

# TWU

The Transport Workers Union  
of America *United Invincible*

# Express

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# 2010 midterm election: *what it means for labor*

TWU members  
mobilize to build  
political power



*Historic contract for casino dealers,  
Allegiant flight attendants vote to join  
TWU, TWU fighting for human rights*



twu.org

# lessons from the ELECTION

by *International  
President*  
**James C. Little**

The results of the mid-term election were certainly disappointing for working families,

but now that the posturing and campaigning is over Washington needs to get back to the real task of fixing the economy and putting Americans back to work.

So what's the lesson for organized labor and how do we move forward?

First of all, the results would've been worse without the vigorous efforts of TWU and other union members who spent nights and weekends knocking on doors and making phone calls during the campaign season. The Democrats maintained a majority in the Senate and in states, such as Nevada and California, politicians who stood up for labor won re-election.

Secondly, the election was a call to repair the economy and create jobs, not an endorsement of the Republican agenda and more obstruction in Congress. Voters were rightfully frustrated by the stagnant economy and candidates were able to play off people's dissatisfaction and anger.

The economy was on everyone's mind this year. According to a CNN analysis, the economy wasn't just the most important issue to voters this year, it was almost twice as important to them as the other top issues of concern combined. One election night exit poll showed that one in six people had a family member who was laid-off while millions more fear they could lose their jobs. Add to that the folks who face foreclosure on their homes in the months ahead and you have a very nervous — and angry — electorate.

Misleading angry rhetoric misconstrued the Democrats accomplishments and many voters were not convinced that the incumbents had a plan to create jobs. They channeled their anger against the party in power,

not the greedy corporations and executives who got us into this mess. Let's not forget that it was the "Party of No" Republicans that blocked action on issues like job creation, boosting domestic manufacturing and extending unemployment insurance.

However, the results were not a mandate for the Republican's corporate-backed economic policies and plans to slash programs, such as Social Security. A survey done by the AFL-CIO showed that 64 percent of voters had little or no knowledge of the Republican's plan, "A Pledge to America." Surveys showed that voters in swing districts overwhelmingly oppose raising the Social Security retirement age and extending tax cuts to the wealthiest 2 percent of Americans.

Labor friendly candidates didn't just face a wave of voter discontent but an onslaught of corporate spending. This was the most expensive mid-term election in history with corporate front groups spending millions on ads to support Republican and Tea Party candidates.

Lets not forget the credit President Obama deserves for taking great strides to make healthcare more equitable and affordable and crack down on Wall Street, but he adopted the burden of an economy on the brink of depression and two costly wars from the Bush era. Still, Obama and the Democrats must do more to address the needs of working families and it is clear that voters want more action to create jobs.

As the labor movement has been saying all along, we need more economic stimulus, especially direct spending on infrastructure and transportation, which will generate good-paying jobs quickly. Most Americans continue to support job creation initiatives, such as giving tax credits to companies that create American jobs and investing in our infrastructure.

For TWU and others in the labor move-



ment we cannot wait for Washington to act, so it's time to roll up our sleeves and work harder for the things we know will benefit regular Americans. America can no longer afford the partisanship and obstructionism that have plagued Washington. America needs a Congress that puts the priorities of the people ahead of politics and ideology and embraces a plan to restore our economy and help Americans struggling due to the recession.

The AFL-CIO is calling for stepped up efforts to end corporate outsourcing of U.S. jobs, strengthening Social Security and Medicare, fighting to help jobless workers, asking multi-millionaires to pay their fair share in taxes and investing in a 21st century infrastructure.

We'll be working closely with our allies in the labor movement and broader community to make the change we need and as we look to the next elections we're with AFL-CIO President Richard Trumka when he says: "Any member of Congress who thinks obstructionism is the way to win elections should know that in two years we will be sure that voters will know who stood in the way of jobs. We have an energized membership that's ready to fight, and we're going to give it everything we have."

*Since this is the last issue of the year, allow me to wish you and your family a wonderful holiday season and a prosperous and healthy New Year.*

# MIDTERM ELECTIONS

TWU members knocked on doors and made phone calls to make workers' voices heard **page 12-13**

*Below: Volunteers make calls to get out the vote on the TWU bus in Florida*



**2** International President's Column

**23** International Secretary Treasurer's Column



Southwest Airlines expands, TWU calls for uniform safety standards, Attack on health and safety, Workers at TTA/Rotem bargaining, Local 101 secures a contract

**5**

**Allegiant Air Flight Attendants Vote to Join TWU**

**6**

**Casino Dealers in Las Vegas Win Historic Contract**

**7**

**International Executive Council Meeting**

**8**

**Time to Invest in America's Future**

**15**

**TWU Women on the Move**

**LOOK FOR THE**



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# Remembering John “Ed” Kelley



*Above: (L to R) Michael Quill, founder of TWU, shakes hands with John Kelley after Local 2006 won a strike against the Pennsylvania Railroad in 1960. Left: Local 2006 welcomes Mike Quill to Renovo, PA during the strike.*

John E. Kelley passed away on Nov. 4, 2010 at the age of 95 after serving as president of TWU Local 2006 Railroad Division for 35 years and working as a car inspector at Conrail for 44 years.

Kelley was a committed and relentless leader of Local 2006 and worked with TWU pioneer Mike Quill to fight on behalf of railroad workers. He led Local 2006 through a momentous strike in

the 1960s that was settled shortly before Christmas.

Kelley's leadership led him to be appointed grievance chairman of Eastern Region in 1960 where he represented 15,000 employees.

Kelley and leaders like him helped build TWU into the union it is today and helped secure decent jobs for thousands of workers.

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# Allegiant Air Flight Attendants Vote to Join TWU

Flight attendants at Allegiant Air will be voting for representation by the TWU after an overwhelming majority filed a petition with the federal National Mediation Board (NMB) seeking to join with the TWU and get a voice on the job.

The 420 flight attendants at the Las Vegas-based carrier will be voting in an election overseen by the NMB from Nov. 30 to Dec. 22 to choose union representation. The flight attendants would become the first employee group at the airline with a union contract if they vote in the TWU.

"Our company offers us great opportunities," said Agnes Lai, an Allegiant Air flight attendant based in Sanford, Fla. "What we're looking for is a negotiated contract, with fair and consistent work rules that everybody knows and everybody follows. That's fair for us — and for management."

Secure voting for Allegiant Air workers, who are based in cities throughout the United States, will take place by telephone and Internet, with final results expected by 2 p.m. on Dec. 22.

"We love our company and we are proud to be a part of the Allegiant success story," said Loren Edge, an Allegiant Air flight attendant based in Las Vegas. "We are not anti-company; we are pro-flight attendant."

Allegiant Air flight attendants will be among the first to vote under new democratic procedures recently approved by the NMB, which specify that elections will be decided by a simple

majority of those voting. In the past, any worker who did not vote was counted as a "no" ballot. TWU International President James C. Little said, "Flight Attendants at Allegiant have shown overwhelmingly that they want union representation and to have a voice on the job. Under the new NMB rules these workers will finally have a fairer election process."

"The flight attendants at Allegiant Air have decided they want a union, and we're here to support them," said Frank McCann, TWU International Director of Organizing. "Flight attendants want to share in the company's success. We look forward to a fair and fast election campaign, in which workers are free to speak their minds, and confirm their decision to seek union representation."

## PRESIDENT LITTLE NOMINATED TO FAA ADVISORY COUNCIL

TWU International  
President James  
C. Little



**TWU INTERNATIONAL** President James C. Little has been appointed by U.S. Secretary of Transportation Ray LaHood to the Federal Aviation Administration's (FAA) Management Advisory Council (MAC) to help advise the FAA on airline industry policy issues.

President Little will bring his experience in the airline industry and the perspective of workers to the MAC, which provides the FAA with expert opinion on the areas of policy, systems development and regulation. The MAC will focus on the important issues of improving safety, developing the Next Generation Transportation System and addressing workforce issues.

For his three-year term, President Little will be in an important position to assist in moving the FAA forward during a period of challenges and changes in the airline industry. His position will ensure that workers have a voice at the table and that TWU has a role in shaping the future of key issues that affect TWU members and the traveling public, such as continuous improvement in safety and a new air traffic management system.

A flyer for the Allegiant Air Flight Attendants Union Election. The top section has a yellow background with the text "AIR: ALLEGANT IS READY" in red. Below this, in large red letters, is "WE HAVE FILED FOR A UNION REPRESENTATION ELECTION!". The flyer contains several paragraphs of text explaining the election process, including a section titled "IT'S TIME TO GET INVOLVED!" with numbered steps: 1. Talk to your colleagues, 2. Visit www.TWU.org, and 3. Ask questions. It also includes a section titled "REMEMBER, A UNION IS NOT A THIRD-PARTY" and a section titled "PLEASE MAKE SURE THAT YOUR ADDRESS INFORMATION ON FILE WITH ALLEGANT AIR IS CORRECT". At the bottom, there is a logo for the Transport Workers Union of America (TWU) and contact information for TWU International.

casino  
dealers  
win

# HISTORIC CONTRACT



Local 721 members and allies rallied to demand a contract.

After nearly four years of struggle the dealers at Wynn Casino in Las Vegas, who are members of TWU Local 721, signed a historic collective bargaining agreement, marking the first union contract for dealers in Las Vegas.

The nearly 600 Wynn dealers have secured their right to union representation and now have the power to influence their working conditions. The workers will have a contract that protects their jobs, gives them a voice at work and ensures their benefits.

"This was a long and tough fight, but when we stick together we can win against big companies," said TWU International President James C. Little. "This is a crucial step in establishing dignity and respect for the dealers at Wynn and workers in Las Vegas."

The 10-year contract will take effect Nov. 19, 2010 and was approved by 80 percent of the members who voted. The agreement secures gains for the workers including grievance procedures, protections against terminations, solidified benefits and no further givebacks to the company or tip-sharing requirements.

"The overwhelming support shown for the contract was a vote of confidence for the union, and sent a clear message to the company about the deal," said International Gaming Division Director Joe Carbon.

The Wynn dealers are no longer "at-will" employees who can be fired at any time and management no longer has the ability

to make arbitrary decisions and alter work policies on a whim.

"In right to work states we need a contract and union representation," said Local 721 Vice-President Brian Bixby. "As at will employees you can be fired just because management doesn't like the color of your hair that day. We had to lock in protection because otherwise you are on your own,"

The ratification of a contract was the culmination of a long battle to secure union rights for dealers in Las Vegas, a group of workers who have little union representation in Las Vegas, unlike in other professions and sectors. Casino companies have been ruthless in attempting to prevent the dealers from organizing. Still, the Wynn dealers, along with dealers at Caesar's Palace, decided to join TWU in 2007 but still faced company opposition to signing a decent contract.



The bargaining committee, including Local 721 President Kanie Kastroll and Vice-President Brian Bixby, worked hard to get concessions from Wynn and to keep the membership informed about negotiation proceedings. They mobilized to put pressure on the company with the help of TWU International who staged a large rally to demand a contract during last summer's International Convention in Las Vegas. Carbon and TWU International Organizer Steve Roberts provided their experience and expertise to assist the bargaining team.

"We are so proud of our members for passing this historic vote with such a strong margin and extremely high voter

participation," said Kastroll. "They have demonstrated that they truly understand the value of union protection, brotherhood and a labor contract."

"We had a lot of communications and got our message across to people," said Bixby. "We had meetings and used websites and message boards to point out the benefits of the contract and to tell people what will happen without a contract"

According to Bixby, the dealers at Wynn have not only gained a contract but are learning about unionism and solidarity.

Ratification of this contract will also help the Local 721 members at Caesar's Casino who are still fighting for a contract. According to Bixby, the Wynn contract provides a model and a basis for contract language to use in negotiating an agreement with Caesar's management and creates leverage to bring the company to the table.  



# Advancing the TWU

TWU's International Executive Council met Oct. 5-6 in Grapevine, Texas for its final meeting of 2010. Chaired by International President James C. Little, the Council reviewed the activities of the organization over the past three months.

President Little announced the International's successful relocation to Washington, DC. "In our ongoing strategic planning efforts we are now fully operational in our new headquarters. This marks a new chapter in TWU's growth on a national level," said President Little.

Strategic planning was a main focus of the IEC meeting, which came just days after TWU's mass mobilization for the One Nation Working Together rally in Washington, DC. The Rally showed TWU's ability to organize on a national

level and build partnerships with our allies.

Capacity building and strategic planning sessions have been extremely well received and are continuing with locals throughout the country. These meetings are helping building our union and along with the State Conferences are strengthening the organization.

The Legislative Department continues to be a voice for TWU in the political arena and discussed upcoming strategies and legislative priorities.

## DIVISION UPDATES:

**Railroad Division** — Reported on their work around high-speed rail funding and ensuring that TWU facilities and members benefit from expanding the U.S. pas-



senger rail system.

**Air Transport Division** — Reported that despite industry wide mergers, long and tough ongoing negotiations they are making strides and working with locals and allied unions to advocate for airline workers.

**Transit Division** — Reported on TWU's continuing fight against the attack on public transit. Nationwide we have been on the frontline combating layoffs and funding cuts.

The meeting was concluded with a Human Rights Committee meeting and a Working Women's Committee meeting. See below.

TWU Women's Committee



## TWU HUMAN RIGHTS AND TWU WOMEN'S COMMITTEE MEETINGS

On Oct. 7, the TWU Human Rights Committee held their annual meeting in Dallas followed by the TWU Women's Committee Meeting on Oct. 8.

The Human Rights meeting focused on the theme "Collectively Building Towards Unity," and explored topics ranging from civil and human rights violations in the workplace, Equal Opportunity Employment protections and workplace injuries. TWU International and Local leaders, TWU mem-

bers and outside experts all participated.

The TWU's Women's Committee Meeting was kicked off by International President James C. Little. Participants heard about a wide range of topics from encouraging women to run for local, state and national offices to how shift-work can affect workers' physical and mental health. Attendees also participated in group activities on how lifestyle impacts injuries.

"We must keep our members educated

on Human Rights so all their rights are protected no matter who they are," said TWU International Director of Human Rights and Chair of the Women's Committee Sandra Burleson.

Since its inception in 2001, TWU's Human Rights Department and its subcommittee, the Women's Committee, has met annually as part of TWU's tireless efforts and dedication to equality and ending discrimination.

"It is very important for women to step up and get involved in their TWU," said ATD Working Women's Committee Chair Angela Tucker. "Educating ourselves, sharing knowledge, mentoring and learning to be leaders as union women is our goal for creating a more diverse environment within our locals."

## AWARD WINNERS

Two TWU members, Angela Tucker and Delisa Brown, were awarded the "Breaking the Ceiling Awards" for their work in helping woman elevate themselves in their unions and workplace. Willa Johnson, Cable Car Driver with Local 250A, received the "Shattering the Glass Ceiling Award" for her achievement on becoming the second women in the history of Local 250A to become a Grip Person.

# Time to Invest in America's Future

America needs an investment in its transportation infrastructure to expand and rebuild roads, railways and runways. With sluggish unemployment, now is the time to put people to work building the foundation for a 21st century economy that is competitive in the global world.

Many states and localities are struggling to pay for maintenance and expansion of their transportation infrastructure. This leads to bridges and railways to fall into disrepair, services to be cut and workers to be laid off. However, a renewed federal investment can create and preserve jobs in building, operating and maintaining our transportation systems.

By rebuilding our nation's transportation infrastructure, we could create 3.7 million jobs, 600,000 alone in manufacturing, according to a new action plan released by the Apollo Alliance. The Clean Transportation Manufacturing Action Plan (TMAP) calls for an investment of \$40 billion a year over the next six years to modernize and shore up our

nation's roads, bridges, mass transportation and advanced vehicles.

Building a robust public transportation network is an issue that can transcend partisan divisions and ideological differences. Republicans would be wise to support job-creating infrastructure projects after their campaign messages about reducing unemployment. However, some newly elected politicians, such as Ohio Gov. John Kasich, are saying they will halt transit projects like high-speed rail. This is shortsighted and will ultimately hamper American economic performance and prevent the development of efficient and sustainable forms of transit.

"Investing in infrastructure is something members of both political parties have always supported," Obama said at a press conference on Oct. 11. "There's no reason why we can't do this. This is work that needs to be done. There are workers who can do it. All we need is the political will."

President Obama released a proposal in front of hundreds of union members on

Labor Day that would provide \$50 billion in essential funding for public transportation projects, such as high-speed rail and new runways, through an infrastructure bank. Much of the \$50 billion in funding would come from eliminating certain tax cuts for oil and gas companies. The plan also calls for streamlining the funding process that is currently dominated by earmarks and a lack of accountability.

President Obama's proposal would be a step towards a much-needed long-term transportation-funding plan that includes passage of other necessary legislation, including the FAA reauthorization and surface transportation bills. However, political obstruction and gridlock has stalled action and jeopardized the safety and jobs of Americans.

Improving America's transportation infrastructure will pave the way for future economic growth and create good green jobs, while increasing environmental sustainability and reducing dependence on foreign-oil.



## TWU VIDEO RALLIES PEOPLE TO VOTE

**"THESE HANDS** are strong, these hands are many and on Nov. 2 these hands will be ready to vote," said TWU members in a recent video featuring members from across the nation spreading the message to get out and vote.

The video is part of TWU's efforts to expand communications and employ new mediums, which has received increasing success, such as the recent One Nation Working Together and Veterans Day videos. The voting video has been viewed thousands of times online. It was also featured on the front page of the AFL-CIO

website as well as many other websites and blogs.

In the video, TWU members recount the struggles working people have gone through for justice and equality while each person says that we are ready to vote on Nov. 2. The video tells viewers that workers have labored to build America and some people are now trying to pull it apart. However, working people have gone through tough times before and have the power and strength to persevere for a better future.

Filming was done on the East Coast, West Coast and in Texas



and featured members from the Rail, Transit and Air Divisions. Local 234, of Philadelphia; Local 225, of New York; Local 2015, of Wilmington; Local 556, of Chicago; Local 513, of Dallas; and

Local 250-A, of San Francisco, all helped out and featured their members on camera.

Check out the video on [twu.org](http://twu.org) or on the TWU YouTube channel.



# Southwest Expands with Acquisition of AirTran Airways


TWU locals representing workers at Southwest Airlines are excited about the announcement made in September from Southwest that the company plans to acquire AirTran Airways and the potential growth created by the merger.

"The 9,400 flight attendants of Southwest Airlines are both excited and supportive about the announcement regarding the acquisition of AirTran Airways by our company. The combined network of these two airlines and the future growth potential for Southwest is good news for our members, customers and investors," said TWU Local 556 President Thom McDaniel.

Local 556 will work with Southwest to ensure that the integration process goes smoothly and fairly. The 2,000

flight attendants at AirTran will be joining TWU, with the contract details to be worked out in the coming months. Flight attendants at Southwest have industry-leading contracts with good wages, benefits and work rules.

The merger means Southwest will expand its presence in important hubs such as Atlanta; Orlando, Fla.; Washington, DC; Chicago; and New York as well as adding some international flights to the Caribbean and Mexico. In 2009 the two airlines combined carried 125 million passengers with a fleet of 685 jets.

The continued success of Southwest helps ensure the jobs and compensation of TWU members and will mean a stronger union with more members. 

## NATIONAL LABOR RELATIONS BOARD ACTS TO PROTECT WORKERS

The National Labor Relations Board (NLRB) is stepping up its enforcement of labor laws and protecting workers who are trying to exercise their right to organize.

The NLRB made several recent decisions and took action that will benefit union organizing campaigns and protect workers. The pro-worker stance of the NLRB exemplifies the impact of President Obama's appointees to key positions at institutions affecting workers, such as the NLRB, Occupational Safety and Health Administration and National Mediation Board.

The NLRB's general counsel, the top enforcement officer, is pushing the agency to act quickly when companies illegally fire workers for trying to organize unions through new streamlined procedures and deadlines. This is a change from the Bush-era appointees who rarely and slowly enforced laws protecting organizers.

"Firing an employee in the middle of a union organizing campaign can quickly destroy the campaign by creating a climate of fear in the workplace"

*—acting General Counsel Lafe Solomon*

"Firing an employee in the middle of a union organizing campaign can quickly destroy the campaign by creating a climate of fear in the workplace," said acting General Counsel Lafe Solomon. "Clearly, it can also have a devastating effect on the employee's life. We need to ensure the statutory rights of unlawfully fired employees are restored in real time."

The NLRB also made two rulings that will update enforcement of the National Labor Relations Act. In one case the court ruled that companies should post unfair labor practice violations electronically and in another ruled that companies must pay compound daily interest on back pay, which means workers will be better compensated when companies break the law.



Photo by Rudi Riet




*An Aircraft Maintenance Mechanic works on the door of a 757 door at Dallas Fort-Worth Airport.*

## TWU CALLS FOR UNIFORM SAFETY STANDARDS

The TWU and the other unions who represent workers at American Airlines, the Association of Professional Flight Attendants (APFA) and Allied Pilots Association (APA), sent a letter to Ray LaHood, the U.S. Secretary of Transportation, calling for uniform standards for domestic and foreign repair stations and adequate oversight of overseas repair stations.

American Airlines is the only major U.S. carrier that continues to perform the majority of its maintenance work domestically, but has been subject to greater scrutiny than other carriers that outsource their work to foreign repair shops. The TWU and other unions stand for the highest in safety standards, but believe that all operators and maintenance providers should be held to the same standards. This is essential for ensuring the safety of workers and the flying public as well as maintaining American jobs.

The lack of urgency in responding to the issues posed by large-scale maintenance outsourcing by U.S. carriers stands in sharp contrast to the FAA's treatment of American Airlines. In 2003, the Office of Inspector General (OIG) reviewed the increase in outsourced maintenance by U.S. air carriers and identified multiple issues of concern, including the FAA's inadequate preparation for increased outsourceings and gaps in its oversight capabilities, and security issues that needed to be addressed by the Transportation Security Administration.

The TWU, APFA and APA believe keeping aircraft maintenance work in-house represents the best approach to ensure the safety of the traveling public. All operators and maintenance providers must be held to the same high standard. It is therefore essential for the FAA to address well-established safety and security oversight gaps immediately. 

# Job Tracker Exposes Outsourcing

Have you ever wondered which U.S. companies are shipping jobs abroad and out of your community in order to exploit workers overseas?

Now you can find out with the new Working America, the community affiliate of the AFL-CIO, Job Tracker, an Internet database of companies that layoff employees, endanger workers and violate labor laws. The database, with information on over 400,000 corporations across the United States, will help expose the companies that have contributed to the loss of American jobs, such as the five million manufacturing jobs lost in the past 10 years. These companies then exploit workers overseas by paying poverty wages with no benefits under horren-

dous working conditions.

"Everyday people have the opportunity to actually see what is happening in their community and shine the light on what corporations are doing," said AFL-CIO President Richard Trumka. "For the first time, working people have one place to see the real impact of the failed policies of the past that gave corporations the ability to ship American jobs overseas."

You can go to the website at [www.workingamerica.org/jobtracker/](http://www.workingamerica.org/jobtracker/) and enter your zip code to find the companies that are breaking the law, violating workers' rights and eliminating American jobs. Companies in your community can no longer hide.



## More Americans Are Taking Rail

Millions of Americans are choosing to ride Amtrak to travel around the country as ridership on America's passenger rail system was up 5.8 percent in 2010 from 2009.

For the fiscal year ending in Sept. 2010, Amtrak had 28.7 million passengers, an increase of 1.55 million from 2009. There was growth on all lines, including 4.3 percent along the Northeast Corridor and 6.5 percent on short-distance routes. Since 2000, overall ridership is up 37 percent.

The increase in ridership is evidence of the growing interest in quality rail transportation options. With popularity on the rise, we need ensure that Amtrak has the necessary funding to keep the system running



*Photo by Eric Pancer*

and to keep TWU members working, who do everything from repairing cars to helping passengers. The U.S. continues to lag behind Europe and Asia in the development of inter-city rail and high-speed rail systems, but with committed funding the United States can build a 21st century train system that creates jobs and viable options for passengers.

# looking **AHEAD**

by COPE  
and Political  
Field Director  
**Alex Garcia**

## **ANALYSIS, NOT PARALYSIS**

All of us who are passionate about politics enjoy analyzing and debating the meaning of the vote in this year's election. Yet regardless of how you read it, we need to stay focused on the future and building TWU's political clout by increasing donations to COPE.

Although the election was considered a disappointment for the Democrats, including many who were friendly to working people, it was hardly a referendum on labor's agenda. As TWU President James C. Little points out in his column (see page 2), the election was really about the economy and jobs — the same priorities the labor movement has been championing all along.

There were also a number of bright spots for labor-supported candidates, as well as the TWU's political program. Labor-supported candidates held their own or better in the Northeast and Western states and TWU played a big role in many contests through phone-banking and other get out the vote activities. Many TWU members across the country worked full-time on key contests.

TWU efforts helped Senate Majority Leader Harry Reid retain his seat in Nevada against an unqualified opponent, who was no friend of labor. I commend the TWU members who put in long hours of hard work on Reid's campaign and for other candidates in the state. Also out west, we were very active in the winning campaigns of Sen. Barbara Boxer of California and Governor-elect Jerry Brown.

Oddly enough the biggest boost to TWU's reputation as a political force came in a losing effort in Florida to elect Rep. Kendrick Meek to the Senate. He faced a tough contest against conser-

vative Republican Marco Rubio, a Tea Party darling, with former Republican Gov. Charlie Crist, a popular figure, running as an Independent. (Since Florida is my home state, I'll be watching Senator Rubio closely for votes on working people's issues.)

The race was significant for TWU because, for the first time, the AFL-CIO asked us to head up labor's efforts. This was a testament to the growing strength of our Florida State Conference. Our TWU bus was in Florida and was extensively used as a mobile phone-banking headquarters. Two Florida winners, Representatives Corrine Brown and Debbie Wasserman Schultz, joined us for a phone-banking session on the bus. Both are staunch friends of TWU and have addressed our annual COPE conferences.

However, as the 2008 and 2010 elections showed, voters, suffering under a slow economic recovery, are quite volatile. That means we need to build up our COPE fund to support those candi-



Political Department. This is another step in a process that has been implemented by International President Little during the past few years to increase TWU's political clout to better represent members' interests.

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*As the 2008 and 2010 elections showed,*  
**voters, suffering under a slow  
economic recovery, are quite volatile.**

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dates who support TWU members on the issues important to our families. We also need to continue a strong field operation and strengthen our state conferences.

In the coming months the COPE & Political Field Department will be working closely with TWU International Vice President J.W. Johnson, who has been appointed Managing Director of TWU Legislative/Government Affairs. In that role he will coordinate our efforts and those of the Washington Legislative &

With so many important issues facing working families, our COPE drives in the coming year will be the main focus of our efforts. I look forward to meeting many of you when we come to your area to ask for COPE contributions. Please consider increasing your contribution next year or making one if you have not done so. Our futures depend on it.

Until then, let me wish you and your families a joyous holiday season and a healthy and happy New Year.

# 2010 MIDTERM ELECTION

## TWU MEMBERS BUILD POLITICAL POWER

TWU members across the country committed time and energy to getting out the vote for the midterm election and campaigning for pro-labor candidates. The tireless effort of volunteers and staff helped build the political power of TWU and the labor movement, as well as developing a corps of experienced political activists.


TWU had boots on the ground knocking on doors, leafleting at work and attendance at rallies and debates. Activists made phone calls and sent emails and mailings. Union members talked to other union members about the election and developed the skills and connections to strengthen the political clout of working people. Individually and collectively they elevated the name of the TWU in the political arena all over the country.



From Philly, New York, New Jersey to Ohio, Nevada, Texas, California, Florida and Illinois, TWU members worked to build support for labor friendly candidates.

Many worked through the AFL-CIO's Labor 2010 program or collaborated closely with affiliates of the AFL-CIO and Central Labor Councils.

Some served as administrative staff, assisting with the coordination of the army of union volunteers. Others helped plan and coordinate large political rallies, such as an event in Florida with former President Bill Clinton. Our volunteers are the political soldiers on the ground for TWU and working families.

In Florida, the TWU bus traveled nearly 30,000 miles and was at rallies and debates making TWU's presence felt. The bus was transformed into a mobile election headquarters for volunteers, campaign staff and politicians to organize events, call voters and discuss strategy. 

Secretary of Labor  
Hilda Solis with  
Kevin Davis of  
Local 502 and  
Maria Durazo of  
the Los Angeles  
County  
Federation  
of Labor  
during a  
campaign  
event.



*"It was wonderful to shine the light of labor into the electoral process to ensure the American worker gets a square deal."*

—SHANNON JONES, LOCAL 555



Left: TWU members and volunteers in front of the TWU bus with Rep. Corrine Brown who was re-elected as Congresswoman from Florida's 3rd District. Right: Nevada-Arizona State Conference activists join newly re-elected Senator Harry Reid. (L to R) Todd Towns (Local 555), Addie Crisp, (Local 556), Senator Reid, and Glenn Cervenak (Local 502). Below, top: AFL-CIO Executive Vice-President Arlene Holt-Baker joined TWU Local 291 members to do some worksite leafleting at the Miami-Dade Bus Depot. Below, bottom: Mark York (right) of Local 513 with his son Myles York making election campaign calls.

*"Getting chosen by the Florida AFL-CIO and the Kendrick Meek campaign as the direct liaisons for labor in the state was a huge honor. It proves that what we are doing was being recognized. Our goal was to put TWU on the forefront and show our political power."*

—JEFFREY MITCHELL, LOCAL 291,  
WHO WORKED CLOSELY WITH  
ANDREW RANGOLAN, LOCAL 570



*"The hard work we did in Nevada was really for all of our Union brothers and sisters in the United States. We know we made a difference for Harry Reid because he won by such a larger margin than in his last election."*

—GLENN CERVENAK, LOCAL 502

## MAKING THE CALL

TWU's state of the art phone 'predictive' dialing equipment helped TWU phone bank volunteers reach tens of thousands of people and enhanced the impact of their work. The calling system will allow TWU to continue expanding its ability to mobilize members around crucial issues.

Utilizing this new technology, the COPE-Political Field Department ran a phone bank out of the Air Transport Division (ATD) office in Hurst, Texas to help get out the vote by informing TWU members about candidates and to encourage them to vote. From Texas, TWU volunteers and staff made phone calls to our TWU brothers and sisters all across Texas, Nevada and Florida to spread the message of making the voice of working people heard.

The conversations played a pivotal role in some key races, especially the re-election of Senate Majority Leader Harry Reid of Nevada and in beefing up the Kendrick Meek Senate campaign in Florida.

Below: TWU Local 212 President Bill Dickerson (in back) and TWU International Rep. Theotis James (front) working the phones on November 1, 2010 at the Ohio AFL-CIO headquarters. Left: Local 234 members helped mobilize voters to go to the polls in Philadelphia on Election Day Nov. 2 by driving vans of volunteers to go door-knocking to encourage people to vote and support labor-friendly candidates. Local 234 members continued their committed involvement in educating voters and motivating people to go to the polls.



# A Threat to Worker Health and Safety

The results of the recent elections will spawn an all out attack on worker health and safety. The assault will be launched by most of the familiar corporate faces, although some of them will be hiding behind Tea Party masks, such as the US Chamber of Commerce who has vowed to continue its anti-regulation crusade.

We must stand up to these attacks and protect the gains made for worker health and safety under the Obama Administration. Workers still have allies in OSHA and the Department of Labor who can ensure that workers return from work safe and sound.

For evidence of this assault we need only look at the attack by Massey Energy on mine safety. In a recent press conference Massey Energy CEO Don Blankenship said that new government regulations are causing safety and health concerns for coal miners. Further, Blankenship added that new regulations placed on the company by Mine Safety and Health Administration investigators hampers operations and said the company might close older mines. The mes-



sage to American workers is clear, work in an unsafe place or lose your job. Then, when workers are killed, blame them or the regulation that the company failed to follow.

Falsely interpreting the recent vote in the mid-term election as a mandate will be used to attack OSHA on their recent initiatives to prevent workplace injuries and fatalities. One example of these initiatives is OSHA's Severe Violator Enforcement Program (SVEP), which concentrates resources on inspecting employers who have demonstrated indifference to their OSH Act obligations by committing willful, repeated, or failure-to-abate violations. OSHA has



Above: Left to Right: Courtney Treasure (Local 561), Tim Capps (Local 561), Ed Watt (TWU International), Paul Hinden (Local 561), Cliff Kurkowski (Local 561), Paul Skody (Local 568), George Perez (Local 568) and Michael Johnson (Local 568).  
Left: Local 555 Health and Safety Committee

upheld fines against companies such as the \$871,500 charge against a Missouri bridge-painting company in cases involving two workers who fell to their deaths.

We would like to think that the US Chamber of Commerce would not be concerned about the findings of "egregious" violations; they should just let OSHA do its job-protecting workers. However, we all know that the chamber and employers, such as Massey Energy and BP, will be in the forefront of employers who want to cut corners and jeopardize human life in the workplace. They will continue to place greed above safety, but we must be ever vigilant against these attacks.

## RECENT EVENTS

TWU participated in the New York City Latino/Immigrant worker safety and health summit in November.

TWU was also on a panel at the International Conference on Commercial Driver Health and Wellness hosted by the Transportation Research Board (TRB), the National Institute for Occupational Safety and Health and the Federal Motor Carrier Safety Administration.

The TRB has accepted a proposal by TWU to fund a study titled "Developing Best-Practice Guidelines for Improving Bus Operator Health and Retention." We also have submitted a proposal to identify wellness programs and injury reduction programs involving airline workers.

Any locals that wish to run health and safety training, please contact us at [ewatt@twu.org](mailto:ewatt@twu.org).

## UNION PLUS SCHOLARSHIP DEADLINE



Are you or your children thinking about attending college soon? Now is the time to apply for the AFL-CIO's Union Plus scholarships, the deadline is Jan. 31, 2011.

All TWU members and their children are eligible. In addition to demonstrating academic ability, applicants must each submit an essay of no more than 500 words describing their career goals, detailing their relationship with the labor movement, and explaining why they are deserving of a union scholarship. Awards are one-time grants ranging from \$500 to \$4,000 based on academic performance, financial need and social awareness. Applications are available now and must be submitted by Jan. 31, 2011. You can download the application at [www.UnionPlus.org/Scholarships](http://www.UnionPlus.org/Scholarships).



*Transit Working Women's Committee.  
Right: The ATD WWC gets a lesson in self-defense.*



# TWU women ON THE MOVE

**T**WU members have been active in Working Women's Committees to encourage more women to take to leadership and to discuss women's issues in the workplace. The Committees are helping empower women to fight gender discrimination and advocate for equality.

The TWU Transit Division Working Women's Committee (WWC) held a meeting on Sept. 22-23 in Florida and the TWU

Air Transit Division WWC held a meeting on Oct. 14-15 in Texas.

The ATD WWC meeting included presentations by TWU leaders, members and outside experts on topics ranging from how to expand union activism amongst women to the importance of political engagement to a self-defense session conducted by Master Miguel Valdes, a 6th degree Black Belt holder.

Attendees got updates on TWU organiz-

ing, legislative and political efforts as well as instruction on practical union skills, such as writing resolutions, conducting meetings and building local women's committees.

The ATD WWC meeting was hosted by Local 291, led by Talib Nashid, and featured presentations by TWU leaders and members, as well as political representatives and other experts. TWU International Vice President J.W. Johnson discussed the history of TWU Local 291 and the role of women and people of color as leaders in the union.

Elections for committee positions were held on the final day of the session. Winneca Montgomery was elected Chair, Adrian McClenney was elected Co-Chair and Delisa Brown was elected Recording Secretary.



## TWU MEMBERS RACE FOR THE CURE



The ATD Working Women's Committee participated in the Susan G. Komen Race for the Cure in Dallas, TX on Oct. 16. The Committee was excited to participate in an important community service event and to help raise money for breast cancer health and awareness. Race participants included Alison & Tony Christopher, Angi Tucker, Catherine Jackson, Diana Thomas, Gwen Dunivent, Jenni Timms, Linda Dill, Margaret Sadler, Nan Warren and her daughter, Shae Christakis and her daughter, and Sharon Riffle.

## AFL-CIO ANNUAL MLK LABOR CELEBRATION IS AROUND THE CORNER

Join TWU and other union activists from across the nation in giving back to the community at the AFL-CIO Annual Dr. Martin Luther King Jr. Observance on January 13-17, 2011 in Cincinnati, OH at the Millennium Hotel. The event features community service projects and great civil and human rights speakers and educational workshops.

Registration before Dec. 17, 2010 is \$150, late registrations will be charged a \$30 fee. Great hotel discounts are available for attendees.

For further information contact TWU Director of Human Rights Sandra Burleson by email at [sburleson@twu.org](mailto:sburleson@twu.org) or phone at 281-686-0215.

## NEWLY ORGANIZED MEMBERS ASSEMBLE CARS

Passengers on SEPTA Regional Rail in the Philadelphia area are now enjoying the new state-of-the-art Silverliner V rail cars that are assembled by Local 234 members.

The new cars are being assembled at the Rotem-Hyundai plant in South Philadelphia, where workers recently voted to join Local 234. The cars have improved safety, handling and accessibility features that will improve the riding and operating experience.

An anti-slip device automatically detects when the wheels begin to slip and responds by pumping the brakes and releasing sand onto the tracks. The doors have built in plates that bridge the gap between the platform and the train, allowing for easier wheelchair access. The cars also have more comfortable and spacious seats.



*The TWU negotiations team at the bargaining table.*

## Workers at TTA/Rotem Want a Contract Now

The workers at the TTA/Rotem railcar assembly plant in Philadelphia voted to join TWU Local 234 in August and are now focused on getting a contract that will give them respect, safe working conditions and good benefits.

The union began contract negotiations with Rotem representatives on Nov. 11, 2010 and is mobilizing its power by seizing on the energy that led to the organizing victory and getting the membership involved in bargaining.

"I feel that I am going to the negotiation table to represent my co-workers, my sisters of the Women Committee and most importantly, my 5-year-old daughter," said Angelique Long, a member of the negotiation team and head of the Wiring Interior Department. "We are building the Silver Liner for the whole city to ride on, but most of us are constantly striving to make ends meet. We need more money, safer conditions and respect."

Long and Jules Ruiz were

selected by the workers to be their representatives at the bargaining table and will join Local 234 leadership and TWU International Organizer Georges Exceus on the negotiation team.

A Contract Action Team coordinated by Ivan McNeil, Brian Glass and Narcissus Dutton will support the negotiating team. The Contract Action Team will work closely with the negotiators to keep the members involved during the bargaining sessions. They will phone bank, distribute flyers and organize work site actions if needed- tactics that led them to victory in August.

"The same spirit that carried us to the ballot box on Aug. 5, 2010, is animating us today as we are delegating Angel Long and Jules Ruiz to accompany the Local leadership and Georges Exceus, our friend and the organizer sent by the International to help and teach us how to be successful," said McNeil. "We won't fall for anything because we are still standing strong."

The growing workforce in the TTA work group at the Rotem-Hyundai facility decided to organize in order to improve their jobs that had low pay and no healthcare or pensions.

*Photo by Richard Chase*

## LOCAL 101 Fights Givebacks and Secures a Fair Contract

TWU Local 101 refused to give into the demands of utility company National Grid and mobilized the strength of their members to get an agreement that has no concessions and meets all of Local 101's bargaining demands.

A public campaign with newspaper ads, radio commercials and rallies put pressure on the company and displayed the union's strength. From the beginning, the entire membership was engaged in bargaining and helped force the company to agree to a decent contract that protects jobs and increases pay.

"After seeing so many people standing out there in the rain for the rally to support the union, the bargaining committee was motivated and inspired to go back and settle a good contract for our members," said Local 101 President Marsha Spinowitz.

Chanting, blowing whistles and totting signs, 650 Local 101 members rallied despite the rain on Oct. 14 in front of National Grid's New York headquarters in downtown Brooklyn to highlight the company's greed. Members wore American flags while patriotic music played in



Despite the rain, hundreds rallied in downtown Brooklyn

the background. The lively protest on busy Jay Street energized the union and brought attention to their fight for justice.


"So many of our members came out for the rally and did a great job and really put pressure on National Grid," said Local 101 Vice-President Michael Conigliaro. "We had support from the International and the company saw that. They knew we were not alone."

Local 101 had the support of the International and the backing of the labor community as other locals showed their solidarity with the Laborers Union promised to respect Local 101's picket line in the event of a strike.

Days after the large rally, Local 101 secured a four-year contract that protects jobs and benefits, increases pay and

does not include any of the givebacks National Grid was demanding. The new contract would provide an 11.03 percent wage increase over four years, ensure job security for newly hired workers, protect jobs and improve retirement benefits. The contract will now be voted on by the membership.

"It was tough until the end and we had to get the company to where we could agree on a contract," said Conigliaro.


Local 101 members at National Grid, an electricity and natural gas utility company from the UK, provide maintenance, repair and other infrastructure services for Brooklyn and Queens. National Grid bought KeySpan Company in 2007, which was formed in 1998 through the merger of Brooklyn Union Gas Company and Long Island Lighting Company. 

## LOCAL 556 RATIFIES CONTRACT WITH SOUTHWEST AIRLINES

The 9,700 flight attendants at Southwest Airlines who are members of TWU Local 556, ratified an agreement updating their contract to incorporate the new larger Boeing 737-800 aircrafts into the airline's fleet. With the move, Southwest is one step closer to purchasing the new aircraft.

Local 556 recognized the potential benefit of incorporating the larger aircraft into the Southwest fleet for the company, passengers and the employees. Nearly 85% of members approved the agreement.

"We are proud that our members have reinforced our belief in the ongoing success and progress of Southwest Airlines," said Local 556 President Thom McDaniel.

The new agreement ensures that the variable pay increase, which is tied to the company's 2010 financial performance, will not be less than two percent. The agreement also calls for company-paid training, the formation of a labor-management committee to address any ongoing work rule issues, and a one-year contract extension. 





Newly elected Local 234 President John Johnson, Jr. gives his remarks joined with the Executive Board.

## Newly Elected Leadership at **LOCAL 234**

John Johnson, Jr. was sworn in on Oct. 11 as the new President of TWU Local 234 in Philadelphia along with the rest of the new administration. Johnson will use the position to serve and benefit the more than 5,000 members of Local 234 who work at SEPTA, the regional transit authority in Philadelphia.

Johnson, 43, has worked for SEPTA for 16 years as a bus driver and track maintenance worker and has a business

degree from Temple University. Johnson and his leadership team are committed to accessibility, accountability and achievement. They campaigned on a platform focused around bolstering pensions, preventing job outsourcing, improving communication with members, and ensuring job dignity.


"I want to be engaged and be involved with my membership and my ridership," said Johnson.

## ATD VETERAN'S COMMITTEE Elects Leaders

At the November ATD Veteran's Committee new officers were elected including Chairman Hank Trujillo from Local 568, Vice Chairman Bobby Velasquez from Local 513 and Recording Secretary Pete Meyer from Local 562.



He ran for office in order to create a bright future for the union and its members and ensure the quality of public transportation in the Philadelphia area.

"I want to make sure that people know that TWU Local 234 wants to be involved in the community because we service those communities," said Johnson to The Philadelphia Tribune. "We need to have a presence. We need people to know that we're not the enemy." 

## LOCAL 100 HOLDS MEMBERSHIP ASSEMBLY



TWU Local 100 held its annual Membership Assembly on Nov. 6, 2010 at the Jacob Javits Center in New York.

The event included a general membership assembly, town hall meeting on laid off members and a Shop Steward's Assembly. During the general assembly, Local 100 President John Samuelson called for member activism and emphasized the need for mobilization to win a decent contract next year. Samuelson and Executive Board Members facilitated a question and answer session about the fund and continuing efforts to assist laid off members.



## LOCAL 100 Retirees Raise Money for Laid-Off Members

TWU Local 100 retirees are helping support Local 100 members recently laid-off by the MTA by contributing nearly \$80,000 to provide medical benefits and insurance to the laid-off members.

The retirees have shown their con-

tinued commitment to solidarity with their fellow workers. The fund is covering medical care costs for the several hundred laid-off workers while they look for jobs or wait to be re-hired.

The TWU Local 100 Retirees' Association issued an appeal to retirees to support the fund, which received a robust response. The retirees join active members who voted to contribute \$5 per week for six months to the fund.

## LOCAL 542 SIGNS NEW CONTRACT



The Horizon Airlines Dispatchers ratified a new contract. In front L to R: Christopher Lewless (Horizon Air), John Plowman (President Local 542). In back L to R: Daniel Scott (Managing Director SOC Horizon Air), Bill Buta (TWU Section Chair Horizon Air), Gary Shults (TWU International Representative), Bobby Gless (TWU Deputy Director, Air Transport Division)

## LOCAL 252 Says Stop the Cuts

TWU Local 252, led by President Patricia Bowden, continued their protests against privatization and service cuts of Long Island Bus on Oct. 18 with morning and afternoon rallies.

The rallies at the County Executive's office and the Mineola Train Station brought together workers, riders and community members to demand preservation of bus service that people depend upon to get to work and school.

The MTA is threatening to cut funding for Long Island bus while Nassau County is discussing plans for privatization. These measures would reduce service, cut jobs and limit public accountability. Local 252 is working with neighborhood organizations and groups like the NAACP to oppose the cuts.

Local 252 and community activists gather outside of the Nassau County Executive's Office to protest transit cuts.



# INDEPENDENT AUDITOR'S REPORT

To the International Executive Board  
and International Executive Council  
Transport Workers Union of America  
501 3rd Street, NW  
Washington, D.C. 20001

We have audited the financial statements (modified cash basis) of Transport Workers Union of America for the year ended August 31, 2010, and have issued our report thereon dated December 15, 2010. We have also audited the accompanying schedule of Calculation of Chargeable Expenses (modified cash basis) of Transport Workers Union of America for the year ended August 31, 2010. This schedule is the responsibility of the Union's management. Our responsibility is to express an opinion on this schedule based on our audit.

We conducted our audit of the schedule in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the schedule of Calculation of Chargeable Expenses (modified cash basis) is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the schedule. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall schedule presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the schedule of Calculation of Chargeable Expenses (modified cash basis) referred to above presents fairly, in all material respects, the chargeable expenses of Transport Workers Union of America for the year ended August 31, 2010, in conformity with the Transport Workers Union of America Agency Fee Policy.

Our audit was made for the purpose of forming an opinion on the schedule of calculation of chargeable expenses (modified cash basis) of the Transport Workers Union of America. The supplementary information on pages 6, 7 and 8 is presented for the purposes of additional analysis. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, is fairly stated in all material respects.

**SHALIK, MORRIS & COMPANY, LLP**  
**Certified Public Accountants**  
**7001 Brush Hollow Road**  
**Westbury, New York 11590**

## TRANSPORT WORKERS UNION OF AMERICA AGENCY FEE POLICY SCHEDULE OF CALCULATION OF CHARGEABLE EXPENSES (MODIFIED CASH BASIS) YEAR ENDED AUGUST 31, 2010

	EXPENSES		
	TOTAL	CHARGEABLE	NON-CHARGEABLE
Main office expenses	\$4,532,783	\$4,193,589	\$339,194
Servicing, negotiations and grievance expenses	2,987,525	2,987,525	-
Political expenses	1,682,201	-	1,682,201
Organizing expenses	538,702	-	538,702
TWU Express:			
Non-political information	157,239	157,239	-
Political information	13,809	-	13,809
Donations, tickets and advertisements	115,523	-	115,523
Salaries and related expenses	14,963,277	12,683,279	2,279,998
Social events, non-political	15,016	15,016	-
Quill Scholarship	76,821	-	76,821
Insurance	98,088	98,088	-
Quadrennial convention expense	1,440,584	1,440,584	-
Investment expenses	216,126	216,126	-
	<u>\$26,837,694</u>	<u>\$21,791,446</u>	<u>\$5,046,248</u>
Percentage to total	<u>100.00</u>	<u>81.20</u>	<u>18.80</u>

See notes to schedule of calculation of chargeable expenses.

## TRANSPORT WORKERS UNION OF AMERICA AGENCY FEE POLICY SUPPLEMENTARY SCHEDULE OF SERVICING, NEGOTIATIONS AND GRIEVANCE EXPENSES (MODIFIED CASH BASIS) YEAR ENDED AUGUST 31, 2010

	EXPENSES		
	TOTAL	CHARGEABLE	NON-CHARGEABLE
Negotiation expenses	\$543,983	\$543,983	\$-
Legal Fees	599,089	599,089	-
Transportation and facility costs	1,253,938	1,253,938	-
Reimbursement of Locals negotiating expenses	590,515	590,515	-
	<u>\$2,987,525</u>	<u>\$2,987,525</u>	<u>\$-</u>

See notes to schedule of calculation of chargeable expenses.

**TRANSPORT WORKERS UNION OF AMERICA  
AGENCY FEE POLICY SUPPLEMENTARY SCHEDULE  
OF SALARIES AND RELATED EXPENSES (MODIFIED  
CASH BASIS) YEAR ENDED AUGUST 31, 2010**

	EXPENSES		
	TOTAL	CHARGEABLE	NON-CHARGEABLE
Salaries	\$9,516,864	\$8,001,423	\$1,515,441
Pension and welfare expenses	4,010,219	3,363,187	647,032
Payroll taxes	702,942	605,838	97,104
Auto expenses	687,815	674,629	13,186
Insurance, workers compensation	45,437	38,202	7,235
	\$14,963,277	\$12,683,279	\$2,279,998

See notes to schedule of calculation of chargeable expenses.

**TRANSPORT WORKERS UNION OF AMERICA  
AGENCY FEE POLICY SUPPLEMENTARY SCHEDULE  
OF MAIN OFFICE EXPENSES (MODIFIED CASH  
BASIS) YEAR ENDED AUGUST 31, 2010**

	EXPENSES		
	TOTAL	CHARGEABLE	NON-CHARGEABLE
Rent and related expenses	\$1,632,126	\$1,485,893	\$146,233
Stationery and printing	275,481	222,816	52,665
Outside consultants	356,417	349,659	6,758
Telephone	373,715	337,861	35,854
Postage	319,484	299,791	19,693
Data processing expense	462,424	452,575	9,849
Equipment rental and maintenance	201,606	197,356	4,250
Newspapers and subscriptions	86,074	42,268	43,806
Accounting	127,163	122,984	4,179
Depreciation	324,429	320,281	4,148
Sundry expenses and taxes	373,864	362,105	11,759
	\$4,532,783	\$4,193,589	\$339,194

See notes to schedule of calculation of chargeable expenses.

**TRANSPORT WORKERS UNION OF AMERICA  
POLICY ON AGENCY FEE OBJECTIONS**

TWU's Policy on Agency Fee Objections, as amended, is based upon decisions of the United States Supreme Court.

1. Employees who are members of TWU are eligible to engage in a broad range of activities by virtue of their membership. This includes, for example, the right to run for and vote in Union elections, to vote on ratification of collective bargaining agreements, and to attend and participate in Union meetings and activities that are pertinent to their employment. Employees represented by TWU can elect to be nonmembers, but if they do, they lose these and other rights and benefits that go along with membership in good standing in TWU.

2. A TWU-represented nonmember employee who is subject to a union security clause conditioning continued employment on the payment of dues or fees – referred to as “agency fees” for nonmembers – has the right to object to expenditures by TWU or the employee's Local Union that are not related to collective bargaining, contract administration, grievance adjustment or other expenditures that are considered “chargeable” to nonmember objectors. A nonmember objector's agency fees shall be calculated in accordance with this Policy.

3. To become an objector, a TWU-represented nonmember employee shall notify the International Secretary Treasurer in writing of her/his objection by mail postmarked during the month of January in the year for which the employee elects to be an objector. The written notification shall be signed by the employees and include the objector's current home address and TWU

Local Union number, if known. The nonmember objector shall also mail a copy of this notice to her/his Local Union. A nonmember employee who first becomes subject to a TWU union security clause after January in a particular year and who desires to be an objector must submit written signed notification to the International Secretary Treasurer, with copy to the employee's Local Union, including the objector's current home address and TWU Local Union number, if known, within thirty (30) days after the employee has become subject to union security obligations and been provided notice of these procedures.

a. A current TWU member who chooses to become an objector, must first resign from TWU membership before she/he can file an objection through these procedures. A member who resigns from membership during the course of the year shall have 30 days following resignation in which to elect to become an objector by utilizing the procedures set forth in paragraph 3 above.

b. A nonmember employee objector who wishes to again be an objector in a subsequent calendar year must provide notice of objection in the January of the year for which the employee desires to be an objector, in accordance with the procedures in paragraph 3 above.

4. Expenditures in the following categories are among those chargeable to nonmember objectors.

- Negotiation of agreements, practices and working conditions.
- Administration of agreements, practices and working conditions, including grievance handling, all activities related to arbitration, and discussion with employees in the bargaining unit or employer representatives regarding working conditions, benefits and contract rights.
- Conventions, Union business meetings, and other Union internal governance and related expenses.
- Social activities.
- Publications, to the extent related to chargeable activities.
- Litigation before courts and administrative agencies related to contract administration, collective bargaining rights or other chargeable activities.
- Legislative, executive branch and administrative agency activities on legislative or regulatory matters related to the negotiation or administration of contracts and working conditions.
- Education and training of members, officers and staff intended to prepare the participants to better perform chargeable activities or otherwise related to chargeable activities.
- Activities related to group cohesion and economic action of or by TWU represented employees, e.g., demonstrations, general strike activity, informational picketing.
- Overhead and administration related to or reflective of TWU or TWU Local Union chargeable activities.

5. Expenditures in the following categories arguably are non-chargeable to nonmember objectors:

- Community service and charitable contributions.
- Affiliations with non-TWU organizations.
- Support for political candidates.
- Member-only benefits.
- Lobbying to the extent not chargeable as per paragraph 4.g. above.
- Publications, litigation and for overhead and administration to the extent related to arguably non-chargeable activities.
- external recruitment of new members.

6. The TWU Policy on Agency Fee Objections shall be reprinted in each December issue of the EXPRESS. The International shall also send a copy of this Policy to each nonmember who objected during that calendar year to inform such person of the right to elect to again object in a succeeding year. Any Local Union that is required by law to have an agency fee policy, but which has failed to adopt such a policy, shall be deemed to have adopted this “Policy on Agency Fee Objections” as its own, and such Locals shall be identified in the December issue of the EXPRESS.

7. The International shall retain an independent auditor who shall submit an annual report verifying the breakdown of chargeable and arguably non-chargeable expenditures (the “Report”). Similarly, if a Local Union has determined to apply this Policy for its expenditures, the Local Union shall arrange for an independent audit of the breakdown of the Local's chargeable and arguably non-chargeable expenditures. Any Local Union which fails in a given year to conduct an independent audit of expenditures shall be deemed to have spent the same percentage of its expenditures on chargeable activities as the International expended as reflected in the auditor's Report. The Report(s) of the independent auditor(s) for the International and, where applicable, the Locals shall be completed promptly after the end of the fiscal year. The most recent Report of the International's expenditures shall be reprinted in the December issue of the EXPRESS. The Local Union shall provide to the nonmembers it represents a copy of the Report of the breakdown of the Local Union's expenditures.

8. The fees paid by nonmember objectors shall be handled as follows:

- Nonmember objectors who pay fees directly and not by checkoff shall pay an amount equal to the full amount of agency fees reduced by the percentage of agency fees ascribed by the audit Report(s) (described in paragraph 7 above) to arguably non-chargeable activities (the latter amount referred to hereafter as the “non-chargeable amount”). An amount equal to 50% of the non-chargeable amount shall be placed in an interest bearing escrow account.
- With regard to nonmember objectors who pay agency fees by check-off, promptly following receipt of the checked-off fees, the non-chargeable amount, both for the International and the Local that is utilizing this Agency Fee Objection Policy, plus an additional 50% of that amount, shall be placed in an interest bearing escrow account. Promptly following each calendar quarter, the non-chargeable amount for the preceding calendar quarter, plus the interest accrued thereon, shall be paid to each such nonmember Objector.
- The International shall bill each Local for the monies return to objectors from escrow in connection with the Local's arguably non-chargeable expenditures.

9. A nonmember objector may challenge the last audited breakdown of chargeable and arguably non-chargeable expenditures contained in the independent accountants' Report(s) by filing a challenge with the International Secretary-Treasurer, together with notice to the employee's Local Union, postmarked no later than thirty (30) days after mailing of the December issue of the EXPRESS that includes the Report(s).

- a. All such timely challenges shall be referred to an impartial arbitrator appointed by the American Arbitration Association ("AAA") under its rules for impartial determination of Union fees. TWU will request that the AAA appoint an arbitrator to promptly consider and make a determination regarding the challenges in a single consolidated hearing to take place in Washington, D.C. TWU will provide the AAA with the names and addresses of the nonmember objectors who have filed timely challenges.
- b. Challengers, the International and, if a participant, the Local Union(s) shall each bear its/their own costs related to the arbitration. The challengers shall have the option of paying a pro rata portion of the arbitrator's fees and expenses; if they decline that option, the Union parties to the proceeding will pay the full fees and expenses of the arbitrator and not just their pro rata portion of such fees and expenses.
- c. Challengers may, at their expense, be represented by counsel or other representative of choice. Challengers need not appear at the hearing for their challenges to be considered. Challengers who elect not to appear at the hearing may file written statements with the arbitrator, provided they do so by no later than the beginning of the hearing before the arbitrator. Challengers who appear but elect not to present evidence or otherwise participate in the hearing may also submit written statements at or before the beginning of the hearing.
- d. Fourteen (14) days prior to the start of the arbitration, challengers shall be provided with copies of all exhibits or a list of all such exhibits that a Union party then intends to introduce at the arbitration and a list of all witnesses the Union party may introduce for rebuttal, except for exhibits and witnesses the Union party may introduce for rebuttal. If copies of exhibits have not otherwise been provided, a challenger may request that the Union forward a copy to the requesting challenger(s) during this 14-day pre-hearing period.

Copies of all exhibits shall also be available for review by challengers at the hearing.

- e. A court reporter shall make a transcript of all proceedings before the arbitrator. This transcript shall be the only official record of the proceedings and may be purchased by the challengers. The parties shall be informed when the transcript is available for purchase and/or review. If challengers do not purchase a copy of the transcript, a copy shall be available for purposes of inspection by them at the Union party's/parties' headquarters during normal business hours.
  - f. The arbitrator may determine all procedural matters affecting the arbitration consistent with the dual objectives of providing for an informed and an expeditious arbitration.
  - g. Each party to the arbitration shall have the right to file a post-hearing statement by no later than fifteen (15) days after the parties have been provided notice that the transcript has been completed and is available for purchase or review. Neither challengers nor Union parties may include or refer in the post-hearing statements to any evidence that was not previously introduced and accepted by the arbitrator during the arbitration proceeding.
  - h. The arbitrator, taking account of the record presented, shall issue a decision on the challenges to the validity of the auditor's Report of the "chargeable" percentage of Union expenditures. The arbitrator's decision shall be issued within forty-five (45) days after the final date for submission of post-hearing statements or within such other reasonable period as is consistent with the AAA rules and the requirements of law. The decision of the arbitrator shall be final and binding.
  - i. Upon receipt of the arbitrator's award, the escrowed funds, as referenced above, shall be distributed in accordance with the arbitrator's decision, with the remaining balance, if any, after any required payments to challengers, returned to the International's or Local Union's general funds.
10. The provisions of this Policy on Agency Fee Objections shall be considered legally separable. Should any provision or portion thereof be held contrary to law by a court or tribunal of competent jurisdiction, the remaining provisions or portions thereof shall continue to be legally effective and binding.

## UNION MEMBER RIGHTS AND OFFICER RESPONSIBILITIES UNDER THE LMRDA

### UNION MEMBER RIGHTS

**Bill of Rights** - Union members have:

- equal rights to participate in union activities
- freedom of speech and assembly
- voice in setting rates of dues, fees, and assessments
- protection of the right to sue
- safeguards against improper discipline

**Copies of Collective Bargaining Agreements** - Union members and nonunion employees have the right to receive or inspect copies of collective bargaining agreements.

**Reports** - Unions are required to file an initial information report (Form LM-1), copies of constitutions and bylaws, and an annual financial report (Form LM-2/3/4) with OLMS. Unions must make the reports available to members and permit members to examine supporting records for just cause. The reports are public information and copies are available from the OLMS Internet Public Disclosure Room at <http://www.union-reports.dol.gov>.

**Officer Elections** - Union members have the right to:

- nominate candidates for office
- run for office
- cast a secret ballot
- protest the conduct of an election

**Officer Removal** - Local union members have the right to an adequate procedure for the removal of an elected officer guilty of serious misconduct.

**Trusteeships** - Unions may only be placed in trusteeship by a parent body for the reasons specified in the LMRDA.

**Prohibition Against Certain Discipline** - A union or any of its officials may not fine, expel, or otherwise discipline a member for exercising any LMRDA right.

**Prohibition Against Violence** - No one may use or threaten to use force or violence to interfere with a union member in the exercise of LMRDA rights.

### UNION OFFICER RESPONSIBILITIES

**Financial Safeguards** - Union officers have a duty to manage the funds and property of the union solely for the benefit of the union and

its members in accordance with the union's constitution and bylaws. Union officers or employees who embezzle or steal union funds or other assets commit a Federal crime punishable by a fine and/or imprisonment.

**Bonding** - Union officers or employees who handle union funds or property must be bonded to provide protection against losses if their union has property and annual financial receipts which exceed \$5,000.

**Labor Organization Reports** - Union officers must:

- file an initial information report (Form LM-1) and annual financial reports (Forms LM-2/3/4) with OLMS.
- retain the records necessary to verify the reports for at least five years.

**Officer Reports** - Union officers and employees must file reports concerning any loans and benefits received from, or certain financial interests in, employers whose employees their unions represent and businesses that deal with their unions.

**Officer Elections** - Unions must:

- hold elections of officers of local unions by secret ballot at least every three years
- conduct regular elections in accordance with their constitution and bylaws and preserve all records for one year
- mail a notice of election to every member at least 15 days prior to the election
- comply with a candidate's request to distribute campaign material (at the candidate's expense)
- not use union funds or resources to promote any candidate (nor may employer funds or resources be used)
- permit candidates to have election observers
- allow candidates to inspect the union's membership list once within 30 days prior to the election

**Restrictions on Holding Office** - A person convicted of certain crimes may not serve as a union officer, employee, or other representative of a union for up to 13 years.

**Loans** - A union may not have outstanding loans to any one officer or employee that in total exceed \$2,000 at any time.

**Fines** - A union may not pay the fine of any officer or employee convicted of any willful violation of the LMRDA.

# protecting SOCIAL SECURITY

by *International  
Secretary-Treasurer*  
**Joseph C. Gordon**

When Republicans take over the House of Representatives in

January, the new Speaker John Boehner will likely try to raise the Social Security retirement age to 69. Sadly, he'll probably find allies on both sides of the aisle.

Those who seek to gut Social Security will say they are really "saving" it and, in any case, it must be part of a serious debt reduction effort, which will include cuts to Medicare, Medicaid and other programs.

For starters, Social Security is not in dire financial state as some alarmists contend. In reality, the program is actually running a \$77 billion surplus and only minor changes are needed to balance the program's budget over the next 75 years. To pay for benefits we can require high earners to pay Social Security contributions on all their wages. Other countries have levied some form of financial speculation tax to raise additional revenue.

There have always been conservatives who wanted to get rid of Social Security simply because it benefits working people and is a successful government program. Anti-workers forces in other countries such as France and the UK are also unleashing an assault on social safety nets and retirement in the name of fiscal austerity yet the banks and corporations are raking in millions.

Those who want to cut Social Security say people are living longer and, therefore, can stay in the workforce longer. That's okay if you have a cushy job and

don't do any heavy lifting. But for millions of seniors in physically demanding jobs, even working a few more years can be a hardship — if not downright impossible.

Then there's the question of jobs for older workers. In the midst of an employment crisis that has hit seniors particularly hard, the idea of working to 70 is laughable, if not cruel.

Retirement security has often been compared to a stool, with Social Security, pensions and savings as the three legs. With pensions under attack and saving an iffy proposition, Social Security is the only solid leg for most folks. We also tend to



on seniors, however, it's really younger workers who will suffer most by cutting retirement benefits by as much as 36 percent for young people entering the work force according to the Social Security Chief Actuary. That's because cuts are likely to be phased in over time, falling most heavily on workers who are nearing retirement age. In addition, younger workers will no longer be able to depend on a

*For millions of seniors in physically  
demanding jobs, even working a few  
more years can be a hardship —*  
**IF NOT DOWNRIGHT IMPOSSIBLE.**

forget the insurance component of Social Security — a Godsend if one becomes disabled during their working years or has a child who becomes mentally or physically disabled.

Although there will be a lot of conservative bluster against Social Security, one of the biggest threats is the report of the President's commission on deficit reduction. The Bowles-Simpson commission recently recommended deep cuts in Social Security, in the form of an increase in the retirement age. This is a direct cut in benefits, targeted at those who do hard manual labor.

The proposals may seem like an attack

program that provided a bedrock of security for their parents and grandparents.

And while Social Security cuts are talked about all the time in Washington's elite policy circles, polls routinely show that real workers would prefer to pay higher contributions to finance their retirement benefits, rather than have cuts.

I can't tell you how this will all play out, but we will not sit idly by as our public retirement program is gutted.

*Thanksgiving is right around the corner. So, let me wish you and your family a wonderful holiday season and a peaceful and rewarding New Year.*

**TRANSPORT WORKERS  
UNION OF AMERICA**

501 3rd Street NW, 9th Floor  
Washington, DC 20001

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