 4(b), candidate must have been a member in continuous good standing in Local 1277 for a period of two years or more immediately prior to nomination.

As per Article 21, Section 13, the President will be assigned to Seat 1, the Recording-Financial Secretary will be assigned Seat 2, the Treasurer will be assigned Seat 3, the Vice-President will be assigned Seat 4, and the Executive Board Member-at-Large will be assigned to seat 5. The other eight seats will be open.

Anyone can run for any seat as long as they meet the above qualifications. The first three seats will attend the convention. The Executive Board will determine the number of Delegates to attend the convention with respect to seat 4 to seat 13 three months prior to the Convention, which will be held in Las Vegas, Nevada, September 18-23, 2022. *All Delegates need to have any and all necessary travel documents (i.e. passport, vaccine card etc.) to attend the convention.*

Nomination Notice

This will serve as the nomination notice. It has been printed in the Union newsletter and has been mailed to the last known address (as of September 1, 2021) of all active and retired members. It will be mailed on September 1, 2021 and will be posted on the Union bulletin boards at all work sites and in the Local 1277 office.

Nomination Meetings

Nominations for the offices of President, Vice-President, Recording-Financial Secretary, Treasurer, Executive Board Member-at-Large, and all Shop Stewards and the 13 Delegates to the ATU Convention, will be accepted from the floor at the November 2, 3, 4, 2021 membership meetings:

L.A Members Meeting

Date: Tuesday, November 2

Times: 10:00 a.m. and 5:00 p.m.

Place: L.A. Building Trades Council, 1626 Beverly Blvd., Los Angeles, CA, 90026

Riverside Members Meeting

Date: Wednesday, November 3

Times: 10:00 a.m. and 3:00 p.m.

Place: AFL CIO Building, 1074 E. La Cadena Dr., Riverside, CA, 92507

Metrolink Members Meeting

Date: Wednesday, November 3

Times: 8:30 am and 5:00 p.m.

Place: 1744 N. Main St. Los Angeles CA, 90031

Palm Springs Members Meeting

Date: Thursday, November 4

Times: 10:00 a.m. and 4:00 p.m.

Place: Hilton Hotel, 400 E. Tahquitz Canyon Way, Palm Springs, CA, 92262

Long Beach Members Meeting

Date: Thursday, November 5

Times: 10:00 a.m. and 3:00 p.m.

Place: Long Beach Firefighters Hall Local 372, 2201 Cherry Ave. Signal Hill, CA 90755

Nominations for Local 1277 Elections

Nominations must be made in writing and signed by the nominator and must be received by Recording-Financial Secretary Jeff Shaffer at the respective meetings noted above. To nominate a Union Officer, nominations may be made by *any* active member in good standing with Local 1277. To nominate a Shop Steward, the nominator must be an active member in good standing from the Division/Location from where the nomination is coming. To nominate a Delegate to the ATU Convention, the nominator must be an active member in good standing.

Nominations Acceptances

A candidate must accept the nomination, in writing, on the Local 1277 form, for any position in Local 1277 within 72 hours of the meeting where the nomination was made. The form must be presented to Recording-Financial Secretary Jeff Shaffer within that time period.

Candidate Eligibility Determination

The Local 1277 Election Committee will review Union dues records and meeting cards to determine the eligibility of all nominees. Eligible nominees will be notified of their eligibility by the posting of the list at each Division/Location. They will be asked how they wish their names to appear on the ballot. The default position will be their names as registered when they enrolled with Local 1277. If a different name or nickname is to be used, that must be printed on the acceptance form that is signed and turned into Recording-Financial Secretary Jeff Shaffer. Ineligible nominees will be advised of the reason(s) they are not eligible to run for office.

Meeting with Candidates

At 4:00 p.m. on Monday, November 8, 2021, the Election Committee will meet with all interested candidates at the Local 1277 Union office to discuss election procedures, inspection of the union's membership list, distribution of campaign literature, observers, and other campaign rules. At this meeting, a drawing will be held to determine candidate position on the ballot. If the candidate is absent and does not have a representative at the meeting, an Election Committee member will represent the candidate in the drawing.

Inspection of the Membership List

Each candidate may inspect (not copy) the Local 1277 membership list once within 30 days prior to the election. *No candidate is entitled to receive a copy of the list.* The membership list will be available for inspection at the Local 1277 office between 8:00 a.m. and 4:00 p.m., Monday through Friday, only for candidates to view. Any candidate who wishes to inspect the list must contact Recording-Financial Secretary Jeff Shaffer in order to see the list.

Distribution of Campaign Literature

Local 1277 will honor any reasonable request by a candidate to distribute campaign literature to members and retirees at the candidate's expense. Requests will be honored in the order received. Campaign literature must be provided to the Election Committee to be mailed out to the membership list; no candidate will see the mailing address of members. Arrangements have been made to have a mailing house put on the addresses and the appropriate postage for the mailing of the literature. The estimated cost is \$7,000.00 for each mailing. All of these costs will be paid to Local 1277 for lost time of Election Committee members and the cost to generate the list of address's and the mailing house. The preferred method of payment is cash. If you write a check, the mailing will not be sent out, or the process will not start until all checks have been cleared by your bank as paid. Candidates are required to contact Election Committee Chairperson Noe Zendejas at 323/222 1277, ext. 131, to arrange a mailing.

Campaign Restrictions

Federal Law *prohibits* the use of any Union or employer funds to promote the candidacy of any person in a union officer election. This prohibition applies to cash, facilities, equipment, vehicles, office supplies, etc.. *Union Officers or anyone running for an officer position cannot campaign on Union time or on company time paid for by the Union or the company.* Federal Law also provides that candidates must be treated equally.

Voter Eligibility

As provided in *Article 14 Section 1* of the Local 1277 Bylaws, any member who has paid dues though December 6, 2021, prior to 4:00 p.m. will be eligible to vote in this election. In the event of a runoff election, the voter will have until December 23, 2021 at 4:00 p.m. to be paid in full because the Union office will be closed on the 24th and 25th as per our OPEIU contract.

Election Notice

This is your notice of the election. Ballots will be mailed to the last known home address of each Local 1277 member and retiree on November 24, 2021. This election notice will also be posted on Union bulletin boards at all divisions/locations and at the Union office.

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Official Rules and Regulations for Local 1277 Elections

Observers

Candidates are entitled to have observers present at the tally of the ballots. Observers must be active members of Local 1277, as required by *Article 16 Section 4*. Members, candidates and observers may not interfere with the Election Committee during the tallying of ballots. Members, candidates, and observers are entitled to watch, but not interfere with the Election Committee while it counts the ballots. While the Election Committee uses a computer to count the ballots, any questionable ballot will be determined by the Election Committee only. It is not up to anyone but the Election Committee to determine how fast the computer counts the ballots and shows them on a television screen.

Election Day/Tally of Ballots

The election will be held from 10:00 a.m., until all ballots are counted, on December 7, 2021, at the Local 1277 Union offices, 1744 North Main Street, Los Angeles, CA 90031. Ballots will be counted as soon as the Election Committee returns from picking up the ballots at the Post Office. No ballots will be accepted at the Union office at any time. Ballots have to be processed through the United States Postal Service. The candidate who receives 50% plus any number of votes cast for each office will be declared elected. Any tie or office that doesn't get more than 50% of all votes will go to a runoff election that will follow the same rules as above. The ballots will be mailed for this election on December 13, 2021 and will be counted on December 27, 2021.

Election Results

The elections results will be posted at the Union office and on Union bulletin boards at all division/locations, as well as the Local's web page after the tally is completed.

Election Records

Local 1277 Recording-Financial Secretary Jeff Shaffer is responsible for maintaining all nomination and election records for at least one year after the election, as per the Local's Bylaws.

As per Article 21.8 of the ATU International Constitution, address changes are the responsibility of each member. No Union Officer or Shop Steward may change a member's address between November 1 and December 31 of an election year. The member/employee who has requested such a change has to call it in him or herself. No one else can do so.

Questions or Problems

Candidates and members with questions about the nomination or election procedures, or about any violations of rules, should contact Election Committee Chairman Noe Zendejas at 323/222 1277, ext. 131.

Protests

Article 14.8 of the ATU International Constitution and General Laws will be the guideline for all challenges. It reads:

"Any member who is entitled to vote may challenge the conduct or results of an election by filing, within ten (10) days of the counting of the ballots, a challenge to the incumbent ST of his or her LU to such effect. The ST shall submit the challenge for decision to the Executive Board, subject to the final ruling by the membership."

Election Rules for Delegates to the ATU Convention

These election rules are based on provisions of 29 U.S.C. 481, Title IV of the Labor-Management Reporting and Disclosure Act of 1959, as Amended.

□ No Union or employer funds may be used in support of any candidate for Delegate or International Union office by anyone, even non-candidates. No Union resources, including Union publications, supplies, equipment, web sites or emails may be used to promote any candidate.

This means no campaigning by anyone while on the clock at work. If employed by the Union, no campaigning while on Union time. To repeat: No campaigning by anyone on either the Union or company clock. All candidates must be on a vacation or a no-paid status.

□ Requests to mail campaign literature to the membership will be honored by the Union at the candidate's expense (estimated at \$7,000). Each candidate will be treated equally with respect to the cost of distributing campaign literature.

□ Each candidate may have an observer at the counting of the ballots on December 7, 2021 or December 27, 2021, at the Union Office, 1744 North Main Street, Los Angeles, CA 90031.

Any protest concerning the election of delegates to the ATU Convention should follow the guideline in *Article 14.8* of the International Constitution (see exact wording above)

Additional Election Safeguards

1. The bar code on the return envelope is used to ensure each member votes only once. **Not how you voted.**

2. The bar code on the ballots is used to identify which ballot belongs to which election: Union Officers, Shop Stewards, and Delegate to the ATU Convention. ***Be assured no one will know how you voted. The bar code does not identify any member. If any bar code is defaced, the ballot will not be counted.***

3. Everyone will get an Officer's ballot and a ballot for Delegate to the ATU Convention. If a Shop Steward position is contested, the members in that division/location will get three ballots: one for Officers, one for Delegate to the ATU Convention, and one for Shop Steward.