

ATU Local 758 News

Amalgamated Transit Union, Local 758

January 2010

atu758.org

Deborah Brown, Rec. Sec./Editor

President's Report Isaac O Tate

What's Ahead in 2010

First I would like to wish everyone a happy New Year, and it is my sincere hope that your Holidays were full of cheer and contentment, and that the year 2010 brings you much the same. I would also like to thank all the members who have volunteered their time over the past year for their involvement in Union committees, activities and events, your participation was greatly appreciated. Hopefully more of you will become even more involved in your Union in the future.

Looking ahead to what is in store this year, the Washington State Legislative session begins January 11, 2010. Our interest as a Transit Union is legislation that will help address the revenue shortfalls encountered by not only Pierce Transit, but many Washington State public transit agencies and ATU Locals in our state from as far east as Spokane, Pullman and the Tri-Cities area (Kennewick, Pasco and Richland), north to Whatcom County (Bellingham) near the US Canadian Border, and south to Tri-Met in the Vancouver area in the southwest of Washington State. A dedicated source for transit funding would be highly desirable but with many more budget cuts and tax increases forecast by the state, and a plethora of other public agencies in trouble, this particular issue may not be at or near the top of the Legislators agendas. That said; it is the intent of this Local to continue to lobby the Washington State Legislators in Olympia and the Washington State Congressional Representatives on Capitol Hill in Washington, DC for a more viable or dedicated funding source for operating expenditures for public transit agencies.

Pierce Transit the agency, did pass the 2010 budget at the December 14, 2009 Board meeting. **At the present time there are no anticipated layoffs or wage and or benefits concessions by you the Union members.** It will be interesting to see what the system redesign will look like in the fall of this year and also if the Board will seek a sales tax increase in November.

Changes are happening around the workplace. Operators will not only be scanning in, but scanning out also. On behalf of the membership I proposed several questions to PT management regarding the scanning out process and received the following response from Earl Fowlkes Asst Manager Dispatch;

What are the reasons for scanning out? One answer was safety. It would track when an Operator had returned to Base. It was stated that without the Operator scanning out the Dispatcher would have no idea whether the Operator had returned safely to the Base or not. Another reason given for the scanning out process is unscheduled delay time. When returning to the Base later than your scheduled time due to traffic, late shuttle pickup, accident etc., by scanning your badge this information can be directly entered into the system which would eliminate paperwork and or inaccuracies in Dispatch and Administrative Services when paperwork is shuffled back and forth between the two areas.

I also inquired as to whether there would be discipline tied to a failure to scan out. The response was; "any Operator who fails to follow rules, policies and procedures is subject to discipline". The point I was trying to make was, if an Operator who's been here for 20 plus years or even less than that, and has never had to scan out and forgets to do so what would happen. The Operator's mindset is different when reporting to work than it is when completing their day and getting out of the lobby as quickly as possible.

President's report continued.....

Another question I posed to PT management was; **will there be discipline imposed for scanning out prior to the time designated on the paddle?** The response was; there is no intention of disciplining any Operator for scanning out prior to the scheduled end of their shift. I would imagine if an Operator is ill and relieved and has to be returned to Base either under their own power or transported by a Service Supervisor and forgets to scan out that would be seen as a mitigating circumstance.

I can think of a lot of other reasons why they would have Operators scan out but none of them were in this particular manager's response. I am sure that in the future some of the other reasons or uses not stated by Mgr. Fowlkes will pop up.

There seems to be a lot of miscommunication from PT management in regards to working conditions in the Service Support area (Service Supervisors). It appears that different directives and statements have been conveyed by different managers about the same topics and working conditions. It also appears, that when all else fails they all fall back on the statement that the Union agreed to whatever they've miscommunicated or screwed up. The Service Supervisor work group will have their staff meetings on January 8th & 11th and it is my intent to attend to clarify some of these misstatements by PT management.

There is another issue that the Service Supervisors may not be aware of. Prior to the contract negotiations there was much talk of separating the disciplines in their workgroup. The real focus was the "radio" positions due to the alleged complexity of the new CAD/AVL (TRAX) system. The Union in researching the issue found that other transit agencies when separating the work into separate disciplines especially in the Communication Centers also negotiated different working conditions and compensation. These other agencies also called their Communication Center personnel "Controllers". Unbeknown to the Union, PT management has arbitrarily labeled both fixed route and shuttle Dispatchers "Controllers". This was only discovered after the Union received correspondence regarding another incident in the Communication Center area. Both statements one by PT management and the other by a represented member stated an incident had occurred in the presence of both fixed route and shuttle "Controllers".

The Union has on no less than three occasions forwarded documentation to PT management by certified mail of the Union's right to negotiate the wages and working conditions of the "Controller" classification. This right can be found on page one (1) of the collective bargaining agreement by and between ATU Local 758 and Pierce Transit.

Article 2 Recognition and Bargaining Unit

There is no doubt that tax revenue has decreased and funding has been reduced or eliminated for some positions at the agency, but that is no reason for the Employer to arbitrarily change or try to implement a new job classification(s). Another point to be noted is; in the "Union world" the failure of the Union to address such an issue as this could result in the creation of new classification(s), due to the Union's failure to address the issue when it (Union) had knowledge of it. Albeit there was no formal notification to the Union of management's intent to reclassify some of the Supervisory positions or implement the Controller classification. We'll see what shakes out.

All 2009 Committees seats have been vacated as of December 31, 2009

2010 Committees members will be appointed early February 2010

The list of Shop Stewards will remain the same during this transition.

February Shake-up - Transit Operators

The Relief Operator 30 hour tripper signing will continue during the February shake-up. The number of Relief Operators able to sign will remain the same at five (5). The fulltime tripper signing will be discontinued at this time until such time as the many issues that were encountered can be remedied. When that would or could happen is open to question.

Some Operators signing the February shake-up have stated there appears to be more split runs. This is not true as illustrated:

<u>Shake-Up Dates:</u>	<u>9/20/2009 – 2/06/2010</u>	<u>2/07/2010 – 6/12/2010</u>
<u>Weekdays</u>	248 (8 hour runs)	258 (8 hour runs)
<u>Saturdays</u>	144 (8 hour runs)	138 (8 hour runs)
<u>Sunday</u>	146 (8hour runs)	136 (8hour runs)
<u>Weekday Splits</u>	<u>100</u>	<u>86</u>
<u>Saturday Splits</u>	<u>17</u>	<u>17</u>
<u>10 Hour runs</u> (Wkdy)	<u>12</u>	<u>12</u>
<u>10 Hour runs</u> (Sat)	<u>11</u>	<u>10</u>
<u>10 Hour runs</u> (Sun)	<u>9</u>	<u>10</u>
<u>10-11 Hour runs</u>	<u>8</u>	<u>15</u>
<u>11-12 Hour runs</u>	<u>12</u>	<u>16</u>
<u>12-13 Hour runs</u>	<u>67</u>	<u>48</u>

Percentage of Straights:

<u>9/20/2009-2/06/2010</u>	<u>2/07/2010-6/12/2010</u>
Weekdays 72%	Weekdays 75%
Saturday 89%	Saturday 89%
Sunday 100%	Sunday 100%

One factor that more than likely affects the early morning straights is the addition of increased Sound Transit runs. The bulk of this service is during peak hours either AM or PM. There will be fifty-one (51) additional trips both north and southbound on route 578 and fifteen (15) additional weekday trips on route 574. If the agency continues to pick up more Sound Transit work combined with the upcoming system redesign (local service) it will be hard to tell what the shake-ups will look like. One thing we do have per our contractual agreement is a guaranteed percentage of straight runs which we always will have unless some day someone in a leadership position gives them away. It won't be me.

Rumor Mill

I was in the Operator's Lobby the other day when I struck up a conversation with one of our Shop Stewards. You know he said to me, I've never seen so many people fearful for their jobs. I asked him what he meant. He said they were not fearful of being laid off, but just doing something wrong that would or could result in their termination. He further stated; I have never seen an Agency that has fired so many people, especially in the last two or three months. I then understood what he was saying. He along with other members had heard rumors of terminations but he like other members did not understand why, they just naturally assumed these members were terminated.

Here is what he did not understand. He did not understand that many of the members that were terminated or resigned had been off the job for approximately one year or more due to medical issues. They either resigned or chose to be terminated due to their long term absences and their physicians would not medically release them to return to their former position(s). What you have to understand is, whether it was an OJI or long term medical issue, the agency (or any employer) has the right to terminate an employee that is "not available" to do their normal job of hire, especially if it's a twelve month or longer period. In this instance the agency does not terminate a member for suffering an OJI or long term medical issue, but "unavailability for work".

Other reasons members are terminated are, violations of work rules or offenses that according to the Pierce Transit Personnel Manual, Operator Handbook, Maintenance Discipline Policy, other workplace Policies and the Master Agreement between ATU Local 758 and Pierce Transit that, will result in termination.

A member should not fear for his/her job. You are human. As a Union member under the collective bargaining agreement discipline shall be for "just cause". What that means is you cannot be arbitrarily disciplined, and if you are, you are subject to the steps of "progressive discipline" and Union representation. This is a right you have under the collective bargaining agreement. The Union will represent and has represented members whose transgressions are not subject to progressive discipline and rose to the level of an immediate termination, which is spelled out in the aforementioned documents.

There is one thing I think members should remember and its human nature. It is very seldom that a member who is terminated will tell others exactly what happened that resulted in his/her termination. It was they will tell you, the fault of everyone except themselves including the Union who represented them and negotiated progressive discipline so they could not be arbitrarily disciplined or terminated. In my position and the position of Union representatives, we have a duty to and will continue to respect the confidentiality of the members we represent. I would love to be in the position of, and because I know what people in these circumstances do, to be able to tell the "true" story of why a member is no longer with us, but I chose to maintain the integrity of a Union Officer.

Take Care. Be Safe

Vice-President's Report-Lane Chase

Another year has passed and a lot has happened. You all are aware of the developments that have occurred at Pierce Transit and the economy so I don't need to go over them again. What I would like to focus on is a question that has been repeatedly asked many times in the past few months. That question is, "What do you think is going to happen?" This question applies to just about every event that has occurred recently. No matter how many times I looked into my crystal ball it just would not provide a clear answer. So in the hopes of maybe providing some answers, I sat down and tried to look into the future for our members. After much thought, I think that the question above can be answered with one word, "Survivability". I feel that the word "survivability" applies to us as individual members, work groups, our union, and transit itself. There are many factors driving the events that have been occurring at transit, many of which are not totally within our control, but affect us none the less. How we position ourselves now and for the future is becoming ever more important. As a local, we need to look at every development affecting our members with an eye toward "survivability". It does us no good to win the day and lose the year. The questions and reactions of some of our members remind me of the book, "Who Moved My Cheese"? By Dr. Spencer Johnson. As a union and individuals we need to keep our eye on the cheese. The advent of Sound Transit and their ability to contract work with whom they wish, changed our entire world. It is up to all of us to be aware, and keep an eye on our cheese. If you look around it wont be long before you begin to realize there are a lot of things that can happen to ones cheese. As an example the addition of Sound Transit work changes what work you get to choose, (more or different cheese). So, I guess the answer to question above would be keep an eye on your cheese you never know when someone is going to try to change it, move it, or take it away. So I guess in a nut shell you could say positioning yourself, where the cheese is, is the thing to do. Then when you look up you won't be wondering what happened to my cheese. As a union we try to look to the future as far as possible and position our local to best advantage possible for our members to ensure "Survivability of all our members".

Deferred Compensation....

Once again I am going to address deferred compensation or the 457 plan. Sadly there are still a large number of our members that are not participating. This is free money and doubles your investment instantly. The question is, "Why would you not be investing when you have a 100% return instantly?" An example, "Say you make \$19.00 per hour. Well, \$19.00 X 2080 hours in a year = \$39520.00 annual wages.

\$39520.00 X 4%= \$1581.00 of money transit will give you to match your \$1581.00 for a total of \$3162.00.

At the 5% match rate it would be \$1976.00 free money.

At the 5.5% match rate it would be \$2173.00 free money.

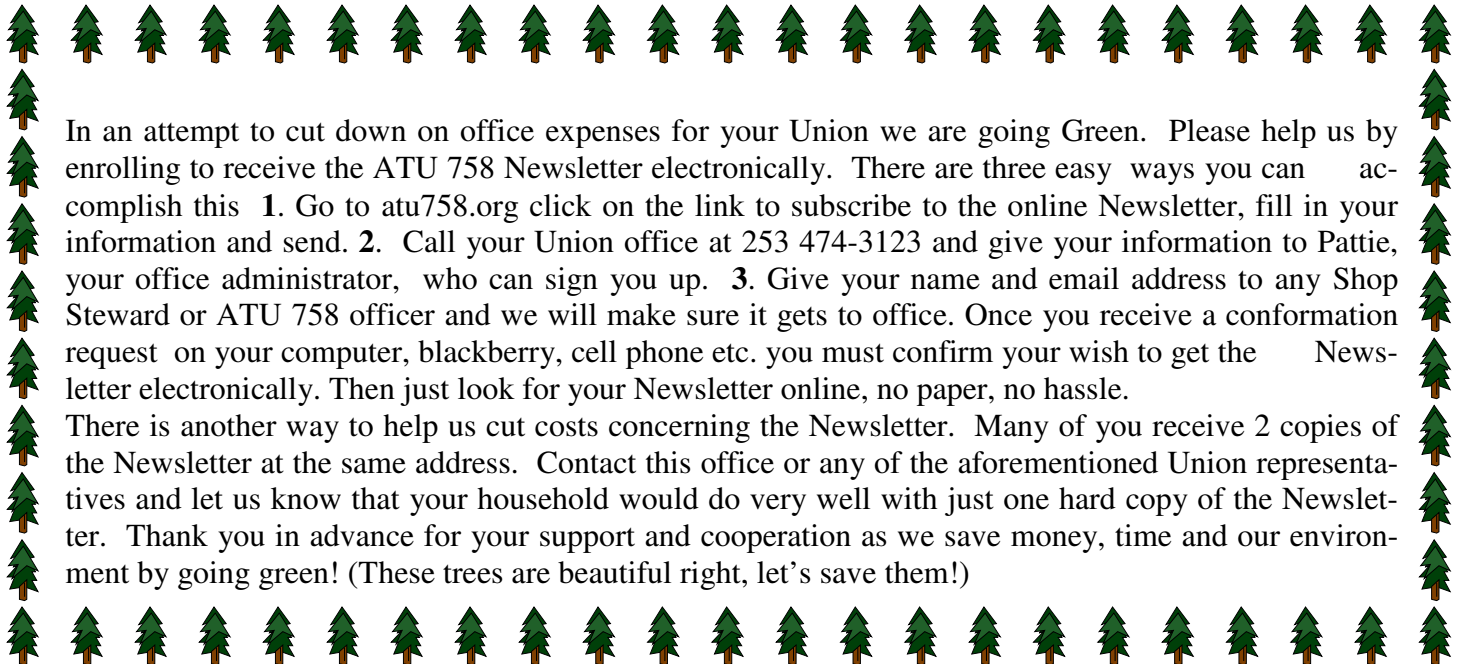
THINK ABOUT GETTING YOUR SHARE NOW!

Deborah E Brown-Recording Secretary

Thank you to all who donated their time, energy, ideas, solutions and support to this local in 2009. We cannot succeed without your help and commitment to our Union. I ask that in 2010 you do a bit more by encouraging our ATU 758 Brothers and Sisters to get involved in our Union. The Charter Union meetings are held the second Thursday each month starting at 730pm. The Friday morning meetings are at 10am (second Friday) following the Charter meetings. I realize this a sacrifice of time and effort but it's only once a month for less than 2hrs (usually). So take this as an open invitation to all ATU 758 members come **GET INVOLVED** . Don't wait until something "happens" to show up.

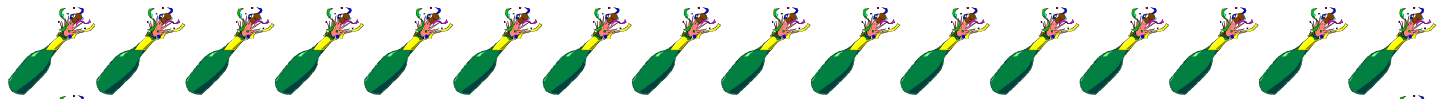
For meeting information call 253 474 3123, see Union bulletin boards or contact any ATU 758 Officer or Shop Steward.

ATU Local 758 Women's Caucus meeting February 1, 2010 at 6:pm 6923 Lakewood Dr W B-1 (Union Office) We'll have a pot luck so bring something to share as we discuss plans for this year. Questions call Deborah 253-297-7161



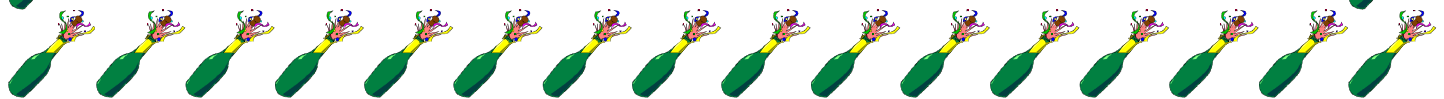
In an attempt to cut down on office expenses for your Union we are going Green. Please help us by enrolling to receive the ATU 758 Newsletter electronically. There are three easy ways you can accomplish this 1. Go to atu758.org click on the link to subscribe to the online Newsletter, fill in your information and send. 2. Call your Union office at 253 474-3123 and give your information to Pattie, your office administrator, who can sign you up. 3. Give your name and email address to any Shop Steward or ATU 758 officer and we will make sure it gets to office. Once you receive a conformation request on your computer, blackberry, cell phone etc. you must confirm your wish to get the Newsletter electronically. Then just look for your Newsletter online, no paper, no hassle.

There is another way to help us cut costs concerning the Newsletter. Many of you receive 2 copies of the Newsletter at the same address. Contact this office or any of the aforementioned Union representatives and let us know that your household would do very well with just one hard copy of the Newsletter. Thank you in advance for your support and cooperation as we save money, time and our environment by going green! (These trees are beautiful right, let's save them!)



Recording Secretary continued

Where did 2009 go. As I reflect back on last year I am sure of one thing—Change is a never ending phenomenon. Change is often scary to many but is exhilarating to some. I am somewhere on that continuum closer to the exhilarating end (I wish) (:-. Loved ones have been lost through death, for which I have no recourse or remedy. Others have been relocated due to their own actions/desires/ decisions/priorities. For those I thank God for electronic communication devices. (I want to learn how to use Skype can you help!?) Work— now that’s a whole lot of change there isn’t it. The budget is hanging over all of our heads rendering us apprehensive at best as to what our future at PT will be like. I have 23-1/2 years here as you read this article. The time has gone by very swiftly with many many years of fun and camaraderie. It’s not so much fun any more. The climate has changed so much. The sense of family has been destroyed in the process of becoming a bigger, numbers driven agency. The enjoyment we have experienced in the past has been overshadowed by the lack of caring demonstrated towards our members by non represented employees and on too many occasions by our own union Brothers and Sisters. That’s sad. As we venture past the end of the first decade of the 21st century, I pray that we as a Union strive to become closer and stronger than ever before in the history of ATU Local 758. We must, for the sake of all our futures at Pierce Transit, be men and women of solidarity, integrity, compassion and camaraderie. Let’s make 2010 a wonderful year as we face the inevitable dubbed change, the unknown, the uncertainty, together. Take care of yourselves and the ones you love. Have a Blessed and Happy New Year.



Executive Board Officer, Position I Report -Lamarr Bond

Community Service

Community Services is an important part of the ATU 758 community and Pierce Transit as a whole. The family of Pierce Transit has bargaining members who in the past has received some monetary assistance. The purpose of an ATU 758 Community service Committee is to try and assist our members who are in a short term dilemma. We may be able to guide and assist you . This is our goal for those who ask or who are referred to us, which we try and assist in any way that we can.

In addition to assisting some of our bargaining members, we were also able to give one scholarship last year totaling \$500. Kirsten Nee was our first recipient to be awarded this scholarship. This was an education reward scholarship from this local. She is currently attending Western Washington University. Community service wants to give back to those who have donated their time and effort to union work and volunteering.

When you work with others as a team, you accomplish more. Our community provides us with so many things, and when the citizens are involved in community service, we're giving back to the community to show our appreciation.

Tacoma Link Shop Steward /Executive Board Officer Report– Tim Giertz

To ATU Local 758

I wanted to say Happy New Year, and take some time to share with you why the Link Operators do what they do. Some of you already know that almost 2 years ago the City of Tacoma changed the signal timing on Commerce and Pacific Avenue. From the City's perspective it has helped the traffic flow, but from our perspective (Tacoma Link Operators) this timing change has put a very hard to maintain schedule in front of us.

The signals for all the traffic along Pacific Ave and Commerce are on a "100 seconds cycle." This means the signal changes every minute and forty seconds, with some variables involved. When the Link enters into the flow of traffic the City has given us approximately twenty seconds (out of the 100 seconds cycle). At each station the Operator pushes a button to let the system know we are ready to depart. The Link Operators do not control the timing of the traffic lights. As an Operator you must keep your train moving within that 20 seconds window or your signals will time out. When our signals time out we have to get special authorization from our Supervisor to go through that particular intersection. This is where the bus Operators and passengers must be wondering why the train is not moving or is stopped at a green traffic light.

We Tacoma Link Operators are not allowed to go through motor vehicle traffic lights that are conflicting with the Link traffic signals. The traffic light might be green, but we have a stop signal for the train. When we get authorization from our Supervisor to go against the train signal, the Operator can now move the train through the intersection. There are some places on the Tacoma Link alignment where it makes sense to go through all that when our signals have timed out for the train. Then there are other locations where it does not make sense to go through all that like on Commerce. Our management will not change some of our operating procedures to allow us to go with the flow of traffic. Instead we have to complicate it at times. I have attached a picture of our signals for those that don't know what they look like.

Here are some other things we have to do as part of our operating procedures.

1. Ring the bell every time we start to move, go through any intersection or pedestrian crossing, and to avoid contact with other vehicles, bicyclists, pedestrians etc.
2. Use the horn to encourage vehicles or people to move, and for emergency situations.
3. Stop at all stations regardless if the platform is void of passengers and the train is empty.
4. We are not allowed to wait to approaching passengers (those not on the platform) regardless of the age or ability (wheelchair, walkers etc)
5. We are required to report any and all reasons for stopping the train outside of a station
6. We are not to yield to a bus in front of the train because the train is on the rail, not the road and has the 'Right of Way'.
7. A 5 M.P.H. speed restriction at 9th and Commerce North bound.

This is a sniped of the differences between bus operations and Link operations.

With the new decade starting and an upcoming shake up I wanted to remind or tell my Brothers and Sisters that operate the buses what is happening in the world of Tacoma Link Operators so we can avoid any misunderstandings. If there are any questions you have about what Link Operators do and why please send me an email and I will respond with an answer. Hope your year is filled with favor and god health. Be safe and spread some joy around.

Tim E Giertz

timmyeg@hotmail.com

WEINGARTEN RIGHTS

If this decision could in any way lead to my being disciplined or terminated, I respectfully request that my Union Representative, Officer or Steward be present at this meeting. Without representation present, I choose not to answer any questions.



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UNION MEMBERSHIP MEETING NOTICE

Thursday, January 14, 2010, at 7:30PM-CANCELLED

4500 Steilacoom Blvd, CPTC Building 3 Rotunda

Friday, January 15, 2010, at 10:00AM-CANCELLED

6923 Lakewood DR. W B-1

Tuesday, January 19, 2010, at 7:30 PM

Longshoreman's Hall, 627 14TH AVE (Longview)

Executive Board

Thursday, January 7, 2010 at 3:30PM (Union Office)

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**EMAIL ADDRESSES AND CONTACT NUMBERS**

|                                         |                        |              |
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