



# TEAMSTERS LOCAL UNION NO. 1205

AFFILIATED WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS

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## Contract Negotiations Update: 2 and Big News about Preventing Unjust Disqualifications

June 8, 2015

Greetings Brothers and Sisters working for Baumann—

As of today, we've had 2 bargaining sessions with Baumann's lawyers, and there are 5 more sessions scheduled for this month. To give an idea of the present situation, I'll list 7 examples of the over 100 proposals made by the Union and of Baumann's outrageous replies. However, before you read Baumann's completely unacceptable positions (and get rightfully angry), you should know that during most negotiations, employers do not make serious offers until the last minute, after they are convinced that the Union members are really prepared to fight for a fair deal. So, I request that you not get discouraged by the insulting positions Baumann has expressed in bargaining thus far, but that you get organized and work with your coworkers and turn your righteous anger in to a plan for action:

### Union proposed:

Substantial wage increases in each of the next 3 years

Substantial increases in the daily minimum guarantees

Local 1205 Medical Plan, 100% paid by the Employer

\$1.00 per hour buyout for those not covered by our medical

\$1.00 per-hour-worked into the Local 1205 Pension Plan

39 week wage guarantee (for the non-recess weeks)

Each yard should have properly paved & lit parking lots

### Baumann responded:

No wage increases in each of the next 3 years (Baumann proposed lower rates for new hires!)

No increases in the daily minimum guarantees

No change in percentages now paid by Employer

No buyout wage increase for employees not in our medical plan

No contribution to any kind of retirement plan

39 week guarantee, but only if employees come to work each day or use their sick and vacation days to accomplish this

No change in the parking lots. (The company says if we want the yards paved and better lit, we will have to pay for it!)

Brothers and sisters, this and much more was discussed at our bargaining meetings, and there's much more in our contract demands. But even more important than what went on at these early meetings is what goes on among all of you. As most of you know, I've had the pleasure of conducting membership meetings at each

location in recent weeks, in addition to talking personally with many of you about the importance of our contract negotiations.

At every meeting and with every discussion, it was clear: people present were committed to working together and uniting for justice like never before! Everyone wants to achieve the improvements that each of you deserves!

### Baumann's Desperate Plan to Scare People Away from Fighting for a Fair Contract

Every day for months now, false rumors have been generated and spread by the company, for the purpose of making people think that the company has been sold or is being sold, or that Baumann is losing more and more work and might be going out of business. This creation and spreading of fake rumors is a STANDARD SCARE TACTIC OF BOSSES, especially at the time of contract negotiations. Baumann wants you to believe these lies so that you might think there's no reason for us to be preparing to fight for our new contract. Baumann doesn't want you to prepare. When we've confronted Baumann about these company-spread rumors, he denies them and says the company has not been sold, and that he has every intention of being in business for a long time. Meanwhile, he also says that he's practically broke—there is no money for any wage increases—and that if he loses more work he may not be able to survive!

So, let's be very clear about what this is really about: Mr. Baumann does not want us to be organizing for a fair contract. He doesn't want us standing together to negotiate the economic improvements you deserve, improvements that are standard for thousands of other bus company employees on Long Island, including Local 1205 members working at First Student. Baumann wants you to think that fighting for an improved contract is a complete waste of our time!

Brothers and sisters: NOTHING COULD BE FURTHER FROM THE TRUTH! Baumann knows if our members stand together and object to his many bad-faith tactics (we believe he is committing Unfair Labor Practices), he'll have to come up with a lot of money for wages and benefits and agree to improve many other aspects of our contract.

### The Best Way Any Union Wins a Great Contract Is by Preparing for Action!

There is no magical way to win a great Union contract. Making moral arguments at the table about justice, falls on deaf ears. We win when Union members proudly organize their power to obtain justice. This means, supporting each other and preparing for a showdown with the company. The company will never put serious proposals on the table if they don't think Union members are willing to fight. The thing that Baumann is most worried about is each of you joining together as a force for change and being prepared to use our collective power effectively. Whether it's our writing to the newspapers about a possible strike, and talking to the TV and radio news stations; or informing school districts about our contract fight and possible protests; or our visiting school boards and PTA meetings to report to them on our situation and possible job actions; or our continuing to build support with community groups, religious leaders, and the AFL-CIO, asking them to support us in our fight of justice—all this, and more, is what will force Baumann to change his ways and reach a fair settlement with us!

While your committee is doing everything we can to negotiate a strong contract that would be acceptable to you, it's important to know that a strike is always a possibility. The company will try to make you feel you should be afraid of such a thing. You most certainly shouldn't be. But the company will say all sorts of things

to scare you; it will use this strategy to cover up the fact that a strike is what the COMPANY ITSELF is most afraid of! Baumann could lose millions of dollars in a few days, money that he would never recoup.

Many have asked, if a strike were to take place, do we have a Strike Fund? We do, and it's in very good financial shape! Each of you has been paying a \$1.00 per week into our Local 1205 Strike Fund, and we also have a Strike Fund with our International Union. The International Brotherhood of Teamsters (IBT) Strike Fund will pay each of you 10 times your hourly rate once a week after the first 7 days of your participating in a strike. That means if you make \$18.00 per hour, you'd get a check for \$180.00 from the IBT; if you make \$14.00, you'd get \$140.00; if you make \$22.00, you'd get \$220.00, and so on. Besides that, after 7 days you'd get a weekly check from Teamsters Local 1205, of \$100.00!

### Hoping for the Best, but Preparing for Action!

The only way a strike could happen is if a majority of those who vote, by secret ballot, authorize a strike. Our last meeting with the company is scheduled for June 18<sup>th</sup>. (The company lawyer—in bad faith—cancelled the 2 other meetings we had previously agreed to: of June 23<sup>rd</sup>, and 24<sup>th</sup>.) Baumann knows that if an agreement your negotiating committee can recommend is not reached, or if the committee does not have a sense that we're close to reaching a fair deal, we will be mailing out strike authorization ballots. This mailing will request that the membership permit Local 1205's Executive Board to call any legal action we deem necessary to get a fair contract, including a possible strike action. Brothers and sisters: Baumann knows me and Local 1205 well enough to know we will not be bluffing! You—the employees who have made him very wealthy—have the power to get a fair contract, and together we will carefully use that power!

### New York State Legislation That Will Prevent Unjust Disqualifications!

On the last page of this Update, we reprint a Memorandum of Support from New York's Teamsters Joint Council 16, the largest Teamsters organization in NY. It's about an important piece of legislation that Local 1205 is strongly and very actively supporting: a change in NYS law that will finally protect bus drivers and driver assistants from unjust Disqualifications! The Memorandum reprinted here has been sent to every legislator in the state. There's a chance we can get this law passed within the next two weeks (the final weeks) of the 2015 NYS legislative session. To help this change in law be passed, please call the offices of your State Senator and State Assemblyperson to say how much you support Bill A2781 (in the Assembly) and bill S3474 (in the Senate). Ask your friends and family to call. Your phone calls can help make this important job protection law finally happen!

If you don't know who your State Senator and Assemblyperson are, please contact your Union Representative, or call our office.

These are very exciting times—please stay united, and keep your focus on getting a strong contract!

Together We Can Win!

In Solidarity,

Timothy Lynch

# JOINT COUNCIL No.16

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## Memorandum in Support

### **An act to amend the education law, in relation to certain contracts regarding bus drivers and bus driver's assistants (A2781/S3474)**

The Teamsters Joint Council 16, representing approximately 120,000 hardworking men and women in New York State, strongly and unequivocally supports 'An act to amend the education law, in relation to certain contracts regarding bus drivers and bus driver's assistants' (A2781/S3474).

There is currently a terribly unfair practice within the private school bus industry that infringes the rights of thousands of workers within New York State by undermining their collective bargaining agreements.

Timothy Lynch, president of Teamsters Local 1205, which represents more than a thousand private School Bus company employees, states:

“Under the current system, a worker can lose his or her job at the simple request of a school district—no questions, no hearing, no presentation of evidence of any wrong-doing. A phone call from a school district and that employee becomes unemployed. This is incredibly unjust and should not continue. We’ve witnessed dozens of instances of employees losing their jobs through no fault of their own. Often it’s the result of a misunderstanding because all the facts were not looked at. Sometimes it’s because a driver won’t bend a rule at a parent’s request, and the parent complains (for example) that the driver didn’t ‘accommodate’ their child with an unauthorized stop. We’ve seen instances of drivers being deemed ‘uncooperative’ because they would not violate a traffic safety rule in order to get the run finished quicker. And we’ve seen instances of blatant lies being told about a driver or driver assistant, who is then removed by the school district. Shockingly, the employee is rarely even interviewed. And often, he or she isn’t given a reason for the removal. Under the current system, no employee is assured the right to a hearing and has no practical way of redressing his or her grievance.”

The proposed amendment to the education law would properly require that all disciplinary actions requested by any party be administered through the legal grievance procedure spelled out in the collective bargaining agreement that a private bus company has with any union. This is a basic civil right and it should not be denied anyone.

The Teamsters Joint Council 16 applauds Assembly Member Nolan and Senator Lanza and all other elected officials who, through this legislation, are working to further protect the rights of workers in New York State and defending the legal appropriateness of their collective bargaining agreements.