

Newsletter



JULY 2022

President's/BA Report— Isaac O. Tate

Pierce Transit Preventable Accident Policy

I'd like to take this opportunity to thank ATU Local 758 Vice-President Terry Leazer for his tireless efforts in pursuit of changes that have occurred in regards to the Preventable Accident Policy. I think the changes are more realistic and positive for those impacted by it. I would be remiss in not acknowledging the efforts on the side of Pierce Transit up to and including CEO Mike Griffus in addressing the changes that now include consideration of one's overall driving record in making disciplinary decisions. Thanks again to VP Terry Leazer for his conscientious and continuing excellent work on behalf of you the membership.

RiverCities Lift

Contract Negotiations Update – On behalf of our Paratransit Services – Bremerton members/employees, who work in the Longview/Kelso area, we have submitted a last, best, and final offer to Paratransit Services. Paratransit Services failing to agree will move us to the next step mediation. Due to the fact that Paratransit Services is a private entity negotiations differ from those of a public employer. Prior to negotiations a form F-7 is submitted and a mediator assigned. Labor relations, laws etc. in regards to the private entities also come under the National Labor Relations Board (NLRB) whereas as a public employer the same come under the Public Employees Relations Commission (PERC). Under the NLRB rules and regulations and the fact that the Employer is private, strike action(s) can occur. It is my hope that if strike or job actions do occur that members of our membership on Pierce Transit property (largest of our properties) who want to pursue or feel they are qualified for leadership roles in this Local, fully participate in such actions and support your Union sisters and brothers in the Cities of Longview/Kelso.

Unexcused Absences

Something that has been bothering me for quite some time is discipline that is tied to unexcused absence(s) and what is an unexcused absence. I feel an unexcused absence should be an absence wherein an employee/member has failed to report for duty or failed to notify the employer of an absence. An unexcused absence "should not" have the same parameters as job abandonment when you have contacted the employer with a personal or family (dependent) verifiable "sick leave authorized purpose" and because you have run out of or haven't had the chance to accrue enough "paid" sick leave it becomes an unexcused absence. Five unexcused absences in a one (1) year period equals termination. What if you're a new employee who has not had the opportunity to accrue sick leave to cover themselves and or a dependent especially when in the Pierce Transit workplace there have sometimes been up to three (3) cases per day of positive covid cases and one-hundred seven (107) cases since April 18th? This has gotten to the point that I forwarded the following communique to Tara Schaak Human Resources Manager on behalf of the membership on the Pierce Transit property.



6923 Lakewood Drive W, B-1 Tacoma Washington 98467 ~ 253-474.3123 ~ atu758.org

July 14, 2022

Tara Schaak
Human Resources Manager
Pierce Transit

RE: Unexcused Absence

HR Manager Schaak,

Amalgamated Transit Union (ATU) Local 758 is inquiring as to the rationale for Pierce Transit (the Agency) implementing parameters specifically in regards to "unexcused absences" that in prior discussions between ATU Local 758 and the agency and in the presence of Chief Executive Officer (CEO) Mike Griffus, were not to have occurred

Is the target of your policy military veterans some who have medical conditions that the agency was aware of before they were hired, and by forcing these individuals out via "unexcused absences" rid the agency of what you obviously deem "dead weight".

Is the target Operators who now and have always worked in an environment wherein they on a daily basis are exposed to communicable diseases, viruses or whatever else the riding public is spreading? These individuals are unlike others who work in an environment such as an enclosed or closed office space/work area, wherein exposure to the aforementioned can be regulated, or there are options to limit exposure to include not physically reporting to work.

Is the policy targeting new Operators (e.g., single parents) that have not had the chance to accrue sick leave prior to contacting a personal illness themselves or their family member (e.g., child), and are forced to upon exhausting their sick leave accrual, report to work either sick or incapacitated, quit before being terminated, or being terminated.

What is the purpose of directing those who are out of sick leave to call their Assistant Manager? We (Union) were told that for an employee to avoid receiving an unexcused absence for a valid/verifiable illness/injury, said employee(s) should contact their Assistant Manager. However, the contact now means informing the injured and or ill employee(s) of escalating discipline and regardless of whether it is a personal or family illness, if you don't want to be terminated you better return to work sick because in five days personal illness, family illness, verifiable or not, you will be terminated.

Are the target employees that have illnesses that qualify for FMLA and the leave has expired however, the qualifying condition still exist? Is the intent to either force these individuals to come to work or be terminated?

Per both the CBA, Article 16 – Sick Leave With and Without Pay (H.1) and Operator's Manual, if an Operator's absence is more than three (3) consecutive workdays, a healthcare provider must per an absence slip verify the absence was for a sick leave authorized purpose. Why if an individual runs out of accrued paid sick leave does your policy discipline an individual for a sick leave authorized purpose? In essence why are you disciplining individuals for having a medically verifiable illness?

Both the Operator's Manual and CBA states; if you have insufficient paid leave to cover your entire absence, you will be moved into a "sick leave without pay status" which the Union would assume is approved leave.

The CBA, Article 16 – Sick Leave With and Without Pay (I.) states; employees absent due to illness or injury to care for a family member and who have insufficient accrued paid sick leave to cover the entire absence, will move into a "sick leave without pay status" for any full or partial day absence. The Union would assume this too, is approved leave.

The CBA, Article 16 – Sick Leave With and Without Pay (I.) states regular employees may be granted a "sick leave of absence without pay" for the *period of disability due to a personal illness or injury.

When an individual contacts her/his Assistant Manager, why does a/the manager not grant the employee "sick leave without pay" an approved status, as opposed to threatening discipline? Again, is the intent to force sick employees to return to work in an incapacitated state?

Does the agency consider operating a (coach) with the riding public aboard or working on a heavy vehicle while an individual is impaired or incapacitated by illness or injury safe?

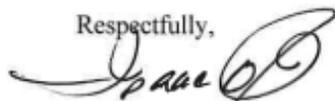
Does the agency believe it can alter the working environment of ATU represented employees by imposing discipline and forcing employees to neglect the care of loved ones by placing the safety of the public and said individuals into unsafe situations?

Does the agency believe or consider an employee regardless of length of time at the agency that has or does not have a particular number of accrued sick leave hours a sick leave abuser, or trifling employee?

Do the creator(s) of this policy and the implementation of parameters that were not agreed to, see this as a way to get back at the Union and its membership when sick leave occurrences were eliminated?

What is the rationale for contacting an Assistant Manager if one does not have "approved" FMLA or PFML? Why does the agency not believe that Article 16 applies in the case of a "sick leave of absence without pay" when the criteria for such leave is to be at the sole discretion of Pierce Transit, and per the Operator Manual (Sick Leave - paragraph 2&3) it states (3.) If you are not on approved FMLA or PFML call your Assistant Manager. Is the directive for the employee(s) to call Assistant Manager(s) for threat and intimidation purposes? The Union believes it is to approve sick leave of absence without pay as we agreed and per the CBA.

Respectfully,



Isaac O Tate
President/Business Agent
Amalgamated Transit Union Local 758
Pres758@atu758.org
(253) 329-1655

Sound Transit

Received word from Sound Transit that effective August 1, 2022 that our Link Light Rail Vehicle (LRV) Operators will be out of service for about thirty-two (32) days, the reason being that contractors will be connecting the new (extension) to the current system. Pierce Transit was contacted to operate a “bus bridge” however was not able to do so due to the lack of Operators.

What's in a Title

This is an election year for the future Officers of ATU Local 758. The positions to be voted on are President/Business Agent, Vice President/Assistant Business Agent, Financial Secretary- Treasurer, Recording Secretary and Executive Board Representative positions. But they haven't always been the same. Executive Board positions have expanded to include River Cities Lift (paratransit) and River Cities Transit (fixed route) positions from Longview, WA, and Light Rail representative positions (Sound Transit) and an appointed Relief Operator position which will not be filled until at least 2024 (if then).

The Vice President position has never changed. However, did you know that President/Business Agent are “two separate” positions that are per the Local 758 by-laws combined into one? A little history; from 1975 – 1977 Local 758 had a President and Financial Secretary/Business Representative. From 1978 – 1980 Local 758 had a President, Business Representative, Financial Secretary and Recording Secretary. From 1981 until 1986 Local 758 had a President/Business Representative and Financial Secretary/Recording Secretary.

From 1987 – 2001, there was a President/Business Representative and Financial Secretary/Treasurer. Recording Secretary duties were combined with the Financial Secretary's duties during this time period. In 2002 due to the uptick of employees and increase in the number of Union members of Local 758 (close to 900), versus a little over 600 today, the duties of the Financial Secretary/Treasurer and Recording Secretary were split. Still active member Sonya Ogden was the Recording Secretary. In 2008, the President/Business Representative position became the President/Business Agent. From 2011 – 2014 there was talk of combining the Financial Secretary Treasurer and Recording Secretary positions again due to the agency trying to climb out of the “great recession”. It has only been in times of reduced or declining membership that Local 758 Officer positions have been with ATU International and ATU local 758 Executive Board approval) combined.

A majority of ATU Local Officer/leadership configurations are similar, however not all. Examples being the following: ATU Local 22 Worcester, MA, ATU Local 425 Hartford, CT, ATU Local 448 Springfield, MA, ATU Local 580 Syracuse, NY, and ATU Local 713 Memphis, TN. These particular Locals combine the positions of Financial Secretary/Business Agent and President is a separate position. Still yet, some of the larger Locals (587-Metro) as an example has a President/Business Agent, First Vice President, Second Vice President, Financial Secretary-Treasurer, Recording Secretary and Minority Affairs Officer. Oh and of course, they have 4,300 to 4,500 members. ATU Local 113 Toronto, one of the larger (much larger than 587-Metro) has a President/Business Agent, Executive Vice President, Secretary-Treasurer, Assistant Business Agent/Maintenance, and Assistant Business Agent/Transportation.

Union Picnic

I would like to take this opportunity to thank member Vicky Simpson (organizer) and retirees Linda and Charles Perry who camped-out overnight Friday to insure the safekeeping of supplies (food stuffs) that were delivered Friday mid-morning, Danny and Cara who brought out their cotton candy and snow cone machine, Tom Stonecypher who once again provided his “humongous” grill for cooking and everyone else who took the time out of their busy lives to volunteer whether it was posting signage, picnic set-up/clean-up, food prep, cooking, children's games, helping out with prize drawings, and many more activities. I felt that many enjoyed themselves and due to the many volunteers, there was something for everyone regardless of their age. I would like to thank everyone by name, but I learned a long time ago the “angst” of inadvertently missing someone. So again, I as well as your Union leadership are both proud, appreciative, and thankful for your efforts in making the picnic a success.



ATU Local 758 Ronald Thornton Memorial Golf Tournament

**Saturday, August 13,
2022**



Eagles Pride Golf Course
1529 Mounts Rd SW, DuPont, WA

9:00 am—Shot gun

Included with your entry fee of \$85.00

- 4 Hole in one prizes
- Long Drive (Men's/Women's)
- KP's
- Tee prizes
- Putt off contest
- Golf /Cart
- Tournament Banquet

For information please contact: Jery Hardeman 253-405-7086

Start planning your teams now!
All are invited to play!



Amalgamated Transit Union, Local 758

6

6923 Lakewood DR W B1 Tacoma, WA 98467-3221

(253)474-3123 atu758.org

Weingarten rights

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

Local 758 Union meetings will be held based on availability of IBEW Hall.

EMAIL ADDRESSES AND CONTACT NUMBERS

Isaac Tate, President B.A: pres758@atu758.org (253)329-1655

Terry Leazer V. Pres A.B.A: vpres758@atu758.org (253) 686-1435

Vonda Marshall, Fin-Sec/Trea: 758finsec@atu758.org (253)474-3123

Vonda Marshall, Rec. Sec.: recsec758@atu758.org (253)376-8854

Pattie Clark, Office/Web Admin: unionoffice@atu758.org (253)474-3123