

# Fall Meeting, 2017

Silver Spring, MD, October 11 – 14, 2017

## FIRST SESSION

The meeting convened at 9:00 a.m. on Wednesday, October 11, 2017. General Executive Board members present were, Richard Murphy, Janis Borchardt, Kenneth Kirk, Marcellus Barnes, Rafael Rivera, Yvette Trujillo, Gary Johnson, Sr., Robin West, John Costa, Claudia Hudson, Bruce Hamilton, Michelle Sommers, James Lindsay, Manny Sforza and John Callahan. International President Lawrence Hanley presided. Also in attendance were International Secretary-Treasurer Oscar Owens, International Executive Vice President Javier M. Perez, Jr., General Counsel Robert Molofsky and Executive Assistant to the International President Mary Goldsworthy.

International Vice Presidents Paul Bowen and Charles Watson were excused from the meeting.

### **REPORT OF THE INTERNATIONAL PRESIDENT**

International President Hanley convened the meeting. President Hanley reviewed the agenda for the meeting, including invited speakers and presentations. He updated the Board on the pending litigation brought by four members of Local 113 against the International and Local 113 in the Superior Court of Ontario, alleging that certain provisions of the ATU Constitution should be struck down as unconscionable at common law, including those permitting charges against members for dual unionism, and the reversionary assets clause upon dissolution of a local. He advised that the Canadian Labour Congress, the Canadian Union of Public Employees, the United Steel Workers, the Machinists, the Laborers, and the United Food and Commercial Workers Union, were bringing a motion before the court seeking to intervene on our behalf. A hearing on their motions was scheduled for October 31, 2017, and November 1, 2017. He briefed the Board on ATU's ongoing safety and health projects, including the "Safe Workplace" initiative and "Anti Blind Spot" campaign, ongoing research on the impact of autonomous vehicles; progress and plans involving the ATU's Joint Industry Councils; ATU's ongoing field activity assisting locals in both the U.S. and Canada on contract campaigns, and political initiatives, including those in Hamilton, ON; Toronto, ON; Calgary, AB; Washington, DC; Baltimore, MD; and Buffalo, NY, among others. He described the ATU's ongoing training of local union officers in preparation for the likely outcome in the pending *Janus v. ASFCME* case, adversely ruling that state law requirements enabling unions to collect dues or fees from nonmembers was unconstitutional. He also highlighted ATU's expanded training programs both in the field and at the ATU Tommy Douglas Conference Center (TDCC), and progress in marketing the Center to other unions, progressive organizations, federal agencies and others.

### **AUDIT COMMITTEE APPOINTED**

Appointed to the Audit Committee by International President Hanley, were International Vice Presidents Rafael Rivera, Yvette Trujillo and Gary Johnson, Sr. International Vice President Rivera was designated as Chair.

**REPORT OF THE INTERNATIONAL SECRETARY-TREASURER ON ATU-COPE, APPROVED**

Upon motion duly made and seconded, the General Executive Board approved the report of the International Secretary-Treasurer on ATU-COPE. The report as presented, appears below.

The Amalgamated Transit Union Committee on Political Education (ATU-COPE) program collects voluntary contributions from ATU members for the purposes of making contributions to and expenditures for candidates for federal, state and local offices and addressing federal, state and local political issues.

ATU-COPE consists primarily of the Voluntary Account, which is used to make contributions to candidates for federal elections (i.e., U.S. Senate, U.S. House and U.S. President), and to state and local candidates in jurisdictions which strictly regulate political contributions. In addition to the Voluntary Account, ATU-COPE maintains the Special Holding Account for contributions to state and local candidates and also maintains separate accounts in Missouri, New York, Rhode Island and Wisconsin, as required by those states' laws.

The highlights of the contributions paid from the various funds (combined) for the six month period ending June 30, 2017, are as follows:

**Federal**

Senatorial Campaigns	\$ 12,000.00
Congressional Campaigns	\$106,500.00
Other	\$ 39,500.00

**State**

Senatorial Campaigns	\$ 21,000.00
Representative Campaigns	\$ 13,194.00
Other	\$151,650.00

**Local**

Mayoral Campaigns	\$ 1,750.00
Councilperson Campaigns	\$ 24,300.00
Other	\$ 33,533.39

Between January 1, 2017, and June 30, 2017, ATU-COPE took in contributions totaling \$522,643.51. As of June 30, 2017, the funds had a combined available balance of \$708,554.91.

**REPORT OF THE INTERNATIONAL SECRETARY-TREASURER ON U.S. AND CANADIAN ATU MS RESEARCH FUND, APPROVED**

Upon motion duly made and seconded, the International Secretary-Treasurer's report on the ATU MS Research Fund was approved. The report as presented, appears below.

**ATU MS RESEARCH FUND**  
STATEMENT OF RECEIPTS AND DISBURSEMENTS  
JANUARY 1, 2017, THROUGH JUNE 30, 2017

**U.S. OPERATIONS**

Cash in Bank – January 1, 2017 \$37,551.13

**CASH RECEIPTS**

General Contributions	\$ 558.50	
Local Union Contributions	\$ 69.00	
Booster Contributions	<u>\$ 5.00</u>	
Total Cash Receipts		<u>\$ 632.50</u>

**TOTAL CASH AVAILABLE** \$38,183.63

**CASH DISBURSEMENTS**

Donations	\$35,000.00	
Miscellaneous Expenses	<u>\$ 65.89</u>	
Total Cash Disbursements		<u>\$35,065.89</u>

Cash in Bank – June 30, 2017 \$ 3,117.74

**ATU MS RESEARCH FUND**  
STATEMENT OF RECEIPTS AND DISBURSEMENTS  
JANUARY 1, 2017, THROUGH JUNE 30, 2017

**CANADIAN OPERATIONS**

Cash in Bank – January 1, 2017 \$ 6,020.96

**CASH RECEIPTS**

General Contributions	\$ 25.05	
Local Contributions	\$28,697.30	
Interest Income	<u>\$ .30</u>	
Total Cash Receipts		<u>\$28,722.65</u>

**TOTAL CASH AVAILABLE** \$34,743.61

**CASH DISBURSEMENTS**

Bank Charges	\$ 10.80	
Donations	<u>\$32,000.00</u>	
Total Cash Disbursements		<u>\$32,010.80</u>
Cash in Bank – June 30, 2017		<u>\$ 2,732.81</u>

**REPORT OF THE INTERNATIONAL SECRETARY-TREASURER ON ATU SCHOLARSHIP PROGRAM, APPROVED**

Upon motion duly made and seconded, the members of the General Executive Board approved the report of the International Secretary-Treasurer on the ATU Scholarship Program. The report as presented, appears below.

The selection process for the Amalgamated Transit Union 2017 Scholarship Competition named in memory of Arthur Burke, retired International Vice President, who passed away in January 2015, and Angus MacFarlane, retired International Vice President, who passed away in October 2013, was completed during this period by the Scholarship Selection Committee. The Committee was chaired by James Kennedy, Jr., Consultant, Amalgamated Bank. Committee members consisted of Trip McLaughlin, Senior Vice President, Investments, Morgan Stanley Dean Witter; John W. Harrison, III, President/CEO, Eberts & Harrison; and Cynthia Watson, Watson Labour Lawyers.

A total of 199 applicants met all of the program requirements. These were reduced to 13 finalists.

A merit system that weighed scholastic performance, school evaluations, personal activities (a biographical statement) and the required essay, was used to select the winners.

In reviewing the essays, the Committee evaluated each of the following criteria: content and originality; and grammar, style and spelling. Evaluations were based upon the content of the answers as an indication of the student=s critical thought process in response to each question.

For scholastic performance and school evaluation, the Committee relied primarily on information furnished by the various secondary schools. They looked for those who made a contribution to their schools and those who showed a willingness to hold part-time jobs during the school year and during the summer. They also considered any special circumstances that may have influenced the student=s academic performance.

The Committee complimented the applicants for their interesting biographical statements and essays. This year's winners are as follows:

Deandra Du, daughter of ATU Local 1277 member Jason Du, who plans to pursue a degree in political science.

Benjamin Moore, son of ATU Local 1555 member Troy Moore, who plans to pursue a degree in electronic engineering.

Amy Nguyen, daughter of ATU Local 1277 member Phong Nguyen, who plans to pursue a degree in psychobiology cognitive science.

Jennifer George, daughter of ATU Local 726 member Oommen George, who plans to pursue a career in nursing.

Morgan Martin, daughter of ATU Local 113 member Orville Martin, who plans to pursue a degree in life sciences.

Timel Oswald, son of ATU Local 113 member Susan Byfield-Oswald, who plans to pursue a career as an automotive power technician.

### **GENERAL DISCUSSION**

The remainder of the session was devoted to discussion among the International Executive Officers and members of the Board.

The meeting adjourned at 12:15 p.m., to reconvene at 9:00 a.m. on Thursday, October 12, 2017.

## SECOND SESSION

The meeting convened at 9:00 a.m. on Thursday, October 12, 2017. General Executive Board members present were, Richard Murphy, Janis Borchardt, Paul Bowen, Kenneth Kirk, Marcellus Barnes, Rafael Rivera, Yvette Trujillo, Gary Johnson, Sr., Robin West, John Costa, Claudia Hudson, Bruce Hamilton, Michelle Sommers, James Lindsay, Manny Sforza and John Callahan. International President Lawrence Hanley presided. Also in attendance were International Secretary-Treasurer Oscar Owens, International Executive Vice President Javier M. Perez, Jr., General Counsel Robert Molofsky and Executive Assistant to the International President Mary Goldsworthy.

International Vice President Charles Watson was excused from the meeting.

### **APPEAL TO THE GENERAL EXECUTIVE BOARD**

#### **APPEAL**

**Jose Mendoza**

#### **LOCAL UNION 1637 (LAS VEGAS, NV)**

There came before the General Executive Board, an appeal by Jose Mendoza, a member of Local 1637 (Las Vegas, NV), of the November 16, 2016, decision of International President Lawrence Hanley, wherein President Hanley directed the member to repay to Local 1637, salary paid to him in excess of what was authorized by the local union By-laws.

Upon a thorough deliberation of all the facts and evidence in this case, the Board upon motion duly made and seconded, voted to uphold the decision of the International President.

### **REPORT ON ORGANIZING**

ATU Director of Organizing Chris Townsend reported on organizing activity during the period. He cited successful drives assisted by the International involving some 103 bus operators and maintenance workers employed by Transdev, in Leesburg, VA; card check recognition for some 120 bus operators employed by National Express, in Temple Hills, MD, and for some 24 operators employed by Transdev, on the newly opened Detroit M-1 Rail Streetcar. Townsend highlighted organizing wins by Local 1005 in Rochester, MN, involving two small units employed by First Transit and R & S Transport, Inc. He also briefed the Board on pending campaigns and those where the ATU did not prevail.

### **REPORT ON LEGISLATIVE/POLITICAL AFFAIRS**

Jeff Rosenberg, Director of Government Affairs, reported to the Board on the status of the pending bills to provide federal and state funding for the Washington Area Metropolitan Transit Authority (WMATA). He presented a copy of the ATU's comprehensive report entitled "WMATA: Fund it, Fix it, Make it Fair", and the campaigns underway involving Local 689 and

community allies to secure dedicated funding from Maryland, Virginia and the District of Columbia to maintain and improve the system. He also reported on support provided to locals in: California, on bills to improve bus operator safety; New Jersey, to expand employer provided tax free transit benefits; Pennsylvania, to establish enforceable workplace safety standards; Connecticut, on increasing transit funding; Georgia, on proposal to establish a regional transit system for Metro Atlanta; and finally, Iowa, in opposition to legislation weakening public employee bargaining rights.

### **WORKSTATION PROTECTION AND SAFETY INITIATIVE**

President Hanley, with ATU Safety Specialist Brian Sherlock, briefed the Board on the launch of the second phase of the ATU's "Work Station" initiative and the launch of "Swat Team" safety audits led by specially trained ATU officers and staff to identify safety issues and hazardous conditions in the varied environments in which our members work. He described how this effort, formed by recently completed local safety surveys and operating in conjunction with the ATU's "Blind Spot" and "Driver Safety" campaigns, will call on both members and management to join in united efforts to address the most serious problems facing our members. This initiative will involve members across classifications including station attendants, and track and garage maintenance workers. The program is designed to address the most pressing safety concerns. Also discussed was ATU's rising number of locals in both the U.S. and Canada participating in the ATU "Safe Workplace" campaign and passing of the "Resolution to End Fatalities and Injuries Resulting from Poor Transit Workplace Bus Design".

### **GENERAL DISCUSSION**

The remainder of the session was devoted to discussion among the International Executive Officers and members of the Board.

The meeting adjourned at 1:15 p.m., to reconvene at 9:00 a.m. on Friday, October 13, 2017.

## THIRD SESSION

The meeting convened at 9:00 a.m. on Friday, October 13, 2017. General Executive Board members present were, Richard Murphy, Janis Borchardt, Paul Bowen, Kenneth Kirk, Marcellus Barnes, Rafael Rivera, Yvette Trujillo, Gary Johnson, Sr., Robin West, John Costa, Claudia Hudson, Bruce Hamilton, Michelle Sommers, James Lindsay, Manny Sforza and John Callahan. International President Lawrence Hanley presided. Also in attendance were International Secretary-Treasurer Oscar Owens, International Executive Vice President Javier M. Perez, Jr., General Counsel Robert Molofsky and Executive Assistant to the International President Mary Goldsworthy.

International Vice President Charles Watson was excused from the meeting.

### **MINUTES OF THE 2017 SPRING GENERAL EXECUTIVE BOARD MEETING APPROVED, AS AMENDED**

Upon motion duly made and seconded, the Minutes of the 2017 spring General Executive Board meeting were approved, as amended to reflect that motion to reconsider holding the ATU 2019 convention in Las Vegas, was rejected by the Board.

### **STRIKE SANCTION**

Upon the request of International Vice President Borchardt, the General Executive Board granted strike sanction to the members of Local 836 (Grand Rapids, MI) employed by MV Transportation.

### **MOTION TO APPROVE THE HEARING OFFICER'S REPORT ON TRUSTEESHIP OF LOCAL 1772 (ENGLEWOOD, CO)**

Upon motion duly made and seconded, the Board approved the October 11, 2017, report of International Representative Bryant, on the trusteeship of Local 1772 (Englewood, CO) including the recommendation therein to continue the trusteeship.

### **AUDIT COMMITTEE REPORT, APPROVED**

After discussion, upon motion duly made and seconded, the members of the General Executive Board approved the report of the Audit Committee, for the six-month period ending June 30, 2017.

### **REPORT OF THE INTERNATIONAL SECRETARY-TREASURER, APPROVED**

Upon motion duly made and seconded the report of the International Secretary-Treasurer, for the period January 1, 2017, through June 30, 2017, was approved by the General Executive Board.



## FINANCIAL ASSISTANCE

### LOCAL 113, TORONTO, ON

By letter dated January 19, 2017, Local 113 Financial Secretary Kevin Morton, requested financial assistance due to extraordinary expenses arising from its lengthy arbitration and litigation challenging the Toronto Transit Commission's drug and alcohol testing policy, legal proceedings challenging actions by the Ontario government's decision to remove the right to strike for their members employed by the TTC and the rising costs of grievance arbitration cases contributing to an expected deficit in its defense fund.

The financial statement of Local 113, for the period ended June 30, 2017, listed a beginning balance of \$5,429,600.00. Receipts for the period amounted to \$5,046,665.00, and disbursements were \$4,149,854.00, leaving a balance at the end of the period of \$6,326,411.00.

Currently, Local 113 has 10,791 active members.

The General Executive Board, after careful review and consideration of the facts, voted to grant Local 113 a three (3) month waiver of per capita tax.

### LOCAL 583, CALGARY, AB

By letter dated February 27, 2017, Local 583 Recording Secretary Bill Johnson, requested financial assistance in the amount of \$191,757.30, to cover the cost of the local's "Anti-Contracting Out" campaign.

The financial statement of Local 583, for the period ended June 30, 2017, listed a beginning balance of \$3,253,171.00. Receipts for the period amounted to \$1,515,256.00, and disbursements were \$1,645,807.00, leaving a balance at the end of the period of \$3,122,620.00.

Currently, Local 583 has 2,988 active members.

The General Executive Board, after careful review and consideration of the facts, voted to grant Local 583 a one (1) month waiver of per capita tax.

### LOCAL 966, THUNDER BAY, ON

By email dated April 9, 2017, Local 966 President/Business Agent Ken Koza, requested financial assistance to help cover costs directly related to renovations to the local's new office space and the purchase of additional office furniture.

The financial statement of Local 966, for the period ended December 31, 2016, listed a beginning balance of \$3,171.26. Receipts for the period amounted to \$80,674.66, and disbursements were \$76,343.64, leaving a balance at the end of the period of \$7,502.28.

Currently, Local 966 has 150 active members.

The General Executive Board, after careful review and consideration of the facts, voted to deny Local 966's request for financial assistance.

#### LOCAL 732, ATLANTA, GA

By letter dated January 28, 2017, Local 732 President/Business Agent Michael Majette and Financial Secretary David Ward, requested financial assistance in the form of a 6-month waiver of per capita tax, due to financial difficulties directly related to ongoing grievance arbitrations, the Georgia Legislative Session and upcoming contract negotiation events.

The financial statement of Local 732, for the period ended December 31, 2016, listed a beginning balance of \$86,084.00. Receipts for the period amounted to \$1,524,413.00, and disbursements were \$1,537,548.00, leaving a balance at the end of the period of \$72,949.00.

Currently, Local 732 has 2,360 active members.

The General Executive Board, after careful review and consideration of the facts, voted to deny Local 732's request for financial assistance.

#### LOCAL 1251, BATTLE CREEK, MI

By letter received on May 12, 2017, Local 1251 Financial Secretary Larry Eib, requested financial assistance to help cover costs directly related to a grievance arbitration with The City of Battle Creek.

The financial statement of Local 1251, for the period ended December 31, 2016, listed a beginning balance of \$8,792.11. Receipts for the period amounted to \$7,021.20, and disbursements were \$9,635.63, leaving a balance at the end of the period of \$6,177.68.

Currently, Local 1251 has 23 active members.

The General Executive Board, after careful review and consideration of the facts, voted to deny Local 1251's request for financial assistance and will assign an International Vice President to go into the local for internal organizing.

#### LOCAL 1733, VERNON HILLS, IL

By letter dated May 31, 2017, Local 1733 President/Business Agent Penny Johnson, requested financial assistance to help cover legal fees associated with a lawsuit filed against the local by former members.

The financial statement of Local 1733, for the period ended June 30, 2017, listed a beginning balance of \$41,642.89. Receipts for the period amounted to \$118,241.74, and disbursements were \$123,333.22, leaving a balance at the end of the period of \$36,551.41.

Currently, Local 1733 has 507 active members.

The General Executive Board, after careful review and consideration of the facts, voted to grant Local 1733 a one (1) month waiver of per capita tax.

#### LOCAL 1279, JOHNSTOWN, PA

By letter received at the International office on June 26, 2017, Local 1279 Financial Secretary Eileen Zibura, requested financial assistance to cover costs directly associated with the local's campaign to organize employees of Indigo (Indiana County Transit Authority).

The financial statement of Local 1279, for the period ended June 30, 2017, listed a beginning balance of \$20,027.73. Receipts for the period amounted to \$26,558.60, and disbursements were \$32,065.90, leaving a balance at the end of the period of \$14,520.43

Currently, Local 1279 has 94 active members.

The General Executive Board, after careful review and consideration of the facts, voted to place Local 1279's request for assistance on hold pending additional documentation.

#### **PRESENTATION ON PENDING "JANUS" SUPREME COURT CASE AND TRAINING TO ADDRESS THE POTENTIAL LOSS OF MEMBERSHIP**

Jonathan Lange, of the Industrial Areas Foundation and lead trainer for the ATU providing programs to ATU local officers and members, discussed how best to prepare and actions to take, should the Supreme Court as expected in the pending *Janus v. AFSCME* case strike down as an unconstitutional violation of public sector employees First Amendment rights, state law provision enabling labor unions to collect union dues or fee equivalents from non-union members for the cost of collective bargaining. The ATU existing program is centered around one-on-one conversations among officers and members, on the value and role of membership in their locals, and the rights and power a strong union bring to improving members' conditions at work and ensuring fair and nondiscriminatory treatment by employers. At the direction of President Hanley, Lange has provided such training to hundreds of ATU officers and locals and the program is ongoing. In addition to his presentation, Lange discussed with the Board the roles they can play in working with our locals to maintain current membership and reaching out through concentrated internal organizing to build up membership within existing bargaining units.

## **REPORT ON THE TRUSTEESHIP OF LOCAL 1764 (WASHINGTON, DC)**

International Executive Vice President Javier M. Perez, Jr. and International Representative Sasil Rubain gave a comprehensive report on the progress to date, on the trusteeship of Local 1764 (Washington, DC). Rubain reported on the successful completion of contract negotiations with its represented units (with the exception of the newly organized unit of dispatchers and road supervisors employed by First Transit, providing paratransit service under contract to the Baltimore MTA), improvements in the local's finances, recordkeeping, administration, and the expected scheduling of officer elections in December 2017. While citing improvements in its finances, Perez reported that the local still owed back per capita tax of \$178,000.00. The amount of per capita tax owed exceeds by some \$100,000.00, its current account balance and likely accrual through the end of the year.

## **MOTION TO WAIVE REMAINING BALANCE OF LOCAL 1764's (WASHINGTON, DC) UNPAID PER CAPITA TAX FOR MONTHS THROUGH DECEMBER 31, 2017, APPROVED**

Upon motion duly made and seconded, the members of the General Executive Board approved waiving the remaining balance of Local 1764's (Washington, DC) unpaid per capita tax through December 31, 2017, provided Local 1764 paid towards its per capita tax arrearage for the months through December 2017; (an amount equal to \$20,000 less than it has in its general treasury as of December 31, 2017). The waiver was expected to exceed \$100,000.00.

## **MOTION TO ACCEPT THE MINUTES OF THE SPECIAL G.E.B. MEETING CONCERNING LOCAL 113 (TORONTO, ON)**

Upon motion duly made and seconded, the members of the General Executive Board approved the minutes of the Special General Executive Board meeting that convened on February 2, 2017, at which the Board approved a motion placing ATU Local 113 into trusteeship at the discretion of the International President.

## **GENERAL DISCUSSION**

The remainder of the session was devoted to discussion among the International Executive Officers and members of the Board.

The meeting adjourned at 5:00 p.m. to reconvene at 9:00 a.m. on Saturday, October 14, 2017.

## FOURTH SESSION

The meeting convened at 9:00 a.m. on Saturday, October 14, 2017. General Executive Board members present were, Richard Murphy, Janis Borchardt, Paul Bowen, Kenneth Kirk, Marcellus Barnes, Rafael Rivera, Yvette Trujillo, Gary Johnson, Sr., Robin West, John Costa, Claudia Hudson, Bruce Hamilton, Michelle Sommers, James Lindsay, Manny Sforza and John Callahan. International President Lawrence Hanley presided. Also in attendance were International Secretary-Treasurer Oscar Owens, International Executive Vice President Javier M. Perez, Jr., General Counsel Robert Molofsky, and Executive Assistant to the International President Mary Goldsworthy.

International Vice President Charles Watson was excused from the meeting.

In addition, International Representatives Dennis Antonellis, Stephan MacDougall, Anthony Garland, Antonette Bryant, Sesil Rubain and Curtis Howard were present.

### **REPORT ON TRANSIT RIDER GROUPS**

Greg Leroy, President of Good Jobs First, led a well-received panel discussion involving representatives from “rider groups” based in Toronto, New York, Charleston, and Washington, DC. These representatives discussed their organizations’ activities to build support for transit and transit funding, service expansion and opposition to privatization and fare increases within their communities. Particular emphasis was placed on their early involvement in the transit planning process and political engagement to secure results. The leaders described their efforts to connect riders, faith-based groups, ATU Locals and employers into coalitions to support better and more equitable transit funding and service.

### **REPORT ON LOCAL 107 (HAMILTON, ON)**

The Board discussed the field and media plan developed in coordination with ATU Canada President Paul Thorp, International Vice President Manny Sforza, and the leadership of Local 107 (Hamilton, ON) to prevent the privatization of the proposed Hamilton Metrolinx LRT, providing International support for a special organizer to both review and assist in the ongoing campaign.

### **REPORT ON PENNSYLVANIA TRANSIT FUNDING AND JOINT SERVICE COUNCIL**

International Organizer Michael Harms and Associate Counsel John Grunert reported to the Board on the activity assistance provided to the Pennsylvania Joint Service Council. Established on August 1, 2016, on a one-year trial basis, pursuant to Section 25 of the ATU Constitution and General Laws (CGL), Joint ATU Local Service Councils, it involved some 18 ATU Locals consisting of about 31 bargaining units, including public authority and private fixed-route, paratransit, over-the-road, and school bus services. They stressed that many of the Pennsylvania locals do not have full-time officers and have limited resources. The goals of the Pennsylvania Joint Service Council were to provide assistance on contract bargaining and administrative issues, the grievance and arbitration process, to engage in internal and new organizing, and to advocate for membership interests to state and local governments. Assistance

to Pennsylvania locals included working on four grievances at the arbitration stage, researching numerous legal questions in connection with bargaining and administering contracts, filing organizing petitions, and local meetings to secure support for passage of the Jake Schwab “Worker’s Safety” Bill. They reported that the services provided the receptivity of the locals to continuing the Joint Service Council, were under active review to determine whether it should continue in its present form.

## **REPORT OF THE GENERAL COUNSEL**

Robert Molofsky, General Counsel to the ATU, reported to the Board on major Section 13(c) case processing matters and the status of the pending case brought by four members of Local 113 (Toronto, ON) against the ATU and Local 113 (following resolution of the previous, but similar, actions brought by former Local 113 President Bob Kinnear related to defamation actions filed against ATU President Hanley and ATU Canada President Paul Thorp). He also discussed the pending appeal of the jury verdict dismissing the plaintiffs’ claims in the case brought by Local 1300 (Baltimore, MD) members Janice Murray and Alnett Queen, seeking to overturn a decision by President Hanley finding them ineligible to hold office, and the lawsuits to vindicate our members First Amendment rights involving Local 1015 (Spokane, WA) and the Spokane Transit Authority, Local 1385 (Dayton, OH) and the Greater Dayton RTA, and Local 1395 (Pensacola, FL) and the Escambia County Board of Commissioners.

Molofsky reported on the successful application of our Section 13(c) rights to protect our members in Iowa, against the severe limitations on the scope of bargaining rights for public employees which were approved by the state legislature. After protracted efforts involving the Department of Labor, other affected transit unions, the state Attorney General’s office, and supportive public agency officials we were successful in securing an exemption from these onerous provisions to the extent they conflicted with our protected Section 13(c) bargaining rights.

He highlighted application of Section 13(c) rights by explaining an arbitration award that provided Local 1287 (Kansas City, MO) the right to negotiate an implementing agreement over the operation of the new streetcar; the pending 13(c) arbitration involving Local 732 (Atlanta, GA) over MARTA’s decision to contract out its entire paratransit service to MV; efforts to enforce our Section 13(c) rights for Local 1771 (Escambia County, FL) in response to actions by the Escambia County Board of County Commissioners to assume operations of its privately run transit services; and longstanding litigation to enforce our interest arbitration rights involving Local 697 (Toledo, OH) and the Toledo Area Regional Transit Authority.

With respect to the Local 1300 case, *Janice Murray et al. v. ATU International Union*, the Board was advised that following the successful May 17, 2017, jury verdict dismissing the case against Brother Queen, Murray filed an appeal with the U.S. Court of Appeals for the District of Columbia Circuit. A hearing was expected in January 2018, with a decision expected shortly thereafter.

Finally, with respect to the cases involving Local 113, Molofsky and President Hanley reviewed the complex matters pending before the courts, the related complaints filed with the Canadian Labour Congress, and the support received from other Canadian and International Unions. These matters are discussed in detail in the report of the International President. Key points highlighted include the following: the ultimate resignation of Bob Kinnear as president of Local 113, his settlement and the ultimate withdrawal of his case attacking key provisions of the ATU Constitution, involving prohibitions and potential discipline for raiding or seeking to dissolve a local affiliation with ATU; the reversion of a local union's assets to the International upon dissolution; the subsequent filing of a similar action by four other members of Local 113, the expected motions to be filed and ruled on by the supporting Canadian and International Unions and the Canadian Labour Congress to intervene in the new case, and the resolution of the complaints by the ATU and Unifor, filed with the Canadian Labour Congress.

### **GENERAL DISCUSSION**

The remainder of the session was devoted to discussion among the International Executive Officers and members of the Board.

The meeting adjourned sine die at 4:40 p.m.

INTERIM ACTIONS AND RULINGS BY THE  
GENERAL EXECUTIVE BOARD  
FOR THE PERIOD JANUARY 1, 2017, THROUGH JUNE 30, 2017

1. AUTHORIZATION FOR THE INTERNATIONAL PRESIDENT  
TO PLACE LOCAL 1108 (QUINCY, IL) INTO TEMPORARY TRUSTEESHIP

Upon a polling of its membership, conducted pursuant to Section 12.6 of the ATU Constitution and General Laws, on January 5, 2017, the General Executive Board authorized International President Hanley to place Local 1108 (Quincy, IL), into Temporary Trusteeship.

2. AUTHORIZATION TO ADOPT THE FINDINGS  
AND DETERMINATION OF THE HEARING OFFICER IN THE  
MATTER OF TRUSTEESHIP OF LOCAL 1555 (OAKLAND, CA)

Upon a polling of its membership, conducted pursuant to Section 12.6 of the ATU Constitution and General Laws, on January 14, 2017, the General Executive Board voted to approve the recommendation of International President Hanley, to adopt the Findings and Determination of the Hearing Officer as the Decision and Order of the General Executive Board, in the matter of Trusteeship of Local 1555 (Oakland, CA).

3. AUTHORIZATION FOR LOCAL 1225 (SAN FRANCISCO, CA)  
TO ENTER INTO AN AGREEMENT EXCEEDING THREE YEARS

Under authority vested in International President Hanley, by action of the General Executive Board and pursuant to Section 34.1 of the ATU Constitution and General Laws, on January 23, 2017, Local 1225 (San Francisco, CA), was authorized to enter into an Agreement Exceeding Three Years, with Monterey-Salinas Transit.

4. AUTHORIZATION FOR LOCAL 1700 (CHICAGO, IL)  
TO ENTER INTO AN AGREEMENT EXCEEDING THREE YEARS

Under authority vested in International President Hanley, by action of the General Executive Board and pursuant to Section 34.1 of the ATU Constitution and General Laws, on January 23, 2017, Local 1700 (Chicago, IL), was authorized to enter into an Agreement Exceeding Three Years, with South Eastern Stages.

5. AUTHORIZATION FOR LOCAL 312 (DAVENPORT, IA)  
TO ENTER INTO AN AGREEMENT EXCEEDING THREE YEARS

Under authority vested in International President Hanley, by action of the General Executive Board and pursuant to Section 34.1 of the ATU Constitution and General Laws, on February 7, 2017, Local 312 (Davenport, IA), was authorized to enter into an Agreement Exceeding Three Years, with the City of Davenport.



6. STRIKE SANCTION GRANTED TO LOCAL 591 (GATINEAU, QC)

Under authority vested in International President Hanley, by action of the General Executive Board and pursuant to Section 20.2 of the ATU Constitution and General Laws, on February 9, 2017, Strike Sanction was granted to the members of Local 591 (Gatineau, QC), employed by Société de transport de l'Outaouais.

7. AUTHORIZATION FOR LOCAL 1603 (BETHLEHEM, PA)  
TO ENTER INTO AN AGREEMENT EXCEEDING THREE YEARS

Under authority vested in International President Hanley, by action of the General Executive Board and pursuant to Section 34.1 of the ATU Constitution and General Laws, on February 23, 2017, Local 1603 (Bethlehem, PA), was authorized to enter into an Agreement Exceeding Three Years, with Trans-Bridge Lines, Inc.

8. AUTHORIZATION FOR LOCAL 1605 (CONCORD, CA)  
TO ENTER INTO AN AGREEMENT EXCEEDING THREE YEARS

Under authority vested in International President Hanley, by action of the General Executive Board and pursuant to Section 34.1 of the ATU Constitution and General Laws, on March 6, 2017, Local 1605 (Concord, CA), was authorized to enter into an Agreement Exceeding Three Years, with First Transit.

9. AUTHORIZATION TO ADOPT THE REPORT OF THE HEARING OFFICER  
IN THE MATTER OF TRUSTEESHIP OF LOCAL 1108 (QUINCY, IL)

Upon a polling of its membership, conducted pursuant to Section 12.6 of the ATU Constitution and General Laws, on March 10, 2017, the General Executive Board voted to approve the recommendation of International President Hanley, to adopt the Findings and Determination of the Hearing Officer as the Decision and Order of the General Executive Board, in the matter of Trusteeship of Local 1108 (Quincy, IL).

10. AUTHORIZATION FOR LOCAL 582 (ROME, NY)  
TO ENTER INTO AN AGREEMENT EXCEEDING THREE YEARS

Under authority vested in International President Hanley, by action of the General Executive Board and pursuant to Section 34.1 of the ATU Constitution and General Laws, on March 27, 2017, Local 582 (Rome, NY), was authorized to enter into an Agreement Exceeding Three Years, with the Central New York Regional Transportation Authority.

11. CHARGES AGAINST LOCAL 1177 (NORFOLK, VA)  
FORMER FINANCIAL SECRETARY RENEE BROWDER

Upon a polling of its membership conducted pursuant to Section 12.4 and 12.5 of the ATU Constitution and General Laws, on March 31, 2017, the General Executive Board voted in favor to adopt the recommendations of the International President that charges be issued against

former Financial Secretary Renee Browder, for violation of the CGL and Bylaws of Local 1177 (Norfolk, VA).

12. AUTHORIZATION FOR THE INTERNATIONAL PRESIDENT  
TO PLACE LOCAL 1637 (LAS VEGAS, NV)  
INTO TEMPORARY TRUSTEESHIP

Upon a polling of its membership, conducted pursuant to Section 12.6 of the ATU Constitution and General Laws, on April 10, 2017, the General Executive Board authorized International President Hanley to place Local 1637 (Las Vegas, NV) into Temporary Trusteeship.

13. AUTHORIZATION FOR LOCAL 1602 (ST. CATHARINES, ON)  
TO RETAIN A LOWER DUES STRUCTURE

Under authority vested in International President Hanley, by action of the General Executive Board and pursuant to Section 18.3 of the ATU Constitution and General Laws, on April 12, 2017, Local 1602 (St. Catharines, ON) was granted permission to retain a Lower Dues Structure.

14. AUTHORIZATION FOR LOCAL 1555 (OAKLAND, CA)  
TO ENTER INTO AN AGREEMENT EXCEEDING THREE YEARS

Under authority vested in International President Hanley, by action of the General Executive Board and pursuant to Section 34.1 of the ATU Constitution and General Laws, on May 1, 2017, Local 1555 (Oakland, CA) was authorized to enter into an Agreement Exceeding Three Years, with the Bay Area Rapid Transit.

15. AUTHORIZATION FOR LOCAL 618 (PROVIDENCE, RI)  
TO ENTER INTO INTEREST ARBITRATION

Under authority vested in International President Hanley, by action of the General Executive Board and pursuant to Section 19.2 of the ATU Constitution and General Laws, on May 1, 2017, Local 618 (Providence, RI), was authorized to enter into Interest Arbitration with the Rhode Island Public Transit Authority (RIPTA).

16. AUTHORIZATION TO ADOPT THE REVISED BYLAWS  
OF LOCAL 1555 (OAKLAND, CA)

Upon a polling of its membership, conducted pursuant to Section 13.2 of the ATU Constitution and General Laws, on April 25, 2017, the General Executive Board voted to approve the recommendation of International President Hanley, to approve the revised Bylaws of Local 1555 (Oakland, CA) as the Decision and Order of the General Executive Board.

17. AUTHORIZATION FOR LOCAL 1309 (SAN DIEGO, CA)  
TO ENTER INTO AN AGREEMENT EXCEEDING THREE YEARS

Under authority vested in International President Hanley, by action of the General Executive Board and pursuant to Section 34.1 of the ATU Constitution and General Laws, on May 18, 2017, Local 1309 (San Diego, CA) was authorized to enter into an Agreement Exceeding Three Years, with First Transit.

18. AUTHORIZATION FOR LOCAL 987 (LETHBRIDGE, AB)  
TO ENTER INTO AN AGREEMENT EXCEEDING THREE YEARS

Under authority vested in International President Hanley, by action of the General Executive Board and pursuant to Section 34.1 of the ATU Constitution and General Laws, on May 18, 2017, Local 987 (Lethbridge, AB) was authorized to enter into an Agreement Exceeding Three Years, with the City of Lethbridge.

19. AUTHORIZATION FOR THE INTERNATIONAL PRESIDENT  
TO ISSUE A COMPLAINT AGAINST LOCAL 1764 (WASHINGTON, DC)  
MEMBERS FOR DUAL UNIONISM

Upon a polling of its membership conducted pursuant to Sections 12.5 and 22.2 of the ATU Constitution and General Laws, on May 25, 2017, the General Executive Board voted in favor to adopt the recommendations of the International President to issue Dual Unionism charges against Local 1764 (Washington, DC) members Tonja Bell and Fallah Muhammed.

20. AUTHORIZATION TO ADOPT THE REPORT OF THE HEARING OFFICER  
IN THE MATTER OF CHARGES ISSUED AGAINST FORMER  
FINANCIAL SECRETARY RENEE BROWDER 1177 (NORFOLK, VA)

Upon a polling of its membership, conducted pursuant to Section 12.5 of the ATU Constitution and General Laws, on June 2, 2017, the General Executive Board voted to approve the recommendation of International President Hanley, to adopt the Findings and Determination of the Hearing Officer as the Decision and Order of the General Executive Board, in the matter of charges issued against former Local 1177 (Norfolk, VA) Financial Secretary Renee Browder.

21. AUTHORIZATION FOR LOCAL 1742 (CHARLESTON, WV)  
TO RETAIN A LOWER DUES STRUCTURE

Under authority vested in International President Hanley, by action of the General Executive Board and pursuant to Section 18.3 of the ATU Constitution and General Laws, on June 9, 2017, Local 1742 (Charleston, WV) was granted permission to retain a Lower Dues Structure.

22. AUTHORIZATION FOR LOCAL 1547 (BROCKTON, MA)  
TO ENTER INTO AN AGREEMENT EXCEEDING THREE YEARS

Under authority vested in International President Hanley, by action of the General Executive Board and pursuant to Section 34.1 of the ATU Constitution and General Laws, on June 16, 2017, Local 1547 (Brockton, MA) was authorized to enter into an Agreement Exceeding Three Years with NorthEast Transit Services, Inc.

23. AUTHORIZATION FOR LOCAL 1447 (LOUISVILLE, KY)  
TO RETAIN A LOWER DUES STRUCTURE

Under authority vested in International President Hanley, by action of the General Executive Board and pursuant to Section 18.3 of the ATU Constitution and General Laws, on June 21, 2017, Local 1447 (Louisville, KY) was granted permission to retain a Lower Dues Structure.

24. AUTHORIZATION FOR LOCAL 1277 (LOS ANGELES, CA)  
TO ENTER INTO AN AGREEMENT EXCEEDING THREE YEARS

Under authority vested in International President Hanley, by action of the General Executive Board and pursuant to Section 34.1 of the ATU Constitution and General Laws, on June 21, 2017, Local 1277 (Los Angeles, CA) was authorized to enter into an Agreement Exceeding Three Years, with the Los Angeles County Metropolitan Transportation Authority (LAMTA).

25. AUTHORIZATION FOR LOCAL 282 (ROCHESTER, NY)  
TO ENTER INTO AN AGREEMENT EXCEEDING THREE YEARS

Under authority vested in International President Hanley, by action of the General Executive Board and pursuant to Section 34.1 of the ATU Constitution and General Laws, on June 21, 2017, Local 282 (Rochester, NY) was authorized to enter into an Agreement Exceeding Three Years, with Lift Line Incorporated/RTS-Access.

26. AUTHORIZATION TO ADOPT THE REPORT OF THE HEARING OFFICER  
IN THE MATTER OF TRUSTEESHIP OF  
LOCAL 1637 (LAS VEGAS, NV)

Upon a polling of its membership, conducted pursuant to Section 12.6 of the ATU Constitution and General Laws, on June 23, 2017, the General Executive Board voted to approve the recommendation of International President Hanley, to adopt the Findings and Determination of the Hearing Officer as the Decision and Order of the General Executive Board, in the matter of Trusteeship of Local 1637 (Las Vegas, NV).

27. STRIKE SANCTION GRANTED TO LOCAL 1433 (PHOENIX, AZ)

Under authority vested in International President Hanley, by action of the General Executive Board and pursuant to Section 20.2 of the ATU Constitution and General Laws, on

June 23, 2017, Strike Sanction was granted to the members of Local 1433 (Phoenix, AZ), employed by First Transit.

28. AUTHORIZATION FOR LOCAL 694 (SAN ANTONIO, TX)  
TO RETAIN A LOWER DUES STRUCTURE

Under authority vested in International President Hanley, by action of the General Executive Board and pursuant to Section 18.3 of the ATU Constitution and General Laws, on June 26, 2017, Local 694 (San Antonio, TX), was granted permission to retain a Lower Dues Structure.

29. AUTHORIZATION FOR LOCAL 690 (FITCHBURG, MA)  
TO ENTER INTO AN AGREEMENT EXCEEDING THREE YEARS

Under authority vested in International President Hanley, by action of the General Executive Board and pursuant to Section 34.1 of the ATU Constitution and General Laws, on June 27, 2017, Local 690 (Fitchburg, MA) was authorized to enter into an Agreement Exceeding Three Years, with Dial-A-Mart Services, Inc.