



# Local 1277

# News

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## President's report

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### The Literal Road to Success

By Art Aguilar - President, Local 1277

I was especially proud and pleased to represent the International ATU at the signing of President Biden's sweeping, much-needed "*Infrastructure Investment and Jobs Act*" (IIJA) **\$1 trillion Infrastructure Bill** on November 15, in Washington, D.C. This historic legislation will help transform our country, provide tens of thousands of high-paying, good benefits *union* jobs, and kick-start our national economy. It is an all-around win-win!

Infrastructure is a word that has been kicked around by politicians, the media, and all of us more than the ball in a World Cup match. So let's make sure we know what we are talking about when we say infrastructure.

*Infrastructure is the skeleton that holds our country together.* If you think of the United States as a human body, then it is the infrastructure that makes up its parts: The federal interstate highway system; state, municipal, and rural roads; airports; bridges; ports; dams and riverways, and a variety of buildings, like government facilities, prisons, schools, hospitals, and libraries. In the truest sense, investment in infrastructure will literally build the road to a better, safer country, good jobs, family security, and a surging economy, which is good for everyone.

President Biden's eye has been right on the ball all along. As a candidate in 2020, and soon after he took office, he rightly and passionately called for sweeping legislation to rebuild our nation. He accurately saw a country in economic distress because of the global COVID pandemic. He saw working families struggling to get by. *And, perhaps above all, President Biden looked around the United States and saw what absolutely had to be done!*

### A Crumbling Country

We all know what he meant. How many times have you and your family driven on pothole-infested roads, in town and throughout the state and country? How many times have you suffered through endless lines in cramped, outdated airports? How many times have you seen rail and bus service cut down or even lost all-together? How about when you had to visit any public building—federal, state, county, or municipal—only to see shabby, outdated facilities that either make you angry or depressed?

And those are just our own everyday experiences. What about our aging dams that hold back trillions of gallons of water, and provide electricity and drinking water? What about our overwhelmed ports on both coasts and in the Gulf of Mexico? Our lifeblood of energy, food and imported goods flows through those facilities that were designed and built for a country that has vastly changed and grown in the past 50 years! The depressing list goes on and on.

### What this Bill Means

The infrastructure bill means that long-neglected and even dangerous problems will be addressed—in *every state*. Roads and bridges will be repaired. Airports, dams, and ports will be modernized and made safer. Mass transit systems will be expanded and upgraded and will attract more riders. The very dangerous lead-lined water pipes that have sickened people in a number of our cities will be replaced. Buildings will be retrofitted and brought into the 21st century.



***Local 1277 President Art Aguilar ( 4th from the right, back row) joins other ATU leaders in front of the White House after the signing of the infrastructure bill.***

On November 22, ATU International President John Costa summarized the contents of the landmark IIJA bill. First, let's remember that the ATU had three main priorities concerning this legislation:

- Funding
- Safety
- Worker Development

Our International Union scored successes with IIJA language that will have a direct and positive impact on the health, safety, and job security of mass-transit workers. Here are some of the bill's key highlights:

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- Maintains Section 13 (c), which preserves collective-bargaining rights for transit workers
- Mandates Federal Transit Program spending (**\$106.9 billion**) for the next five years for modernizing and expanding public-transit systems
- Increases the funding for, and scope of, grant programs for public transit
- Funds **\$5.25 billion** for low or no-emission Bus Competitive grants, a portion of which must be used for workforce development and training
- Greatly enhances the review process for jobsite-safety programs and protocols, including employee representation in the review/submission process
- Significantly strengthens worker protection from passenger assaults and abuse, including mandated reporting of all incidents by the transit agency
- New definitions of assault on a transit worker: *Any* interference with a transit worker is now considered an assault; transit agencies must report *all* assaults; transit agencies must use federal funds, if necessary, to address this issue and reduce incidents; a *labor-management* committee must approve any and all agency safety plans, and if organized labor can effectively show that specific measures are needed to ensure employee safety at the jobsite and in coaches and trains, the agency *must* act on them

## Union Jobs!

*Equally important, the huge bulk of all the work to improve, upgrade and expand our national infrastructure will be done by union working men and women.* The tens of thousands of skilled jobs that will be needed across the country will require union-led training and experience. Our middle-class working people and families—the real backbone of our democracy—will be in the forefront of the countless construction jobs that we need.

It's no surprise that construction and other unions will spearhead this effort. President Biden is probably the strongest and most vocal pro-union person ever to grace the White House. All through his campaign in 2020, he said, proudly, *"I'm a union man"*. He's proving that now.

And, just to remind us about the fractured, often dysfunctional political system which continues to plague our society and hinder progress: ***It took monumental arm-twisting and an obscenely long time to get this much-needed, commonsense bill through a hopelessly divided Congress. It took the courage (credit where it is due) for a handful of Republicans in the House of Representatives and Senate to defy the anti-progress wing of their own party and join almost every Democrat to pass this bill and send it to the President for his signature.***

Bottom line: For the body (our country) to live and thrive, the skeleton (infrastructure) must be strong and constantly cared for. Over the last few years, unfortunately, it has been sorely neglected, and we all have been paying the price. No more! With the signing of the trillion-dollar infrastructure bill, President Biden has set us on the literal road to economic and societal recovery. He has done our country a real solid!



## *Look Who's at the White House!*

President Aguilar stands at the heart of the American Democracy.

## An Important Update Concerning PEPPRA and Collective-Bargaining Rights

In late October, ATU International President Costa updated local unions about recent developments concerning PEPPRA (Public Employee's Pension Reform Act) and your federal Section 13(c) rights. *As noted in the report about the positive benefits to working people and families detailed in the recently signed massive infrastructure-improvement bill (see the above story), your Section 13(c) rights are absolutely maintained.*

As you may remember, the ATU, the federal Department of Labor (DOL), and the State of California have been involved in long, complex litigation since 2013 regarding the status of the state-enacted PEPPRA statute with respect to our Section 13(c) rights on collectively bargaining on pension matters.

On October 8, the once-again worker-friendly DOL (under Democratic President Joe Biden and pro-union Labor Secretary Martin Walsh) issued a finding that California's PEPPRA as currently written *does "impermissibly impair the continuation of collective-bargaining rights under Section 13(c)"*!

This is a huge ruling in favor of working people and families. It *reverses* the anti-union finding of the last administration's DOL, in 2019, which determined that PEPPRA *did* not violate your important Section 13(c) rights. The 2021 ruling reverts back to the Obama-Era DOL's position that said that PEPPRA, as currently constituted, *prevented the DOL from certifying certain California transit grants.*



The Biden DOL stated clearly: *“While PEPPRA does not restrict collective-bargaining procedures themselves, it predetermines significant aspects about the outcome of any such procedures with respect to defined pension benefits. The state law (PEPPRA) places new limits on the potential solutions that transit agencies and transit workers can reach to the question of appropriate wages and benefits. In the DOL’s assessment, this constitutes a significant interference with transit workers’ collective-bargaining rights such that they are not “continued” within the meaning of Section 13(c) and the Department cannot certify that fair and equitable arrangements are in place to protect transit workers affected by assistance in California.*

This excellent, pro-working people ruling puts California transit agencies on notice that the current DOL under Secretary Martin Walsh determines that from now on, *“it is not appropriate for it [the DOL] to certify that there are fair and equitable arrangements in place to protect the employees of California transit agencies.”*

In other words, transit agencies throughout our state—those whose working men and women are represented by the ATU and others that are not—*must* conform to Section 13(c) collective-bargaining rights with respect to pension matters.



## Congratulations to Nine New Master Mechanics!

I warmly congratulate nine ATU Local 1277 brothers who have risen to the prestigious and demanding position of **Master Mechanic** at LACMTA. This is the highest bus mechanic classification at the Authority, and it is awarded only to those employees with extensive training and experience, and effort and knowledge.

**Luis Lopez – Division 7 • Steve Franquez – Division 8 •  
Jesus Flores – Division 8 • Octavio Ramirez – Division 13 •  
Edward Hinojosa – Division 13 • Miguel Romero – Division 15 •  
Rafael Urquieta – Division 15 • Alexandro Soltero – Division 15 •  
Pat Shin – Division 18**



These outstanding transit professionals will perform complex trouble shooting and repair jobs on LACMTA buses, as well as give other mechanics the benefit of their training and jobsite experience. *Congratulations again, brothers, on your well-earned achievement and career advancement!*

## For our elections and beyond

### Your Union Always Needs To Know How to Reach You

*By Errol Frazier - Vice President, Local 1277*

Let’s ask ourselves some very basic questions: Would you enroll your child in a school and *not* make sure that its front office has your home and work addresses and contact numbers? Would you send in your tax return to the IRS *without* a return address so it would know where to (hopefully) send you a refund? Would you expect to get a driver’s license without submitting an address to the DMV?

Of course not.

All of us willingly—without a second thought—give our home address (and sometimes work address) to a countless number of businesses and people. We do this because—even in this day of electronic mail and messaging—the United States Mail (the USPS) is one of the oldest ways of communicating and handling your personal and public business. Think of the range of businesses we partner with: Utilities; banks; insurers; publications; healthcare services, and auto lenders (just to name some of the businesses we communicate with more-or-less regularly).

*We give out our mailing address so that these businesses and government agencies can communicate with us and give out necessary information.*

When I was first hired at LACMTA, my address was one of the very first things I had to put on my application. Every time I moved, I immediately shared my new address with the Authority so that it could continue to reach me with any information I needed and made my life easier: “details” like insurance, healthcare matters, and income tax forms.

I soon realized, brothers and sisters, that it was very important to make sure that my union, ATU Local 1277, had my correct address. Our Union, after all, is the only bargaining agent that can talk to management about the issues that are so important to me at work: Wages; safe working conditions; vacations; floaters; grievances, and so much more. I quickly saw that my union—very much like all the other businesses and agencies I routinely dealt with—had useful information for me, *and I had to be absolutely sure that it could communicate that data to me!*

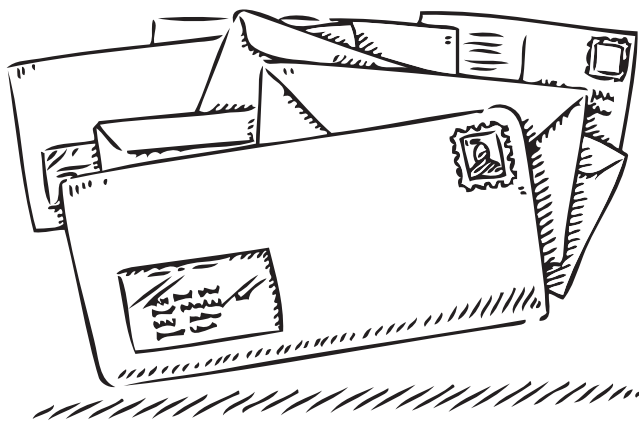
And, of course, the only way I could be sure to receive what I needed was to provide the union with my current address at all times.

## Why This Matters Right Now

We are right in the process of the 2021 election cycle, selecting our next team of Convention Delegates and Shop Stewards, who will be your jobsite representatives for the next three years.

*And, once again, the U.S. Mail will play a very important part in this process. All of your ballots are sent to you through the mail. And all of your return ballots must be returned through the mail. The only way for you to have your assured voice in our Union democracy, the only way your vote and voice will count, is to have your current address on file in our office so that we can send you a ballot! This is the only way you can help select Local 1277's leadership team for the next three years.*

We must know how to reach you by mail!



## Calling on our honored veterans Another Special Way to Serve!

*By Mauro Varela - Treasurer, Local 1277*

First and foremost, let me say this to all our veterans, wherever you served, in whatever capacity you served: **Thank you for your service!** As a proud Navy veteran myself, I know how hard your sacrifice was, how so difficult and heart-wrenching it was to be away from your families and friends, and even your careers. Please know that I and your entire Executive Board have the upmost respect for all our veterans. *Never forget this!*

It is because of that service, that dedication, that I am reaching out to you now. You answered the call when your country needed you, and now I ask you to answer *another* call. Now, more than ever *your* Union, ATU Local 1277, needs you!

Once again, I am in the process of forming a Council of Veterans, which I want to help, work, and take a leadership position in our Union. I want this Council to engage, support, and involve U.S. military veterans in the work, goals, and values of our Union, the union movement in general, and the communities in Los Angeles, San Bernardino, and Riverside Counties. I want the men and women who have "been there" to help buddies who are in need.

By participating in, and helping lead, a national network of local chapters of union veterans, we will work to support veterans' issues (including health care, continuing education, counseling services, and affordable housing), along with other valuable community programs that touch on the lives of those who *have* served and those we *now* serve. Who knows better than you about what ex-service personnel want and need?

I know that you all can help me get this good work done! Everyone is welcomed, including brothers and sisters who may not be veterans. We will meet once a month at the Union office *between 4:00 – 6:00 p.m., on the first Monday of the month, starting December 6.*

This will be hard work, and it require great dedication and commitment, but I've never met a vet that was not up to worthy challenge. I know I can count on all you Squids, Devil Dogs, Grunts, and Airmen to answer the call. I hope to see you there!

Our office is located at 1744 North Main Street, Los Angeles. Please do not hesitate to contact me on-line at [mvarela@atu1277.com](mailto:mvarela@atu1277.com) or by phone (213/210-7353). Together, we will speak for, and work for the needs and goals of proud (and sometimes needy) hard-working veterans! What better way to show our appreciation for *their* service and *your* loyalty to them?





# OFFICIALLY retired HAPPY RETIREMENT!

## Twenty-Six Local 1277 Members Retire from Careers at MTA

*Twenty-Six Local 1277 members have retired from MTA after long and productive careers. They all were hardworking employees and loyal members of our Union.*

**Richard A Garcia**, Roving Janitor, Stops & Zones, 23 years, October 4, 2020; **Eston Bakaimani**, Maintenance Specialist, Red Line Maintenance, 28 years, February 1; **Rudik Hadjinian**, Mechanic A, Division 7, 38 years, February 26, 2021; **Richard Lake**, Rail Electronic Communication Inspector, Rail Comm, 18 years, February 26; **Darryl Pait**, Mechanic A, Division 1, 17 years, March 8; **Subar Gounder**, Mechanic A, Division 7, 20 years, March 12; **Lynton Curwen**, Mechanic A, Division 5, 30 years, March 23; **David Snetsinger**, Mechanic A, CMF, 10 years, April 6; **Robert M. Hernandez**, Senior Service Attendant, Division 1, 18 years, April 30; **Everardo Hurtado**, Mechanic A, Division 13, 31 years, April 30; **Joyce Duffie**, Senior Service Attendant, Division 5, 23 years, June 7; **Bernardo Guzman**, Maintenance Specialist, Red Line, 23 years, June 9; **Melvin Ford**, Laborer A, Stops & Zones, 32 years, June 15; **Michael Montgomery**, Mechanic A, Division 2, 31 years, June 15; **Lorenz Legazpi**, Mechanic A, Division 1, 31 years, June 14; **Alfred Morgan**, Senior Service Attendant, Blue Line, 20 years, July 1; **Lawrence Busch**, Mechanic A, Division 7, 31 years, July 6; **David Tran**, Mechanic A, Division 13, 23 years, July 13; **Loren Reeves**, Mechanic A, Division 13, 37 years, July 17; **Gustavo Sanchez**, Master Mechanic, Division 18, 24 years, July 15; **James Baker**, Mechanic A, Division 9, 22 years, July 15; **Samuel Gold**, Body Repairer A, CMF, 40 years, July 29; **Melvin Brown**, Mechanic A, Division 1, 18 years, July 30; **Joselito Mejia**, Digital Systems Technician, ITS, 28 years, August 6; **Jose H. Reyes**, Mechanic A, Division 5, 23 years, August 13, and **Darrell Portis**, Senior Service Attendant, CMF, 39 years, August 27.

*Local 1277's Executive Board and members wish these brothers and sisters long, enjoyable and healthy retirements. They will be missed!*

## Notes from the Front Line

### **International President Costa Appointed To DOL Advisory Committee on Apprenticeships**

The prestige and influence of ATU International President John Costa continues to grow within the administration of very pro-union President Joe Biden. Recently, President Costa was appointed to the Department of Labor's important *Advisory Committee on Apprenticeships*.

This body is tasked with creating and overseeing effective and relevant outreach programs that will educate, train, and even help place young men and women into entry (apprenticeship) positions in public transit. These programs will be run by ATU local unions, and offer worthy candidates from all places and economic backgrounds a chance to make productive, important careers in serving the mass transit-dependent public.

### **Labor Secretary Walsh Stresses Voting Rights in Visit to ATU Local**

Secretary of Labor, Martin Walsh, the former head of the Boston Building Trades Council, recently visited ATU Local 732 in Atlanta, Georgia, in order to emphasize the absolute need for voting equality and the preservation of that precious right.

Reacting to the *Republican* Party's unfair and democracy-crushing efforts to bar—or severely hamper—potentially millions of minority and poor citizens absolute right to vote, Secretary Walsh used his visit to our sister union to make it clear that the Biden Administration stands strongly and vocally behind every person's right to participate in our national democracy.

As you may know, *Republican* legislators in many key battleground states for the upcoming 2022 Congressional elections—including Georgia, Texas, Ohio, and North Carolina—have already passed bills (or are proposing them) that would drastically curtail voting access for the people that the *Democratic* Party and organized labor count on for support. *These are the very people—African-Americans, Latinos, the economically and socially disadvantaged—that the labor movement supports and works hard to provide jobs for and better lives.* By making it much harder for them to vote—*much* harder—the Republicans are trying to resurrect the last administration and its ruinous policies by shutting out progressive, pro-union voters.

Secretary Walsh called on Local 732 to help lead the effort in Georgia to register, inform, and ensure that *all* citizens—not just the protected elite—have the vital right to vote for their leaders. *Voter suppression must be fought and beaten!*

### **Local 265, Still Reeling from the May Shootings, Calls for Hazard Pay and More Efforts to Help The Mental Health of Transit Workers**

John Courtney, President of our sister union, ATU Local 265, is rightfully demanding that Santa Clara County and San Jose City officials get on board immediately with two vital needs: Hazard Pay and a serious effort to help the mental health of their transit workers.

Still in mourning over the awful May 26 senseless shooting of nine of our ATU brothers, President Courtney spoke out for hazard pay for his members who have worked long and work throughout the Covid pandemic: *"We deserve it. We risked our lives. We've suffered. We brought Covid home to our families."*

At a late-October public rally, Local 265's leadership, joined by other union officials, community leaders, and elected officeholders, called on the city, county, and agency management to recognize the dedication and professionalism of their employees, who risked their health and lives to serve the people of the region who rely on public transportation.

In a similar vein, President Courtney urged support for whatever helped is needed for the mental health of his members who have worked through the pandemic: *"Through this experience, this horrible experience, we are starting to identify all the many traumas in our lives as Bus Operators and Train Operators, and Mechanics and Maintenance professionals who work in public."* He demanded that these men and women get the support they very much need.

Amen, brother.

### **ATU President Costa Named An At-Large Member of DNC**

Organized Labor's influence within the Democratic Party's policy- and decision-making process has increased with the naming of ATU President Costa as an At-Large Member of the Democratic National Committee (DNC).

The DNC is essentially the steering committee for the national party. It helps create the platform for Democratic candidates at the state and federal level, it formulates policy proposals and changes, and it is the national voice of the Party. With the addition of President Costa, along with other leading voices from labor, community activists, minority-rights advocates, and progressive politicians, the DNC is well set on a course of proposals that will strengthen organized labor and create a better, fairer economic and social framework for working people and families, and our country.

## Lives and Careers are at Stake

### Think Before You Drink!

By Art Aguilar - President, Local 1277

During the holiday season—and throughout the year—you and your families probably attend many parties and other social get-togethers. Enjoy the festivities and the company! Have a great time, *but remember*: There may be consequences—*serious, life-changing consequences*—if you celebrate too much.

Or, to put it as bluntly as possible: *If you drink too much and lose control, you may well be risking everything of value—your career, your families' well-being and security, and even your lives!*

See the title of this article? *Think before you drink!* It is worded that way because—to be as honest and concerned as I can be—most people don't do a lot of thinking after they've been drinking and, besides, it's likely that it will be too late to help, anyway.

California, along with many other states and cities, always needs new revenue sources. Therefore, among other reasons, state and local law enforcement set up an increasing number of sobriety check points along many streets and highways. You *know* what inevitably comes next: more and more drivers are being tested—and *arrested*—for driving under the influence. More and more drivers are involved in fatal and non-fatal crashes.

#### Please do not become a statistic

Due to the nature of our work, most ATU Local 1277 members are rightly and honorably considered “safety-sensitive employees”. *Your work directly affects public safety.* With this in mind, never forget: *Your driver's license is a privilege, not a right.* Your license is, however, clearly a *professional necessity* for our Coach Operators and for our members in many other classifications.

**Please do not drive anywhere, or come to work under the influence!**

You may be randomly tested at work, or you may well be pulled over at a sobriety check point. At your worksite, a number of factors come into play:

- Under the influence, you are hampering both your judgment and reaction time to a possible emergency.
- This, in turn, may cost a co-worker, a union brother or sister, injury or even his or her life.
- While driving to and from work—or to and from a holiday celebration—you may be involved in a serious or even fatal collision, one which may drastically affect loved ones.

Is this a risk worth taking? *Of course not!* Enjoy your parties and travel to and from work, but always—always—**think before you drink!**

### Consequences of Drinking and Driving

Before you make the terrible mistake of drinking and driving, think of the consequence.

*If you are convicted of Driving Under the Influence (DUI) of alcohol or drugs—while driving a commercial vehicle (testing at 0.04% or higher), or a personal vehicle—you will, for a first offense, lose your Class “A” license for one year.*

*If this is your second conviction within 10 years—while driving a commercial or non-commercial vehicle—your driving license will be revoked for life.*

*Once again, I remind you in the strongest-possible way: Your California Driver's License is a privilege, not a right!*

**Think before you drink!** At any time, the risk you are taking at work or on the road will affect you and your family forever. You cannot undo the past. The loss of a loved one, co-worker or a completely blameless person on the road who has not been drinking or even driving will haunt you for the rest of your life.

### If You Need It, Help is Available

If you fear you may have an alcohol or substance-abuse problem, help is available. ***Do not wait until you are involved in a life-changing accident before seeking assistance!*** Through your Union, the Employee Assistance Program (EAP) is available for you to use. Do not hesitate to take advantage of this excellent resource. If you have any questions about EAP, or wonder if it can help you, talk to your Shop Steward or a Union officer. Life is too short to fool around with drinking and driving!

LACMTA Unit members also have access to the Brown-Therapy Group, an outfit that can help you work through and hopefully overcome addiction problems, as well as marital and other personal problems. This free service, which is strictly confidential, will not be shown to anyone, including LACMTA. It is part of your healthcare-coverage plan. Please contact your Shop Steward or union rep for information.

A final reminder: A number of Local 1277 brothers and sisters—too many, actually—have been terminated for alcohol or drug abuse. ***Never forget this: Management at all of our properties is not fooling around or making idle threats. You can lose your job, your career, your future and that of your family's! Please get help if you need it. Only you can save your job and everything that flows from it.***

### We Will Always Remember You

On a very somber note, please join me in remembering and honoring the 185 ATU brothers and sisters across the United States and Canada who fell victim to Covid. Also, we must not—and *will* not—forget the nine innocent Local 265 brothers who were senselessly murdered at VTA on May 26. Also remember the troubled ATU brother who tragically lost his life over the summer as well. May all of you rest in peace and may your friends and family members always cherish what you meant to their lives.

### On a Happier, but Realistic Note

We are heading into an understandably subdued holiday season. Still, my family and I, along with your Executive Board most warmly wish every Local 1277 active and retired member and your families and friends enjoyable and safe, **healthy** holidays. Please have a responsibly safe time! Wear masks, socially distance yourselves, and hold down your parties to a safe level of attendees. We all are in this pandemic together, and the *very last thing I want to hear about is any Local 1277 brother or sister, or family member, coming down with the coronavirus!*





Happy  
Holidays!

