

The Transport Workers  
Union of America, AFL-CIO  
*United Invincible*

# Express

Winter 2014

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twu.org



## THE POWER TO UNIFY OUR UNION

*TWU's 24th International Constitutional Convention  
Major Organizing Victories for Locals  
Contract Rallies Shake Allegiant Air and NYC's MTA*

# recapturing the TWU's FIGHTING SPIRIT



by International  
President  
Harry Lombardo

I started out as an employee of SEPTA in Philadelphia sweeping trolley cars and buses. Later, I became a mechanic. After only a few months on the job, I went out on strike with the union. I will never forget what I saw during those days, what I felt — the power of the TWU, the urgency and integrity of our mission. Decades later in 1995, as President of Local 234, I led my brothers and sisters in a hardscabble fourteen-day strike. We won that battle, securing wage and benefit gains.

Over the past forty years, I have returned time and again to one of the fundamental truths of the TWU: That we stand on the shoulders of giants. People like our founder Mike Quill and so many others who the pages of history have forgotten built this union — literally from nothing. They had a belief and an absolute commitment that American workers would no longer, could no longer submit to the pay conditions that left them with barely enough to survive. Together, we must recapture the grit and fighting spirit that marked our union's

founding and gave life to a new era for working men and women.

You have put your faith in me to lead this organization. Knowing the problems we face, and they are tough ones to be sure, I feel energized. I pledge to you that I will dedicate every ounce of energy, my brain, my experience as an industrial trade union leader to bring us to the point where every member of this great union will stand up, stand strong and say to their families, coworkers, and bosses: "I am a member of the Transport Workers Union, and I'm proud of it."

To those who would challenge the TWU in management, bring it on. To those who would tear the TWU down publicly or tear us down to their coworkers, who think they can find a better union somewhere else, to those who think that the TWU has lost its desire to fight, I say: Join us! Put your money where your mouth is. We need all of our members and every officer to be pulling in the same direction to confront the real enemy: big business and the corporate lobby. Victory lies in unity across the TWU; defeat comes with factions and rivalries.

I am committed to marshaling the resources of the TWU to support our locals and our local leaders, so that together we can build and strengthen our union — and above all provide good, solid, predictable, reliable representation for our members.

We are going to significantly up our game politically, not by throwing a bunch of checks at politicians at a Capitol Hill fundraiser but by building true grassroots movements in our communities state by state. Through the work of our State Conferences, we will provide effective support on the ground to our friends and unrelenting opposition to our

enemies. At the TWU's 24th Constitutional Convention, I issued a warning to politicians who expect our money in exchange for empty promises: Democrat or Republican, we will not fall for your tricks; you will get nothing from the TWU unless you deliver for working people.

Militant is not a dirty word. Management is militant. Our political enemies in government from townships to big cities to state legislators to Congress are certainly militant when they come after us. We have to be as well. Not irresponsible, not crazy, not strike-happy, but a union that is willing and able to dig in our heels and fight back.

I pledge to you that under my leadership, we will restore power to our locals, re-unify the TWU, and bring back the fighting spirit that drove our union to the heights of power and earned the allegiance of thousands upon thousands of American workers. But this work to reinvigorate the TWU cannot be accomplished by one person, one local, or one Division alone. I am asking you to stand with me in this fight. Get involved with your local and in your State Conference action projects. Lock arms with us now, and do it not just for yourself but also for your union sisters and brothers, for working people without representation, and for our children's generation.

*Harry Lombardo*

Watch TWU International President Harry Lombardo's full speech to Delegates at the 24th Constitutional Convention on TWU's website at <http://www.twu.org/24thConstitutionalConvention.aspx>



# TWU

Express

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## OFFICIAL PUBLICATION OF THE TRANSPORT WORKERS UNION OF AMERICA, AFL-CIO

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# Transit Workers in Augusta, GA Join Local 527 in a Landslide Election



↑ Local 527's contract negotiating team (right) sits across from representatives of Augusta Transit Management, Inc. during a collective bargaining meeting. Pictured, from front to back: Naquisha Rogers, Bus Operator; Benyoel Morgan, Local 527 President; Darrell Withrow, Local 527 Vice-President; Richard Boehm, TWU International Representative; Alicia Waters, Bus Operator.

In Georgia, Local 527 won an election to represent 53 employees of the Augusta Public Transit system in a landslide 30 to 9 vote on September 26, 2013. These new members are Bus Operators, Paratransit Operators, Laborers, Mechanics, Customer Service Clerks, and Parts Clerks.

"A Bus Operator named Alicia Waters, who is now on our negotiating team for the contract, called up and asked to meet with me," said Local 527 President Benyoel Morgan. "She said she and her coworkers were seeking representation. They weren't paid on time, the company had dropped their health insurance plan, and they felt they were putting passengers at risk driving buses that the company hadn't serviced."

As of August 1, the Augusta public transportation system has been operated by a new contractor. But at the time Alicia and her fellow Bus Operators came to

Local 527, a company called Mobility had the contract and was running the system into the ground. "Safety conditions were deplorable," said Benyoel. "With Mobility managing the work, they were concerned not only about job security but physical security. We set up meetings with larger groups of workers at the union hall. At the last meeting, they all signed representation cards."

It was during Local 527's organizing campaign that the city rebid the transit system contract and awarded it to the new employer. "When they took over, new management promoted 3 of our 4 organizing committee members out of our bargaining unit," said Benyoel. "They might have thought that it would weaken our efforts to take our top organizers. But it didn't. We kept going, and now we're negotiating a contract."

## TRANSPORT WORKERS UNION OF AMERICA, AFL-CIO

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International President

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Int'l Executive Vice President

### ALEX GARCIA

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Sean Doyle

Garry Drummond

Jerome Lafragola

Tom Lenane

Carl Martin

Thom McDaniel

Curtis Tate

Tony Utano

James Whalen

## INTERNATIONAL DIRECTORS

### Joe Carbon

Director of Gaming Division

### Garry Drummond

Director of Air Transport Division

### Jerome Lafragola

Director of Transit, Utility, Universities and Service Division

### Gary Maslanka

Director of Rail Division

# Local 229 Trumps Anti-Union Tactics with Back-to-Back Election Wins

On November 21, 2013, 20 Rail Car Cleaners employed by Harvard Services Group voted to join TWU Local 229 in Hoboken, NJ. The win marked the Local's second representation election victory this month, coming on the heels of a yes vote from 47 Car Mechanics at ALL-TECH, another subcontractor for Hudson-Bergen Light Rail.

"At ALL-TECH, management would just go down there and if they didn't like you, they would tap you on the shoulder and lay you off," said Local 229 President Joe DelliSanti. "And the next day they'd have someone else in your place. We told them that's what the union prevents."

"They were being abused and underpaid," said Joe. "I expect that we'll get them more

money in the contract negotiations. But I don't think money was the underlying reason down here — it's the way they were treated. One of the guys after the election told me, 'They're finally going to treat me like a human being.' That's what they want — to be treated with respect and dignity like they should be."

Almost every worker in the Hudson-Bergen Light Rail system (HBLR) is a member of TWU Local 229, from Train Operators to Maintenance of Way. The ALL-TECH election win on November 12 put an end to management's campaign of worker intimidation, which spanned more than a decade and three TWU organizing campaigns. "Every other time we tried to organize, they fired the people trying to get cards signed. That scared off the rest of the workers. This time, we had a couple principal organizers down here who definitely put their jobs on the line."



↑ Hudson-Bergen Light Rail trains glide through Jersey City.

# Dealers at 3 Las Vegas Casinos Vote to Join TWU Local 721

"Caesars Entertainment is a company that never stops wanting to take from the workforce," said TWU International Gaming Division Director Joe Carbon, who in the last eight months helped to organize 1,150 workers at three Caesars-owned casinos. "They've got their bean counters that never stop. Any little thing they can take from workers — some of your break time, your meals — they want it."

At the end of May, 330 dealers at Paris Las Vegas casino voted to join the Local in a 203-to-26 vote. Then in June, 380 workers at Bally's Las Vegas casino voted yes in a 183-to-13 vote.

And it wasn't only Local 721 that had seen those wins coming. Months earlier, the union struck a deal with management. Tom Jenkins, the president of operations at Caesars Entertainment, told the union that he wasn't interested in prolonging

the inevitable.

"We had already had wars with the company at Caesars Palace," said Joe. "We told them we're not leaving town. We're here to stay. And they told us to prove it. So we made a deal: If the union beats you in the election process at both Paris and Bally's, moving forward you give the union card check."

Card check brought Local 721 a third victory in late June with the 440 dealers at Harrah's Las Vegas casino. The Local is already plowing through contract negotiations with Caesars Entertainment and cementing a changed relationship with the company. "They didn't want to oppose us in another election," said Joe. "It's

taken us time, but we've now opened up relations with these people instead of having us continue to go head-to-head and fight with them."

A Caesars Palace Dealer and Local 721 member on the job in Las Vegas.



# TWU Shuts Down Broadway at Local 100 Contract Rally

On October 29th, one year to the day after Hurricane Sandy barreled through New York City, over 6,000 transit workers converged outside of MTA headquarters at 2 Broadway, shutting down street after street between City Hall and the Financial District. Local 100 members were joined at their Rally for a Fair Contract by half a dozen TWU locals from every division, along with scores of New York labor leaders and politicians.

Local 100 members, MTA/New York City Transit employees, have gone 20 months without a contract. In negotiations, MTA CEO Tom Prendergast has failed to put forward a proposal that recognizes Local 100 members' hard work, expert knowledge, and diehard commitment



↑ TWU marched in force outside of MTA headquarters.  
 ← Watch footage of the rally at <http://tinyurl.com/FairContract>

to keeping the transit system humming. Instead, the MTA is offering three years of zero wage increases.

Within hours after the Superstorm Sandy floodwaters receded, 34,000 Local 100 members raced against the clock to get the system back up and running: pumping out tunnels, repairing train signals, rebuilding railroad tracks, and get-

ting buses onto the roads.

"While most of the city was still in a state of confusion, we had the situation under control," TWU International Executive Vice President and Local 100 President John Samuelsen told the crowd. "The editorial writers called your effort 'miraculous.' It was miraculous."



## TWU INT'L CONVENTION DELEGATES LOCK ARMS WITH ALLEGIANT AIR FLIGHT ATTENDANTS IN CONTRACT FIGHT

Local news helicopters circled as hundreds of TWU Delegates marched outside Allegiant Air headquarters in Las Vegas, Nevada on Day 4 of the 24th Constitutional Convention. Local 577, which represents Allegiant Flight Attendants, has spent the last two years battling the airline in negotiations for its first contract.

"We've got a message for the more than 600 Allegiant Flight Attendants who are members of the TWU: You are not alone!" said TWU International President Harry Lombardo. "And these flight attendants will have a fair contract. You know why?"

Because TWU members and our friends in organized labor all across this country are standing behind these workers."

Debra Petersen-Barber, Local 577's lead contract negotiator, thanked the assembled crowd for their support and vowed to keep up the fight. "I am so happy that you all are here with us today," said Debra. "We will be back in four years [next Convention] with a contract!"

Resolution 25, "In Support of Allegiant Flight Attendants," passed with overwhelming support on Day 3 of the Convention. Delegates from coast to coast and

every Division took the floor to cheer on Local 577 and offer the benefit of their experience at the negotiating table.



→ Watch TWU Delegates get it done at <http://tinyurl.com/AllegiantRally>



# Visiting Home Easier for Military Sons and Daughters at AA — Thanks to Our ATD Veterans Committee

In midsummer of 2012, ATD Veterans Committee Recording Secretary Pete Meyer got a call from Local 501 Treasurer Angelo Cucuzza. The son of a Local 501 member, who had just finished boot camp, had used the wrong classification of flight pass on his last trip home before being deployed. The member, who had worked at the American Airlines cargo facility at JFK for 27 years, had then been terminated pending arbitration. Management charged that the member had violated flight policy by allowing his son to use a higher level of travel classification than he was allowed as a military serviceman — the classification he used was reserved for dependents enrolled in college.

"It was completely unpatriotic," said Pete, a Local 591 member and the Veterans Committee's representative for the New York area. "A child's military status meant nothing to American Airlines. Why can you have a dependent child who is in college travel with one type of flight pass, but meanwhile we have a military member who is the same age who wants to come back to visit mom and dad at home — why can't you give them the same privileges as college kids?"

When you travel standby at American Airlines, you do it by rank. Children of employees who are students in college have been travelling for decades in the second-tier rank, after only the member themselves. But children on active military duty fell into the third-tier (D3), where they could end up waiting days for a flight.

Last year, a Local 591 member's active duty son spent two days of his leave period between tours at the airport waiting to get a D3 standby seat on a flight home — before his father gave up on AA and booked a seat for his son with another airline.

The situation at Local 501 was the last straw. After around-the-clock pressure from the Local and the Veterans Commit-



↑ TWU ATD Veterans Committee officers gather for their quarterly meeting on November 6 in Hurst, TX.

tee, management brought the terminated member back to work. But the Veterans Committee didn't stop there. Committee Chairman Hank Trujillo handed management a letter requesting that the policy be changed. But even though management agreed that dependents in the military should be able to travel in D2, they said that American Airlines wouldn't be able to start on a policy change until after the merger with US Airways.

The Veterans Committee held firm and on November 5, 2013, AA announced a company-wide policy change: All depen-

dents under age 24 are now allowed to travel in D2.

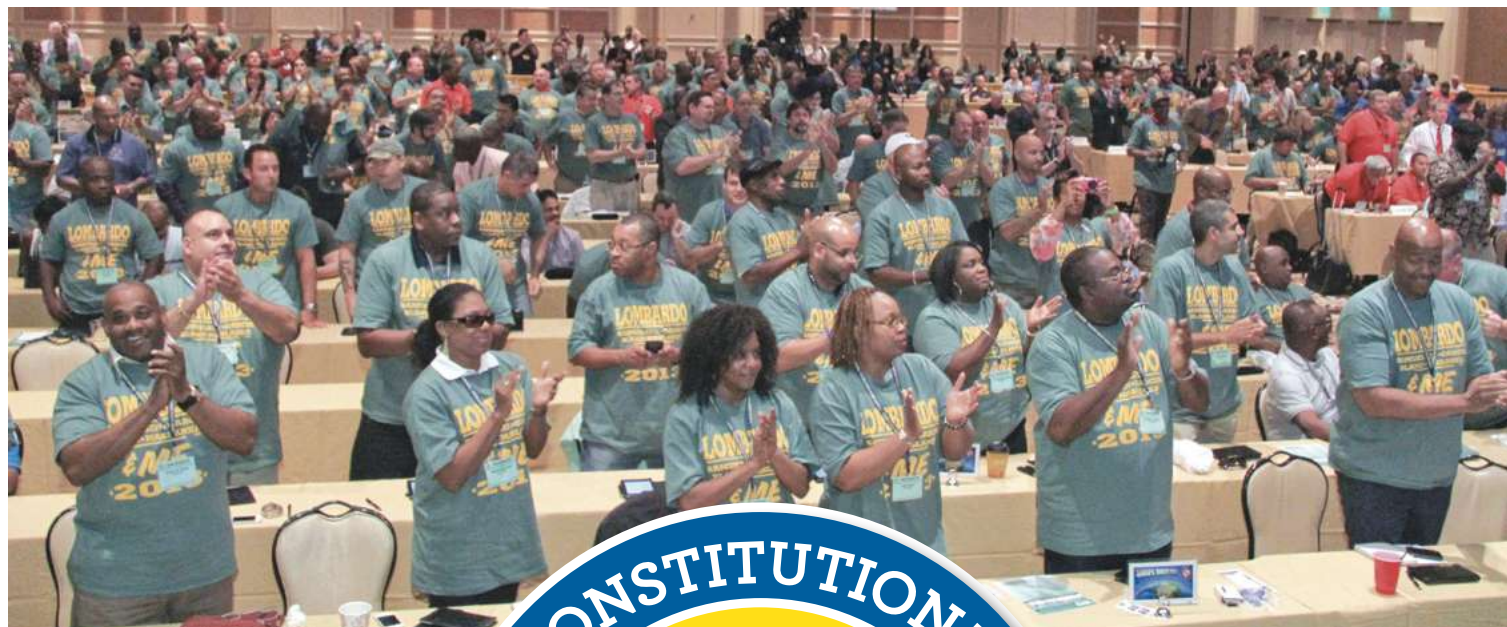
"American Airlines would never publicly acknowledge the behind-the-scenes work that the Veterans Committee did to change the policy," said Angelo. "But I know personally that it was due to their persistence. Everything usually moves at a snail's pace, and these folks on the Veterans Committee kept it moving. That policy change benefited the entire ATD Division."

## ATD Veterans Committee Runs Donation Drive for Wounded Warriors

On December 8-9, members of the ATD Veterans Committee distributed food, clothing, toiletries, and children's toys to wounded soldiers and their families at Brooke Army Medical Center in San Antonio, TX. ↓



← Watch our video about Operation Free PX at [www.twu.org](http://www.twu.org)



Cheers, applause, and words of solidarity echoed throughout the convention center at the Mirage Hotel in Las Vegas during the four days of **TWU's 24th Constitutional Convention**, where Harry Lombardo was elected as International President on Tuesday, Sept. 24th, along with his entire slate, pledging to restore the union's fighting spirit.



"I pledge that under my leadership, we will become a stronger, more militant union. We will empower our locals, re-unify our union, and bring back the fighting spirit that made our union great," said TWU International President Harry Lombardo in his acceptance speech before Delegates. At the TWU's 24th Constitutional Convention, our union's new top leadership — Harry Lombardo; John Samuels, Executive Vice President; Alex Garcia, Secretary-Treasurer; John Bland, Administrative Vice President; and Gary Maslanka, Administrative Vice President — put forth a platform for change, working with Delegates to develop action plans tailored to the needs of our locals, and charting a new course for the union.

TWU's focus on strengthening our State Conferences took center stage at the Convention, where Delegate breakout groups developed strategies to confront regional challenges on Day 4. The future of the TWU: Powerful locals working together to engage their communities in the labor struggle.



#### MONDAY RECAP



Trumpets, drums and bagpipes marked the call to order of the TWU's 24th Constitutional Convention on September 23, 2013 at the Mirage Hotel in Las Vegas. Convention Chair and then-International Executive Vice President Harry Lombardo welcomed over 350 local Delegates and 55 alternates from across the United States to take part in the TWU's seminal decision-making assembly.

Delegates weighed in and voted on proposed resolutions, passing with overwhelming support a great number aimed at building TWU-wide support networks to defend and strengthen workers' rights.

Resolutions 1, 2 and 4 were among the first to be passed, laying the groundwork for a more powerful TWU.

#### TUESDAY RECAP



TWU Delegates elected TWU International President Harry Lombardo, Executive Vice President John Samuels, Secretary-Treasurer Alex Garcia, Administrative Vice President John Bland, and Administrative Vice President Gary Maslanka by acclamation, along with 13 Int'l Vice Presidents and 40 members of the International Executive Board.

"Knowing the problems we face, and they are tough ones to be sure, I feel energized," said Harry Lombardo. "I pledge to you that I will dedicate every ounce of energy, my brain, my experience as an industrial trade leader to bring us to the point where every member of this great union will stand up, stand strong and say to their families, coworkers, bosses: 'I am a member of the Transport Workers Union and I'm proud of it.'"

#### WEDNESDAY RECAP



The Convention's keynote speakers shared insights into the struggles of workers across the globe, who combat strikingly parallel forces despite their nations' cultural and political differences.

"We have a right to be upset and be angry," said Tony Sheldon, National Secretary of the TWU of Australia. "We have the right to say people in our communities deserve better. We have a right to be angry at companies that want to deny us a future."

TWU Local 577's Lead Negotiator, Debra Peterson-Barber, whose attempts at securing a contract for Allegiant Air workers have been stonewalled by the company for a full two years, described her experience to Delegates: "Allegiant is the most profitable airline in the world, and the flight attendants just took a pay cut."

#### THURSDAY RECAP



In a forceful display of solidarity with Flight Attendants at Allegiant Air, members of TWU Local 577, Convention Delegates stormed the airline's headquarters in Las Vegas, flooding streets and attracting hordes of policemen, while news helicopters buzzed overhead.

As part of the new International leadership's push to engage local officers in their regional State Conferences, Delegates separated into regional breakout workshops that provided a forum for collaboration, exchange of ideas, and project-planning. Acting as workshop facilitators, TWU International Staff trained local officers in effective strategies for engaging their membership, winning local political change, and securing the support of their communities by building lasting relationships.

**VIEW PHOTOS, VIDEO REPORTS AND OTHER TWU CONVENTION COVERAGE ONLINE AT [WWW.TWU.ORG](http://WWW.TWU.ORG)**





↑ Rail Division Delegates consider proposed resolutions on Day 3 of the Convention.

# RESOLUTIONS *passed*

At each TWU Constitutional Convention, resolutions passed by Delegates lay the foundation for the next four years of action. Prepared in advance of the Convention, resolutions propose game plans to address the concerns and priorities of members and leadership.

The five resolutions outlined below formed the campaign platform on which TWU's newly elected top officers ran as a team, and were the first to pass with broad support at the Convention. These resolutions will guide the International's efforts over the course of the next

four years with the aim of empowering our locals, unifying the TWU, strengthening our State Conferences, restoring the TWU's financial health, expanding the TWU through organizing, and rekindling the union's fighting spirit.

Delegates also voiced strong support for Resolution 14: Fighting Voter Suppression, Resolution 28: Stop the Use of Bankruptcy Proceedings to Attack Workers, and Resolution 12: Ending Assaults on Transit Workers.

## Resolution 1: EMPOWERING TWU LOCALS

Our strong Locals are the bedrock of the TWU's strength and success. It is through the Locals that our members are educated and organized, enabling them to bring their full force to bear on the challenges we face. It is by channeling their knowledge and opinions through their Local Officers that the voices of TWU members are heard. Therefore, Delegates to the TWU 24th Constitutional Convention resolve to, by varied means, reinvigorate the Locals and ensure their full participation in all actions of the TWU International.

## Resolution 2: UNIFYING THE TWU: EXPANDING THE WORK OF THE STATE CONFERENCES

TWU members face common workplace and pocketbook issues arising from larger challenges in larger arenas. Global competition and trade issues impact all of our jobs. Anti-worker, anti-union movements

in support of Big Business and Wall Street tilt the playing field against our job security and our ability to act in concert as labor unions. State and Local governments affect us where we live, across all industries and all employers. To effectively combat all of these threats, Transport Workers need to unite not just in bargaining units but as one powerful International Union, projecting the full force and power of all our Locals and all our members on behalf of every one of us. We need to utilize the State Conferences to unite TWU members and Locals into one powerful union.

## Resolution 3: ON BALANCING THE TWU INTERNATIONAL'S BUDGET

For some years now, the International has spent far more than it has brought in. We cannot continue to spend beyond our means and survive. The International must conduct a thorough examination of expenditures and

take what actions are necessary to restore a balanced budget, reporting the results and measures taken to the IEB and Local Officers.

## Resolution 4: ON BUILDING A FIGHTING ORGANIZATION

A militant, progressive, and proactive labor union that is well schooled in how to identify and fight our enemies can accomplish a great deal. In order to spread best practices and take TWU contract negotiations to a whole new level, the Delegates to the TWU 24th Constitutional Convention resolve to begin immediate training of all TWU Staff in strategy and tactics and to extend this training to Local Officers, Executive Board Members and activists. Furthermore, new research priorities will include: pointing the way to specific courses of action to help Locals and Divisions fight in a given industry against specific employers, identify concrete campaign pressure points,

and assist Locals in doing their own research and analysis in advance of contract negotiations.

## Resolution 5: ORGANIZING: GROWING THE TWU

The proliferation and expansion of non-union employers in our industries increases competition, facilitates outsourcing and weakens our hand in collective bargaining.

TWU can only thrive if we reach out and bring unorganized workers in our industries into the union. We need an approach to organizing that gives us more bang for our buck. Delegates to the TWU 24th Constitutional Convention resolve to mobilize Local Officers and Members to seek out and report organizing opportunities, determine targets by our ability to organize from within the company, and in organizing to rely mainly on members pulled off the clock as needed.

# TWU 24th Constitutional Convention KEYNOTE SPEAKERS

War Stories and Wisdom from Global Labor Leaders

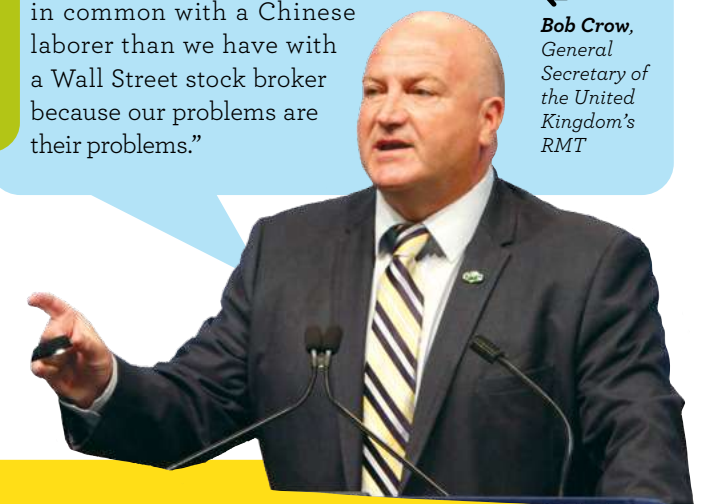
"We'll build an America where you don't surrender your humanity, your dignity, and your rights when you go to work. Sisters and brothers, we're going to remove the barriers between us all — union, non-union, never heard of unions yet. We're going to build a new working class movement, and we're not going to let employers or politicians tell us who is in our movement and who isn't. We'll stand and we'll fight and we'll march and we'll struggle with every single worker who needs us because we're the American labor movement — we know solidarity, real solidarity where your picket line is my picket line!"

→  
**Richard Trumka**,  
President  
of the  
AFL-CIO



"When Mike Quill helped form this union, he came to parts of New York where there were 16-hour shifts, 6 days a week; when Jewish people and black people weren't allowed to work on the railway, only on the Pullman cars because white people wanted to have black people to serve them. Quill understood that all that prejudice must go away. We've got more in common with a Chinese laborer than we have with a Wall Street stock broker because our problems are their problems."

←  
**Bob Crow**,  
General  
Secretary of  
the United  
Kingdom's  
RMT



"You cannot ignore the non-union competitor, whether it's a plant or a bus company or rail or an airline because sooner or later they are going to steal your jobs with uncompetitive and unfair pay and conditions. And that's why organizing is so important. They are the ones that are going to take over unless we stop them."

←  
**Joe O'Flynn**, General  
Secretary of Ireland's SIPTU



"We have to show that progressive leadership, we have to show that determination. And we have to say no matter how many times they punch us, they hit us, and they try to knock us down, that we get up and we throw a punch back — that we hit them back and we say to them that we are worth fighting for."

→  
**Tony Sheldon**, National  
Secretary of the TWU of Australia



←  
Watch full speeches  
from all of our speakers  
at the 24th Constitutional  
Convention online at [www.twu.org/24thConstitutionalConvention.aspx](http://www.twu.org/24thConstitutionalConvention.aspx)



# CONVENTION *workshops*

In regional training workshops, Delegates geared up for political victories in their home states.

Convention workshops are the springboard for future collaborative efforts among locals. Workshops at the TWU's 24th Constitutional Convention brought Delegates from the same region together, with the goal of increasing participation of local leadership in their State Conferences and jumpstarting Conference projects. Divided into breakout groups based on voting district, Convention Delegates engaged in a series of skill and knowledge-building exercises led by TWU International Staff. Points of focus included roundtable discussions on regional concerns for organized labor and strategies for launching campaigns to protect workers. Action trainings, issue overviews, and lively debate were the cornerstones of these Convention workshops.

"It was the first time we had the Delegates together by regions and states," said Local 291 Rail/Mover Vice President Jeff Mitchell. "There was a great deal of energy, and we were able to let the smaller locals, who thought they were alone, know that their problems were also ours."

The two-hour long workshops were divided into six regions: New York, New Jersey and Maine; Texas, Oklahoma and Louisiana; Florida, Georgia and North Carolina; California, Nevada, Arizona and New Mexico; Nebraska, Wisconsin, Indiana, Michigan, Ohio and Illinois; and Pennsylvania, Virginia, DC and Maryland.

The conversation often came back to methods for creating grassroots support within local communities, developing enduring relationships with legislators, and inspiring younger members to actively participate in the union.

"We are chomping at the bit to get these projects going," said Local 527 President Benyoel Morgan. "There's a lot of excitement and people are ready to do the work."

For more information on how to get involved in your State Conference, email [cope@twu.org](mailto:cope@twu.org).



Delegates review the TWU's legislative campaigns. ↓

**SAVE THE DATE  
FOR TWU'S 2014  
COPE CONFERENCE  
MAY 18-21  
AT THE WASHINGTON  
COURT HOTEL**

## CONVENTION BREAKOUT GROUPS:

*On Day 4 of the Convention, Delegates developed strategies for engaging their communities in the labor struggle.*



# State Conferences

## TWU Ups Its Political Game

TWU State Conferences are the powerhouses where we supercharge our vision, know-how, and coordination. These meetings of local leadership provide a forum for our locals to pool resources, strategize, and grow a dedicated network to confront regional challenges. In the four years since they first convened, our State Conferences have won critical battles and developed strong community and political ties across the country.

More than financial resources, it's numbers that are key in regional battles. "You may have 200 people in your local, but when you join a State Conference, you'll have 20,000 members with you," said TWU International State Conference Director Terry Daniels. "That's what the conference brings — the opportunity for us to stand up and support our brothers."

Traditional grassroots activism forms the backbone of State Conference victories. "Knocking on doors, making phone calls, talking to your neighbors, going to rallies — that's what works," said Terry. "When we mobilize together and create a grassroots effort, politicians start realizing that we act as one and we can vote them out."

## GET INVOLVED IN ACTIONS WITH YOUR STATE CONFERENCE

Regional actions, projects, and campaigns are the heart of TWU State Conferences. You will hear our State Conference directors say time and again that it's what happens between meetings that truly creates change in our local communities, in our state legislatures, and on the national level. Join your State Conference in making a difference on the ground!



↑ Florida, Nov. 23, 2013



↑ California, Nov. 5, 2013



↑ New York/New Jersey, Nov. 21, 2013



↑ Nevada/Arizona, Nov. 5, 2013



↑ Ohio/Michigan, Oct. 30, 2013



↑ Illinois/Indiana, Nov. 18, 2013



↑ Georgia, Dec. 7, 2013



← Watch TWU local leadership go on the offensive against regional challenges at our State Conferences! Visit [www.twu.org/legislative/stateconferences.aspx](http://www.twu.org/legislative/stateconferences.aspx)



← As part of the California State Conference, Local 556 went up against local legislators in a soccer match to raise funds for the Cypress Mandela Training Center, which prepares underprivileged youth for jobs in the building trades.



→ As part of the Nevada/Arizona State Conference, Local 721 members sponsored and decorated a Christmas tree at Opportunity Village, a Southern Nevada charity that serves mentally disabled individuals and their families.

**VISIT [WWW.TWU.ORG/LEGISLATIVE/STATECONFERENCES.ASPX](http://WWW.TWU.ORG/LEGISLATIVE/STATECONFERENCES.ASPX) TO GET INVOLVED IN TWU ACTION PROJECTS WITH YOUR STATE CONFERENCE!**

# The TWU International's Top Officers Lead Historic **ATD Summit Meeting**

For the first time in recent history, on October 22 in Hurst, TX, our diverse Air Transport Division came together to find common ground and chart a way forward on issues of collective concern. The dialogue among local officers set a new tone of collaboration, shared struggle, and expert insight among the more than 30 ATD locals.

Over the course of the last year, the International's work with the ATD has been consumed by the AMR bankruptcy. Coming off the Convention, the new administration's focus is on consistent and productive communication. That process

begins with learning from the locals — all of them, from airline locals to our ATD service contract locals. This contact is particularly vital due to the number of open contracts in the Division.

At the 24th Constitutional Convention, President Harry Lombardo made a commitment to unifying the TWU and restoring power to the locals. This historic ATD meeting, convened by the union's top leadership, opened the door to a new era for the Division.

The following day, the top officers held a Presidents Council meeting with American Airlines and US Airways local leader-

ship to share perspectives on the merger and their new association with the IAM. In a break from the past, the IEC pledged to seek the input of ATD locals at every step in negotiations with employers.

Led by International President Harry Lombardo, Secretary-Treasurer Alex Garcia, Int'l Administrative VP John Bland, and ATD Director Garry Drummond, the group sought to identify concrete ways in which the International can support ATD locals in achieving political and contract goals. The International aims to build on this exchange of ideas in future ATD-wide meetings.



***TWU's Air Transport Division at the 24th Constitutional Convention***

## LOCAL 291 LEADS SOUTH FLORIDA UNIONS IN INITIATIVE TO CUT HEALTH CARE COSTS

In South Florida, the regional AFL-CIO (CLC) has asked Local 291 to head up a comprehensive investigation into new ways of accessing affordable, quality health care for the more than 50,000 members of CLC unions.

"These costs are too exorbitant for working people," said Local 291 President Clarence Washington, whose members with dependents are paying up to several hundred dollars a month in health care contribution costs. "Labor

must take the lead on this."

In mid-November, Local 100 hosted Local 291 when its leadership traveled to NYC on a fact-finding mission, touring the Hotel Workers' union's dedicated health care facility in Harlem. The dedicated health care facility model would allow members to pay a fraction of their current costs while receiving comprehensive dental and medical care.



↑  
***Transit Division Director Jerome Lafragola (center) with Local 291 Secretary-Treasurer Cassandra Gilbert at the Michael J. Quill Bus Depot in NYC.***

# APPLY FOR THE **MICHAEL J. QUILL SCHOLARSHIP**



Since 1969, TWU has awarded 15 four-year college scholarships each year to college-bound dependents of TWU members. Each award recipient receives \$1,200 annually, for a total of \$4,800 over the four-year college period.

Quill Scholarship awards have benefitted hundreds of families throughout the TWU. Sons and daughters of our members in city passenger transit, railroad and air transportation, utilities, public employment, space installations, and allied industries are among those who began their college educations with the help of the TWU's signature scholarship, bearing the name of our founder. Please visit <http://www.twu.org/Members/QuillScholarship.aspx> to download an application.

## FREQUENTLY ASKED QUESTIONS

### HOW DOES AN APPLICANT QUALIFY?

The applicant must be certified twice. First, a TWU Local must certify the facts that make the applicant eligible. Secondly, the principal of the high school must attest to the fact that the applicant is capable of doing college work. The applicant must comply with the Rules of the Scholarship Fund, available upon request.

### WHO IS ELIGIBLE?

Sons and daughters and dependent brothers and sisters (claimed with IRS) of present, retired, or deceased TWU members who are High School Seniors and who will enter an accredited college of their own choice beginning with the Fall term are eligible. Sons, daughters, brothers, and sisters of full-time, paid officers of the Union are not eligible.

### WHAT IS THE DEADLINE?

All applications must be received by the Michael J. Quill Scholarship Fund by May 1, 2014.

### HOW IS THE SCHOLARSHIP PAID?

The scholarship money is paid directly to the college or university that the successful applicant attends.

### HOW DOES ONE APPLY?

Fill out and send in the application.

### HOW ARE THE WINNERS DECIDED?

By random drawing held in May of each year at TWU headquarters. Winners will be notified immediately thereafter.



***TWU Founder Mike Quill (center) talks trade unionism with reporters Clayton Knowles of the New York Times (left) and Dallas Townsend (right) on the Sunday morning CBS Public Affairs program "Newsmakers" in 1963.***



# The New Leadership of the Transport Workers Union of America



**John Samuelsen**  
International  
Executive Vice  
President and  
TWU Local 100  
President



**Harry Lombardo**  
International  
President



**Alex Garcia**  
International  
Secretary-Treasurer



**John Bland**  
International  
Administrative  
Vice President



**Gary Maslanka**  
International  
Administrative  
Vice President  
and Rail Division  
Director

## EXECUTIVE COUNCIL VICE PRESIDENTS

Patricia Bowden, Charles Cerf, Michael Conigliaro, Dale Danker, Sean Doyle, Garry Drummond, Jerome Lafragola, Tom Lenane, Carl Martin, Thom McDaniel, Curtis Tate, Tony Utano, James Whalen

## COUNCIL MEMBERS

Delisa Brown, Joe Carbon, John Chiarello, Brian Clarke, LaTonya Crisp-Sauray, John Feltz, Horace Marves, Gary Shults, Kevin Smith

## EXECUTIVE BOARD

Matthew Ahern, Bedennia Barnes, Richard Boehm, Jon Bradford, Ralph Darnell, Richard Davis, Derick Echevarria, Fred Fink, Todd Gage, Angel Giboyeaux, Amy Griffin, Jim Guido, Kevin Harrington, Maurice Jenkins, Don May, Mike Mayes, John Menshon, Benyoel Morgan, Thomas Murray, J.P. Patafio, John Plowman, Daniel Rivera, Richard Rocco, Audrey Stone, Dane Stricoff, Robert Taylor, Luis Ventura, David Virella, Clarence Washington, Eric Williams



# “We need to utilize the State Conferences to unite TWU members and locals into **ONE POWERFUL UNION**”

The above is an excerpt from Resolution 2, which was passed at the TWU 24th Constitutional Convention in September 2013.

by TWU  
International  
State Conference  
Directors  
**Terry Daniels**  
and **Gwen York**

As you know, our TWU COPE Political Field Director, Alex Garcia, was elected as the new Secretary-Treasurer of the TWU International at our Convention in September. He has been very busy with his new responsibilities, so he asked us to write the COPE article for this issue of the Express. The above statement is an excerpt from Resolution 2, which was passed at the convention, and it accurately sums up the convention's main theme: The future of the TWU lies in the strength of the State Conference program. You can read the full text of Resolution 2 and all other resolutions passed at the Convention at [www.twu.org/24thConstitutionalConvention.aspx](http://www.twu.org/24thConstitutionalConvention.aspx)

Our new leadership team at the International is very engaged in the growth and effectiveness of the TWU State Conference program. President Lombardo and his officers believe in a “bottom-up” organizational model rather than the traditional “top-down.” The Convention Delegates passed Resolution 2 with tremendous support, and going forward we will all be working together to ensure that the State Conferences grow and evolve. The resolu-

tion states that we will “expand the State Conferences to cover every area where there are TWU Locals,” and also create Regional Conferences where appropriate. The resolution also says that Division Staff will attend the State Conferences “to learn the broader concerns of the Locals and to integrate the Divisions into the work of the State Conferences.” We have held many State Conference meetings since the Convention, and the TWU Divisional staff is living up to the resolution by attending those meetings all across the country.

But while the State Conference meetings are very important, it is truly the work that goes on between the meetings that we will be focusing on going forward. During the Convention, there were State Conference breakout sessions attended by the Delegates based on where they vote. At these breakout sessions, we were able to explain the program to the Delegates who had not previously participated. The attendance at these sessions really showed the strength of our numbers and allowed us to look at opportunities to truly build the participation of all TWU members that live and vote in the same area. The response from the delegation was overwhelmingly positive, and there were many ideas exchanged.

Each of the participating Locals in the State Conference takes turns hosting the

meeting, which simply involves providing a meeting space and buying lunch. A critical function of all State Conferences is to help us build the TWU COPE fund, so that when it comes to endorsing and financially supporting a candidate at the local, state or federal level, the funds are there. This system has been in place since the beginning of the program in 2009, but one critical piece is still missing. We need every Local and every State Conference to hold COPE drives and talk to all Local members about the COPE fund, which is entirely voluntary and separate from dues. As we move into next year, we will be counting on our State Conferences and their Locals and participants to help us grow the COPE fund so that we can continue to support endorsed candidates who stand up for our issues as organized labor. We on the COPE Political Field team are always available to come to your Local event or meeting and talk with your members about the importance of the COPE fund and its relationship to the State Conference program. For further information on the State Conference program or the COPE fund, please visit [www.twu.org/legislative/stateconferences.aspx](http://www.twu.org/legislative/stateconferences.aspx) and/or email [cope@twu.org](mailto:cope@twu.org).



*President Lombardo and his officers believe in a “**bottom-up**” organizational model rather than the traditional “**top-down**”*

Left: Gwen York, TWU International State Conference Director and COPE Political Field Staff Member  
Right: Terry Daniels, TWU International State Conference Director and COPE Political Field Staff Member





The 1st Annual


**FIGHT ON  
THE FIELD FOR  
A COMMON  
GOAL**

## TWU LOCAL 556 LEAVES IT ALL ON THE FIELD IN LABOR VS. LEGISLATORS SOCCER MATCH

TWU Local 556 participated in the 1st Annual "Fight on the Field for a Common Goal" Labor vs. Legislators Soccer Match, held November 9, 2013 in Alameda, California. Coordinated by the Alameda Labor Council, the fundraising event benefited the Cypress Mandela Training Center, which prepares Bay Area youth for skilled trade jobs in the construction industry. "The idea is to take at-risk youth and give them a skill so they can be successful in life," said COPE Political Field Staff Member Terry Daniels. "The students coming out of the school immediately go into the unions for their craft." TWU's California State Conference purchased tickets to the match. "Community events like these help us build relationships with other labor leaders and elected officials in our communities," said Matt Hettich, Local 556's Oakland Domicile Executive Board Member and Delegate to the Alameda Labor Council. "They provide our members with opportunities to reach out and form relationships, which makes us a stronger force politically."



## "PUT A SOCK IN IT" METRO OPERATORS 2013 SOCK DRIVE

TWU Local 260 ran a clothing drive for the homeless in Houston, TX. Members collected hats, gloves, and socks and distributed them to families in need on December 12.



### LOCAL 576 SWEARING IN

August 14, 2013

Mike Rinaldi - President; Fernando Anaya - Financial Secretary-Treasurer; Ron Cope - Vice President; DeWayne Wheeler - Recording Secretary



### LOCAL 234 SWEARING IN

October 14, 2013

Willie Brown - President; Joe Coccio - Secretary-Treasurer; Brian Pollitt - Executive Vice President; Rumel Wooden - Vice President; Will Vera - Vice President; Daryl Mack - Vice President; Paul Southard - Recording Secretary

## FLIGHT ATTENDANT UNION COALITION LAUNCHES CAMPAIGN TO RAISE FUNDS FOR FLIGHT 93 MEMORIAL

TWU Local 556 President Audrey Stone co-lead a cross-union coalition of Flight Attendants in a radical campaign to secure funding for the as-of-yet unfinished Flight 93 National Memorial in Shanksville, Pennsylvania.

On September 10, 2013, Flight Attendants from Local 556 in coordination with union brothers and sisters from IAMAW, AFA-CWA, and APFA descended on the Capitol to hand-deliver letters to 535 members of Congress, requesting that each make a personal financial contribution to fund the memorial's completion.

"It was one of the most emotional visits I've had to the Capitol," said COPE Political Field Staff Member Gwen York. "We showed up unannounced, but when we told them we were there to talk about Flight 93, everyone took notice because the hijackers wanted that plane to hit Washington, DC. The plane was headed for them."

In the letter, our Flight Attendants told legislators: "Twelve years ago, 40 passengers and crewmembers sacrificed their lives on behalf of our country. We know now that the terrorists were intent on destroying the United States Capitol on that day — one of the most iconic buildings in Washington, D.C. and a symbol of our democracy, and the citizens within it. Many owe their lives to the heroes of Flight 93."

"As Flight Attendants, we are working to honor our hero colleagues and all who died on that day by ensuring that the memorial is finally completed. We are working with the National Parks Foundation to realize this goal. The memorial is the only National Park Service site commemorating the events of September 11, 2001.

"We are asking you to take part in the final push to raise the less than \$1.7 million needed for completion of the Flight 93 National Memorial. We ask that every member of Congress contribute to the national memorial to honor the heroes who gave their own lives to protect your workplace and our country's shining symbol of democracy."



Watch our video about the TWU Flight Attendants who fought to continue construction on America's memorial for the heroes aboard Flight 93.



### LOCAL 101 WOMEN'S COMMITTEE

Members of TWU Local 101 held the founding meeting of their Women's Committee on October 14, 2013. The Committee's mission is to improve the working conditions, opportunities for career growth, and quality of life for every union sister.

## ★ ★ ★ NOTICE

### LOCAL 504 GENERAL ELECTIONS

Air Transport Division Local 504 will be conducting General Elections during the months of February and March 2014. Nominations will be held January 2 through January 29, 2014.

All eligible members can send their nominations either via fax to (212) 246-2150 or by mail to: American Arbitration Association 120 Broadway (21st Floor) New York, NY 10271 Attention: Election Department No nominations will be accepted at the Local Union Hall.

### LOCAL POSITIONS:

President  
Executive Vice-President  
Financial Secretary-Treasurer  
Executive Board:  
3 Board Members from Worldwide Flight Services  
1 At-Large Board Member from Allied; Triangle, Genesis, Meridian, CAS, KLM, Swissport, United Services, Avport

### SECTION OFFICERS:

1 from Swissport  
1 from Meridian  
1 from United Services  
1 from Triangle  
1 each from CAS JFK Buildings 9, 73, and 76  
1 each from Genesis Aberdeen and Genesis Franconia

### WORLDWIDE FLIGHT SERVICES

Base Representative  
1 each from every station within the WFS System  
Any Position without a nomination may be appointed to by the Local Executive Board.

# INDEPENDENT AUDITOR'S REPORT

To the International Executive Board  
and International Executive Council  
Transport Workers Union of America  
501 3<sup>rd</sup> 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, 2013. 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, 2013. 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, 2013, 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 10, 2013

**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 SUPPLEMENTARY SCHEDULE OF CALCULATION OF CHARGEABLE EXPENSES (MODIFIED CASH BASIS) YEAR ENDED AUGUST 31, 2013

	EXPENSES		
	TOTAL	CHARGEABLE	NON-CHARGEABLE
Main office expenses	\$3,394,415	\$3,224,359	\$170,056
Servicing, negotiations and grievance expenses	4,042,209	4,042,209	-
Political expenses	1,359,399	-	1,359,399
Organizing expenses	343,389	-	343,389
TWU Express:			
Non-political information	140,687	140,687	-
Political information	31,008	-	31,008
Donations, tickets and advertisements	75,294	-	75,294
Salaries and related expenses	12,063,453	10,360,246	1,703,207
Social events, non-political	10,380	10,380	-
Quill Scholarship	61,849	-	61,849
Insurance	127,906	127,906	-
Convention	828,419	828,419	-
Investment expenses	170,231	170,231	-
Totals	\$22,648,639	\$18,904,437	\$3,744,202
Percentage to total	100.00	83.47	16.53

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, 2013

	EXPENSES		
	TOTAL	CHARGEABLE	NON-CHARGEABLE
Negotiation expenses	\$1,228,724	\$1,228,724	\$-
Legal Fees	1,200,244	1,200,244	-
Transportation and facility costs	1,059,262	1,059,262	-
Reimbursement of Locals negotiating expenses	553,979	553,979	-
Totals	\$4,042,209	\$4,042,209	\$-

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, 2013

	EXPENSES		
	TOTAL	CHARGEABLE	NON-CHARGEABLE
Salaries	\$8,486,696	\$7,255,330	\$1,231,366
Pension and welfare expenses	2,425,266	2,065,147	360,119
Payroll taxes	610,550	534,461	76,089
Auto expenses	496,380	467,212	29,168
Insurance, workers compensation	44,561	38,096	6,465
Totals	\$12,063,453	\$10,360,246	\$1,703,207

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, 2013

	EXPENSES		
	TOTAL	CHARGEABLE	NON-CHARGEABLE
Rent and related expenses	\$856,963	\$795,662	\$61,301
Stationery and printing	229,450	210,766	18,684
Outside consultants	461,300	457,414	3,886
Telephone	273,415	249,548	23,867
Postage	200,291	192,554	7,737
Data processing expense	272,682	266,318	6,364
Equipment rental and maintenance	184,163	172,441	11,722
Newspapers and subscriptions	55,404	51,092	4,312
Accounting	201,957	186,638	15,319
Depreciation	342,193	333,707	8,486
Sundry expenses and taxes	316,597	308,219	8,378
Totals	\$3,394,415	\$3,224,359	\$170,056

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 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.
  - 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.
- 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).

- 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.
- 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.
- 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.
- 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.
- A court reporter shall make a transcript of all proceedings before the arbitrator.

- The 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.
- The arbitrator may determine all procedural matters affecting the arbitration consistent with the dual objectives of providing for an informed and an expeditious arbitration.
- 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.
- 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.
- 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.
- 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.

# straighten up and FLY RIGHT

For years, the TWU has been operating in a deficit. New International leadership is working hard to reverse course — but it won't be easy.

by *International Secretary-Treasurer*  
**Alex Garcia**

For the first time in a long time, we are united, energetic, and strong at the TWU International. We're strong enough to buck the headwind of an economy that can generate low-paying jobs but doesn't want to recognize workers' contributions by paying them what they're worth. We're strong enough to get right down to our core mission of empowering our locals. We're strong enough to chart a winning course in our political battles, which begin with grassroots activism in our communities and lead through the often-confusing corridors of power here in Washington.

To be strong, efficient, and effective we need to operate with a lot of intelligence and minimal waste. We need to make smart decisions about which projects we pursue and how — because our funds come from the dues of each of our hard-working members. So, as your Secretary-Treasurer and along with the IAC, we are taking the necessary steps to reduce all of our costs here in DC and throughout the organization, and we will continue to do so throughout our term.

It's often said in the labor move-

ment that while our adversaries have the power of money, we have the people power. My job as your Secretary-Treasurer is to use the money we do have to amplify our people power and make it count for more. But it won't be possible to build a truly solid, effective TWU without your activism and engagement. Help the TWU take our message to the politicians in your area through your COPE donations and by getting involved in State Conference projects.

As the new leadership's work begins,



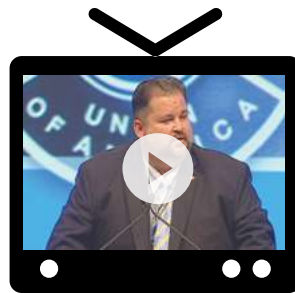
*To be strong, efficient, and effective  
we need to operate with a lot of  
**INTELLIGENCE AND MINIMAL WASTE.**  
We need to make smart decisions about  
which projects we pursue and how.*

we're looking to make a clean break from financial practices that did not strengthen our union or serve our members. Our work is just starting to take effect, but already I

feel confident in our plan for the future. I look forward to meeting as many of you as possible over the next four years that you have entrusted me with.



*Watch TWU International Secretary-Treasurer Alex Garcia's speech to Delegates at the 24th International Convention on the TWU website at [www.twu.org/24thConstitutionalConvention.aspx](http://www.twu.org/24thConstitutionalConvention.aspx)*



*Watch TWU International Executive Vice President John Samuelsen's speech to Delegates at the 24th International Convention on the TWU website at [www.twu.org/24thConstitutionalConvention.aspx](http://www.twu.org/24thConstitutionalConvention.aspx)*

**TRANSPORT WORKERS  
UNION OF AMERICA**

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# Celebrate and Save

Switch from a non-union carrier to "Proud to Be Union"  
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**R**ing in the holiday season with valuable savings from "Proud to Be Union" AT&T. You must use your Union Plus Credit Card to get these rebates. There are many ways to save.

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- **SWITCH** to AT&T from any other provider and receive up to \$100 more towards the cost of moving your service.
- **SAVE 15%** on monthly AT&T voice service and most data plans.

**There's no better way to save money,** keep in touch with loved ones and show your solidarity with fellow union members at AT&T.

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For full details, visit **UnionPlus.org/Holiday2**



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\*Credit approval and new two-year service agreement required. Offer cannot be combined with any other discounts. The 15% Union Plus AT&T wireless discount is not available on the iPad, additional lines for family plans, unlimited plans and Unity plans. Data services: Only the 5GB data plan and the shared minutes and data for AT&T Mobile share plans are discounted. All other individual data plans, data plans on secondary lines, and text plans are not discounted. Other conditions and restrictions apply. Offer available to union members, retired union members, and Union Plus Credit Card holders only. For more information, visit [UnionPlus.org/ATT](http://UnionPlus.org/ATT). AT&T is a registered trademark of AT&T Intellectual property. Union Plus is a registered trademark of Union Privilege.