



Local 1277

News

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

Website: www.atu1277.com

President's report

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In a Country and World in Turmoil, There Are Things to be Thankful For

By Jeff Shaffer
President, Local 1277

You look around, brothers and sisters, and rightfully wonder, “*What is wrong with people? What the hell are we doing to ourselves, our families, our countries, our world?*”

In the United States, we face national political division and paralysis, rising crime, an epidemic of drug abuse, economic inequality, and mindless intolerance and hatred. Across the world, we are plagued with two major, destructive, brutal wars, continuing ethnic and religious tensions, millions of people forced to live in misery and danger or migrate, and increasing environmental degradation.

And yet, amid all the problems, negativity, and seeming lack of workable solutions to the crises facing us, I choose to see things we should be thankful for. Call me hopelessly optimistic or even naïve, but I want to highlight the *positive* instead of all-too-easily drowning in a sea of I-give-up and who-cares-anymore?

Are there really any things to be thankful for, you may ask? Yes, there are.

- **Organized labor**, the city, county, state, and federal shields that project the rights, safety, families, and futures of millions of working men and women (including, of course, ATU Local 1277 brothers and sisters), is on the march again. More and more Americans have come once again to appreciate the value of unions and the political, economic, and social agenda we support and fight for.

Here in Los Angeles, unionized workers scored major wins. Teachers, hotel employees, and dock workers struck for their demands and rights and won significant concessions. At the national level, television and movie writers waged a five-month strike/battle for a well-deserved bigger slice of the entertainment pie. And they won—big time! The actors are still out, as of this writing, but they, too, are determined to win rightful concessions from the studios and T.V. producers. And, recently, striking Kaiser Health employees have

settled with management and won a number of their demands, including an historic minimum-wage floor.

Across the country, working people at some of corporate America’s most anti-union businesses have been organizing and bringing more of their co-workers into the effort to unionize their worksites. Progress towards unionization at places like Starbucks and Amazon has met with—so far—mixed success, but the fact that underpaid men and women are actively rallying against barely livable minimum wages, unsafe working conditions, poor benefits, and uncaring management is both encouraging and proof that the American union movement is strengthening. This is something to be truly thankful for.

- **The Feds have our back.** Well, for as long as pro-union President Joe Biden and his pro-labor administration and agencies stay in power. Who would ever have imagined a *servicing U.S. President* walking a picket line with striking UAW men and women in Michigan? **Democratic** President Biden did, and he walked the walk.

Under President Biden, the Department of Labor has gone back to its roots, *being the federal bureaucracy solely devoted to the needs and goals of working men and women.* The National Labor Relations Board has re-emerged from the anti-union chaos of the previous administration to once again emphasize the word *labor* that is in its title.

It is no coincidence that organized labor is making big strides under a *Democratic* administration in Washington, D.C. That other party? The *Republicans* seem to be more interested in internal policy fights, cultural wars, and devouring their own than in governing. Shutting down the government? Sure, why not? Fighting the White House on almost every important policy, national or foreign? Yep. Beats trying to help govern responsibly. I hope every Local 1277 member and family remembers these tremendous differences next year, and is thankful—as I am—for the pro-union Biden Administration!

- **Overcoming Covid.** We all know and remember the terrible toll Covid has taken on both the national ATU family and our country as a whole. More than a *million* Americans died, many more millions were sickened.

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I'm sure many of us know a Covid victim personally or know of friends and neighbors who were afflicted. If you have been taking all the Covid shots and boosters—and I most passionately hope you have—then all should be well. With the newly available shot, it is safe to regard an annual Covid vaccination the same way you regard your annual flu shot. Vaccinations work, brothers and sisters, and we must be thankful for the dedicated scientists and research teams who turned the tide against this dreadful pandemic.

Thinking about Covid, I remember—with great appreciation and thankfulness—that Governor Newsom arbitrarily jumped all mass-transit workers to the head of the line when the first vaccines became available. This was a brave and welcome development and fully rewarded our support for him and his pro-working people agenda.

- **Our own union family.** As I write, I am thankful that our Union, ATU Local 1277, remains strong. We have labor peace, no strikes, no looming threats for now. I am thankful that our Union continues to be a political and social force in the City of Los Angeles and the surrounding region. I am thankful that your *united*, dedicated Executive Board keeps working long and hard on your behalf and for the betterment of both your careers and lives.

Are we living in a perfect world, a perfect community, and working at perfect jobsites? No, we aren't. Could—and *should*—things be much better, more equitable, less dangerous at home and abroad? Of course. Should our government keep on making working people's goals a major priority? You bet. Will our political system get its collective head out of its collective ass and *get things done that need to be done*? I hope so, but I believe that our sometimes-flawed democracy is still better than any other governing system. That's another thing to be thankful for. Will we stop killing each other at home and abroad? Now, *that's* something that we'd all be thankful for!

Even with the turmoil and uncertainty surrounding us at home and abroad, I am thankful that I and your Executive Board can wholeheartedly wish every Local 1277 brother and sister—active and retired—and family a happy, healthy, and safe Thanksgiving holiday!

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Untimely losses

Remembrance and Legacy

By Errol Frazier
Vice President, Local 1277

It is always difficult when we lose someone we know, someone we have worked with, to death. It is especially hard when the passing is surprising because it is so untimely.

Recently, ATU Local 1277 lost two active members, two brothers from our family. Both of them were up-standing, honest, hard-working members at their respective jobsites,

Tony Orlando Love

Brother Love was known by his many friends and co-workers as *T-Love*. He joined ATU Local 1277 in 2000 as a Service Attendant. He first came to Los Angeles in 1993 with his future wife, Antoinette, after they had met, spent time, and fell in love at Jackson State University.

Tony met the legendary Brother Arthur Winston at Division 5 very early in his career and patterned his work ethic after him. He never missed a day of work or an assignment. Brother Love worked hard and effectively and was able to make it into the Mechanic C training program. His graduation seemed to be destined, since both his father and brother were mechanics.

Brother Love was assigned to Division 1 and quickly became their grill master. He treasured the Division's cook-out days and would time and again whip out a delicious spread for all to enjoy. As his wife often said, "Give him a grill and charcoal and he would be off and running" because he loved both cooking and socializing with people wherever he went. Tony loved fishing and was also a proud Mason.

T-Love is survived by his loving wife, Antoinette, and their beautiful children, Tony, Jr., Timothy, Thaddeus, Thalia, Thomas, and Terrence. Along with a host of family members, including his mother, Willie Mae Ellis Love, and plentiful friends and co-workers, we all mourn his passing and hold only the warmest and joyful memories in our hearts.

Brother Poindexter joined our Union in September 2012 as a Maintenance Specialist. He had worked for Breda Train Manufacture prior to being hired by Los Angeles County Metro. He served our country for 21 years in the United States Navy, retiring as a Petty Officer 1st Class. Gerald was very knowledgeable about his work, well respected and loved by every brother and sister who had the pleasure of working with him. Brother Poindexter was a proverbial night owl, someone who preferred to work the graveyard shift.

As an experienced mountain biker, much of Gerald's free time was spent on some of his favorite wilderness trails. Brother Poindexter's co-workers and friends at his jobsite remember him fondly and recall his many words of encouragement and his never-ending helpfulness on the job.

Gerald Bruce Poindexter is survived by his adult son, Aaron. I know that the entire Local 1277 family joins me in saluting these two fine brothers and wishing them eternal Resting in Peace.

A timely reminder

Workers' Comp, Social Media, and Fooling Around Don't Mix Well!

By Mauro Varela
Treasurer, Local 1277

I know, brothers and sisters, that you are tired of reading about this just as much as we keep writing about it, but no matter *how much* we warn you, s--t continues to happen! ***Social media and work do not mix well, it will often be used against you, and it could easily cost you your job and career!*** There. I've said it again.

I don't mean simply being on your electronic device because that's a whole other soapbox and problem. Aside from the issues that come from using an electronic device when and where you're not supposed to, *you need to be aware of the consequences of doing so.*

Let's start with Workers Compensation and how it does *not* mix well with social media. If you experience an injury while performing your normal and customary duties, you should file a Worker's Comp claim. Doing so does two things:

1) It is supposed to get you the medical attention you require to be able to perform your normal and customary duties once again.

2) It is supposed to afford you the financial support you and your family may need which may come with not being able to perform your normal and customary duties and being placed off work.

Let's be clear: *No one will get rich from any Worker's Comp claim, no matter how injured you may be as a result of a work-related accident or illness.*

Another pitfall that some of our members run into is that they literally "Worker's Comp themselves out of a job." That means that they may inadvertently get a doctor to put so many restrictions on what can do on the job that their employer may *not* be able to accommodate their return to work. Once this happens, the employers will put them through the *interactive process*. Here, if the employee can't perform, or is not qualified for any of the positions that the employer has available, *the employer has done its part of the required interactive process and now has grounds to dismiss the employee.*

Get Proper Legal Advice!

It is your Executive Board's recommendation that anytime you have a work-related injury, you seek representation from an attorney who specializes in Worker's Comp matters. As you may know, Executive Board officers *cannot* represent you at your comp hearings. Even if we could, *Worker's Comp is a very complex, specialized system that if not navigated correctly can be costly to you, the claimant.*

That said, once you have been placed off work due

to a job-related injury, that means you cannot perform your normal and customary work due to limitations that were placed on you. ***That means that you should not be doing any activities what would violate the restrictions placed on you.*** Let's not make it easier for your employer to find out you are not adhering to your limitations.

For example, if your doctor has stated that you should not sit for more than 30 minutes at a time, you shouldn't be posting pictures or videos to social media showing you happily sitting on a boat fishing for hours. Or, if your doctor limits you to no bending or 15 minutes of standing at a time, *don't* record yourself at a rock concert jumping into a mosh pit and post it to your social media. And if your Worker's Comp claim revolves around, say, a seriously bad back condition, you better *not* be helping your neighbor with his roof work or playing Patrick Mahomes in a touch football game—and posting it!

More importantly don't do any of it if your social media is *open to the public*. Don't kid yourself and think, "Oh, no one at work will see or find out." Some employers hire third-party companies whose sole job is to catch people committing Worker's-Comp fraud. They will go through your social media. They will investigate you and possibly even follow you around, while trying to record you "slipping up" with respect to Worker's-Comp restrictions.

Think about it before you post it. Pretty much everyone uses social media; the trick is to use it smartly.

Another Job?

Another issue we have with some of our brothers and sisters who are on Worker's Comp is *secondary employment*. Although it is legal to do so while on Worker's Comp, there are rules you must follow.

First and foremost, all our agencies require that you report any type of secondary employment. ***Not doing so can lead to discipline and possibly even termination.*** If you are thinking about doing something "simple" like food delivery services, *make sure that you report it to your employer.* Just as with your "first" job, you must make sure that whatever you do in the course of your secondary employment does not violate any of your work restrictions. Failing to do so is a for-sure way to end your employment and career with your main employer.

Just as I said before, employers will be watching and waiting for you to slip up, and they will use it against you. The more you expose yourself to risk, the more likely you are to get yourself in a bad situation. Also, keep in mind that your secondary employer will report your income, which may cause a reduction in benefits paid from your "first" job comp claim. Bottom line: ***There is no such thing as "free" money!***

I bring this to you, not to scare you, but to inform you about the pitfalls of trying to "game" the system. I know all—
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too-well from having tried to help others, the “game” is fixed against you. **Plain and simple, no one, I repeat, no one, will get rich off Worker’s Comp.** If you don’t believe this, then you might be unpleasantly surprised someday.

The Worker’s Comp system is there to get you the treatment that you need so that you can return to work and continue doing your normal and customary work. As a union member, your goal should be to recover within the allotted time outlined in your CBA/MOU. Keep in mind that the stories you may have heard about your cousins, uncles, sisters, and nephews who got a huge monetary windfall on Worker’s Comp are much more than likely *not* true. In the off chance one of those stories is, you are missing a ton of details.

Brothers and Sisters, God forbid you should have an injury on the job, but if you do, there is a system in place to take care of you and get you healthy enough to get back to work. In the off chance that you are so injured that you cannot return to work and are considered disabled, there can be a monetary award to compensate for your disability. *However, do not think for one second that you may have struck it rich!* Depending on your disability percentage, you may still have to find other employment.

Let me end with this: ***Use what compensation is afforded to you, no more, no less, because you will never get rich off the system!***

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Two domestic crises!

First Summit on Poverty and Homelessness

*By Victor Rodriguez
Executive Board Member-at-Large*

On Friday, October 13, I proudly represented our Union at the first “Summit on Poverty and Homelessness,” a timely and very necessary event sponsored by the Los Angeles County Federation of labor.

This summit/discussion brought together labor, political, and community leaders from every part of the county for a full agenda of incredible, knowledgeable speakers and eye-opening, informational workshops. What we heard discussed, what we learned, inspired me—along with all the other attendees—to begin thinking about these twin *human* problems, and coming up with solutions to the curses of poverty and homelessness throughout the City and County of Los Angeles

Let’s be crystal clear about this, brothers and sisters: ***There can hardly be a worse indictment of our society than the on-going—and even growing—horror and despair of crushing poverty and hopeless homelessness.*** Tragically, we see both afflictions every day, almost everywhere we go. Men and women, often families, living in tents. Entire “tent cities”

not only downtown or in so-called “bad areas”, but in our own neighborhoods.

And the curse of poverty continues, even as the gap in income inequality (the rich getting richer, the poor and many in the working middle class struggling just to get by) continues to widen. It is no accident *at all* that more and more working Americans are joining unions or trying their best to do so. Traditionally, unions have been the leader in the fight for economic equality. After all, unions built the great American working middle class. No one else stands as strongly for working people and families—and income equality on a fair economic playing field —than do unions.

In Our Own Backyard

In Los Angeles County alone, there are approximately 1.4 million people living in poverty. *1.4 million!* That’s more than the total population of almost every city in our country! Worse, even more working people and families are just one paycheck away from being homeless themselves—despite the increase in hiring and the lowering of the unemployment rate.

We need to find solutions for eradicating poverty and homelessness for Angelenos and people in need across the country.

At the summit, I learned more about how homelessness is a huge growing issue in America. We learned—to our shock—that poverty is the *fourth-leading cause of death in the United States!* I attend workshops and listened to many speakers, including Mayors Karen Bass and Rex Richardson, Janice Hahn and Holly Mithcell from the powerful Los Angeles County Board of Supervisors, Yvonne Wheeler, President of the Los Angeles Federation of Labor, Lorena Gonzalez, Executive Secretary-Treasurer of the California Federation of Labor, and the Rev. William J. Barber.

Rev. Barber’s remarks really struck home. He spoke passionately about poverty and the homelessness death rate, and about the lack of good paying jobs with adequate benefits. He explained how poverty kills our fellow Americans as often as dementia, accidents, stroke, Alzheimer’s, and diabetes.

“Poverty silently kills 10 times as many people as all the homicides we record. And yet, homicides, firearms, and suicides get vastly more attention,” Rev. Barber warned us. He added that we can no longer afford *not* to get involved in fighting homelessness and poverty. And that the union movement *has* to get involved. And that we need to continue to fight for worker rights, higher wages, and better working conditions. That one good union job can end poverty on a personal or family level

This was an important event, and I am glad I represented all of the Local 1277 family at it.

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Here are the upcoming Local 1277 membership meetings for November, & December. Please make every attempt to attend the meeting for your unit. It’s your Union, and we need your participation at our meetings! All members will receive credit for the meetings.

Tuesday, Nov. 7:	Los Angeles area members:
Tuesday, Dec. 5:	L.A. Building Trades Council, 1626 Beverly Blvd., Los Angeles. Morning Session 10:00 a.m. Evening Session 5:00 p.m.
Wednesday, Nov. 8:	Metrolink Unit members:
Wednesday, Dec. 6:	Local 1277 Office, 1744 North Main Street. Morning Session 8:30 a.m. Evening Session 5:00 p.m.
Wednesday, Nov. 8:	Riverside area members:
Wednesday, Dec. 6:	IELC Building, 1074 E. La Cadena Dr., Riverside Morning Session 10:00 a.m. Afternoon Session 3:00 p.m.
Thursday, Nov. 9:	SunLine area members:
Thursday, Dec. 7:	IBEW Local 40 Electrical Resource Center 39615 Washington Street - Suite G Palm Desert, CA 92211 Morning Session 10:00a.m. Afternoon Session 4:00p.m.
Thursday, Nov. 9:	Long Beach area members:
Thursday, Dec. 7:	LBFA Local 372, 2201 Cherry Avenue, Signal Hill CA 90755 Morning: 10:00 a.m. Afternoon: 3:00 p.m. Evening: 6:00 p.m.