



# NEWSLETTER

atu758.org

April 2021

## President's Report - Isaac O. Tate

### Who is the Union?

The answer is I am. As the Union and a member striving to keep my Union strong, I probably shouldn't be turning in my fellow Union members because I can, and the reason being to cause them grief and make their life as miserable as possible. Am I doing it because from my first day at Pierce Transit it's been drilled into my brain that snitching on a fellow member is the thing to do? But if I take a minute, sit back and think about it, maybe it's not the best thing I can do to my fellow Union member. If I can talk to a passenger and treat them with respect, why can't I do the same with my fellow Union member? If I have an issue with another member or members, why do I have to take it to management? Why don't I take it to the Union leadership as I was told in the Union orientation? If the issue is with another Union represented workgroup, why don't I bring it to the attention of the Union leadership especially if it's an issue that may be affecting not only me but others? Why am I taking it to management first to potentially harm a fellow member? If I receive a questionable directive, after doing it why do I not contact my Union leadership and ask for clarification especially if it seemed unsafe or unsanitary? Why do I just sit around and gripe about it? Why am I still walking around with something that impacted me so much and I still need an answer or direction, and yet I still have not contacted my Union leadership? Why do I want my fellow Union members sitting in an Assistant Manager or Manager's office after I report them, and them not knowing if their job is being threatened. Is it fair or right for me to have a fellow Union member upset to the point of their thoughts being so clouded when they return to their duties that they could potentially be involved in an accident or suffer an injury? My Union leadership has told me that certain things must be reported to management and they would if there was no choice in the matter. However, I do also remember them telling me to let them know first if possible, because maybe it doesn't.

But if I think about it, maybe the reason I was told to turn in other members and not try to communicate with others was to create disharmony within the Union, maybe destroy it from the inside out. Maybe I was told to do it because we as a Union and Union members would be pitted against and fighting each other. Maybe the reason I was told to report another Union workgroup to management instead of the Union leadership was to create disharmony and division between the different workgroups within my Union.

After all, the definition of a "Union" is "the act of joining people together to form a whole for a common purpose". The Union's common purpose is to constantly improve the working conditions, benefits and rights of the entire membership. Maybe going after my co-workers and fellow Union members is not the route to take.

(Pres's report continues on next page.....)

Maybe I forgot the *Union Ideas to live by* in the Union orientation packet which were:

\*Members should not talk bad about other Union members.

*(Keep my opinions to myself and draw my own conclusions)*

\*Members should treat all Union members fairly and honestly.

*(Is there a reason not to?)*

\*Members should attend monthly Union meetings.

*(Per the ATU International, Membership meetings are cancelled until June, but I will attend once the COVID restrictions are lifted)*

\*Members should not discuss Union meetings in the presence of management.

*(My Union leadership considered ZOOM meetings however, with the number of members who friend PT Managers on Facebook, Twitter etc., there is nothing that bars them from including non-members or management from observing or listening in on other members in violation of the Constitution and General laws stating the business of the Local meeting shall be kept private. Besides PT management doesn't tell me what they talk about in their staff meetings)*

\*Members should report all contract violations immediately.

*(Recently both Fleet and Facilities members did so with positive outcomes)*

\*When members notice other Union members having problems, please contact a Union representative, or the Union office.

*(I remember in the orientation my Union leadership told me the same. It may be a problem that has been encountered in the past by another member, and the Union was able to help the member navigate it to a positive outcome. Besides why should I not try to help another member out?)*

\*Members who work out of their classification should do the work, but notify management and the Union office as soon as possible.

*(I could be jeopardizing someone else's job/position and worse yet, someone else may be jeopardizing mine.)*

Lastly, after giving it some thought, how could just "4" (only 2 fulltime) Union Officers be the Union? I have about 800 fellow Union members. How can "2" people know everything that's happening every day 24/7 unless we tell them. How can "2" people know everything that happens in all the different workgroups at Pierce Transit let alone what is happening at the Sound Transit property with the Light Rail Vehicle Operators and down in Longview/Kelso, Washington with our Fixed Route and Paratransit Operators **unless we tell them?**

(Pres's report continues on next page.....)

### Negotiations Update

We've come to that point again when the Employer (Pierce Transit's) lead negotiator from Summit Law, one of the most anti-Union law firms in the nation has made the statement that in regards to an additional \$1.00 an hour on a Union proposal that it would not be possible due to the dire nature of the agency's finances. Wait what? This was between him during the Zoom negotiations getting his new dishwasher (or washer & dryer), letting the dog out to poop, getting a new roof installed, having to pick up his child from school and bragging about his ability to negotiate while driving his car (in this industry we call it distracted driving). He must also be reimbursed by Pierce Transit for each color copy he produces, we given him 20-30 pages of documents his response has been about three hundred (300) pages.

A little bit about Summit Law. Pierce Transit budgeted at least \$500,000 (Transit Board of Commissioners meeting minutes) for labor/labor negotiations, study sessions etc., and probably owes up to twice that amount as the previous \$500,000 was boosted by the Board up to an additional \$250,000 to a total of \$750,000. Oddly enough, Pierce Transit uses both the taxpayers and **your** money to employ this firm to suppress Union employee wages and benefits and deteriorate the rights of Union members. That is something that has always bothered me.

Another thing in regards to Summit Law, they're used by Employers in transit agencies across Washington state, and usually if there is some labor strife Summit Law is usually involved in it or at that particular agency. (i.e. Grays Harbor Transit - ATU Local 1765) Pierce Transit's partnership (to my knowledge) with Summit law goes all the way back to 1993. You combine all the transit agencies Summit Law represents, and they're pulling in a whole lot of money, yours, mine, and the taxpayers.

Yes, they've sounded the alarm but I can't understand why. In 2019 the elected officials of the Transit Board of Commissioners approved salary adjustments of up to 4% for some non-reps, others were already making in excess of the 4%, however they remained at the inflated salary range. In the early months of this year the Board proposed a 3% salary adjustment for the CEO, which she stated per her Zoom meeting, would be easy to achieve. Kind of sounded like; "I've done such a good job it's a slam dunk". But if it was, it was because of us. We made it happen.

This isn't the first time the agency has done something like this. Your Union leadership understands COVID. Our question/concern is how much the COVID card is going to be played. A few years back I was approached by the Transit Board Chair and the CEO at the start of the "Great Depression," (you've heard mention of the event in CEO Dreier's ZOOM meetings although she was not in her position during that period of time), as the President/BA of the Local and a request was made that the Union members take a wage freeze at the same level of the previous 3 years. During this time non-representatives employees' salaries were supposedly frozen. However, all the while the CEO was making generous use of "administrative leave" (vacation leave) for her Executive staff in lieu of salary increases, clever. Evidently monies were also needed for "pet projects" so there was more money shuffling from Operating funds to Capital funds at the agency than cards dealt in Las Vegas. Getting back to the wage freeze, many members were wringing their hands stating that maybe the Union should take a "step backwards". Why? Then as is now, the members are as important to this agency as any other employees and without us, this agency ceases to function.

Why as is now, should we be thought of, or considered less than, as employees of this agency? On behalf of the Union/members I stated we couldn't go backwards. Then as is now, "I followed the money". I suggested that "everyone" in the agency (rep and non-rep) take a 10% wage/salary cut. Lo and behold, upwards of \$25 million dollars was found. Gee, how was that overlooked? It remains a mystery to this day.

There seems to be an eerily similar mindset of this administration as more and more individuals who have never worked in the transit industry become decision makers who don't, can't, or refuse to grasp the differences in the transit world. You can't compare the Transit Operator's position to any other occupation. I don't think that there are many Mechanics and Technicians in the outside world subject to random drug testing and their job performance scrutinized as much as your ATU brethren. The same goes for our Vehicle Custodians and Service Station Attendants whose actual duties entail much more than their titles seem to imply. They too have to maintain Commercial Driver Licenses (CDL) as safety sensitive employees in safety sensitive positions and we all have to maintain to the best of our abilities a controlled and healthy lifestyle because if we can't medically renew our CDLs we just might be out of a job.

In one of our upcoming negotiation sessions Executive Director Finance, Brett Freshwaters is to give the Union negotiation team an update on the state of the Agency's finances. The employer side already knows so it's more a formality. **What the Union knows is this:**

- 2020 Cares Act funding Operating: \$20.6 million (Operators only) – (B. Freshwaters) - Gone
- 2020 \$19.4 million from Operating to Capital: Bus Base Master Plan – (B. Freshwater) - ?
- 2020 Cares Act funding \$26 million: Vehicle procurement – (ATU International)
- 2020 Agency reserves: Operating \$70.6 million – Capital \$74 million – (B. Freshwater)
- 2020 PPE & Sanitization supplies: Reimbursed by FEMA – zero expense? (CEO Dreier)
- 2021 CEO Dreier stated via Zoom sales tax collections are equal to 2019: - (B. Freshwater)  
(Clarified the agency had budgeted for a 5% revenue increase but came in several millions below due to free fares and loss of Sound Transit service.)  
(However, that was remedied by furloughs and other staff. (B. Freshwaters) My only question; if the 5% was remedied, did the FTA fund the free service. If it did, where are those funds?)
- **\*2021 CRRSAA Act money: \$50 million** – Operating expenses The CRRSAA requires that all CARES Act funds that remain unobligated as of December 27, 2020, as well as all CRRSAA funds shall, to the maximum extent possible, be directed to payroll and operations of public transit. (?)
- **\*2021** Now the agency has or is to receive **American Rescue Plan (ARP)** monies: The bill requires these funds be used for payroll and operations unless the agency can certify to the Administrator of the FTA, that they have not furloughed any employees. (?)

- **\$26.1 billion– Urbanized Area Formula (§ 5307) – ARP Apportioned Formula Apportioned to provide** urbanized areas amounts necessary to receive 132% of 2018 \*Operating expenses when combined with CARES Act and CRRSAA funds previously received. Urbanized area already exceeding the 132% cap, receive an additional 25 percent of the urbanized area's 2018 operating costs.
- \$1,467,770.00 for FTA oversight expenses.

Lastly, when I inquired as to the \$10 million dollars apportioned for the agency from the state no one knew about it, however Commissioner Keel did bring up the topic in the last Board meeting wherein it appears he was not told of the \$10 million dollars either. Strange that I receive documentation in regards to apportioned funding sources from the ATU International office in Silver Spring, Maryland and no one knows anything about them here.

### **What is eligible as an \*Operating expense?**

In general, operating expenses are those costs necessary to operate, maintain, and manage a public transportation system. Operating expenses usually include such costs as driver salaries, fuel, and items having a useful life of less than one year, including personal protective equipment and cleaning supplies.

\*Data received from the Amalgamated Transit Union International Office

\*Some monies have not been apportioned as of yet

### **Grievance Update**

While we are not able to conduct Union meetings per the ATU International until at least June as things stand at the present time, the Union leadership continues to address the duties of the and continue to advocate on behalf of you the membership. We recently were able to “win” two overtime grievances. One in Fleet Maintenance, the other in Facilities Maintenance which resulted in time and one-half payments to two of our members and with the “wins” accomplished two very important things. In Facilities it resulted in training/retraining of the Facilities Mechanic (1's) so they all possess comparable skills in the operation of equipment, and secondly clarification of the call-in process per the collective bargaining agreement (CBA). In the Fleet Maintenance grievance which happened during the past snow event, one (1) Journey Level Mechanic (JLM) was needed due to the winter storm conditions (e.g. install/remove chains etc. on the lot/road and transit centers) and other duties common to snow events. Two higher seniority JLMs who were working at the time the eventual member who performed the overtime work was contacted, declined the overtime. However, in violation of the (CBA) the most senior JLM was not contacted. Pierce Transit offered to settle the grievance by compensating the most senior JLM the overtime pay, and the Union accepted. Again, the result was/is clarification of the call-in process per the collective bargaining agreement (CBA) and employer notice of the intent of your Union leadership to uphold the rights of the membership and terms of the CBA.

**Link Light Rail Vehicle (LRV) Operators**

For our Sound Transit Light Rail Vehicle Operators things continue to move right along as work continues on their new Operations and Maintenance facility, track being laid on the extended light rail route from Downtown Tacoma route along Stadium Way to Division Ave. and down Martin Luther King Way (with minor hiccups) appears to be moving right along and nearing completion. With that has come the hiring of several new Operators as a matter of fact, 2 more on 4/26 that will surely increase as the completion of the line approaches. In the last contract negotiations we also agreed to the implementation of a Relief Supervisor program. Two (2) Operators have completed the program and the last sign-up list had four (4) candidates. The Light Rail Supervisors are not unionized, however both Sound Transit, and your Union agreed it is better those in supervisory roles and seeking possible job advancement come from within. As an update today 4/22, two Operators will be moving up into Supervisor positions.

One Jon Pulido (4/26) who also served as a Shop Steward and Executive Board Officer and Mark Underwood (5/24) who prior to his employment as a Light Rail Vehicle (LRV) Operator was a Transit Operator at Pierce Transit. These two will join Tim Gertz (Supervisor) who was Local 758's first ST LRV Operator Shop Steward and Executive Officer. We already have an Operator Desmond Neveu willing to step up and fill Jon's shoes. As a Union and on behalf of his co-workers, we appreciate Desmond's volunteerism, and Congratulations to both Jon and Mark.

Lastly, a couple of weeks ago your Union was contacted by Sound Transit who informed us that they had added the "**Juneteenth**" holiday to their paid holidays. No negotiations, just a conscious decision on their part acknowledging that workplaces are indeed diversified, and there are events in history that the diversified employees of the workplace celebrate. Thanks to Sound Transit for observing the obvious.

**COVID AWARENESS**

A lot of things have changed since the onset of the COVID pandemic, but a lot of things have not. Yes, vaccines are available and there is generally a lot more of an understanding of the virus. There has been value found in the wearing of masks/face covering and adherence to the safety directives and guidelines however that doesn't extend to everyone (following the guidelines that is). The bottom line, the pandemic is not over. Cases at Pierce Transit are increasing at an alarming rate. At one time it hovered at around 35 – 40 cases and all of a sudden they just blew up. Why? In general it could be the onset of variants from other countries affecting both the vaccinated and unvaccinated (which I am not advocating for or against) it could be because that the younger population in the COVID world (age 50 and younger) as reported are now becoming carriers and the newly infected. Apparently, as long as there are other countries with different variants which reach this country there will always be variants until this virus is controlled. Bottom line, please adhere to the agency guidelines in regards to personal protection equipment and do your best to insure not only the safety of yourselves, but the safety of your friends and loved ones as well.

Be safe, be well.

Isaac





**Amalgamated Transit Union, Local 758**

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*This statement could save your job! "If this discussion could in any way lead to my being disciplined or terminated I respectfully request that my shop steward be present at the meeting.*

*Without Union representation present, I choose not to respond to any questions or statements."*

### **UNION MEMBERSHIP MEETING NOTICE**

**Due to COVID-19 all Union meetings have been cancelled until further notice or direction from the International Offices.**

**Thursday, Union Office 6923 Lakewood Dr W Suite B-1**

**Friday, Union Office 6923 Lakewood Dr W Suite B-1**

**Longview, Wednesday, 254 Oregon Way Longview, WA 98632**

**Executive Board—(Executive Board Only)**

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