



TEAMSTERS LOCAL UNION NO. 1205

AFFILIATED WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS

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Contract Negotiations Update: 5 The Members Have Spoken! *What's Next?*

July 29, 2015

Dear Brothers and Sisters working for Baumann Buses—

I'm very happy to report on the results of our balloting. More than 93% of our voters have rejected Baumann's "final offer" and authorized Local 1205 to take any legal action we deem appropriate to protest Baumann's unfair labor practices, including the calling of a strike! The overwhelming rejection of the Baumann "final offer" is both powerful and very hopeful. I'm confident that, standing together as one, we can win a fair contract!

So, what's next?

FIRST: I'll be writing to Baumann this week, informing him of the strike authorization, and requesting the company resume bargaining with us as soon as possible. It goes without saying that this time around they should bargain in good faith. And I'll request that Baumann himself show up to attempt to resolve our differences—not just send his high-paid lawyers. I still hope that he and his sister, Connie, can find a way of trying with us to resolve our differences, reach a fair contract settlement, and build a healthy working relationship.

SECOND: We've begun to reach out to the community, asking them to lend us support as we approach the new school year without a contract. The responses have been unanimously positive! Politicians, religious leaders, other Unions, community groups, and more are saying they'll do all they can to back us up in our fight for a fair contract! The support we're getting should encourage us all. The fact is: we are not alone!

THIRD: We've been in steady communication with our International Union in Washington, DC, and with the more than 24 other Local Teamster Unions in our area. We've told them about Baumann's failure to offer a fair deal, and about the possibility of a strike in September. They are 100% with us! (And our fellow Teamsters are 1.3 million strong in America, and over 100,000 members strong in our own area.) As I described in an earlier Update, the International Brotherhood of Teamsters has a very healthy strike fund benefit that we will use if there's a strike and it goes on for more than one week. That strike benefit in addition to the \$100.00 per week from Teamsters Local 1205, is a weekly check of 10 times your hourly rate. So, for example, if you are a \$13.50 per hour DA, you'd receive a combined \$235.00 strike benefit; if you are \$18.50 per hour Van Driver, you'd received a combined \$285.00; if you are a \$22.00 per hour Bus Driver, you'd receive a combined \$320.00; if you are a \$21.00 per hour mechanic, you'd receive a combined \$310.00; and so on.

FOURTH: We are prepared to be in communication with each school district Baumann Buses serves, and with the press and media. However, we will reach out to them only if it becomes clear to us, after further negotiations with Baumann, that the company is continuing their outrageous bargaining tactics. We are confident that parent-teacher groups, superintendents of schools, local school boards, and others will

understand that our fight is a just fight and help us pressure Baumann to do what is right for his dedicated, hard-working employees.

FIFTH: In addition, if things don't change fast, we will be filing Unfair Labor Practices Charges against Baumann Buses at the National Labor Relations Board. We will readily do that if there isn't a clear about-face from the company as to their illegal, bad-faith bargaining tactics.

Some Statements from Your Co-workers

All the men and women you elected to be on your Negotiating Committee have been clear and unanimous: **A**we will not accept a contract that isn't fair to every Driver, every DA, every Mechanic, every 1205 member working in the Baumann Maintenance Department. Here are 12 statements from Negotiating Committee members.



GORDON TAYLOR is a Van Driver out of the Westbury yard. He's been driving for many years. Gordon says: "I sat at the negotiations and witnessed the insulting offer presented by Baumann's lawyers. What the company wants us to 'accept' is worse than nothing. We must stand strong for a fair contract!"

MARTHA SWIATKOWSKI, a 14-year Van Driver (formally of Farmingdale, now of Copiague), states: "Teamsters, listen up! Our benefits alone are worth striking over. I had a heart attack a few years ago, which led to emergency open heart surgery. Local 1205's benefits covered all of my bills—and it was hundreds of thousands of dollars! If it wasn't for Local 1205 I'd have had to file for bankruptcy. Everyone knows the large out-of-pocket expenses of most other medical plans, and there is no way a Baumann employee can afford to pay those bills. Yes, we need and are fighting for better package guarantees and higher wages, but I want you to know: no one out there provides better medical benefits for its members than Local 1205 does!"



Martha concludes by saying: "We need to do whatever it takes to get a new and fair contract. Let's stand together, walk tall, and get the job done. We have the power when we are united!"



ANDY FIORE is a Driver Assistant out of the Coram yard. He says: "Brothers and Sisters of Local 1205—think about what Baumann has offered us so far: 0-0-0! And favorite words of his attorney about what we're rightfully demanding are: 'That's not going to happen.' Baumann is using all sorts of methods to try to weaken us. But I've seen how hard our Union has been working for us—including the grievances they've won on behalf of all of us. Think: through being United we'll win!"



MARK BURTLESS, a Driver out of the Northport yard, has been driving a bus for over 40 years, mostly with NYC Transit. He’s outraged that Baumann has not only dismissed our economic proposals, but has ignored our proposals regarding safety conditions. Mark says: “The physical condition of our yard is dismal, treacherous. People can easily fall and break a hip, a leg, an arm! Last winter several Baumann employees went out of the yard by ambulance because of falls. And it’s happened at other yards! Also, the so-called ‘break room’ is the size of a broom closet. The facility has a whole 2nd floor that’s not being used, but Baumann doesn’t want to spend a dime on any repairs. Another thing members are very upset about: Baumann doesn’t pay us anything for attending safety meetings! We need to stick together as a Union, not falter—otherwise we’re lost!

Together, we can make things better!”

SUE KNAPPE is a Driver out of the Central Islip yard. About the insulting “offer” the company has been trying to force on our membership, she passionately states: “Baumann is high on drugs if he thinks any one of us can survive 3 years without a raise. And I’m tired of hearing him complain that he can’t afford to give us more money. He’s lying! We deserve respect and a wage we can live on!”



MICHAEL ROACH, a Driver for the Commack district, has been keenly aware of the trickiness of Baumann’s many give-back proposals. Regarding our Union medical benefits, he says: “If anyone hasn’t already discovered, our Local 1205 benefits are very good. But Mr. Baumann’s proposal would make it impossible for us to keep them. The company’s ‘final offer’ says the medical premium increases cannot exceed 2% per year, and it won’t even allow the employees to make up the difference. Mr. Baumann pretends he’s helping us, but he’s really trying to force a cheaper plan, with less benefits! His ‘offer’ is not only unrealistic, but dangerous to the hundreds of members who need our good Local 1205

medical plan. If we agreed to what he proposes, benefits would have to be cut, as well as with there being increases in copays and deductibles. This, along with many other bad proposals, is not acceptable. The company acts as if the members won’t have the sense to fight back—but the company is very much mistaken!”

GLENN ROSSER, a Driver out of Westbury, says: "I took the idea of a wage freeze for 3 years with a so-called wage reopener in 2016 and 2017 as a great insult. Also, Baumann is refusing to pay us for any retraining, or safety classes, or even time we spend changing our routes! We MUST reject his so-called ‘final offer’ and fight for what is right. We have strength in our numbers, and will win."



GARY GORMAN is a driver out of Copiague. He’s passionate about how all of us should be seen and respected. He says: “During safety classes, the company likes to stress how much responsibility we Drivers and Driver Assistants have, and even how we could go to jail if we fail to do our job properly! So why can’t Baumann show us the respect our important work deserves by offering decent wages and working conditions. The insincerity is unbelievable!”

PAUL CHRISTOPHER, a Driver for the Commack district, is a former businessman. He says: “Baumann’s ‘final offer’ shows a deep contempt for the workers. The company refuses to acknowledge that their workers deserve parity with what Local 1205 members working for First Student get. Some of the most insulting and surprising things in that ‘final offer’ are the new draconian rules Baumann wants to insert into the contract, rules intended to divide the workers and make it seem like the Union abandoned them.”



For instance, Paul rightly believes that “if we agreed to their rules regarding ‘recess days,’ the company would be able to discipline workers for not showing up when schools are closed! Failure to show up could lead to the company terminating your employment! How could this ‘new rule’ be in the spirit of the employer being concerned for the health and welfare of his workers? It certainly is not! Does any part of the many new rules in the company’s ‘final offer’ help improve employee morale? It does not! Does the ‘offer’ improve wages? Nope. Does it acknowledge that our time off should be free from concerns so we can enjoy that time without fear that we are in violation of a new work rule? No, it does quite the opposite. Does Baumann want to maintain our superior Local 1205 Healthcare? No, his proposal would lead to the cutting of services that are currently provided.”

Paul continues: “We are the gears in the Baumann machine. Without us, nothing works. But we are not given any credit in the success of the business enterprise. We have to get Baumann to understand that we will not work without a fair contract. Encourage all of our brothers and sisters to send a clear message: we need our proposal, the Union-proposed contract, which is a fair contract, to go forward!”



LUCY ACOSTA, a Driver’s Assistant at the Central Islip yard, says: “Baumann is crazy if he thinks we can accept the wages he’s offering. They’re unlivable—the cost of living keeps going up. But thank God for the Union. It’s helping us a lot. We have to stick together as a Union to get a fair contract. That’s our only hope!”

CLAY MORRISON, Driver out of the Copiague yard, is crystal clear in his view of Baumann’s final offer. He says: “Baumann’s 39-week guarantee is a Sham. It would lead to Baumann severely punishing employees who don’t show up when their schools are closed. (Baumann wants the option to call in 25% of the workforce—not by seniority—on non-traditional holidays such as Yom Kippur, All Saints Day, etc.) On matters proposed by the Union that are meant to improve working conditions and would not cost the company anything, Baumann said ‘no way.’ Baumann refuses to adjust his progressive discipline so that accidents, camera tickets, and absences, for example, are not all given equal weight. Other bus companies already have separate tracks for these items, but Baumann continues to insult all of his employees.”



And Clay reports: “Baumann’s attorney told Timothy Lynch, our Local Union President, that if employees didn’t agree to the company’s ‘zero, zero, zero’ wage proposal, some yards might close and this

would result in a reduction of dues going to the Union. President Lynch, never being motivated by dues, responded by saying, *'This is not about dues: I care about and am fighting for the welfare of the employees.* Besides, your threat about yard closings is a cheap scare tactic—nothing in our proposal would be the cause of any job loss. You've lost work to union companies that pay more than you pay your workers!'"

Clay was also outraged by another comment of Baumann's lawyer, which insulted and underestimated every Union member: "The attorney stated that *'those people'* (meaning Baumann employees) would never be part of a job action to better their situation." Clay says: "Baumann thinks of us as desperate, afraid, and uneducated. If we accept Baumann's proposal, we will become some of the lowest paid transportation employees in the metropolitan area. When we stick together and show a united front, we can win!"



TONY ORIOLES, a Driver out of the Coram yard, has been an active Union member for decades. Before coming to Baumann he worked on the railroad and has lots of experience in contract negotiations. He says: "The company's statement that their 'final offer' with no annual raises for the next 3 years somehow will get employees a 2-3% increase, is false. They are offering us nada! Do the math! Baumann fails to tell you the company's proposal costs them zilch!! Meanwhile, rather than stopping their nonsense and getting back to the table, they continue to cry poverty and play mind games—when in reality it should be us crying poverty!"

And Tony states: "The company attorney's desperate attempt to get some of us to feel we should work if there's a strike is a form of union-busting. The purpose is to prevent us from exercising our right to collectively bargain. But there are two kinds of power: those who have the money and those who've got the people. We've got the people—and united, we will never be defeated."

Tony concludes: "On behalf of the Negotiating Committee, I would like to thank all of you for your overwhelming support and show of Unity. Remember, in our unity is our strength!"

A Note on Scabs

A note on one of the points Tony spoke about: Baumann's letter urging Union members to become scabs if a strike takes place. I'm glad to say this scare tactic (like all his others) is failing miserably. I'm so proud that our members see the schemes of the company as ugly, desperate attempts to derail our organizing for justice!

For anyone who doesn't know what a scab is: it's a person who sells his or her soul to an employer and crosses a picket line, thereby undermining the lives and democratic decision of one's co-workers. A scab somehow thinks—very falsely—that he or she will fare well that way. There is a famous statement about a scab, written by the great American novelist Jack London. It goes this way: "After God had finished the rattlesnake, the toad, and the vampire, he had some awful substance left with which to make a scab."

In keeping with that, we want to state plainly: while Local 1205 would never violate the law, we don't take it lightly if anyone is disloyal to what the Union is democratically working to accomplish for all its members. In history, persons like Benedict Arnold and Judas Iscariot thought they could successfully sell out a beautiful cause, but look at what happened to them, and how they are seen. We hope nothing more needs to be said on the subject of being a scab, other than: it's evil, stupid, completely against everything that is good in this world.

The Most Effective Power We Have!

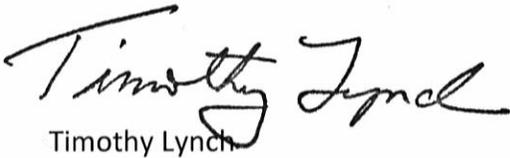
So, to be very, very clear: I, as your Local Union president, and the other Negotiating Committee members are very interested in resolving our differences with Baumann through bargaining, at the negotiating table. But we also know there is a strong likelihood that Baumann will be testing our power, and wants to see if the Union membership will stand together by withholding our labor—the most important and effective power we have. He may not put up the money needed to renew a contract on terms acceptable to the majority, until he sees the power of our Union on a picket line, and our not backing down until a fair offer is made.

I want you to know that in recent weeks, hundreds of Local 1205 members working under several 1205 contracts, at dozens of locations all over Long Island, won great new contracts! These members—united with one another in their fight for a fair deal—made it clear to their employers that they would strike if necessary to achieve the wage increases and benefit protections they deserve. Today, because of their united strength—their solidarity—they are some of the best paid Union members on Long Island!

All Local 1205 members working on Long Island for Nassau Suffolk Lumber, Riverhead Building Supply, S.W. Anderson Sales, Kleet Lumber, Suffolk Cement Products, First Student, Heritage Air Systems, Rael Sprinkler, Packard Flooring, Industrial Threaded Products (just to name a few) not only receive healthy wage increases and full maintenance of their great Local 1205 Medical Plan, but are ready, willing and able to support each of you in your fight for a decent contract!

I conclude with this because it's important to remember: when Teamsters Local 1205 members stand together, decent contracts are negotiated!

In solidarity,



Timothy Lynch

P.S. For those interested in reviewing any of our previous Updates, or our original contract proposal, or Baumann's "final offer," all of these can be found at: teamsterslocal1205.org

P.P.S. Though the votes, with their clear majority, have already given us legal authority to call a job action, any remaining members who haven't yet returned their ballots can still do so, and should. Each member's voice matters, and we'd certainly like to hear from *everyone*. However, there's a cutoff date: your ballot's return envelope must be postmarked no later than August 15, 2015.