

# TWU EXPRESS

THE TRANSPORT WORKERS UNION OF AMERICA AFL-CIO | WE MOVE AMERICA | DECEMBER 2015 | VOL. 67 | NO. 3



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**PROUD TWU MEMBERS ★ WORKING TOGETHER**





## Working Together, Getting Results

By International President Harry Lombardo

It's hard for me to believe it, but we've just reached the halfway point of my first term as TWU's International President. As we move toward the holidays this year, I've spent a great deal of time reflecting on what we've accomplished so far...and even more time thinking about all of the work I'm looking forward to in 2016.

Two years ago in Las Vegas, we promised you a fighting, militant union. In this issue of the *Express*, I believe you'll see all the ways we've made good on that promise, from organizing victories, to political successes, to stronger contracts, and a more robust training program. We're taking a much more practical, pragmatic approach. And as we continue to redefine the role of the International, I see us bringing together members across divisions, rebuilding the army of strong members for which TWU has always been known. You'll read about that in the story covering our fight for TWU's reputation at Gray Line, and the story detailing our historic effort to bring a piece of 9/11 history down to Local 525 at the Kennedy Space Center.

Looking ahead, as we begin to launch campaigns against some of this country's largest and wealthiest employers, I'll be calling on you, our members, to stand together as one union. We simply cannot sit back and do nothing while these massive companies with incredible resources take advantage of our people. So I pledge to you that together, we'll do whatever we can to get our members' dignity and respect back while those fat cats get rich off your hard work. We're going to take on these industries and their collective behavior toward their employees, and we're going to win.

The strength of TWU International rests with our locals. So when a small local is challenged, we must all stand behind it. Because in this union, an injury to one is an injury to all.

We will fight whomever we have to fight to protect our own, but when the battle is won, we heal those wounds and move on. Brothers and sisters, it's one thing to organize, but it's another thing to organize and get a contract. Let us be the union that leads the way for fighting the good fight, negotiating the best deal, and then getting the job done...every single time.

We can work as a hand or we can work as a fist. We have great members and great officers, and when we channel those resources, we are truly unstoppable. I wish you all a happy and healthy holiday season and am eager to get to work on an exciting year ahead.

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"Let us be the union that leads the way for fighting the good fight, negotiating the best deal, and then getting the job done...every single time."

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The 2016 Michael J. Quill Scholarship application period will open in February. Please check [www.twu.org](http://www.twu.org) at that time for details. Correction: The previous issue of the Express contained the names of all the scholarship winners and there was an error in the list of Union Benefit Planners recipients: the middle initial of Ali K. Alkhafaji from Local 591 was incorrect and we regret the error.

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# COPE Matters, Because Your Voice Matters

**E**lection 2016 is upon us, and we urge every TWU member to vote, and to support candidates who support you, not only in the general election in November, but in your state primaries. Rhetoric from candidates on both sides continues to ripple across the political landscape, and TWU members know that gains won at the bargaining table can be wiped out by the stroke of a pen when anti-worker legislators are in office.

But attacks continue, both on the labor movement and on working men and women across the country. Study after study has shown the direct link between the strength of America's unions and the success of its middle class, and today, both are struggling.

Can that struggle be reversed? Yes, by TWU members becoming active in Election 2016 and by voting into office at the state and federal level candidates who support middle class families and not corporate fat cats. And by contributing to COPE, which helps elect those candidates.

TWU has been fighting for your rights politically for decades through our Committee on Political Education (COPE), the union's political action committee (PAC). Your dues can never be used to make political contributions so we ask members to voluntarily contribute to COPE. COPE invests in labor friendly candidates on both sides of the aisle who will protect your jobs, your future and your working conditions. We do not tell anybody how to vote; rather, we provide information and education so that you can make an informed decision at the ballot box.

In 2016, your state primary and the general election on November 8 will be critical for all working families. TWU's Government Affairs and COPE Political Field teams will be monitoring legislation and identifying candidates—both challengers and incumbents—who have your best interests in mind. They will help ensure our members are educated and mobilized to vote.

But why should we have a PAC? Why should you support COPE?

Because many of your employers have PACs. They solicit funds from wealthy Americans to elect legislators who will pass laws to protect their bottom lines, widening the economic gap and taking back gains we've made for working families. If they have a PAC



Rep. Earl Blumenauer (D-OR) addressed TWU members at a Capitol Hill rally during the 2014 Legislative and COPE Conference. The COPE fund only supports candidates who support TWU's issues.



Reinvigorated during the 2014 election season, TWU's State Conferences have been busy planning their Election 2016 activities. State conferences in California, Florida and New York gear up for election battle. Find your state conference at TWU.org, under Legislative.

that represents their interests, we need one to represent ours. "Our opposition uses every tool at their disposal," said President Harry Lombardo. "COPE is just one of the tools in our arsenal and I ask every TWU member to contribute. We can be militant in the workplace and we take that fighting spirit into the political arena." As with every union battle, there is strength in numbers, and the more members who contribute to COPE the stronger and more robust the fund is to help us compete in key electoral contests.

To sign up for voluntary COPE contributions, contact your local president or Heather Rose at TWU International ([hrose@twu.org](mailto:hrose@twu.org)).

COPE is just one way TWU is fighting the continued assault on working class families. It's time for all of us to take action and demand real change from our elected representatives. Get involved, contribute to COPE and vote.

#### TAKE ACTION...

Be sure you are registered to vote and find out when your state primary is (<http://bit.ly/1G0snT9>) For more on COPE visit TWU.org.

# Bikeshare Workers Ratify Breakthrough Contracts

**M**erriam Webster defines ‘transportation’ as ‘the act or process of moving people or things from one place to another.’

That’s precisely what Citi Bike workers in New York City did when they overwhelmingly ratified their first TWU contract this summer. By an 83 percent majority, these old-school, new-model transit workers transported themselves to a better place.

This was followed in October by a contract for Capital Bikeshare workers in Washington, D.C. who ratified their TWU contract by an equally impressive margin.

With union contracts, the bikeshare workers, and soon their TWU-represented colleagues in Chicago and Boston, have gained workplace benefits and protections that they didn’t have before.

The contract, between TWU Local 100 and the management of Motivate (the New York-based company that runs the bikeshare program there and in D.C., Chicago, Boston and other cities), brings the workers running the nation’s premiere bikeshare programs big

raises. The employees include mechanics, technicians, call center agents and “balancers,” the staff who supply docking stations with bicycles so that bikeshare members always have a ride.

TWU Executive Vice President and Local 100 President John Samuelson called the Citi Bike contract “an historic agreement. It greatly improves the income and benefits of these dedicated workers but just as importantly will lead to better service for bikeshare users,” Samuelson said. The Citi Bike contract was used as a template for the D.C. contract and Local 100 hopes to use it again as a template in Chicago and Boston.

“The workers organized and joined TWU [in September 2014] first and foremost to improve a problem-plagued operation that was being terribly managed and was in jeopardy of failing on the biggest stage. They wanted the clout of TWU in order to gain a voice in their workplace and help put the company on the road to recovery. Thanks to this contract and new company management, we are all now on that road,” continued Samuelson.

Said TWU International President Harry Lombardo, “This is exactly the outcome we hoped for when we passed Resolution No. 5 at the 2013 Convention: Organizing: Growing TWU.” The resolution called for “relying on our strong locals and membership and supplementing their efforts with appropriately targeted efforts by the International.” President Lombardo welcomed the newest TWU members into the union family and congratulated Local 100 on its success, not only in growing their membership but also for bringing strong workplace representation to these employees.



Above: In Washington, D.C., Capital Bikeshare workers now have a strong union contract to better serve the company’s members. Photo credit: Dirk Ingo Franke.



Right: Citi Bike workers in New York overwhelmingly ratified their first TWU contract.

# WORKING TOGETHER ★ GETTING RESULTS

# THE TWU WAY

WHEN THE CURRENT ADMINISTRATION OF TWU International took office in 2013, they vowed to bring the union together, to take on any fight, large or small and to stand by TWU's members no matter what.

Since the last issue of the *Express*, that convention promise became reality with two events, unrelated, that had TWU members and leaders coming together across divisions to get results.

One event was a journey of historic note, the other a journey toward continued fair representation in the workplace. One had nothing to do with contracts or grievances. One had everything to do with respect and dignity on the job. Both had everything to do with having our members' backs, and fighting for the reputation of this union.

In August, TWU locals joined forces to transport a steel beam recovered from Ground Zero from New York to Florida, eventually landing at Cape Canaveral with an incredible ceremony to dedicate a firefighters memorial at the Kennedy Space Center. The odyssey, followed on social media and with a tribute video, required the hard work and collaboration of TWU members across divisions as well as across many states. It had a profound affect on all involved.

The next month, a rallying cry rose from the tour buses of New York, as a representation election was called for employees of Gray Line Sightseeing. Local 225 needed help to get out the vote and fend off malicious attacks on TWU's reputation from a rival union. TWU International sprung into action and marshaled the forces of other locals and the International staff to help Local 225 carry the day.

"In the end, it's about the members," said International President Harry Lombardo. "One local's fight is everyone's fight, so we helped them with the resources and support they needed."

On the following pages are two stories that embody what's best about TWU: United. Invincible.



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# WORKING TOGETHER ★ GETTING RESULTS

## With Solidarity Across the Union, Victory at Gray Line

**T**WU has represented workers on New York City's Gray Line tourist buses for over 50 years. In 2009, the company merged with another company whose workers were represented by a different union, the United Service Workers. The recent election was TWU's attempt to keep the relationship between the two companies from eroding TWU's contractual standards, and from subtracting from the number of jobs and

job opportunities available to our members.

In the days leading up to the vote, what transpired was a display of exactly the effort TWU is most proud of: a mobilization of the resources, spirit and commitment that's indicative of the fighting, militant union we've promised to become. TWU locals from across divisions came together with TWU International to support Local 225 in the fight of its life, battling for 500+ members and the reputation and integrity of our union.

Together, we mobilized phone banks, fliers, e-mail blasts, the TWU motor coach, face-to-face meetings and massive amounts of material. Fliers were translated into other languages in order to make clear the union difference for those Gray Line members from other countries. Leaflets were distributed correcting inaccuracies circulating among the workers. Each day, the number of TWU members who volunteered to help in the effort grew, and those volunteers were so

## An Historic Journey . . . and TWU's Members, Working

In mid-August, a cherished artifact from the World Trade Center made its way from New York to NASA's Kennedy Space Center in Florida where it has been put on display as part of the KSC's firefighters memorial.

The artifact, a 7-foot-long, nearly one-ton steel beam, was recovered from the rubble of the Twin Towers after the terrorist attacks on September 11, 2001.

What began as a small project for TWU Local 525 President and International Executive Council Member Kevin Smith soon became an undertaking that

brought together members, officers and staff from across the entire union. "We decided as TWU to dive into the project a little more," said Smith, "And give it every bit of the help it needed." The mission? To move the treasured piece from JFK cargo, to Philadelphia, to Miami, and finally to central Florida, where the firefighters at the space center had built a memorial to display the beam and honor the sacrifices made on 9/11. After weeks of building, planning and coordinating, and countless hours constructing crates, organizing logistics and arranging for nearly every mode of

transport imaginable, TWU successfully managed to move not only the beam but also dozens of officers, staff and media alongside it to document the journey. It was a truly unforgettable week.

At the start of the journey at JFK, International Vice President Sean Doyle spoke on behalf of International President Harry Lombardo, whose vision for TWU was demonstrated throughout the remarkable process.

"All of us working together toward a common goal—as a union—has truly materialized today, with all TWU divisions





# is Near!



motivated by the campaign that they've committed to bring their enthusiasm to the next fight. It was truly a team effort, and it represented everything TWU stands for, particularly because it happened so quickly: the election petition was filed at the end of August, and almost immediately after, the campaign was in full swing.

While legal procedures over contested ballots delayed a final count in the election as of press time, the significance of the

campaign effort is a huge boost to what TWU senior leadership has committed to doing for its members: showing up for each other's fights, every time. The commitment to invest in locals, make resources available, and refuse to sit idle or be pushed around has never been clearer.

President Lombardo and the entire International Administrative Committee have pledged to stand up for every local, regardless of size, because at TWU, one

**Recovery from a broken hip didn't stop 85-year-old tour guide Marian Barasch from voting for TWU!**

local's fight is everyone's fight. If a union is "an organization of workers formed to protect the rights and interests of its members" then protect them we will, no matter the arena.

The message in the aftermath of the Gray Line contest is clear: We are a fighting union. United. Invincible.

## Together Across Divisions, Made it Happen

coming together to make this incredible piece of history part of the TWU story," he said.

Among the TWU locals involved were Local 1400 Vice President Patrick Reynolds and Chairman Pete Vegas, as well as TWU International Vice President and Local 100 Vice President Curtis Tate, alongside the Local 100 Honor Guard. Members of Local 1400 and Local 100 were called in as first responders on the day of the attacks. TWU Local 501 Executive Vice President Angelo Cucuzza and Title II members from both facility and automotive maintenance coordinated the logistics for the

artifact's New York send-off and created the shipping container and dedicated tug and dolly to transport the steel itself. "It was an incredibly emotional experience," said Cucuzza.

During the second leg of the journey, TWU Locals 504 and 591 met the truck at Philadelphia International Airport to load the steel beam on its flight to Miami. On hand to receive the artifact in Miami were members of Local 525 and its President, Kevin Smith. Joining Local 525 were members and officers from Locals 568 and 591 who were tasked with offloading and escorting the beam to Miami Cargo.

The final leg of the trip to the Kennedy Space Center was a solemn one. Firefighters and families stopped by the side of the road and on highway overpasses to honor the artifact and the lost lives it represents. The beam was installed at Fire Station 1 at KSC and was dedicated on September 11, 2015. During the journey, "we were paying so much attention to the honor and respect of that artifact," said Local 525 member James Dumont. "It's more than a piece of metal to us."

Honoring our nation and our past, celebrating our amazing members, working together and getting results—that's TWU.



# President Lombardo Slams American Airlines: “Is This How Business Is Done?”

In an angry statement issued to the media and the public, International President Harry Lombardo lashed out at American Airlines for the way in which it announced the closing of a Texas repair facility at the end of September.

Minutes before publicly announcing the closing of Texas Aero Engine Service Limited (TAESL), a joint American Airlines-Rolls Royce engine repair facility in Fort Worth, the company notified TWU of the move that will result in the loss of as many as 500 jobs.

“For a company that claims to value its relationship with its employees above all else, American Airlines has once again shown its true colors. Management notified us of TAESL’s closing mere minutes before the public announcement. We barely had time to break this news to

our members before their families read it online or heard about it on TV,” said President Lombardo. “These are people’s lives and futures, and yet American Airlines can’t even offer them the decency of some advanced warning.”

Lombardo said he wasn’t especially surprised by the news that American Airlines and Rolls Royce have decided to close the facility, and he expressed disappointment that several hundred union members will soon be losing their livelihoods. He vowed to look out for the mechanics, whom both TWU and the company agree are the “best and the brightest” in their field, to be sure that they land on their feet. The union’s Air Transport Division will be meeting with American Airlines management and TWU will form a committee to monitor the TAESL closing process, ensuring

that members are offered appropriate seniority, buyout and relocation packages where applicable.

President Lombardo took aim at the company, its tactics and the utter disregard for the workers and their families in the timing of the announcement. He noted that for years, labor relations at American Airlines have been deteriorating and that the company’s hypocrisy when it comes to the treatment of its workers is nothing new.

“What was once accomplished with a civil, sit-down negotiation is now done in a cloak-and-dagger, back room war on working people,” he said. “Is this how business is done? Lowering the boom on hardworking men and women who have devoted their careers to a company with no notice, right in the middle of the workday? It’s a pretty callous way to operate, and our members deserve better.”

## Star-Telegram

Union leader criticizes American’s closure of Fort Worth engine facility

### HIGHLIGHTS

Closure of engine repair facility results in loss of 500 jobs

Workers were not given advance notice before seeing news on TV

Labor relations at American are deteriorating, union says

## The Dallas Morning News

TWU leader slams American Airlines for “callous way” of breaking news about Alliance closing





## ATD Locals Protest Outside Houston Airport; Demand Southwest Negotiate in Good Faith

Without a heart, it's just a machine. That's what TWU members wanted the public to know as travelers arrived at Houston's Hobby Airport for the opening of Southwest Airlines' new international terminal in mid-October. They took to the sidewalk to protest the company's refusal to negotiate in good faith, explaining how the former mom-and-pop shop with a tri-colored heart for a logo lately doesn't seem to have one.

To great fanfare, Southwest opened the new international terminal for their expanded routes to Mexico, Central America and the Caribbean. But TWU members wonder, with planes headed abroad, isn't it time for Southwest to get its domestic house in order?

"We're glad to see Southwest expand to new markets and serve new customers," said Local 555 President Greg Puriski. "Thanks in no small part to the large effort of our members, this airline continues to earn record profits. We don't understand why it's so hard for management to do the right thing and treat us fairly."

The local has been attempting to negotiate a new labor agreement with Southwest since 2011, but contract talks are stalled. Newly-hired Southwest employees now earn just over \$10 an hour, Puriski said, while senior employees have not had a pay raise since 2010.

While those baggage handlers have been stuck in that pay freeze, Southwest CEO Gary Kelly has seen his total compensation jump by 47 percent, from \$3.6 million to \$5 million per year, according to the *Wall Street Journal*.

"The CEO is taking home \$5 million a year, while we've got people working for just over \$10 an hour," said Puriski. "Southwest used to be a company based on a culture of respect. Now it seems like they're running the place exclusively for the benefit of the 1 percent."

With a turnout of nearly 200 TWU members, Local 555 was joined by Locals 556 and 260 at the picket. "That's the kind of support I like to see our locals provide to one another. If one local has a fight on



Local 555 President Greg Puriski speaks to the Houston media covering the event.

its hands, it's up to all of us to back them up," said International President Harry Lombardo.



# TWU-IAM Joint Association Announces Negotiations with American

After a lengthy and exhaustive contract reconciliation process, the Joint Association announced it was ready to begin bargaining with American Airlines on December 3. Association Chairman Sito Pantoja and Vice Chairman Harry Lombardo, in a joint statement announcing the start of contract talks, called on American Airlines CEO Doug Parker to come to the bargaining table ready to speak fairly and transparently with the men and women whose work helped his company earn a record \$4.2 billion in profits in 2014.

“We look forward to sitting down with American Airlines leadership, because we know that they agree: their workforce is the best and the brightest, and they deserve a set of wages, benefits and working conditions that reflect that. Our members have done more than their fair share to keep this company in the black, and we won’t stand for any corporate executive getting rich off the backs of our people without offering them a fair deal in return,” they said.

The Joint Association faced several procedural hurdles before being certified as the bargaining agent by the National Mediation Board (NMB), which led to the spread of misconceptions and rumors. To be clear, the Association did not drag its feet during this process. Although created in 2013, the Association did not have legal certification and could not act as a bargaining agent until it was certified by the NMB, which didn’t occur until May 2015.

The reconciliation process was intensive and time-consuming, as it required careful scrutiny to ensure that no area was overlooked and that we entered into negotiations in the strongest possible position to fight for our members. Each committee worked tirelessly to combine all pre-merger collective bargaining agreements into one coherent, comprehensive joint contract proposal and to become a more cohesive unit, blending two union cultures and histories. The care and attention paid to reconciling the contracts means that we are prepared and armed with facts, a strategy, and a path forward to get members what they deserve.

We have one mission as we start these negotiations: to secure



TWU leaders meet with American Airline employees at Miami International Airport.

industry-leading contracts for our members, many of whom faced years of concessionary contracts during the airline’s bankruptcies.

And even while preparing for negotiations, Association-represented Mechanic and Related, Fleet Service and Stores workers all received top-of-scale wage increases, yet another example of the Association’s combined power and strategically negotiated pre-merger contracts. “Association members will continue to receive wage increases while in negotiations for a joint contract,” said Pantoja and Lombardo. “This is critical wage protection as there are many other issues that need to be resolved in joint contract negotiations. Each stand-alone contract ensures that Association members’ wages will not fall behind the industry as we fight for other equally important aspects of compensation.”

TWU enters these negotiations with American from a position of power. The airline industry has quickly become a race to the bottom; a place where what was once a family-sustaining job can now barely support one person.

“It may have taken us longer to get here than we initially expected, but we wanted to be prepared, and we wanted to do this right,” Pantoja and Lombardo continued. “Now let’s get to work.”



# Making Memories and Staying Connected



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# 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 (a nonprofit organization) for the year ended August 31, 2015. We have also audited the accompanying schedule of Calculation of Chargeable Expenses (modified cash basis) of Transport Workers Union of America (a nonprofit organization) for the year ended August 31, 2015. The schedule of Calculation of Chargeable Expenses is not a required part of the financial statements.

## Management's Responsibility for the schedule of Calculation of Chargeable Expenses

Management is responsible for the preparation and fair presentation of the schedule of Calculation of Chargeable Expenses in accordance with the modified cash basis of accounting; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of the schedule of Calculation of Chargeable Expenses (modified cash basis) that is free from material misstatement, whether due to fraud or error.

## Auditors' Responsibility

Our responsibility is to express an opinion on the schedule of Calculation of Chargeable Expenses (modified cash basis) based on our audit. We conducted our audit 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 from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the schedule of Calculation of Chargeable Expenses (modified cash basis). The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the schedule of Calculation of Chargeable Expenses (modified cash basis), whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the schedule of Calculation of Chargeable Expenses (modified cash basis) in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the schedule of Calculation of Chargeable Expenses (modified cash basis). We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

## 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 as of August 31, 2015, in conformity with the Transport Workers Union of America Agency Fee Policy.

## Other Matter

Our audit was conducted 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; schedule of main office expenses, schedule of servicing, negotiations and grievance expenses and schedule of salaries and related expenses on pages 7, 8 and 9 is presented for purposes of additional analysis. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the schedule of Calculation of Chargeable Expenses (modified cash basis). The information has been subjected to the auditing procedures applied in the audit of the financial statements (modified cash basis) and schedule of Calculation of Chargeable Expenses (modified cash basis) and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our

opinion, the information is fairly stated in all material respects in relation to the financial statements as a whole.

Woodbury, New York  
December 2, 2015

## SHALIK, MORRIS & COMPANY, LLP

Certified Public Accountants  
80 Crossways Park Drive West, Woodbury, New York 11797  
Tel (516) 338-8700 • Fax (516) 338-5592 • www.shalikmorris.com

### TRANSPORT WORKERS UNION OF AMERICA AGENCY FEE POLICY SCHEDULE OF CALCULATION OF CHARGEABLE EXPENSES (MODIFIED CASH BASIS) YEAR ENDED AUGUST 31, 2015

	TOTAL	CHARGEABLE	NON CHARGEABLE
Main office expenses	\$ 6,111,932	\$ 5,635,488	\$ 476,444
Servicing, negotiations and grievance expenses	2,194,321	2,194,321	—
Political expenses	1,445,367	—	1,445,367
Organizing expenses	270,446	—	270,446
TWU Express:			
Non-political information	195,171	195,171	—
Political information	10,727	—	10,727
Donations, tickets and advertisements	43,550	—	43,550
Salaries and related expenses	10,484,279	9,076,353	1,407,926
Social events, non-political	18,060	18,060	—
Quill scholarship	86,700	—	86,700
Insurance	116,018	116,018	—
Investment expenses	251,735	251,735	—
Totals	<u>\$ 21,228,306</u>	<u>\$ 17,487,146</u>	<u>\$ 3,741,160</u>
Percentage to total	<u>100.00</u>	<u>82.38</u>	<u>17.62</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, 2015

	EXPENSES		
	TOTAL	CHARGEABLE	NON CHARGEABLE
Negotiation expenses	\$ 572,823	\$ 572,823	\$ —
Legal fees	696,205	696,205	—
Transportation and facility costs	783,071	783,071	—
Reimbursement of Locals negotiating expenses	142,222	142,222	—
Totals	<u>\$ 2,194,321</u>	<u>\$ 2,194,321</u>	<u>\$ —</u>

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, 2015**

	EXPENSES		
	TOTAL	CHARGEABLE	NON CHARGEABLE
Rent and related expenses	\$ 3,760,306	\$ 3,422,722	\$ 337,584
Stationery and printing	48,315	38,092	10,223
Outside consultants	1,002,729	1,002,729	—
Telephone	222,598	198,222	24,376
Postage	59,605	54,937	4,668
Data processing expense	197,327	193,207	4,120
Equipment rental and maintenance	123,753	114,620	9,133
Newspapers and subscriptions	44,895	26,866	18,029
Accounting	125,000	112,153	12,847
Depreciation	342,993	299,725	43,268
Sundry expenses	184,411	172,215	12,196
Totals	<u>\$ 6,111,932</u>	<u>\$ 5,635,488</u>	<u>\$ 476,444</u>

See notes to schedule of calculation of chargeable expenses.

**TRANSPORT WORKERS UNION OF AMERICA  
AGENCY FEE POLICY  
SUPPLEMENTARY SCHEDULE OF SALARIES & RELATED EXPENSES  
(MODIFIED CASH BASIS)  
YEAR ENDED AUGUST 31, 2015**

	EXPENSES		
	TOTAL	CHARGEABLE	NON CHARGEABLE
Salaries	\$ 5,647,948	\$ 4,877,908	\$ 770,040
Pension and welfare expenses	4,008,831	3,433,335	575,496
Payroll taxes	405,480	358,003	47,477
Auto expenses	387,361	377,173	10,188
Insurance, workers compensation	34,659	29,934	4,725
Totals	<u>\$ 10,484,279</u>	<u>\$ 9,076,353</u>	<u>\$ 1,407,926</u>

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 non-members, 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 first 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 TWU-represented nonmember employee, who provides notice in accordance with the procedures set forth in paragraph 3 above, will be considered an objector for each subsequent calendar year after the first year for which the employee elected to be an objector, unless and until the employee notifies the International Secretary Treasurer in writing that she/he no longer desires to be an objector.

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

- a. Negotiation of agreements, practices and working conditions.
- b. 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.
- c. Conventions, Union business meetings, and other Union internal governance and related expenses.
- d. Social activities.
- e. Publications, to the extent related to chargeable activities.
- f. Litigation before courts and administrative agencies related to contract administration, collective bargaining rights or other chargeable activities.
- g. Legislative, executive branch and administrative agency activities on legislative or regulatory matters related to the negotiation or administration of contracts and working conditions.
- h. Education and training of members, officers and staff intended to prepare the participants to better perform chargeable activities or otherwise related to chargeable activities.
- i. Activities related to group cohesion and economic action of or by TWU represented employees, e.g., demonstrations, general strike activity, informational picketing.
- j. 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:

- a. Community service and charitable contributions.
- b. Affiliations with non-TWU organizations.
- c. Support for political candidates.
- d. Member-only benefits.
- e. Lobbying to the extent not chargeable as per paragraph 4.g. above.
- f. Publications, litigation and for overhead and administration to the extent related to arguably non-chargeable activities.
- g. 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:

- a. Nonmember objectors who pay fees directly and not by checkoff shall pay an amount

## UNION MEMBER RIGHTS AND OFFICER RESPONSIBILITIES UNDER THE LMRDA

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.

- b. 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.
- c. 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 then intends to call, 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

**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.



# Recognition for Heroes Just Doing Their Jobs

At the Port Authority of New York and New Jersey, Senior Tunnel and Bridge Agents, and Tunnel and Bridge Agents are designated first responders when anything goes wrong in some of the country's busiest thruways. They are responsible for firefighting, vehicle extrication and emergency medical intervention and the unit is on call 24/7.

Traveling these routes on an ordinary day might bring about disabled vehicles or a fender bender.

But some days are not so ordinary—and Local 1400 decided to recognize the efforts of employees who find their days (or nights) extra-ordinary.

At the October Local 1400 Tunnel & Bridge Agent Division meeting, seven employees were recognized for their life-saving actions while on duty.

"These are the first guys in," said Local 1400 Vice President Pat Reynolds. "They can handle almost anything." And handle they did.

STBA Carl Fales and TBAs Assad Halabi and James Gorgia were stationed at the G.W. Bridge in February, when they responded to a medical call for a patient unconscious and unresponsive. Using CPR and an Automated External Defibrillator (AED), they revived the patient who was transported to the hospital.

TBAs Gregg Nimmo and Rickey Magnum and TBA Jerry Samaniego were working at the Lincoln Tunnel emergency garage in August when they received a report of a woman in labor near the tunnel. When they arrived, the crew determined the woman was indeed about to give birth and with their assistance, she delivered a healthy baby girl.

While stationed at the G.W. Bridge in September, TBAs Caesar Badillo and James Gorgia were dispatched to a medical emergency, finding the patient unconscious, not breathing and with no pulse. They performed CPR in addition to using an AED. As the patient was loaded into an ambulance, a pulse was detected. Later it was reported that he was conscious and breathing on his own.

Without the quick and professional actions of these TWU members, the outcome of each story may have been different.



The October ceremony was the first in recent years. "The PA has stopped recognizing these people so the union had to," continued Reynolds. "They have a great track record with safety and saves. If the Port Authority won't acknowledge our members, we will."

In addition to framed commendations, the employees received either a recognition bar or a stork pin to display proudly above their badges.

Then they went back to work, protecting the safety of travelers through the Port Authority system and perhaps saving a life or two.

## National (Freight) Negotiations Headed to Mediation

CONTRACT NEGOTIATIONS FOR TWU RAILROAD DIVISION members employed on Conrail (SAA), Norfolk Southern and CSX Transportation are headed to mediation. Negotiations commenced in January of this year and after several sessions, very little progress has been made. The parties remain far apart on wages and health benefits.

During a negotiating session on October 6, TWU and its bargaining partners, TCU/IAM, IAM and IBEW declared the talks to be at an impasse. In a letter to the National Mediation Board following the meeting, International President Harry Lombardo joined with our bargaining partners to formally invoke mediation on October 9. The Board will now assign a mediator to oversee negotiations moving forward and will set a schedule for future contract talks.

It is our hope that we can reach a voluntary agreement that provides the level wages and benefits our members deserve. In the interest of timely settlement, it is time to move the process forward.



INTERACT WITH US ONLINE...

Sign up for TWU Action Alerts at [TWU.org](http://TWU.org)

Facebook: [facebook.com/transportworkersunion](https://www.facebook.com/transportworkersunion)

Twitter: [twitter.com/transportworker](https://twitter.com/transportworker)

YouTube: [youtube.com/transportworker](https://www.youtube.com/transportworker)

Flickr: [flickr.com/transportworkersunion](https://www.flickr.com/photos/transportworkersunion)

## TWU Keeps Its Eye on the Ball and on the Hill

In addition to our lobbying efforts, TWU is in the process of developing our 2016 political ground game, mapping out an election strategy to ensure we pack an outsized punch when it comes to members' voices and voting power. Here's a snapshot of the major bills that affect you and where they stand at press time:

### Surface Transit Reauthorization:

- The House passed the Surface Transportation Reauthorization bill with bi-partisan support in November. It calls for spending \$261 billion on highways and \$55 billion on transit over six years.
- The bill will improve the nation's transit systems, roads and bridges, and in the process create and sustain good-paying jobs. It makes a number of improvements to promote safety. As a result of hard work by TWU, the bill directs the Federal Transit Administration to conduct an evaluation of public transportation safety standards that will address operator assaults by requiring the government to issue regulations that help to protect bus drivers from assault.
- The Senate passed a version of the bill that TWU opposed because of its emphasis on transit privatization and inadequate steps taken to address driver safety or to even include something as basic as access to restrooms on one's shift.
- TWU has been fighting to stop transit privatization because of the impact it would have on both workers and the quality of service. (See the Summer 2015 *Express* for President Lombardo's Senate testimony opposing the bill.) The bill would allow almost \$2 billion in taxpayer money to be used to help create public private partnerships that would hand transit systems over to private CEOs, allowing more

attacks on good jobs, retirement and unions from wealthy corporations.

- The House and Senate are now negotiating over the two different versions of the bill in a Conference Committee. Once they reach a final agreement, the House and Senate will each vote again on the revised reauthorization bill.

### Trans-Pacific Partnership (TPP):

- Congress approved the fast track legislation for the TPP. When the final trade deal comes up for a vote in 2016, fast track will require members of Congress to vote up or down on the trade deal without the opportunity to offer amendments.
- The TPP would negatively affect the American economy and provide protection to unaccountable multi-national corporations. The final text for the TPP was released just before press time—six years after the partnership was proposed. The lack of transparency behind the TPP is an affront to working men and women whose jobs will be affected.
- TWU has not given up the fight against this misguided trade deal and will continue to partner with labor and other groups that understand the severity of the bill's impact on the country and your livelihoods.

### Amtrak and FAA Legislation:

- The House and Senate passed Amtrak bills earlier this year. At press time, they are negotiating these bills as part of the highway and transit conference committee.
- There has been no movement on FAA funding reauthorization although recent reports indicate the House Transportation and Infrastructure Committee may begin consideration of the bill in December.

# Local 721 Airs its Smoke-Free Crusade in Public

What happens in Vegas stays in Vegas, right? Well, Local 721 would like the public to know that in the smoke-filled casinos on and off the Strip, what happens in a casino actually stays in your lungs.

That's the message brought by several dozen dealers to the front doors of the 2015 Global Gaming Expo in Las Vegas in September.

The rally, sponsored by Smoke-Free Gaming of America, was spread over two days and drew signs of support from drivers, pedestrians, and coverage in the press.

Across TWU, members know the importance of workplace safety and our contracts guarantee that a worker cannot be knowingly put in harm's way. But what if that "harm" is coming from the patrons your employer hired you to serve? That's the situation in Nevada, where despite no-smoking ordinances throughout the state, smoking is still allowed in casinos.

Cynthia Falls, President of Local 721, told the press "Our co-workers are dying from second hand smoke. Why are we the last bastion for smokers?"

According to the Centers for Disease Control, the rate of cigarette smoking among Americans continues to decline across the board—and not all gamblers are smokers. Smoking is banned in casinos in other states and the gaming industry continues to thrive. The CDC states that there is no risk-free level of secondhand smoke exposure; even brief exposure can be harmful to one's health. And since 1964, approximately 2.5 million nonsmokers have died from health problems caused by exposure to secondhand smoke.

Falls and the other members of Local 721 are worried about



Local 721 President Cynthia Falls speaks to just one of the television outlets that covered the rally.

being caught up in that statistic and indeed, some dealers have already succumbed to cancer. "I have had 100 of my coworkers at one property that have had cancer and 50 have died," she said. The local intends to keep up the fight and continue to educate the public and protest to their employers about the unhealthy working conditions. "We aren't anti-gaming or anti-smokers, we're anti-smoke," is the position of the rally's sponsor, Smoke-Free Gaming of America, one shared by Local 721 and its members.

"We deserve better!" Falls told her members. "We deserve clean air to breathe as is outlined by federal law and the Nevada Statutes."



*Planning a trip to Vegas in 2016? Stop by these properties and say hello to your fellow TWU members from Local 721: Harrah's, Caesars, Wynn, Bally's and Paris.*

## TWU 2, NEW YORK 0:

# Victories for TWU Local 100 Benefit Workers

In the city that never sleeps, TWU International and Local 100 don't rest, proving our motto of United Invincible. This fall, the powerhouse team of TWU International's courageous leadership and Local 100's New York political prowess mounted two aggressive public relations campaigns against the city that brought about change to protect bus operators' constitutional rights and help secure funding for the nation's largest transit system.

### Guilty Until Proven Innocent?

In the first case, Local 100 filed a lawsuit against the city of New York, challenging the legality of the "Right of Way" Vision Zero law.

The Right of Way provision was signed into law in June 2014 and elevated a traffic infraction (failure to yield to a pedestrian or bicyclist in a crosswalk) to a criminal misdemeanor when a driver fails to exercise "due care" and a pedestrian or bicyclist is injured.

The provision, however, doesn't define "due care" or give examples of the types of driver behavior that would be considered a violation. As a result, six bus operators who had accidents were arrested, handcuffed and charged between September of 2014 and February 2015.

As reported in the Summer 2015 *Express*, Local 100 launched an aggressive ad campaign on behalf of its members, taking Mayor Bill de Blasio to task for trying to make criminals out of bus operators who were involved in accidents, before all of the facts are known. While other unions soft-pedaled their opposition to the law in order to preserve political relationships with the mayor, TWU was front and center, fighting for our members.

The campaign worked, and a court-approved agreement was reached between TWU Executive Vice President and Local 100 President John Samuelsen and New York City, clarifying the intent of the law that led to the arrests of the bus operators.

The agreement will protect bus operators from being charged criminally after pedestrian crosswalk accidents that are just that—accidents that were not caused by driver recklessness.

"This is a huge victory," Samuelsen said. "Under this well-intentioned but poorly crafted law, bus operators were arrested and handcuffed like common criminals."

The settlement clearly states the Right of Way bill is not a strict liability law, which is an important clarification. Having an accident is not in and of itself proof that a driver failed to exercise "due care" behind the wheel. The settlement attempts to define "due care" as what one would expect from "reasonably

prudent drivers." Under the settlement, this clarification will be distributed to police officers who respond to traffic accidents.

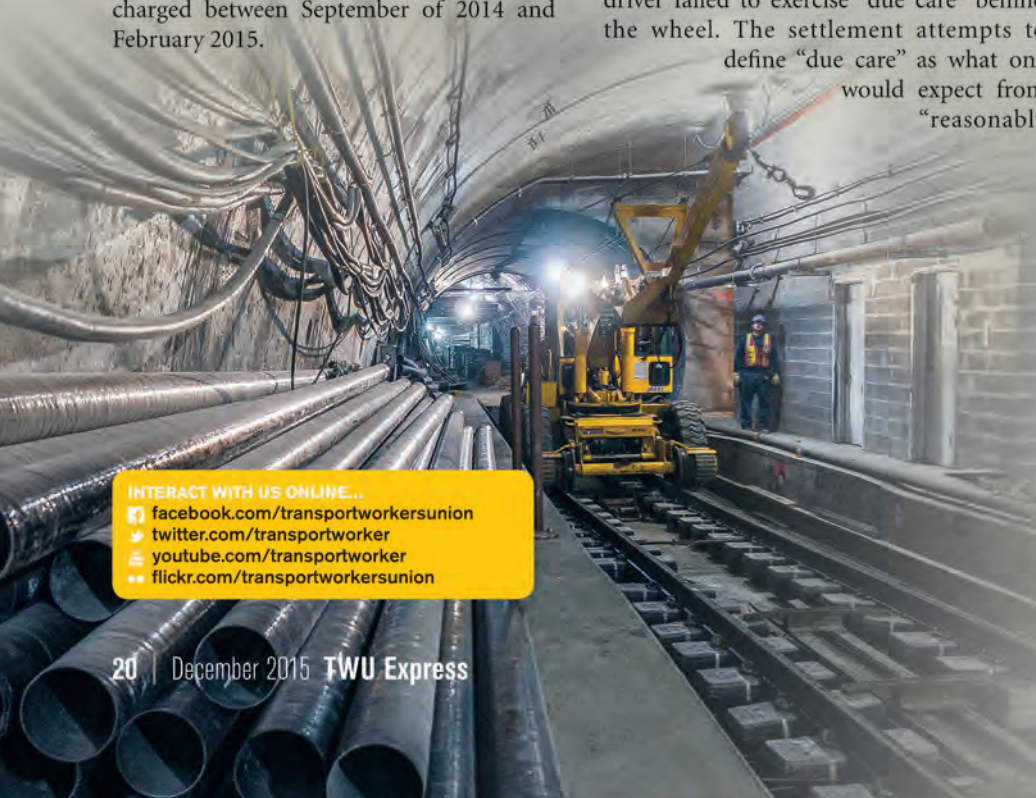
In addition, the city has instructed investigating officers to take the well-documented blind spots on city buses into account, considering that the bus operator's view may have been blocked by the side-view mirror.

Operators are also forced to make dangerous turns at busy intersections without dedicated left-turn signals. Pedestrians are now given the 'walk' signal at the same time bus operators are turning with a green light, which is a recipe for disaster.

### Paying a Fair Share

Local 100 undertook its second public media blitz against Mayor de Blasio over the city's inability to commit to funding the MTA's Capital Plan. The plan covers 5,000 square miles in three states and calls for more than 2,000 new buses and subway trains as well as repairs being made at 60 facilities along the NYC subway line.

TWU is the largest union working on MTA, and the campaign reflected years of building strategic alliances and flexing deep political muscle within



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youtube.com/transportworker  
flickr.com/transportworkersunion

# and the Public



the city's halls of power. Securing funding for the MTA Capital Plan goes far beyond political favors: it will create 3,000 new jobs for members and it keeps the riding public safe.

TWU's efforts included weeks of negotiations, and a massive public relations effort that included full-page newspaper ads featuring the mayor operating a graffiti-covered subway train and jumping a turnstile, not paying his way.

The public pressure worked. In October, Governor Andrew Cuomo, Mayor de Blasio and the MTA Chairman announced an agreement on funding for the Capital Plan.

"This is an incredible victory for the thousands of transit workers whose jobs are directly impacted by the MTA Capital Plan," said Local 100 President John Samuelsen. "It's also a massive win for the millions of New York's working families who use the bus and subway system every day. We couldn't have done this without the support of President Lombardo and TWU International, who have the backs of every local in every fight. They share in this victory."

Thousands of TWU members perform tasks related to the plan and any failure to properly fund it would have hurt workers and riders alike.

The two campaigns kept the heat on the city's leadership to do the right thing and with the spotlight on TWU, let the public know that the union wouldn't back down. It was a win-win for TWU and the hardworking members who keep the public moving!

## Member Spotlight: One of TWU's Newest Members Tweets as the Secretary of Labor for a Day!

U.S. Labor Secretary Tom Perez is a prolific user of Twitter. But on August 12, "his" voice—in 140 characters or less—may have sounded a little different. On that day, Dolly Winter, a dispatcher for Citi Bike in New York and proud TWU Local 100 member, took over the Secretary's Twitter account.

This was no ordinary hack! Dolly was invited to spend the day tweeting through the Secretary's account and tweet she did, keeping the spotlight on workers' voices and the importance of union representation.

**TWEET: "Why a union? I realized it would make a stronger work environment and help us speak up, together. #StrongerTogether"**

Dolly has worked for Citi Bike since its inception and before that, for Capital Bikeshare in Washington, D.C. (workers at Capital Bikeshare, Divvy in Chicago and Hubway in Boston are also new members of TWU). A bicycle enthusiast, Dolly believes in bikeshare programs and that they can change lives, protect the environment and improve the health of the community at large.

**TWEET: "I started working@CitiBikeNYC b/c I'm a cyclist and love to watch how bikeshare programs can change lives & build healthier communities."**

From her early days as a bikeshare worker, Dolly was aware of the issues surrounding erratic schedules and pay scales and has become a leader in pushing for a voice on the job and a fair share of the growing and successful bikeshare industry.

"We all had issues, mainly surrounding scheduling, working conditions and pay; some departments felt it more than others," Dolly told the AFL-CIO. "There's strength in numbers. Having a voice on the job empowers workers, improves job satisfaction and performance."

**TWEET: "History has shown there's a correlation between a healthy middle class & a robust labor movement."**

The Labor Secretary couldn't have said it better himself.



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# Reinvigorated Veteran's Committee Gets Down to Business

As part of TWU's promise to invest in our veterans and strengthen the committee structure, the TWU Veteran's Committee (TWUVC) has been hard at work pursuing an ambitious agenda aimed at broadening member communications, increasing legislative activity and continuing to support important charitable causes.

The TWUVC convened their quarterly meeting in Chicago in October, hosted by Locals 512 and 572, with attendees from 15 other locals around the country.

One issue facing the committee is employer compliance with the Americans with Disabilities Act (ADA), a critical issue for a number of wounded warriors returning to work and requiring accommodations at their work sites. Members devised an action plan that locals can implement to hold management accountable for notifying employees of ADA procedures.

The committee also coordinated final preparations for the Hank Trujillo Memorial Operation Free PX drive, an annual charity event that collects clothing, household items and funds for soldiers recovering at San Antonio Military Medical Center in Texas.

In 2015, the drive has a special meaning for TWU: it has been renamed in memory

of beloved TWUVC Chairman Emeritus Hank Trujillo, who passed away in May from complications from Agent Orange, to which he was exposed while serving in Vietnam. Over many years, Brother Hank worked tirelessly as a steward and chief steward for TWU Local 568. He was appointed Chairman of that local's Veterans Committee and focused on members who were active and retired military. His dedication to military members was later recognized at the International level when he was asked to serve as Chairman of the International TWUVC. Hank remained active with the committee even after his retirement from American Airlines. He touched the lives of so many TWU members, veterans and non-veterans alike. International President Harry Lombardo applauded the move. "I cannot think of a more fitting tribute than to rename this charity drive in his honor," he said.

Each year, TWU locals from around the country donate their time, resources and generous gifts to benefit nearly 21,000 soldiers and their families during the holiday season.

Finally, the TWUVC developed a plan to organize additional fundraising and construction support for Building Homes for Heroes, a national organization that helps construct homes for service members returning from overseas.



The late Hank Trujillo, Chairman Emeritus, left, with ATD International Representative Jose Galarza and Secretary-Treasurer Alex Garcia. The annual Operation Free PX has been renamed in his honor.

The TWUVC believes strongly in the concept of members coming together across divisions, industries and branches to help veterans, and is guided by the TWU United Invincible motto: standing committed to serve those who need us most. As Brother Jesus Zamarron from Local 571 put it, "It was great to see the committee continue to grow, and I was personally inspired by what the members are doing back at their locals to carry out this mission."

A mission that would make Hank Trujillo proud.

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The TWU Veteran's Committee gathered for their quarterly meeting in Chicago in October.

# Working Women's Committee Flourishes



The full TWU Working Women's Committee came together in July in New York.

The July meeting of the TWU Working Women's Committee (WWC) marked another successful commitment of TWU sisters across divisions to share ideas, strategies, stories and power. While each local committee has taken on a number of important projects ranging from legislative and political action to organizing and training, the International's WWC comes together several times a year to report on local progress and move forward on the year's key platforms and agenda items, many of which complement TWU International's overall goals and priorities.

The meeting was hosted at Local 100 in New York, and co-hosted by Locals 101 and 252. TWU International Executive Vice President and Local 100 President John Samuelsen opened the meeting, and International Vice President, Administrative Assistant to the International President and Director of the Transit, Universities, Utilities and Services Division Jerome Lafragola addressed the group, wishing them a successful meeting. Local 100 Recording Secretary LaTonya Crisp-Sauray offered a message from International Administrative Vice President and Director of Civil and Human Rights John Bland. Several local officers from across TWU divisions stopped by to express support for the WWC and its mission as did State Conference and division staff members. WWC Chair Gwen York

facilitated along with co-chairs Nicole Hecker (Local 100), Rhea Plummer (Local 101), Amy Griffin (Local 1460) and Shae Christakis (Local 513). Highlights from the meeting included presentations and small group discussions on improving communications skills, mastering effective time management, planning for a stable retirement, and succeeding as a woman in the workplace. New York State Assemblywoman Michele Titus engaged in a lively discussion on pay equity and the importance of organized labor. Finally, the group enjoyed a screening of the documentary "Miss Representation," and a tour of the Michael J. Quill bus depot in downtown Manhattan. Each

of the sessions reflected TWU's strong commitment to building political power and offering women within the union opportunities to develop skills and broaden their impact within TWU, their workplace, and their community.

Attendees left the meeting eager to carry on the work of the WWC and to implement the goals of each of their committees: communications, programming and teambuilding, women's wellness and history. "This committee has really taken off," Gwen York said. "The women of TWU are engaged and excited and truly coming together. They are learning from one another and standing up for one another; President Lombardo made a commitment to this group at the beginning and I'm proud to see that investment paying off. We're going to see some qualified, engaged leaders coming out of this group, and that's a testament to what TWU has built."

The next meeting is scheduled for January 2016 and will be co-hosted by Locals 513, 556 and 567 in Texas. On the agenda is a workshop on how to form your own local Working Women's Committee, based on the overwhelming feedback of attendees. The WWC will also be setting goals for 2016 and will hear reports from the four new subcommittees.



Local 501 in New York held its first local Working Women's Committee in late August. Led by JoAn Rota (center, pink T-shirt) the meeting had an impressive turnout. Local leaders supported the effort by providing the shirts for the new committee members. "When a WWC has a smart, passionate leader like JoAnn Rota and the full support of the Local's leadership, the sky is the limit," said WWC Chair Gwen York, who attended the first meeting.

## IN MEMORIAM

# Bernie Burkett

IT IS WITH GREAT SADNESS THAT TWU reports the sudden passing in August of Bernie Burkett, long-time Local 1 President.

Brother Burkett was born in Pennsylvania. He moved to Ohio where he worked all of his life. He was an active union officer at Local 1 since 1983; and was the longest-serving president of the local. "Bernie was the most knowledgeable person I knew," said Local 1 President Rick Spielman. "About politics, workplace rules, contracts and more."

"He carried this small local on his back," remarked TWU International President Harry Lombardo.

Burkett retired from Akron Metro RTA in 2011 and served as Local 1 president until 2013; the Executive Board then voted him "President Emeritus."

"He put everybody ahead of himself," continued Spielman. "He helped us the whole time."

Brother Burkett is survived by his wife, three children and six grandchildren. It is a great loss for his family, his local and all of TWU. His passing was marked by President Lombardo with a moment of silence at a recent meeting of the TWU International Executive Council. He will be sorely missed.



# TWU Members Welcome Pope Francis to New York!

MEMBERS FROM TWU LOCALS 1400, 501 AND 591 WERE PART of the crew honored to greet Pope Francis at JFK Airport during the Pontiff's historic trip to the United States in September.

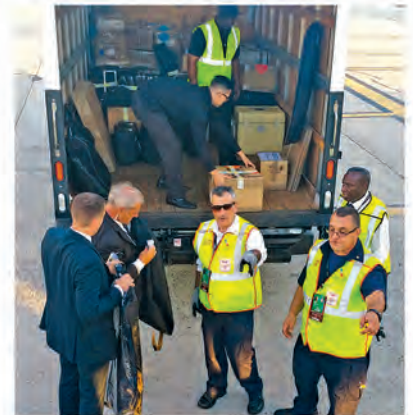


The Pontiff arrives at JFK after his trip to Washington, DC.

Below, TWU members worked with Vatican security and Secret Service to ensure the Pope's cargo was safe.



TWU members unload a package from Shepherd One, bound for the Secretary-General of the U.N.



TWU members on the tarmac at JFK await the arrival of Shepherd One, the Pope's plane.



# Proud TWU Members ★ Working Together



New Local 291 officers are sworn in. From left to right: Joseph D'Elia, Kevin Craig, Andrew Alcindor, Omar Valdes, Jeffery Mitchell, Monique Hewitt-Robinson, Mike Williams, Cassandra Gilbert (Secretary Treasurer), Jermaine Kemp, Clarence Washington (President), Pete Flores (Vice President), Latonya Redmond (Recording Secretary), Brian Davis, Jeffery Townsley, Tyrone Banks, Tony Gonzalez and Richard Dunbar



Local 513 used its annual picnic as a COPE fundraiser. See why COPE matters on page 6.



Local 555 brought out young members-in-training during a picket in Houston (see story, page 11).



Somerset County, NJ school bus drivers voted to join TWU and were welcomed to Local 225.



TWU members were well represented at the Defend the Dream Rally in Ohio by Locals 208 and 212.



Members of Local 2033 present a COPE check on behalf of the Illinois/Indiana State Conference to Mayor Dennis Buckley of Beech Grove, IN, who won re-election with TWU's help.



Local 279 held a School Bus Driver Appreciation Luncheon for its members in October. Length of Service pins were awarded and the members enjoyed a custom Local cake!

## Training Continues to Thrive

TWU'S EDUCATION AND TRAINING DEPARTMENT continues to provide strong training and educational services to our locals. Training includes intensive workshops on grievance handling, arbitrations, and parliamentary procedures, in addition to extensive training for new officers and leadership training for seasoned officers. All of this is to ensure the best possible representation for you, our members. Here are some photos of our latest training sessions.



Local 570 Grievance Class for Envoy Airlines stewards.



Local 529 Grievance Class for American Airlines officers and stewards.



Local 571 Executive Board training for newly elected officers at Envoy Airlines in Chicago.

# Resolutions for the Path Forward

By International Secretary-Treasurer Alex Garcia

**A**s two years in office come to a close, I'm both proud and motivated by how far TWU has come. And in the spirit of New Year's resolutions, I'm pleased to share with you my own list of aspirations for this great organization as we look ahead to 2016.

1. We'll continue to communicate regularly with you, our rank-and-file members, and make sure we're getting out in the field to hear your feedback on how we're doing, and share information in an effort to remain transparent, just as we promised we would do.
2. We'll support and grow the State Conferences as Election 2016 heats up, so we have the political infrastructure in place to tackle the issues that really matter to our people, and to hold accountable the politicians who—at every level—make policies that affect your lives. We'll also keep expanding our COPE program, because we know how important it is to support and elect candidates who have the backs of working people.
3. We'll schedule more financial trainings and workshops, both for members, new officers and International staff, so that our locals will be on sound financial footing and the investments we've made in building our own structure is used in the most effective, strategic way possible.
4. We'll go after industry-leading contracts in all of our divisions, and we won't put up with the stall tactics of employers who think they can strong-arm us like they may have done before. We'll stand up for our current members and we'll continue to organize new members: we won't stand down when it comes to bringing union representation to those who need it most.
5. We'll protect the solid financial standing of TWU, and we'll continue to ensure that our economic house remains in good order. You may have noticed our annual independent auditor's report included in this issue of the *Express*, which details just how far we've come in terms of turning this union's books around.

We've spent a great deal of time, resources and energy re-building TWU, and we're ready to expand on that success and carry it all the way across the finish line. Thank you for your patience, your support, and your commitment to this union. May you enjoy a wonderful holiday season and a very happy new year.

**Follow TWU on Twitter:** @transportworker for the latest news and information from your union.



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"We've spent a great deal of time, resources and energy re-building TWU, and we're ready to expand on that success and carry it all the way across the finish line."

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# *To our members:*

We wanted to take a moment to thank each of you for all you have done for TWU this past year.

Thank you for welcoming us to your locals and sharing your feedback... we vow to get to even more ramps, depots and break rooms in 2016.

Thank you for supporting our efforts to grow TWU and for helping us organize new members into this union.

Thank you for supporting us during 2015 as we continue to fulfill our convention promises to you.

And most importantly, thank you for being a member of this great union. Best wishes for a peaceful holiday season and a successful new year!

## Making resolutions for 2016?

**MAKE ONE OF YOURS TO FOLLOW TWU ON SOCIAL MEDIA!**

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