MESSAGE DU PRÉSIDENT INTERNATIONAL PAR WARREN S. GEORGE

LA SÉCURITÉ D’ABORD

Dans notre économie, chaque jour qui s’écoule et où nous pouvons aller travailler, gagner un salaire journalier décent et ne pas être congédié, représente une victoire importante. Peu de choses sont plus importantes. Mais permettez-moi de vous demander de prendre un peu de recul pendant quelques instants pour considérer l’ensemble de la situation.

Maintenant, si vous plait, soyons applaudi. Oui, vous m’avez bien entendu. Vous le méritez car en subvenant à vos besoins et en faisant vivre votre famille, vous êtes une source de sécurité pour nombre d’entre nous. Que vous soyez dans les opérations ou l’entretien, c’est un résultat dont vous pouvez être fiers.

Chaque année plus de 42 000 personnes sont tuées sur les routes aux États Unis tandis que ceux qui meurent en utilisant les transports en commun peuvent se compter sur les doigts d’une main. Que vous travaillez dans les opérations ou l’entretien, c’est un résultat dont vous pouvez être fiers.

Malgré tout, récemment, nous avons commencé à voir des fissures dans le système et le Gouvernement en a pris conscience. Lorsqu’un train a un accident, cela fait la première page des journaux et à juste titre. Donc, c’est la raison pour laquelle l’article principal de ce numéro d’In Transit traite des problèmes de sécurité.

LES TRAVAILLEURS ONT UN RÔLE IMPORTANT À JOUER

J’ai vu suffisamment de bus incendiés, de dérapages d’inconnommables taches d’huile, et j’ai ressenti ma part de gaz d’échappement détruisant de nombreuses cellules du cerveau pour en savoir un peu sur les problèmes de sécurité dans notre industrie.

Malgré la technologie de pointe, être un travailleur dans les transports en commun peut être dangereux pour votre santé. En raison d’une insuffisance de financement, des systèmes vieillissent. Les rails se brisent et les signaux informatiques s’usent, mettant la sécurité des travailleurs et des usagers en danger. Les journées de travail fractionnées et les heures supplémentaires forcées peuvent engendrer de la fatigue. Nous avons, sans aucun doute, des problèmes.

Alors maintenant, pour la première fois, le Gouvernement Fédéral, qui est actuellement impuissant en ce qui concerne les problèmes de sécurité, recherche un moyen d’impliquer. Veuillez consulter le Rapport Législatif à la page ___ pour plus de détails. L’ATU applaudit la proposition de la Administration Obama qui consisterait à établir et à appliquer des normes minimales de sécurité tant que les transports en commun jouent un rôle important dans la formulation et l’adoption de ces normes.

À travers tout, nous avons beaucoup de contributions à apporter. Par exemple, après l’accident horrible, à Washington, DC, en 2009, Metro a adopté les recommandations de la section syndicale 689 de l’ATU qui consiste à placer en milieu de train les wagons qui ne sont pas «résistants aux carambolages». Au fil des ans et jusqu’à nos jours, l’ATU a été le leader en ce qui concerne les questions de sécurité des transports en commun en exigeant dans les années 1890 des plates-formes fermées pour les tramways et en organisant une campagne pour des tarifs adaptés dans les années 60, jusqu’à nos jours. Aujourd’hui, même si d’élégants véhicules légers sur rail ne semblent en rien aux véhicules tirés par des chevaux que nos membres conduisaient dans les débuts des transports en commun, le dévoûtement de l’ATU pour résoudre les questions de sécurité des transports en commun est resté inchangé depuis 1892.

RESPONSABILITÉ PERSONNELLE

Mais bien sûr, tout cela commence avec la responsabilité personnelle. S’il vous plaît, quoi que vous fassiez, n’utilisez pas votre téléphone portable en conduisant un véhicule de transport en commun – que ce soit pour parler ou pour envoyer un SMS - à moins que ce soit une urgence et que cette urgence soit listée dans les directives de l’entreprise. C’est vraiment trop facile d’être distrait. En collaboration avec la direction, nous pouvons travailler à identifier, évaluer et résoudre les dangers qui ont un impact sur la sécurité des passagers et des employés des transports en commun.

UN MENSAGE DEL PRESIDENTE INTERNACIONAL PAR WARREN S. GEORGE

SEGURIDAD EN PRIMER LUGAR

En esta economía cada día que pasa en el cual usted puede ir a su trabajo, ganarse un día de salario honesto, y no quedar suspendido de empleo temporalmente es equivalente a lograr una enorme victoria. Ninguna otra cosa es importante. Pero, permítame preguntarle solo por un momento que tome un paso atrás y examine el gran panorama ante usted.

Ahora, por favor, haga una inclinación de reverencia. Tienen usted la suerte. Ya que manteniéndose a usted mismo y a su familia, a través de una carrera en el transporte público, usted está haciendo algo increíblemente importante: transportando al público con seguridad. Cada día, el conyuge de otra persona, un niño, un amigo o un amigo aborda un autobús o un tren que arriva a su destino con seguridad y sin novedad – ¡gracias a usted!

Mientras que más de 42,000 personas mueren en las carreteras de América todos los años, el número anual de pasajeros que mueren durante el uso de transporte público puede ser contado en una mano. Ya esté usted envuelto en operaciones o en mantenimiento, este es un record del cual usted debe sentirse muy orgulloso.

Recientemente, sin embargo, hemos empezado a ver grietas en el sistema, y el gobierno federal ha tomado nota de las mismas. Cuando un tren se estrella o choca, es materia de noticias de primera plana, y así debe ser. Por ese motivo, el artículo de fondo que aparece en la cubierta de nuestra revista In Transit tiene referencia a asuntos de seguridad.

LOS TRABAJADORES TIENEN UN IMPORTANTE PAPEL QUE JUGAR

Yo he presenciado numerosos incidentes de autobuses, me he resbalado en superficies acuosas y he respirado gases tóxicos de escape sueltamente para destruir muchas de mis células cerebrales, por lo tanto yo tengo un vasto conocimiento de los temas de seguridad en nuestra industria. A pesar de las últimas tecnologías, el ser un trabajador del transporte puede ser muy peligroso para su salud. Debido al inadecuado financiamiento, los sistemas de transporte están evolucionando rápidamente. La vía férrea sufre quedaduras y las señales computarizadas se deterioran, poniendo en riesgo la seguridad de los trabajadores y los pasajeros. Horarios de trabajo partidos y sobretiempo forzado pueden causar fatiga. No hay duda alguna, tenemos serios problemas que nos confrontan.

Así pues, ahora por primera vez el gobierno federal, que actualmente no tiene poder cuando se trata de seguridad en el tránsito, está considerando como puede intervenir en la materia. Lea el Informe Legislativo en la página ___ para más detalles. La ATU aplaudió la propuesta de la Administración Obama para establecer y hacer cumplir normas federales de seguridad para los sistemas de rieles, eso es, siempre y cuando el sindicalismo del tránsito tenga un papel significativo que jugar en la creación y adaptación de dichas normas.

Después de todo, nosotros tenemos mucho que ofrecer. Por ejemplo, a raíz del horrible choque de trenes en Washington, D.C. en el 2009, la administración del Metro adoptó las recomendaciones de la Unión Local ATU # 689 para mover ciertos vagones de pasajeros que no están “resistentes a choques” al centro del tren. A través de los años, ATU ha sido el líder de los asuntos de seguridad en el tránsito, desde requerir ventanas cerradas para los tranvías en la era de los 1890 a la campaña para colectar tarifas de cambio exacto en la década de los 60, hasta el presente. Mientras que hoy día los vagones de apariencia elegante en los sistemas de transporte de estilo en los sistemas de rieles, eso es equivalente a lograr una enorme victoria. Ninguna otra cosa es importante. Pero, permítame preguntarle solo por un momento que tome un paso atrás y examine el gran panorama ante usted.

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A MESSAGE FROM THE INTERNATIONAL PRESIDENT

SAFETY FIRST

In this economy, every day that goes by in which you are able to go to work, earn an honest day’s pay, and not get laid off amounts to a huge victory. Little else is important. But allow me to ask you to step back for just a moment and look at the big picture.

Now, please take a bow. That’s right. You deserve it. Because by supporting yourself and your family through a career in public transportation, you are also doing something incredibly important: transporting people safely. Each day, someone’s spouse, child, grandparent or friend gets on a bus or train and arrives at their destination safely – because of you.

While more than 44,000 people are killed on U.S. and Canadian highways each year, the number of annual customer fatalities on public transportation can usually be counted on one hand. Whether you are involved in operations or maintenance, this is a record that you can be proud of.

Recently, however, we have started to see some cracks in the system, and the federal government has taken notice. When a train crashes, it makes front page news, and rightfully so. So our cover story for this issue of In Transit concerns safety matters.

WORKERS HAVE IMPORTANT ROLE TO PLAY

I have seen my share of bus fires, slipped on countless oil slicks and breathed in enough exhaust fumes to kill many brain cells, so I know a little about the safety issues in our industry.

Despite the latest technology, being a transit worker can be hazardous to your health. Due to inadequate funding, the systems are aging. Tracks break down and computerized signals wear out, putting the safety of workers and riders in jeopardy. Split shifts and forced overtime can cause fatigue. Without question, we’ve got issues.

So now, for the first time, the federal government, which is currently powerless when it comes to transit safety, is looking to get involved. Check out the Legislative Report on page 8 for the details. ATU applauds the Obama Administration’s proposal to establish and enforce minimum federal safety standards for rail transit systems as long as transit labor has a significant role in the creation and adoption of the standards.

After all, we have a lot to offer. For example, following the horrible crash in Washington, DC, in 2009, Metro adopted ATU Local 689’s recommendation to move certain rail cars that were not “crash-worthy” to the middle of the train. Over the years, ATU has been the leader on transit safety issues, from requiring closed vestibules for streetcars in the 1890’s to the campaign for exact fare in the sixties, to the present. While today’s sleek-looking light rail cars may look nothing like the horse drawn vehicles our members operated in the early days of transit, ATU’s dedication to transit safety has remained unchanged since 1892.

PERSONAL RESPONSIBILITY

But of course, this all begins with personal responsibility. Please, whatever you do, don’t use your cell phone while driving a transit vehicle – and that includes talking or texting – unless it’s an emergency and within company guidelines. It’s just too easy to get distracted. Together with management, we can work to identify, assess and resolve safety hazards which ultimately impact passenger and employee safety in transit operations.
In Transit

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COVER IMAGE (also appears on p. 4 & pp. 8-9): Investigators and officials look over the collision scene of two Metro transit trains in Northeast Washington, DC, on Tuesday, June 23, 2009. (AP Photo/Gerald Herbert)

Two new worker deaths on DC’s Metro system, January 26, took place just as the In Transit went to press, re-enforcing the urgent need for the legislation discussed in this issue’s cover story. See page 8. Also, ATU Canadian members are being assaulted in greater frequency and severity than ever before. See what one local is doing about it on page 10.

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The objects of this International Union shall be to organize Local Unions; to place our occupation upon a higher plane of intelligence, efficiency and skill; to encourage the formation in Local Unions of sick and funeral benefit funds in order that we may properly care for our sick and bury our dead; to encourage the organization of cooperative credit unions in the Local Unions; to establish schools of instruction for imparting a practical knowledge of modern and improved methods and systems of transportation and trade matters generally; to encourage the settlement of all disputes between employees and employers by arbitration; to secure employment and adequate pay for our work, including vacations with pay and old age pensions; to reduce the hours of labor and all legal and proper means to elevate our moral, intellectual and social condition. To engage in such legislative, political, educational, cultural, social, and welfare activities as will further the interests and welfare of the membership of the Organization. To seek the improvement of social and economic conditions in the United States and Canada and to promote the interests of labor everywhere.
PRIVATE-PUBLIC PARTNERSHIPS

The ATU represents both public and private employees. We work hard to represent all our members with the best wages and benefits in the industry. Recently however, transit authorities are entering into private-public partnerships. Private-public partnership is new jargon. What does that phrase mean?

WHAT IS IT?

We all know what subcontracting or contracting-out is. It usually results in portions of work being taken away from our bargaining units. Simply stated, contracting-out translates into lower wages and less benefits for our members.

‘FOX IN SHEEP’S CLOTHING’

The “private-public partnership” seems to be a “fox in sheep’s clothing.” It is another way to describe contracting-out – and it has become an attack on the standard of living of our members.

Throughout the ATU’s history, we have faced and fought the contracting-out of our work. While most public transit systems evolved through private operator acquisitions, the current trend to move systems to private operator systems is a bad idea for us and for transit.

The cost of equipment, maintaining that equipment, providing fuel and insurance is the same whether the system is operated by a public or private provider. So when a private provider makes a pitch to take over public transit work and promises to save money, the only way they can operate the system and cut costs is by reducing employee wages and benefits.

Many years ago, public bodies may have realized a small savings by contracting-out some transportation services. But those days are long gone. If a true cost analysis were performed when a public entity proposes to contract-out some or all of its transportation services, contracting the service versus performing the same in-house would almost always be more expensive.

In Portland, OR, Local 757 and the Portland area transit agency had for years argued over whether contracting paratransit services was more expensive than if the service was performed in-house. The parties finally agreed to an independent outside audit which resulted in a study that showed that the transit agency would save over three million dollars a year if they performed the service in-house! Audits are currently being performed in other cities, and we expect the findings to be similar.

WHAT YOU CAN DO

So what should local unions do with regard to these private-public partnerships being considered in their communities? First, they should seek to determine if their property is covered by a Section 5333 (b) (formerly Section 13c) agreement, and whether this agreement contains any worker preservation provisions, including wages, benefits and pension plans. The local then should request assistance from this office.

If there are no Section 5333 (b) protections, the local needs to mount a campaign with the public entity to ensure that current wages, benefits and other working conditions are maintained when entering into a private-public partnership. Contact international headquarters for help to plan this strategic campaign. Finally, and most importantly, if the partnership is created, organize the private provider to ensure their wages and benefits are comparable to the public units.

‘Simply stated, contracting-out translates into lower wages and less benefits for our members.’
A MESSAGE FROM THE INTERNATIONAL SECRETARY-TREASURER

WORKING WITH MANAGEMENT IN DIFFICULT ECONOMIC TIMES

I recently gave a speech to the California Transit Association which is applicable to what is going on with our members in both the United States and Canada. As many of you know, California is my home and what happens there (because of the size of the economy) often affects both our nations.

I gave my talk just after the California Supreme Court had rejected Governor Schwarzenegger’s appeal of a lower court ruling that found that the annual raids on the funds in the Public Transportation Account are illegal. That decision protected the state funds that had not already been used for non-transportation-related purposes in the state. Nearly $3.4 billion had been raided from these funds, and repayments will be delayed several years.

In California, the ATU and the transit authorities are worried that the state legislature will redefine mass transit to permit the allocation of monies to other priorities. The ATU and the California Transit Association are cooperating to fight any such initiative.

STEEP DECLINES IN REVENUES

Just like on your properties, California has seen steep declines in revenues as a result of the recession. This has led to cuts in service, fare hikes and layoffs which disproportionately affect poor and minority populations. In California, the problem is even greater because the state legislature cut the entire state transit operating budget for this fiscal year, so our problems continue.

The ATU believes that the best solution for these problems is operating assistance (wages, and administration, as opposed to buses, and rail cars, etc.). We have been fighting for operating assistance without the help of transit authorities, and it is time for our employers to step up to the plate.

So far, we have had one victory. The ATU fought successfully for an amendment to last year’s federal economic stimulus bill so that it now allows up to 10 percent of the transit funds from that legislative package to be used for operating assistance in our larger metropolitan areas. Unfortunately, that was just a short-term solution limited to the money in the bill.

WHATEVER HAPPENED TO PUBLIC TRANSIT FOR THE PUBLIC GOOD?

Meanwhile, despite having high ridership on our systems, routes are being cut and fares may increase – again. Whatever happened to public transit for the public good?

It is likely that the demand and cost of fuel will increase when the economy recovers, forcing our systems to pay $4 - $5 per gallon for gas again. While high gas prices increase ridership, they also drain the resources of our systems that have to purchase the costly fuel.

The ATU has drafted legislation that we hope will be incorporated into the next federal surface transportation bill – HR 2746. The bill would allow transit systems to use at least a portion of their federal dollars for operating assistance.

The ATU knows many transit property managers support our agenda. But private support does nothing. We need them to stand by us, side by side, and we need to encourage them to do so.
The election of Republican Scott Brown to succeed the late Sen. Edward Kennedy, D-MA, has thrown yet another monkey-wrench into the health care debate in Congress. The election reduces the Democratic majority to 59 – one vote short of the 60 needed to overcome a reform-killing GOP filibuster in the Senate.

The January 19 election is just the latest addition to a series of obstacles the legislation must overcome to be passed by both houses of Congress. The AFL-CIO, for example, vigorously objected to a provision in the Senate version that would have placed an excise tax on family coverage costing over $23,000 per year.

The president, however, favors the tax, and engaged the federation, other union representatives, and Congress in intense negotiations during which a “deal” was hammered out to secure the support of Labor.

International President Warren S. George does not think that the “deal” solves Labor’s problems with the bill. George wrote to AFL-CIO President Richard Trumka on January 15, asserting, “I find the ‘deal’ unacceptable.” The Union’s top executive wrote that the ATU “will continue to fight the excise tax because it is not good for the ATU’s members or for all the working men and women in the United States.” Check www.atu.org for updates.
Following a recent string of serious rail accidents across the United States, the Obama Administration is now pushing Congress to allow the Federal Transit Administration (FTA) to impose broad safety standards for transit systems.

In June 2009, a Washington (DC) Metro crash killed nine people and injured 80 others when two trains collided. Metro officials later called Metro train driver Jeanice McMillan, 689, a hero. McMillan was killed when the train she was driving struck one that was standing still. She saved lives by remaining at her post, hitting the emergency brake, and slowing the train before the fatal crash.

In 2007, two track workers in New York City tragically died in separate incidents. And hundreds of soot-covered Blue Line riders escaped through a smoke-filled subway tunnel in 2006 after a packed Chicago Transit Authority (CTA) rush-hour train derailed, sparking a fire near a busy downtown stop.

ENOUGH IS ENOUGH

U.S. Department of Transportation (DOT) Secretary Ray LaHood says enough is enough. “The current system for federal rail transit safety oversight is weak and inadequate and does not guarantee a consistent level of safety for transit passengers,” said Secretary LaHood before a hearing of the U.S. House Transportation and Infrastructure Committee on December 8, 2009.

Of course, a person is many, many times safer as a passenger riding in a rail transit vehicle compared to a passenger riding in a motor vehicle. According to government statistics, from 2003 - 2008 there has been an annual average of 44,000 highway fatalities in the U.S. and Canada. In contrast, there has been an annual average of one passenger fatality on subways, and not one passenger died on light rail vehicles during the same period. “While rail transit remains a safe way to travel, the Obama Administration believes it is time to take serious steps to make it even safer and ensure a standard level of safety across all systems,” said LaHood.

The secretary called on Congress to pass the Obama Administration’s Public Transportation Safety Program Act, a new transit safety bill to ensure a high and standard level of safety across all rail transit systems. Since 1965, the federal government has been prohibited from imposing broad safety standards in rail. The states have been responsible for oversight of rail safety, and in almost every case, their programs are underfunded, understaffed, and ineffective. In fact, transit systems are not even required to implement recommendations made by state safety oversight panels.
'TOMBSTONE MENTALITY'
Committee Chair James Oberstar, D-MN, said that the current system is nothing more than a “tombstone mentality,” waiting for people to die before action is taken. The member of Congress indicated that the federal government can play an important role in rail safety, and that the states need guidance. “It’s a partnership,” he said.

Asking the committee to consider the bill “seriously and promptly,” Secretary LaHood pledged to assist Congress in enacting a new safety regime that will better protect daily riders as transit systems age and available revenues remain tight.

The proposed legislation would do three things:

1. First, the bill would authorize the secretary to establish and enforce minimum federal safety standards for rail transit systems. The bill would also provide the secretary the option to establish a safety program for public transportation bus systems. Secretary LaHood also announced the formation of a Transit Rail Advisory Committee on Safety (TRACS) that will help guide the department’s rail transit safety regulations. The ATU has requested a seat on the committee.

2. Second, the bill would authorize the secretary to allow states to receive federal transit assistance to staff and train state oversight personnel to enforce new federal regulations. State programs would have to be well-staffed and adequately empowered by state governments to fully enforce federal regulations in order to be eligible for federal funds.

3. Third, the bill would require the state agencies conducting oversight to be fully financially independent from the transit systems they oversee. The FTA would enforce all federal regulations where states choose not to participate in the program or where the state program is found to lack the necessary enforcement tools.

“More than 14 million passengers use our rail transit systems every weekday. Yet the responsibility to guarantee their safety is currently left to a patchwork of 27 state agencies with inconsistent standards, inadequate powers and insufficient staffing. With one exception, these agencies average less than one full time employee,” said FTA Administrator Peter Rogoff, who appeared with LaHood before the House panel. “Our proposed legislation will better ensure that the millions of passengers who use transit to get to work, school and home every day do so safely and without incident.”

Under the Administration’s proposal, the FTA and state agencies participating in federal transit safety enforcement would be authorized to conduct inspections, investigations, audits, and examinations, as well as to test public transportation systems’ equipment, facilities, rolling stock, operations, and persons engaged in the business of a public transportation system. They would also have the authority to issue reports and subpoenas, require the production of documents, take depositions, and prescribe recordkeeping and reporting requirements.

ONLY ONE PIECE OF THE PUZZLE

Of course, regulation on its own will not make rail travel safer. Rogoff also said that in order to increase safety, there is a dire need to address issues related to worker training and retention. He cited evidence that recent accidents could have been prevented if transit systems had programs in place to enhance communications between experienced, senior level workers in safety-sensitive positions (who are getting ready to retire) and new hires. More than 40 percent of transit technicians are eligible to retire within the next five - 10 years.

Representative Peter DeFazio, D-OR, chair of the House Subcommittee on Highways and Transit, added that while regulation is important, without increased funding to modernize transit equipment on aging rail systems, new laws will have little impact. In fact, Rogoff presented DeFazio with a rusty piece of track from the CTA, noting that it was at least 60 years old.

Although FTA says that the new programs could be launched with less than one percent of its overall budget, Republicans proposed funding the new safety initiative by reducing funds for existing transit programs. “Over my dead body,” said Oberstar.
ASSAULTS ON CANADIAN OPERATORS ESCALATED IN NUMBER AND SEVERITY OVER THE LAST TWO MONTHS. LOCAL 569-EDMONTON, AB, MAY HAVE GOTTEN THE WORST OF IT, WITH THREE OF ITS OPERATORS ATTACKED WITHIN 30 DAYS.

The first and most vicious attack took place on December 3, 2009, during the morning commute, after ATU operator Thomas Bregg, 58, asked a passenger who was causing a disturbance to leave his bus. The passenger struck Bregg several times before dragging him to the ground outside where he repeatedly stomped on Bregg’s head and face. The alleged assailant fled the scene, leaving the driver bloodied and unconscious. Friends say Bregg was unrecognizable.

Bregg has undergone two reconstructive surgeries on his face and one on his eyes since the attack, and he will need more surgeries. On January 20, Local 569 Financial Secretary Claude Ducette told In Transit that Bregg had recently stood up for the first time since being hospitalized. Nevertheless, he will be in the hospital for at least eight more weeks, and has a long-haul ahead of him in his recovery process.

FACEBOOK SUPPORT PAGE FOR BREGG

A facebook page has been set up by friends in support of Bregg which can be found at: http://tinyurl.com/tombregg

Bregg’s alleged assailant was arrested shortly after the attack and charged with attempted murder, aggravated assault and assaulting a police officer, after he allegedly spit at the arresting officer.

A second assault occurred on December 21, 2009, when two teenagers allegedly got into an argument with an ATU operator and blasted him with pepper spray. The teens were apprehended within 10 minutes, and charged with assault with a weapon and breach of probation.

A third ATU driver was assaulted in Edmonton on January 3. The driver did not sustain any serious injuries. His alleged attacker was caught and charged with assault.

ONLY THE LATEST IN SERIES OF ASSAULTS

The Edmonton incidents are only the latest in a continuing series of assaults upon Canadian drivers. While most attacks are the result of a fare dispute, many seem to be perpetrated for no comprehensible reason.

“It almost appears it’s one after another,” said Local 569 President Stu Litwinowich. “When’s it going to stop? The operators are probably looking over their shoulders more and more, wondering what kind of activities taking place on the bus. They’re way more cautious.”

The local and the Edmonton Transit System have responded to the violence by beginning to implement security measures proposed over the last 18 months earlier than planned. Transit protective officers are now assigned to buses and transit centres, and Litwinowich hopes they will soon patrol every route in the system.

‘VERBAL JUDO’

Soon, stickers declaring that the ETS has a “Zero-Tolerance” policy with regard to violence on transit will greet passengers as they enter a bus. ETS also is prototyping a fourth version of a security shield which it hopes will work well with its buses.

A public awareness campaign about the problem is planned, and operators are going to be trained in the use of verbal techniques that some call “verbal judo” to diffuse threatening situations.

Beyond that, the local supports the ATU-sponsored bill in Parliament which would make the penalty for assaulting a transit worker the same as it is for assaulting a police officer.

While the effectiveness of any of these measures continues to be debated, all agree that the violence must stop.
**ISSUE:** Did First Student, Inc. violate the collective bargaining agreement with the Union when it unilaterally implemented a points-based attendance system, and, if so, what is the appropriate remedy?

**SUMMARY:** The employer conducts school bus operations in the Portland, OR area. This conflict arose after Laura Hansen became manager of the Portland division in June 2008. In August 2008, Hansen distributed a four-page attendance policy manual, dated retroactively to August 1, 2001, which defined “absenteeism” as “any failure to be at work or remain at work as scheduled, regardless of the reason.” The policy manual included a system of “points” for absenteeism, and a list of “consequences,” up to and including termination. Under the policy, bargaining unit employees are assessed points for each absence unless excused at the discretion of the manager, and are subject to discipline or discharge if too many points are accumulated in a one-year period.

Hansen had previously worked in management positions at various school bus facilities in Oregon, yet had never been in a management position that interacted with employees in a union protected by a collective bargaining agreement. Hansen admitted at the arbitration hearing that she lacked experience in dealing with a unionized workforce. The points-based attendance policy she implemented was a policy enforced at her previous workplaces. Hansen further admitted that she recognized conflicts between the policy she implemented and the collective bargaining agreement once the agreement was brought to her attention.

Some examples of conflicts between the unilaterally implemented attendance policy and the collective bargaining agreement included but were not limited to: no pay for funeral leave in the attendance policy, whereas the agreement provided for paid funeral leave; excluding employees from participating in summer work because of an accumulation of points under the attendance policy, whereas the agreement had no such language; exclusion of language pertaining to union leave for shop stewards in the attendance policy, where the agreement made specific allowances for such leave.

The Union argued that these conflicts were unacceptable and amounted to rewriting the collective bargaining agreement. The Union further argued that the implementation of the attendance policy violated the employer’s notice obligations – as included in the Management Rights and General Conditions articles of the collective agreement.

**HOLDING:** On November 19, 2009, impartial Arbitrator Marvin L. Schurke held that the employer violated the collective bargaining agreement by implementing, applying and defending the points-based attendance system. Arbitrator Schurke ordered that the employer pay the full cost of the arbitration proceedings; return to enforcing the previous attendance policy as dictated by the collective bargaining agreement; cancel all imposed or threatened discipline under the disputed attendance policy and provide affected employees with written notice; compose a written apology to the Union’s shop steward; and make whole all employees affected by the disputed policy in regards to wages and benefits.

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**‘Crimson Ride’ Drivers Want to Be ‘Number One’ in Worker Justice Too**

Organizing doesn’t end when workers vote for union representation – that’s just the beginning. It is frequently followed by a tough fight for a first contract.

The shuttle bus drivers who transport University of Alabama students on their signature “Crimson Ride” buses voted unanimously to join the ATU in Spring 2009. But while many of the drivers struggle to support families as campus bus drivers, First Transit – the university contractor providing the services – insists that they should be satisfied with a wage package below the U.S. poverty line for a family of four!

**THEY’VE HAD ENOUGH**

The drivers have had enough and are reaching out to the community and the student body for support in their fight for a living wage. “University of Texas Shuttle drivers can earn over $17 per hour if they stay with the company, but $10 per hour is the most First Transit thinks we are worth!” says Tia Brown, a member of the negotiating committee.

After the University of Alabama defeated the University of Texas for the national college football championship, ATU activists leafleted the campus asking students and faculty to tell the University of Alabama they wanted to be “#1” in worker justice as well as football!
This fall, Local 85-Pittsburgh, PA, stood tall for families in the labor movement during the holiday season. For 10 years, the Allegheny County Labor Council has undertaken a Christmas Toy Drive for unemployed or underemployed members of Labor and their families. During the 2009 Toy Drive, Local 85 Executive Board Member Lanette Mitchell told Allegheny County Labor Council President Jack Shea and Local 85 President Patrick McMahon that she wanted to “stuff a bus” with toys for Christmas.

Acknowledging that this would be a tough task, since it was already October, she was given the go-ahead by both leaders. ATU Local 85 and the Labor Council teamed up with International Brotherhood of Electrical Workers Local 29 and the Port Authority of Allegheny County Transit Police for this year’s drive.

Realizing that Mitchell would need help, McMahon recruited Local 85 Warden Robbie Gouch to assist her. Gouch was already working as the chair of Local 85’s 2010 United Way Campaign. McMahon also reached out to the local’s retirees and executive board to assist in the collection and delivery of the gifts.

Operator Vicky Brooks, 85, played “Santa driver” and beautifully decorated the bus. Port Authority Transit Police Chief Stephen McCauley provided around-the-clock security with the use of surveillance cameras while the bus was parked in front of police headquarters.

On December 2, the bus was stuffed with over $6,000 in new toys including bikes, scooters, skateboards, dolls, games and more, and over $700 in gift cards. On December 3, the bus was driven to the Allegheny County Council meeting where all the toys collected by participating labor in Allegheny County would be distributed.

Prior to the distribution, the transit police brought to the attention of Local 85 a family that has been struggling since the mother died in childbirth a year ago. The father has been raising the one-year old who survived and his eight-year-old brother alone for the past year. Local 85 agreed to “adopt” the family this year and its toys were given to them.

Local 85 had a very successful “Stuff a Bus” campaign working with the Allegheny County Labor Council and all of the council affiliates. A special thanks to all members of Labor who gave from their hearts and who have blessed so many families this year.

**Pittsburgh Local Leads Effort to ‘Stuff a Bus’ for Unemployed, Underemployed**

**HELP**

Realizing that Mitchell would need help, McMahon recruited Local 85 Warden Robbie Gouch to assist her. Gouch was already working as the chair of Local 85’s 2010 United Way Campaign. McMahon also reached out to the local’s retirees and executive board to assist in the collection and delivery of the gifts.

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**$6,000 IN NEW TOYS DONATED**

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**Registration Fees: $100 per member or guest**

Registration and Scholarship Deadline: April 13, 2010 (no on-site registration)

All information and forms pertaining to the Conference are available on the ATU Black Caucus website at www.atubc.org

**Hotel Rate: $119/night + 15% tax**

Reservations: (313) 237-6733 / Code: ATUBlackCaucus10

**EDUCATIONAL WORKSHOPS, GROUP PARTICIPATION, DYNAMIC SPEAKERS, & FIRST-TIME ATTENDEE CLASS**
LOCAL 312 - Davenport, IA
City of Davenport
Local President Yolandas Dixon and International Vice President Janis Borchardt report settlement.
TERM: 3 years 7/1/09 - 6/30/12
WAGES: Top Operator
7/1/09 - 65¢ - 3.0% - $22.18  7/1/11 - 69¢ - 3.0% - $23.53
7/1/10 - 66¢ - 3.0% - $22.84

LOCAL 821 - Jersey City, NJ
Broadway Bus Owners Association
Local President Earl Hardy, Jr. and International Vice President Larry Hanley report settlement.
TERM: 3 years 8/21/09 - 8/20/12
WAGES: Top Operator
8/21/09 - $17.80  2/22/10 - $18.30  8/22/11 - $18.80

LOCAL 846 - St. Catharines, ON
St. Catharines Transit Commission
Local President Alan Burrows and International Vice President Randy Graham report settlement.
TERM: 3.5 years 1/1/10 - 6/30/13
WAGES: Top Operator
2010 - 60¢ - 2.5% - $24.65  2012 - 63¢ - 2.5% - $25.90
2011 - 62¢ - 2.5% - $20.27  2013 - 39¢ - 1.5% - $26.29
Top Mechanic
2010 - 72¢ - 2.5% - $29.67  2012 - 77¢ - 2.5% - $31.18
2011 - 74¢ - 2.5% - $30.41  2013 - 47¢ - 1.5% - $31.65
H & W: Dependent coverage up to 21 years of age or 25 years of age if still in school
Dental coverage cap increased to $2,500/year
VACATION: 3 years of service - 3 weeks 15 years of service - 5 weeks
9 years of service - 4 weeks 22 years of service - 6 weeks
HOLIDAYS: Add “Family Day”
Add 1 floating holiday

LOCAL 847 - St. Joseph, MO
Transit Management of St. Joseph
Local President Charles Endsley and International Vice President Javier Perez report settlement.
TERM: Extension 12/1/06 - 6/30/11
WAGES: Top Operator
12/1/09 - $14.83  1/01/11 - 15¢ - 1.0% - $15.13
7/01/10 - 15¢ - 1.0% - $14.98
Top Mechanic
12/1/09 - $17.07  1/01/11 - 15¢ - 1.0% - $17.87
7/01/10 - 15¢ - 1.0% - $17.72

LOCAL 1027 - Tulare, CA
MV Transportation
Local President Richard Steitz and International Vice President Chuck Cook report settlement.
TERM: 3 years 7/1/08 - 6/30/12
WAGES: Top Operator
7/1/09 - 44¢ - 3.0% - $14.97  7/1/11 - 39¢ - 2.5% - $15.73
7/1/10 - 37¢ - 2.5% - $15.34
Dispatchers
7/1/09 - 24¢ - 2.25% - $10.82  7/1/11 - 25¢ - 2.25% - $11.31
7/1/10 - 24¢ - 2.25% - $11.06
It’s hard not to smile during any given holiday when you walk through the Jennifer Street side of the Friendship Heights Metro Station in Washington DC. That’s where you’ll find all sorts of decorations brightening up the gray twilight of the capital’s subway system.

The happy feeling in the station is created by Willita Wright, 689, who has been delighting Northwest Washington residents with seasonal cheer for years. The station is the subway stop closest to ATU international headquarters, and staff members routinely look forward to Wright’s handiwork throughout the year.

Wright has been an employee of the Washington Metropolitan Area Transit Authority and a member of Local 689 for over 35 years. She and her husband foot the bill for the holiday displays themselves with permission from WMATA.

**A LOVELY EXPERIENCE**

One morning last December, regulars on their way downtown stopped to chat and gaze on this year’s holiday decorations. With gentle Christmas music playing in the background, it creates such a lovely experience that many can’t resist thanking her with a warm hug.

Newbies encountering the joyful scene for the first time stop in stunned silence, taking it all in. Then they smile, often asking Wright about the display. And just like that, they become members of the station attendant’s fan club.

Wright enjoys the experience every bit as much as her riders do, and she also hopes that the atmosphere she creates may help those who may feel lonely or depressed at that time of year. It’s obvious that she is greatly appreciated by Metro patrons. She is another reason we are “Proud to be ATU.”
FIRST SESSION

The meeting convened at 9:00 a.m. on Monday, October 5, 2009. General Executive Board members present were Joseph Welch, Rodney Richmond, Donald Hansen, Robert Baker, Larry Kinnear, Randy Graham, Richard Murphy, Bob Hykaway, Charles Cook, William McLean, Janis Borchardt, Paul Bowen, Lawrence Hanley, Kenneth Kirk, Gary Rauen, and Marcellus Barnes. International President Warren George presided. Also in attendance were International Executive Vice President Ronald Heintzman, International Secretary Treasurer Oscar Owens, Chief of Staff Benetta Mansfield, General Counsel Leo Wetzel, Executive Assistant to the International President Beth Petrusic, and Administrative Assistant to the International Executive Vice President Missy Goode.

International Vice President Javier Perez, Jr., was excused as weather conditions impacted his travel arrangements and precluded his timely arrival at the session.

International Representative Rafael Rivera was present as a guest of the Board.

INTRODUCTORY REMARKS

International President George briefly detailed the menu of formal matters which would be put before members of the Board for action over the course of their meeting sessions and otherwise reviewed the informational program on the week’s agenda.

APPOINTMENT OF RAFAEL RIVERA AS INTERNATIONAL VICE PRESIDENT AND GENERAL EXECUTIVE BOARD MEMBER

Upon the recommendation of International President George, the Board unanimously voted to approve the appointment of Rafael Rivera as the 18th International Vice President and a member of the General Executive Board.

AUDIT COMMITTEE APPOINTED

Appointed to the Audit Committee were International Vice Presidents Bob Hykaway, Charles Cook, and William McLean. International Vice President Hykaway, further, was designated as Chair of the panel.

STRIKE SANCTIONS APPROVED

Upon the request of International Vice President Murphy, the Board granted strike sanction to the members of Local 1588 (South Windsor, CT) employed by First Student.

Upon the request of International Vice President Graham, the Board granted strike sanction to the members of Local 741 (London, ON) employed by the London Transit Commission, to the members of Local 1415 (Toronto, ON) employed by First Canada and staffing Barrie Transit, and to the members of Local 1572 (Mississauga, ON) employed as concession attendants by the City of Mississauga.

Upon the request of International Vice President Hykaway, the Board granted strike sanction to the members of Local 1724 (Vancouver, BC) employed by MVT Canadian Bus, a subsidiary of MV Transportation, Inc.

REPORT ON NO-RAID DISCUSSIONS WITH TEAMSTERS

Members of the Board were informed that discussions with the International Brotherhood of Teamsters aimed at the development of a new no-raid agreement failed to produce any acceptable basis for resolution.

GENERAL DISCUSSIONS

Members of the Board and the executive officers engaged in discussions regarding several matters of interest.

Among the issues reviewed were those presented when it is specified in the contractual arrangements under which a private sector employer provides transit or school bus service for a public body that the contracting entity can demand the termination of a worker.

The partial template of first contract language submitted for consideration by MV Transportation, to which it was reported the company has yet to respond, was addressed at some length.

International President George, further, led a discourse relative to events recently witnessed in New Orleans, where a recently-selected contract provider of the RTA transit system has failed to fully honor the pre-existing terms and conditions of employment in accordance with applicable Section 13(c) protections, in part purporting to implement a Section 401(k) retirement plan in lieu of the defined benefit pension plan in place for many years with the prior employer.

Finally, the current status of several pieces of legislation pending before the U.S. Congress, including the reauthorization of the federal transit program, the Employee Free Choice Act, and health care reform, was also discussed.

HONORED GUEST WELCOMED

International President George joined the Board in offering a special welcome to recently retired International Executive Vice President Michael Siano, who attended the afternoon portion of the body’s session.

GENERAL DISCUSSION

Members of the Board discussed several challenges being faced in light of local transit financing threats. International Vice President Bowen detailed efforts to encourage the full utilization of federal funding options and avoid significant layoffs on the Detroit system. International Vice Presidents Cook and McLean reported that the California Supreme Court recently declined to review, and thereby effectively upheld, an appellate court ruling that recent diversions of transportation funding to pay for other state programs violated a series of statutory enactments and voter-approved constitutional amendments.

International President George thereafter shared with the Board a letter he received from the president of Local 1733 (Vernon Hills, IL) who, acting on behalf of the local unions representing school bus workers in attendance at the First Group strategic conference conducted by the ATU in late September, expressed appreciation for the International’s undertaking and urged the pursuit of coordinated bargaining approaches to common issues.
REPORT OF THE INTERNATIONAL SECRETARY-TREASURER ON MS RESEARCH FUNDS

It was reported that at the close of the reporting period which ended on June 30, 2009, the 24th annual golf tournament for the benefit of multiple sclerosis research was scheduled for September 20 - 21, 2009, at a new location, the Worthington Manor Golf Club in Urbana, MD. The announcement for the fund-raiser was being designed, and the invitee list had been generated in anticipation of a full complement of golfers. The Board was advised that at the close of the six month period, preparations for the tournament were underway and that for the first time a Sunday practice round of golf would be offered on the day prior to the official tournament. The cost of the golfer fee, inclusive of the practice round, had been raised from $250 to $300 to accommodate the two-day event.

Financial statements for the period of January 1, 2009, through June 30, 2009, for both the U.S. and Canadian MS Research Funds were provided to the General Executive Board.

REPORT OF THE INTERNATIONAL SECRETARY-TREASURER ON ATU-COPE

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 Florida, Maryland, Massachusetts, Missouri, New York, Virginia and Wisconsin, as required by those states’ laws. A complete financial report was provided to members of the General Executive Board. Highlights of the contributions paid from the various funds (combined) for the six-month period ending June 30, 2009, were reported as follows:

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<td>Local</td>
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<tr>
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International Secretary-Treasurer Owens informed the Board that between January 1, 2009, and June 30, 2009, ATU-COPE took in contributions totaling $290,203.86. As of June 30, 2009, the funds had a combined available balance of $388,361.94.

REPORT OF THE INTERNATIONAL SECRETARY-TREASURER ON THE ATU SCHOLARSHIP PROGRAM

The General Executive Board was informed that the selection process for the Amalgamated Transit Union 2009 Scholarship Competition, named in memory of Oliver W. Green, former International Secretary-Treasurer, was completed by the Scholarship Selection Committee during this period. The panel was chaired by James Kennedy, Jr., consultant, Union Labor Life Insurance Company. The other committee members were John W. Harrison, III, president of Eberts & Harrison; Trip McLaughlin, a senior vice president, wealth advisor and senior consultant at Morgan Stanley Smith Barney; Dr. Ronald L. Seeber of Cornell University; and Cynthia Watson of Watson Labour Lawyers.

A total of 94 applications (73 from the U.S. and 21 from Canada) that met all of the program’s requirements were submitted. These were reduced to 17 finalists and one vocational finalist.

The committee complimented the applicants for their interesting biographical statements and essays. This year’s winners were reported to the Board as follows: Nicholas Hannan, son of ATU Local 85 (Pittsburgh, PA) member Timothy Hannan, who is interested in teaching mathematics as a career; Krystina Mистretta, daughter of ATU Local 589 (Boston, MA) member James D. Mистretta, who plans to obtain a pre-med degree; Christine Leigh Villarreal, daughter of ATU Local 1091 (Austin, TX) member Gary Hargis, who plans to obtain a degree in art education; David Burchell, son of ATU Local 308 (Chicago, IL) member Eugene Burchell, who plans to obtain a degree in mechanical engineering; Audrey Cheung, daughter of ATU Local 583 (Calgary, AB) member Sunny Cheung, who plans to pursue a degree in health sciences. The vocational/technical scholarship was awarded to: Carolyn Baker, daughter of ATU Local 113 (Toronto, ON) member William Baker, who plans on pursuing a career through the police foundations.

CONTRIBUTION TO EDWARD M. KENNEDY INSTITUTE APPROVED

International President George suggested that the ATU join other unions in honoring the late U.S. Senator Ted Kennedy, a life-long champion of causes at the forefront of the Labor Movement. He informed the Board that the planned Edward M. Kennedy Institute for the United States Senate, to be located adjacent to the John F. Kennedy Presidential Library on the campus of the University of Massachusetts in Boston, will be dedicated to educating the general public, students, teachers, newly elected senators, and senate staff about the role and importance of the U.S. Senate.

Upon motion duly made and seconded, the Board unanimously voted to make a financial contribution to the Kennedy Institute.

REPORT ON LOCAL 282 FINANCES

International Vice President Rauen advised the Board that he and International Representative Gary Johnson, Sr., had recently provided a full report on the worsening financial condition of Local 282 (Rochester, NY) which was well received by the rank-and-file membership. A set of recommended bylaw amendments are slated to restructure the local union’s governance by assigning all business agent duties to the president, making the financial secretary post a part-time position, cutting the number of executive board members, reducing total officer compensation, and otherwise cutting routine expenses. It was further reported that a plan has been developed to address a considerable backlog of grievance cases pending arbitration through improved labor management relations and to otherwise resolve long-outstanding issues in collective bargaining.
GENERAL DISCUSSION

The remainder of the session was devoted to a discussion between members of the Board and the executive officers relative to the potential utility of revising the International’s regular local union audit report forms to incorporate information detailing not only expenditures actually made, but also unsatisfied outstanding financial liabilities of the organization.

The meeting adjourned at 3:20 p.m. to reconvene at 9:00 a.m. on Tuesday, October 6, 2009.

SECOND SESSION

The meeting convened at 9:00 a.m. on Tuesday, October 6, 2009. General Executive Board members present were Joseph Welch, Rodney Richmond, Donald Hansen, Robert Baker, Larry Kinnear, Randy Graham, Javier Perez, Jr., Richard Murphy, Bob Hykaway, Charles Cook, William McLean, Janis Borchardt, Paul Bowen, Lawrence Hanley, Kenneth Kirk, Gary Rauen, Marcellus Barnes, and Rafael Rivera. International President Warren George presided. Also present were International Executive Vice President Ronald Heintzman, International Secretary Treasurer Oscar Owens, Chief of Staff Benetta Mansfield, General Counsel Leo Wetzel, Executive Assistant to the International President Beth Petrusic, and Administrative Assistant to the International Executive Vice President Missy Goode.

ADDITIONAL DISCUSSION OF POTENTIAL COLLECTIVE BARGAINING LANGUAGE FOR NEW MV UNITS

A further discussion of the non-economic labor contract provisions document that had been forwarded to MV Transportation for consideration as a U.S.-wide foundation of first-time collective bargaining on behalf of newly organized worker units ensued. The executive officers explained that the document incorporated clauses gleaned from existing MV agreements and thus represented language that had already been accepted by the company in some context. It was readily agreed that with the entity’s subsequent entry into the Canadian market and the creation of MVT Canadian Bus, the prompt development of a separate set of provisions specifically tailored for units outside the U.S. was appropriate.

INTERNATIONAL PRESIDENT’S REPORT APPROVED

The report of the International President for the six-month period ended June 30, 2009, was approved as printed.

REPORT ON LOCAL 1754 TRUSTEESHIP

International Vice President Perez offered an accounting of the International Union’s stewardship of Local 1754 (Lawrence, KS) which was first undertaken on April 16, 2009, and was thereafter the subject of a hearing before International Representative Rafael Rivera in mid-May. The Board was informed that considerable progress has already been made in recasting the union’s relations with management so as to ensure basic adherence to the negotiated labor contract terms and in implementing the proper administration of the Local’s financial affairs.

REPORT ON LOCAL 770 TRUSTEESHIP

International Vice President Kirk reported on the status of the still on-going trusteeship of Local 770 (Mobile, AL) that was initially imposed on June 11, 2009. He indicated in part that the union’s treasury has grown substantially over the course of the stewardship and that work had begun on devising appropriate bylaw amendments for membership consideration in anticipation of officer elections slated to be undertaken at the end of the year.

REQUESTS FOR FINANCIAL ASSISTANCE

LOCAL 998 (MILWAUKEE, WI)

Richard Riley, former president/business agent of Local 998, requested financial assistance to offset more than $9,000 in expenses that were incurred in connection with an interim election conducted in February of 2009 following the death of the local union’s financial secretary. The ballot was compelled all of four months prior to the regular election of local officers by a provision in the local union’s bylaws which precluded filling the interim vacancy by appointment.

International Secretary Treasurer Owens reported that the financial statement of Local 998 for the period ended December 31, 2008, listed a beginning balance of $194,222. Receipts for the period amounted to $428,223 and disbursements were $419,053, leaving a balance at the end of the period of $199,224. The Board was further advised that the most recent Local 998 roster listed 1,123 active members and 638 pension members.

Following careful review and consideration, the General Executive Board voted to authorize the executive officers to further investigate the circumstances presented and to afford to Local 998 such financial assistance as they might determine, in the exercise of their discretion and judgment, to be appropriate.

LOCAL 714 (PORTLAND, ME)

Joseph Gaudette, president/business agent of Local 714, requested financial assistance for legal expenses incurred in several arbitration cases including; an arbitration which costs $7,000 with an additional arbitrator fee of $2,600; another matter scheduled for arbitration where similar fees are anticipated; and a third grievance expected to proceed to arbitration. According to Brother Gaudette, the local has had a continuing assessment fee of $2,600; another matter scheduled for arbitration where similar fees are anticipated; and a third grievance expected to proceed to arbitration. According to Brother Gaudette, the local has had a continuing assessment fee of $2,600; another matter scheduled for arbitration where similar fees are anticipated; and a third grievance expected to proceed to arbitration.

The Board was informed that the financial statement of Local 714 for the period ended December 31, 2008, listed a beginning balance of $5,232. Receipts for the period totaled $24,360, but with disbursements of $25,382, the closing balance at the end of the period was shown as $4,230. International Secretary Treasurer Owens also reported that the current membership rolls of Local 714 include 101 active members and 10 pensioners.

The General Executive Board, after careful review and consideration of the facts, voted to deny Local 714’s request.

MINUTES APPROVED

The minutes of the previous General Executive Board meeting were approved.

INTERNATIONAL SECRETARY-TREASURER’S REPORT APPROVED

Upon a motion duly made and seconded, the report of the International Secretary Treasurer for the six-month period ended June 30, 2009, was approved as printed.

GENERAL DISCUSSIONS

The remainder of the day was devoted to general discussion regarding several matters of interest to members of the General Executive Board, including the circumstances surrounding the reported per capita arrearage of several local unions.

The meeting adjourned at 3:20 p.m. to reconvene at 10:00 a.m. on Thursday, October 8, 2009.
THIRD SESSION

The meeting convened at 10:00 a.m. on Thursday, October 8, 2009. General Executive Board members present were Joseph Welch, Rodney Richmond, Donald Hansen, Larry Kinnear, Randy Graham, Javier Perez, Jr., Richard Murphy, Bob Hylkaway, Charles Cook, William McLean, Janis Borchardt, Paul Bowen, Lawrence Hanley, Kenneth Kirk, Gary Rauen, Marcellus Barnes, and Rafael Rivera. International President Warren George presided. Also present were International Executive Vice President Ronald Heintzman, International Secretary Treasurer Oscar Owens, Chief of Staff Benetta Mansfield, General Counsel Leo Wetzel, Executive Assistant to the International President Beth Petrusic, and Administrative Assistant to the International Executive Vice President Missy Goode.

International Representatives in attendance were Yvette Salazar, Anthony Withington, and Gary Johnson, Sr. Canadian Council Director of Strategic Campaigns Clayton Sinyai actively engaged with members of the Board as he made a well-received presentation affording a comprehensive corporate overview of First Group focusing on its historical growth, its current business structure and market, and its labor relations philosophies.

In the afternoon portion of its session, General Counsel Wetzel was joined by attorney Kalman Resnick of the Chicago law firm of Hughes Socol Piers Resnick & Dym Ltd. as they repeated for the General Executive Board the presentation they had made to the First Group conference attendees in September. With active involvement by members of the Board, potential legal responses to the actions of the First Group entities.

Director of Strategic Campaigns Clayton Sinyai actively engaged with members of the Board as he made a well-received presentation affording a comprehensive corporate overview of First Group focusing on its historical growth, its current business structure and market, and its labor relations philosophies.

Following discussion between members of the Board and the executive officers generated by the day’s presentations, the meeting adjourned at 4:50 p.m. to reconvene at 9:00 a.m. on Friday, October 9, 2009.

FOURTH SESSION

The meeting convened at 9:00 a.m. on Friday, October 9, 2009. General Executive Board members present were Joseph Welch, Rodney Richmond, Donald Hansen, Larry Kinnear, Randy Graham, Javier Perez, Jr., Richard Murphy, Bob Hylkaway, Charles Cook, William McLean, Janis Borchardt, Paul Bowen, Lawrence Hanley, Kenneth Kirk, Gary Rauen, Marcellus Barnes, and Rafael Rivera. International President Warren George presided. Also present were International Executive Vice President Ronald Heintzman, International Secretary Treasurer Oscar Owens, Chief of Staff Benetta Mansfield, General Counsel Leo Wetzel, Executive Assistant to the International President Beth Petrusic, and Administrative Assistant to the International Executive Vice President Missy Goode.

International Representatives Yvette Salazar, Anthony Withington, and Gary Johnson, Sr., were also in attendance, as was Canadian Council Director Robin West.

Retired International Executive Vice President Michael Siano and former International Vice President Tommy Mullins attended as invited guests.

International Vice President and General Executive Board Member Robert Baker was excused.

PRESENTATIONS REGARDING THE EMPLOYING ENTITIES OF FIRST GROUP AND POTENTIAL STRATEGIC RESPONSES TO ITS CORPORATE APPROACH TO LABOR RELATIONS

In brief introductory remarks, Chief of Staff Mansfield outlined the nature of the educational and strategic conference which was conducted in late September at the National Labor College in Silver Spring, Maryland, for the benefit of local unions representing employees of First Transit, First Student, First Canada, or Greyhound, as well as the public sector workers on a number of transit systems managed by one of the First Group entities.

Director of Strategic Campaigns Clayton Sinyai actively engaged with members of the Board as he made a well-received presentation affording a comprehensive corporate overview of First Group focusing on its historical growth, its current business structure and market, and its labor relations philosophies.

In the afternoon portion of its session, General Counsel Wetzel was joined by attorney Kalman Resnick of the Chicago law firm of Hughes Socol Piers Resnick & Dym Ltd. as they repeated for the General Executive Board the presentation they had made to the First Group conference attendees in September. With active involvement by members of the Board, potential legal responses to the actions of the First companies, and in particular their increasing reliance upon unilaterally-developed, corporate-wide, employee handbook policies, were reviewed. The federal court class action suits challenging the failure of First Transit and First Student to comply with the due process requirements of the U.S. Fair Credit Reporting Act in connection with its campaign of criminal background checks was also discussed at some length.

Following discussion between members of the Board and the executive officers generated by the day’s presentations, the meeting adjourned at 4:50 p.m. to reconvene at 9:00 a.m. on Friday, October 9, 2009.

REPORT OF THE INTERNATIONAL EXECUTIVE VICE PRESIDENT

ORGANIZING CAMPAIGNS

It was reported that over the course of the six months ended on June 30, 2009, we were involved in 48 campaigns and out of those we won ten (accounting for approximately 580 new members) and lost two. Seven were withdrawn for various reasons and 29 were pending at the close of the reporting period.

Won
Community Rehabilitation Center, LLC (West Palm Beach, FL)
First Student, Inc./Metro West Transit Authority (Framington, MA)
First Student, Inc./Kenosha School District (Kenosha, WI)
First Student, Inc. (New Orleans, LA)
First Student, Inc./University of Alabama Shuttle (Tuscaloosa, AL)
IndyGo (Indianapolis, IN)
MV Transportation, Inc./Fairfax Connector, West Ox Road (Fairfax, VA)
MV Transportation, Inc. (Louisville, KY)
San Mateo County Transit (San Mateo, CA)
TransPro Services, Inc. (Washington, DC)

STRIKES

Local 279 (Ottawa, ON)

As previously reported, the members of Local 279 employed by the City of Ottawa (OC Transpo) went on strike Wednesday, December 10, 2008, after failure to reach a settlement with the assistance of a federal conciliation officer.

On Friday, February 6, 2009, the employees of OC Transpo returned to work after the negotiating parties agreed to enter into binding arbitration, thus ending the strike.

Local 685 (Brantford, ON)

As previously reported, International Vice President Larry Kinnear assisted the newly organized members of Local 685 in first contract negotiations with Operation Lift. After rejecting a tentative agreement by a vote of 16 to 1, the members went on strike at 12:01 a.m., on Monday, September 29, 2008.

The strike concluded with the ratification of a new collective agreement by a vote of 11 to 6 on Tuesday, January 20, 2009. The members returned to work the following week on Tuesday, January 27, 2009.

EXPENSES

Approximately $433,788.00 was spent during this report period on organizing, including costs such as materials, mailing lists, and full-time
international representatives’ salaries and expenses for those who assisted in these organizing campaigns. Local union officers and members assigned to assist with these drives were reimbursed by the International for their wages and expenses incurred.

**AUDIT COMMITTEE REPORT ADOPTED**

The previously appointed Chair of the Audit Committee, International Vice President Hykaway, summarized the panel’s activities and its study of the financial records made available to it.

The formal report of the Audit Committee for the six-month period ended June 30, 2009, was approved as submitted.

**MOTION RELATIVE TO FINANCIAL REPORTING AND THE ORGANIZING FUND DEFEATED**

Upon a motion duly made and seconded, members of the Board debated a proposal that health care and pension costs associated with organizing activities and member activism programs undertaken by the International Union be reflected through an accounting charge against the Organizing Fund to reimburse the General Fund for such incurred expenses. Following extensive discussion, the motion failed to garner a majority in a voice vote polling of the Board.

**MOTION TO RESCHEDULE SPRING MEETINGS OF THE BOARD FAILS**

It was moved and seconded that beginning with the next meeting of the Board, its regular meetings conducted in the spring of each year be scheduled to convene in Washington, DC, three days prior to the ATU’s annual U.S. Legislative Conference and that such thereafter continue until adjourned sine die two days subsequent to the conclusion of the conference. After the proposition was debated at some length, a hand count vote showed 7 in favor and 9 against. The motion was, then, defeated.

**GENERAL DISCUSSIONS**

Members of the Board expressed an interest in reviewing the formal U.S. political agenda and program of the union in advance of such being presented to attendees of the annual Legislative Conference. International President George readily concurred.

A brief colloquy followed relative to the expenses which delegates and guests attending the upcoming Fifty-Sixth Convention might anticipate given the comparatively high costs encountered in the Walt Disney World resort. The Board was advised that the executive officers were in the process of evaluating potential responses to that issue.

**REPORT OF THE GENERAL COUNSEL**

The General Executive Board was advised at some length about the status of several noteworthy litigation matters.

The ATU’s brief foray before the U.S. Supreme Court in the summer of 2009 was the first subject of discussion. The Board was reminded that the International Union agreed to assist Local 1338 (Dallas, TX) as it sought to address an adverse decision of the Texas supreme court, which held that Section 13(c) of the U.S. Federal Public Transportation Act does not implicitly preempt the Dallas transit authority’s governmental immunity from suit under state law. This litigation grew out of a negotiated resolution of the union’s “general grievance” seeking changes in employment terms. That settlement called for annual wage increases, but in the fall of 2003 the public body’s board of directors adopted a budget that did not provide for the specified pay adjustment and the local union responded by suing for breach of contract. Employer efforts to have the case dismissed were rejected by both the trial judge and an appellate court, which found that the public body’s assertion of governmental immunity would preclude enforcement of collective bargaining rights that Congress intended to preserve under Section 13(c). The state’s highest court, however, disagreed with those opinions. It held there was no federal law preemption of the state immunity rule, asserting that the union did not need to enforce the grievance resolution in court because it could seek redress by “simply filing another general grievance.”

Acting on behalf of Local 1338, we filed a petition with the U.S. Supreme Court seeking its review of the Texas decision. In the name of the International Union itself, we also submitted a “friend of the court” brief supporting that petition. We noted that the Court’s 1982 decision in the Jackson Transit Authority case necessarily implied any state immunity from suit is overcome by federal law since the justices there determined that a “union, of course, can pursue a contract action in state court” to enforce its Section 13(c) agreement. Unfortunately, the Supreme Court declined to put the Dallas matter on its docket without offering any further explanation—an action the General Executive Board was informed is very typical in the denial of a petition for certiorari.

It was reported that the state court litigation of the City of Knoxville and its current transit management contractor challenging the interest arbitration provision of Local 1164’s Section 13(c) Agreement remains pending. This suit urges that any arbitration of labor contract terms with the private sector employer somehow amounts to an unconstitutional delegation of the City’s legislative authority over matters of public finance. It was recalled that earlier attempts at a mediated settlement of this matter failed, largely because with the current three-year labor agreement expiring on June 30, 2009, management seemingly preordained that negotiations will end in an impasse and prompt a union demand for interest arbitration. The Board was advised that although a trial date for this case has not yet been set, our retained litigation counsel has begun pursuing document discovery and other pre-trial proceedings, including witness depositions, in earnest.

It was acknowledged that we suffered a significant setback in our ongoing legal action against the City of Colorado Springs for damages in connection with its acknowledged failure to bind its then-service contractor to the Section 13(c) Agreement protecting those represented by Local 19 (Colorado Springs, CO). Some time back, a trial judge initially dismissed our case after concluding it was overly speculative to presume that adverse actions of the management company would have been barred if the contractor had properly been obligated to honor the Section 13(c) Agreement’s interest arbitration clause. The Colorado Court of Appeals reversed that decision, however, and the case was remanded back to the lower court, where the City choose to lodge counterclaims. More specifically, it first sought a declaratory judgment that any interest arbitration between the union and the private sector contractor would amount to an unconstitutional delegation of the public body’s authorities, again and as in Knoxville on the theory that the City would ultimately bear the costs of any increased economic terms and conditions of employment. The City also petitioned for a ruling that the entire Section 13(c) Agreement is void because it lacks an express term of duration.

After first denying our motions to simply dismiss those counterclaims, in late August the trial judge issued an opinion granting summary judgment in favor of the City on its first proposition. Determining that the City is the “ultimate financial obligee” of the employee protections attaching to its federal transit grants, the court struck down the interest arbitration
clause even though the represented workers are not public employees. The International has filed a motion asking that the court enter a final judgment on the interest arbitration issue so the union can immediately appeal it without waiting for a trial on the second counterclaim. It was further reported, however, that the City is opposing that motion and has indicated it will continue to press its theory that the whole of the Section 13(c) Agreement is an unlawfully “perpetual” contract.

In an additional display of its fundamental disregard for the very concept of employee protections, the City of Colorado Springs filed an appeal from the previously-reported federal district court decision which declined to overturn a 2007 decision of the U.S. Department of Labor finding the public body’s stated objections to certain elements of its Section 13(c) Agreement were not “sufficient” to require any potential revisiting of the protective language at issue. Challenging the trial judge’s ruling that “[s]o long as the six enumerated protections listed in [the Act] are included in [a] Section 13(c) agreement . . . the [DOL certification] that the agreed-to protections are “fair and equitable” is generally unreviewable,” the City of Colorado Springs has asked the Tenth Circuit Court of Appeals to conclude that the Labor Department is effectively compelled to invalidate any Section 13(c) agreement terms that exceed minimum statutory requirements. Our mid-July brief to the appellate court obviously took a different view, as did the filing of the Secretary of Labor. It was reported that the City’s closing brief had been submitted some six weeks ago and that we are therefore waiting to hear if the three-judge panel considering this matter will want to schedule oral arguments, as the union has suggested, or simply and directly proceed to the issuance of a written opinion.

The Board was advised that the case appeal we previously filed on behalf of Local 1208 (Jackson, MS) with the general counsel of the National Labor Relations Board was brought to a rather indecisive, and therefore unsatisfying, conclusion. At issue here was a troubling dismissal of unfair labor practice charges against the Jackson transit system’s management company based upon a conclusion that the NLRB did not have jurisdiction over actions of the private sector employer. Noting that the City of Jackson exercised supervisory control over operation of its transit system, an acting NLRB regional director had concluded that McDonald Transit was effectively a “political subdivision” of the public body and that the represented workers could not invoke the protections afforded by the National Labor Relations Act. Given the potentially broad-reaching implications of such a conclusion to the many “Memphis Formula” arrangements employed across the United States as a means of preserving full private-sector collective bargaining rights and thereby satisfying Section 13(c), we had promptly brought the matter before the NLRB general counsel’s office in Washington, DC. The Office of Appeals, however, subsequently issued a single paragraph denial of our appeal, concluding that because it had just been announced that the employer had lost its contract with the City, it “would not effectuate the purposes and policies of the Act” to continue considering the issues raised in the ATU filing.

Members of the Board were informed of successful progress in our lawsuit on behalf of Local 398 (Boise, ID) seeking satisfaction of an arbitration award finding the Boise transit system in violation of subcontracting language in the parties’ labor contract. The Board was reminded that this case began with a route restructuring that effectively transferred work from our Boise bargaining unit to a then unorganized subcontractor of Valley Regional Transit which operates its distinct service in the Nampa, Idaho, area. Determining that a segment of the new Nampa service replicated a contemporaneously discontinued Boise route and therefore amounted to an improper subcontracting, in 2007 an arbitrator awarded damages to each impacted employee pending a return of the work to the Local 398 unit. Although the transit authority provided an initial set of lump sum payments, it computed such based only on the route portion which was found to replicate the union’s prior work and then summarily announced plans to eliminate the offending Nampa route in its entirety. It was reported that after obtaining an initial decision confirming the award of the arbitrator, we have more recently obtained an additional judgment for the specific amounts due under the arbitrator’s remedial formula, as properly understood, through the October 2008 discontinuance of the Nampa route (leaving for later the question of whether such in fact even terminated the monetary award obligations of the public body given that the arbitrator’s award contemplated a return of the work to the bargaining unit). Pursuant to that ruling, in August we filed a draft opinion for the court’s execution which would obligate the transit authority to make additional payments totaling nearly $125,000. Valley Transit lodged objections, essentially attempting to re-argue the case, but has also agreed to explore the potential of a negotiated settlement of this case.

Finally, brief mention was made of several employee protection claim matters being pursued, including an anticipated filing with Veolia Transportation challenging its actions upon assuming responsibility for managing the transit system in New Orleans, Louisiana. The Board was advised that, once finalized, the formal claim in that matter will assert the company violated the applicable Section 13(c) Agreement with Local 1560 (New Orleans, LA) when it unilaterally implemented a 401(k) retirement plan in lieu of the extant defined benefit pension arrangements.

ADDITIONAL STRIKE SANCTION APPROVED

Upon the request of International Representative Salazar, the Board granted strike sanction to the members of Local 1001 (Denver, CO) employed by Veolia Transportation.

GENERAL DISCUSSIONS

At the invitation of International President George, each of the International Representatives in attendance briefly reviewed for the benefit of the Board the status of their pending activities. The Canadian Council Director also provided a summary of the Union’s current agenda across the provinces. The remainder of the session was devoted to discourse between members of the Board and the executive officers regarding other various matters of union interest.

The meeting adjourned sine die at 2:45 p.m.
1. **STRIKE SANCTION GRANTED TO MEMBERS OF LOCAL 1578 (LOWELL, MA) EMPLOYED BY LOWELL REGIONAL TRANSIT AUTHORITY**
   On January 9, 2009, strike sanction was granted at the request of International Vice President Welch to the members of Local 1578 employed by the Lowell Regional Transit Authority.

2. **STRIKE SANCTION GRANTED TO MEMBERS OF LOCAL 1547 (BROCKTON, MA) EMPLOYED BY PROFESSIONAL MANAGEMENT**
   On January 30, 2009, strike sanction was granted at the request of International Vice President Murphy to the members of Local 1547 employed by Professional Management Ltd.

3. **LOCAL 1400 (NEW ORLEANS, LA) MERGED INTO LOCAL 1535 (HARAHAN, LA)**
   Under the authority vested in International President George by action of the General Executive Board pursuant to Section 16 of the ATU Constitution and General Laws, Local 1400 was merged into Local 1535 effective February 1, 2009.

4. **AUTHORIZATION FOR LOCAL 1192 (WATERLOO, IA) TO ENTER INTO INTEREST ARBITRATION**
   On February 18, 2009, Local 1192 was authorized to enter into interest arbitration with the Metropolitan Transit Authority of Black Hawk County to resolve outstanding issues in labor negotiations on behalf of the fixed route bargaining unit represented by the local union.

5. **STRIKE SANCTION GRANTED TO MEMBERS OF LOCAL 1548 (PLYMOUTH, MA) EMPLOYED BY BRUSH HILL TRANSPORTATION COMPANY**
   On February 19, 2009, strike sanction was granted to the members of Local 1548 employed by the Brush Hill Transportation Company.

6. **AUTHORIZATION FOR INTERNATIONAL PRESIDENT TO MERGE LOCAL 1708 (HERNDON, VA) INTO LOCAL 1764 (WASHINGTON, DC)**
   On February 24, 2009, the General Executive Board, acting pursuant to Section 16 of the Constitution, authorized International President George to merge Local 1708 into Local 1764 effective March 1, 2009.

7. **AUTHORIZATION FOR LOCAL 1535 (HARAHAN, LA) TO RETAIN A LOWER DUES STRUCTURE**
   On February 26, 2009, Local 1535 was granted permission to retain a lower dues structure.

8. **TERMINATION OF PREVIOUSLY IMPOSED TRUSTEESHIP OF LOCAL 639 (LEXINGTON, KY)**
   On March 5, 2009, the General Executive Board voted pursuant to Section 12.6 of the Constitution to terminate the trusteeship of Local 639 effective March 15, 2009.

9. **APPOINTMENT OF MARCELLUS BARNES AS INTERNATIONAL VICE PRESIDENT AND GENERAL EXECUTIVE BOARD MEMBER**
   On March 17, 2009, the General Executive Board approved the recommendation of International President George that Marcellus Barnes serve as the 18th International Vice President. Barnes’ appointment to the General Executive Board to fill the vacancy which had been created at the first of the month upon the retirement of International Vice President Tommy Mullins was made in accordance with Section 7.2 of the ATU Constitution and General Laws.

10. **STRIKE SANCTION GRANTED TO MEMBERS OF LOCAL 1333 (ROCKFORD, IL) EMPLOYED BY THE ROCKFORD MASS TRANSIT DISTRICT**
    On March 24, 2009, strike sanction was granted at the request of International Vice President Bowen to the members of Local 1333 employed by the Rockford Mass Transit District.

11. **AUTHORIZATION FOR LOCAL 1208 (JACKSON, MS) TO ENTER INTO INTEREST ARBITRATION**
    On March 24, 2009, Local 1208 was authorized to enter into interest arbitration with McDonald Transit.

12. **AUTHORIZATION FOR NEW JERSEY STATE COUNCIL TO ENTER INTO INTEREST ARBITRATION**
    On March 25, 2009, the New Jersey State Council and its member local unions were authorized to enter into interest arbitration with New Jersey Transit.

13. **AUTHORIZATION FOR LOCAL 1160 (MONROE, LA) TO ENTER INTO INTEREST ARBITRATION**
    On March 26, 2009, Local 1160 was authorized, at the request of International Vice President Richmond, to enter into interest arbitration with the City of Monroe.

14. **TERMINATION OF PREVIOUSLY IMPOSED TRUSTEESHIP OF LOCAL 1181 (NEW YORK, NY)**
    On March 31, 2009, the General Executive Board voted pursuant to Section 12.6 of the Constitution to terminate the trusteeship of Local 1181 effective April 3, 2009.
15. AUTHORIZATION FOR LOCAL 1300 (BALTIMORE, MD)
   TO ENTER INTO INTEREST ARBITRATION
   On April 2, 2009, Local 1300 was authorized to enter into interest arbitration with the Maryland Transit Administration.

16. AUTHORIZATION FOR LOCAL 1235 (NASHVILLE, TN)
   TO RETAIN A LOWER DUES STRUCTURE
   On April 15, 2009, Local 1235 was granted permission to retain a lower dues structure.

17. AUTHORIZATION FOR INTERNATIONAL PRESIDENT
    TO PLACE LOCAL 1754 (LAWRENCE, KS)
    IN TEMPORARY TRUSTEESHIP
   On April 16, 2009, the General Executive Board authorized International President George to place Local 1754 in temporary trusteeship, effective immediately.

18. AUTHORIZATION FOR LOCAL 842 (WILMINGTON, DE)
    TO ENTER INTO INTEREST ARBITRATION
   On April 16, 2009, Local 842 was authorized to enter into interest arbitration with the Delaware Transit Corporation.

19. AUTHORIZATION FOR LOCAL 1336 (BRIDGEPORT, CT)
    TO ENTER 38-MONTH AGREEMENT
   On April 17, 2009, Local 1336 was authorized, at the request of International Vice President Murphy, to enter into a 38-month agreement with the Greater Bridgeport Transit Authority.

20. AUTHORIZATION FOR LOCAL 282 (ROCHESTER, NY)
    TO ENTER INTO INTEREST ARBITRATION
   On May 12, 2009, Local 282 was authorized to enter into interest arbitration with Regional Transit Service, Inc.

21. AUTHORIZATION FOR LOCAL 1576 (LYNNWOOD, WA)
    TO ENTER INTO INTEREST ARBITRATION
   On May 14, 2009, Local 1576 was authorized, at the request of International Vice President Hansen, to enter into interest arbitration with Community Transit.

22. AUTHORIZATION FOR LOCAL 256 (SACRAMENTO, CA)
    TO ENTER FIVE-YEAR AGREEMENT
   On May 14, 2009, Local 256 was authorized, upon the request of International Vice President Cook, to enter into a five-year agreement with MV Transportation, Inc.

23. APPROVAL OF AMENDMENT NO. 6 TO THE ATU PENSION PLAN FOR INTERNATIONAL OFFICERS AND EMPLOYEES
   On June 9, 2009, the General Executive Board, acting pursuant to Section 45 of the Constitution, approved the adoption of Amendment No. 6 to the ATU Pension Plan for International Officers and Employees.

24. AUTHORIZATION FOR LOCAL 1433 (PHOENIX, AZ)
    TO ENTER FOUR-YEAR AGREEMENT
   On June 15, 2009, Local 1433 was authorized, upon the request of International Vice President Hansen, to enter into a four-year agreement with Veolia Transportation, Inc.

25. AUTHORIZATION FOR LOCAL 1321 (ALBANY, NY)
    TO ENTER FOUR-YEAR AGREEMENT
   On June 17, 2009, Local 1321 was authorized, upon the request of International Vice President Welch, to enter into a four-year agreement with the Capital District Transportation Authority.

26. AUTHORIZATION FOR LOCAL 1754 (LAWRENCE, KS)
    TO RETAIN A LOWER DUES STRUCTURE
   On June 19, 2009, Local 1754 was granted permission, upon the request of International Vice President Perez serving as Trustee of Local 1754, to retain a lower dues structure.

27. AUTHORIZATION FOR LOCAL 1729 (PITTSBURGH, PA)
    TO RETAIN A LOWER DUES STRUCTURE
   On June 22, 2009, Local 1729 was granted permission to retain a lower dues structure.

28. ADOPTION OF HEARING OFFICER’S REPORT REGARDING
    THE TRUSTEESHIP OF LOCAL 1754 (LAWRENCE, KS)
   On June 24, 2009, the General Executive Board adopted the Hearing Officer’s Report as its Findings and Determination in the matter of the trusteeship of Local 1754.

29. STRIKE SANCTION GRANTED TO MEMBERS
    OF LOCAL 1555 (OAKLAND, CA)
    EMPLOYED BY BAY AREA RAPID TRANSIT DISTRICT
   On June 30, 2009, strike sanction was granted at the request of International Vice President Cook to the members of Local 1555 employed by the Bay Area Rapid Transit District.
In Memoriam

Death Benefits Awarded November 1, 2009 - December 31, 2009

1- MEMBERS AT LARGE
CRED GATIS JR
THELMA IRENE GONSHOR
THOMAS N MARKLEY
JAMES LEE MC KinNEY
BRUCE W ROBY

85- PITTSBURGH, PA
LOUIS F BAEHR
FELIX L CUADRADO
WILLIAM FITZMAURICE
GARY J GALLAY
CLARENCE K GIE
DONALD HARRIS
THOMAS J NAUJELIS
PAUL M SIDUN

113- TORONTO, ON
ALFONSO BARLETTA
WERNER BERGAUER
RICHARD JOHN HENSLEY
MAXWELL EARL MITCHELL
EARLE PASCOE
ARMANDO FOTOMANNI
WILFRED GORDON PRYCE
DEONARINE RAMOUTAR
ANTONIO REDA
JAMES RYANS
ALBERTUS VANDERVELDT
RONALD WINDOWER

192- OAKLAND, CA
Hazzie L GEE
PAUL A GETRIDGE
JOHN ALBERT GOBLE
CHRISTOPHER A HEADLEY
GEORGE LEE LEE, JACOB SR
JOHN B KNOX
RUSSELL G SKIFF
KENNETH W VAN CAMP
ROBERT J WOODEN

241- CHICAGO, IL
EDWARD E BERNDT
SAMI J LEVY
Juan M OCEAN
HARRY W FREZELL
LARRY J HARPER
WELLINGTON HENDERSON

1287- KANSAS CITY, MO
DILLARD W KINDLE
HARVEY C MAYERBERRY
EMERY L SMITH
DANIEL E TURKINGTON

1300- BALTIMORE, MD
GEORGE B CHENOWETH
THEODORE J MOORE
JAMES M MURPHY
JOHN T SAPPINGTON

1321- ALBANY & TROY, NY
THOMAS J CLOW
KEVIN L GISPON
RICHARD P THORNE

1342- BUFFALO, NY
FRANCIS L BALL
JOHN M THOMAS

1348- MYSTIC, CT
ALEXANDER KAHLONEY

1447- LOUISVILLE, KY
ERNIST M MAHAN
SAMAUEL E STAPP

1505- WINNIPEG, MB
VICTOR JAMES BULLSON
LELAN B REYNIN
PAULUS ZYSLA

1564- DETROIT, MI
ALGIE C KELLY

1574- SAN MATEO, CA
MOON K CHOI

1575- SAN RAFAEL, CA
CHARLES EVERETTE

1599- PASCO, WA
DOUGLAS P HOLE

1700- CHICAGO, IL
ROY H SWATZELL

1738- LATROBE, PA
JOHN E MANNERS

www.atu.org
International President Asks
ATU Disaster Relief Donations for Haiti

I want to express my condolences and solidarity with all of our Haitian ATU members throughout the U.S. and Canada who have lost relatives, or are anxiously waiting for word about their loved ones on the island. I have directed that contributions to the ATU Disaster Relief Fund be used to alleviate the suffering in Haiti.

Our thoughts and prayers go out to Local 1181 in New York City that has over 4,000 Haitian members and to our other locals with Haitian members. Shortly after the disaster, Local 1181 President Michael Cordiello stated, “In times like these we need to show our strength and unity and offer whatever assistance we can to the earthquake victims of Haiti.”

I urge all ATU members to give what they can to the ATU Disaster Relief Fund to help the victims of this horrible tragedy. You can make an online contribution at www.atu.org or, you can use this back cover to send a check to the ‘ATU Disaster Relief Fund, Inc.,’ Amalgamated Transit Union, 5025 Wisconsin Ave., NW, Washington, DC 20016.

In Solidarity,

International President
Amalgamated Transit Union

P.S: If you send a check by mail, fold up and send in the entire back cover with your check – including your address imprint at the top. We need that information to properly record and credit your contribution.

U.S. Contributors: The ATU Disaster Relief Fund, Inc., is an Internal Revenue Code Section 501(c)(3) publicly-supported tax-exempt organization. Your contributions are tax-deductible as provided under the Internal Revenue Code. No goods or services were received in consideration for this contribution.