



**No Contracts,
No Peace!**



**Foreign Maintenance
Fight Takes Off / 10**



AIR / 18



RAIL / 24



Taking On and Defeating Our Opponents

By International President John Samuelson

"Standing together
in such an enormous
display of solidarity,
nothing can stop us."

I've said this so many times before and it's worth repeating because it just keeps ringing true: The TWU truly is *America's Fighting Democratic Union*.

We've demonstrated many times we can beat adversaries far larger than us, and as we flip the calendar page from 2019 to 2020, I am looking forward to more victories for workers in the TWU – across all of our industrial divisions.

On October 30 in New York City, the International led a rogue march of hundreds of transit workers and our supporters from NYC Hall, down the canyons of Broadway to MTA headquarters, where nearly 10,000 more Local 100 members along with hundreds of allied workers, jam-packed lower Manhattan (*see p. 26*).

As I looked out at the sea of faces, eager and ready to fight, I stressed that the TWU International and Local 100, for the first time in many years, were in lock-step. Standing together in such an enormous display of solidarity, nothing can stop us.

There was no way the TWU was going to sit back and let that happen. Together, we fought back against the MTA in NY and we prevailed with a good contract. We defeated the MTA's demand to decimate health benefits and won above inflation wage increases. We are the ones who held this system together by the sweat of our brow when the politicians deliberately underfunded it, and we rebuilt it over the last two years and put it on the road to recovery. The TWU refused to lose this battle and we emerged victorious – with a contract that's a win for transit workers and riders.

Just as we are fighting at Local 100 for contract justice, our legislative work also continues – fighting against the offshoring of aircraft maintenance, for regulations to monitor toxic cabin air and our ongoing battle for the protection of jobs.

In our American Airlines contract fight, the National Mediation Board (NMB) is now involved in the process. Unfortunately, when working with the NMB under the Railway Labor Act, things can move slowly. However, at the negotiating table, we will keep on fighting to defend TWU jobs. If we weren't, the contract would have been settled a couple of years ago and there would be no fight back. We won't stop until we get a fair contract. The TWU remains on the frontlines fighting to protect U.S. workers from government-sanctioned outsourcing. At airlines, public transit agencies, railroads, and other industries, we are diligently fighting to ensure that our members' jobs remain stable and safe at all times.

I hope you are all able to enjoy the holiday season with your family and friends, and wish you a safe and healthy New Year.

A handwritten signature of John Samuelson in black ink.



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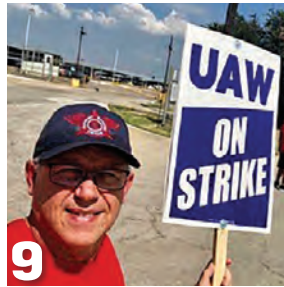
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Cover Photo courtesy of Joseph Calisi



Working for You

By International Secretary-Treasurer
Jerome Lafragola

As 2019 draws to a close, let's take a look back at all the great things TWU members accomplished this year.

We have organized 25 new units since this International Administrative Council took office in September 2017. This year, we welcomed to our TWU family Kalitta Air dispatchers, San Francisco bikeshare workers, Envoy Air pilot ground simulator instructors and a NY MTA bus white collar unit – just to name a few. That's more than 7,000 people who now have a union to stand behind them at work fighting for their rights, their pay, their benefits and their dignity.

The TWU is one of America's fastest growing unions. Your international union is constantly organizing workers because when we grow the union, we increase our power. As our membership grows, we have more leverage to fight for better wages, safer workplaces, and better treatment from the bosses.

Organizing is one way for the TWU to increase our power. We are also boosting our political muscle in Washington, DC and in states around the nation.

In October, many of you called your elected officials on Capitol Hill and asked them to support the *Protecting the Right to Organize (PRO) Act of 2019* on the PRO Act day of action. Introduced in May by Rep. Bobby Scott (D-VA-3) and Sen. Patty Murray (D-WA), the bill would eliminate right to work laws and modernize the National Labor Relations Act (NLRA). It would strengthen the federal laws protecting workers' right to organize a union and enact safeguards against corporate interference in organizing campaigns.

In November, TWU flight attendants at JetBlue, Southwest and Allegiant Airlines descended on Capitol Hill for toxic cabin air lobby day. We contacted more than 65 members of Congress to ask for support of the *Cabin Air Safety Act of 2019*, which calls on the FAA to implement regulations regarding toxic fume events aboard aircraft (*see p. 18 for more*).

We are fighting for public transit workers from coast to coast. The bipartisan *Transit Worker and Pedestrian Protection Act* has been introduced in Congress and will help protect bus operators from assaults, accidents, and injuries. Attacks on operators are a national disgrace and the TWU won't let up until the federal government takes real steps to protect our members from assault.

TWU members waged many battles throughout the year. We survived a partial government shutdown, fought against autonomous vehicles and opposed greedy privatizers – essentially anyone or anything that wants to make life harder for working people. If bigger challenges lie ahead in 2020, I know the TWU is more than ready to tackle them.

I would like to wish you and your families a very Merry Christmas and happy holidays. Thank you for all the incredible work you do.



"If bigger challenges lie ahead in 2020, I know the TWU is more than ready to tackle them."

Merry Christmas

AND HAPPY NEW YEAR
FROM THE TWU INTERNATIONAL



MEMBERS IN ACTION



Local 291 President in Washington

Local 291 President Jeff Mitchell (back row, third from left) was among the labor leaders representing state federations and central labor councils across the country who visited the AFL-CIO's headquarters in mid-August to discuss key challenges facing working people in local communities as part of the AFL-CIO State Federation and Central Labor Council Advisory Committee.



Florida AFL-CIO Convention

The Florida AFL-CIO and Teamsters each donated \$500 for a roundtrip flight to the Bahamas in early September. Andrew Rangolan passed a little brown bag for donations and fellow union members under the AFL-CIO umbrella donated \$1,227, all to be used for the people of the Bahamas Transport Workers Union.

Local 512

Rep. Brad Schneider (D-IL-10) met with TWU Local 512 President Juan Elvira and member Chris Biancalana in late August.



JetBlue Health & Safety Chair Shane Rogers-Mauro with Congresswoman Debbie Wasserman-Schultz at the Broward County (FL) AFL-CIO Legislative Breakfast on Nov. 16.

MEMBERS IN ACTION



Local 567 Swearing In

International Rep Tony McCoy swore in new Local 567 officers at their October 4 meeting. From left to right, Title 1 Section VP Steve De Santo, VP Jose Carballo, Executive Board member Ken Conti, Title 5 Section VP Pedro Boyarsky, Executive Board member Brett Ong, President Rollie Reaves, Treasurer JC Sampson, MCT Section VP Glenn Puleo and Executive Board member Rich Raskey.



Local 502 Annual Picnic

Local 502 held their annual picnic on October 5.



Local 514 Swearing In

Air Division Director Mike Mayes swore in Local 514's Executive Board on Sept. 9.



Cruise 512 Day

Despite the rain, local members showed up spirited and proud for "Cruise 512 Day" on September 28.



MEMBERS IN ACTION



Local 223 Marches for Labor Day

Members of Local 223 marched in the Omaha, Nebraska Labor Day Parade.



Local 234 Swearing In

Transit, Universities, Utilities and Services Director Curtis Tate swore in members of Local 234's Executive Board on October 16.



Supporting UAW's 40-Day Strike

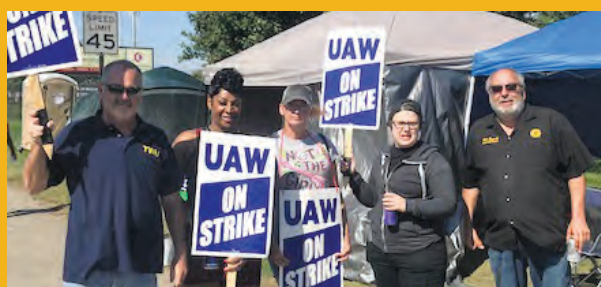
When the United Auto Workers went on strike for 40 days this autumn – the largest nationwide strike against General Motors in half a century – TWU members from across the country joined their picket lines in solidarity. UAW members were fighting to prevent offshoring and for better wages and benefits.



TWU Local 513 and UAW Local 276 member Fred Archer. He has been an active TWU member for 5 years and active UAW member for 35 years.



Local 512 President Juan Elvira, Vice President Mike Szwed, and Secretary Treasurer Mike Rubel took supplies and joined UAW Local 2114 Members on the picket line in Bolingbrook, IL.



TUUS Division International Rep Carl Martin and members of TWU Local 717 joined the UAW picket in Ypsilanti, MI.



TWU Air Division members joined the UAW picket in Rancho Cucamonga, CA.



TWU Local 513 Members Steve Anderson and Tevita Uhatafe delivered drinks and snacks and joined UAW 276 Members on the picket line in Arlington, TX.



TWU 591 Member/Tarrant County Central Labor Council President Brian Golden, UAW 276 President Terry Valenzuela, UAW Servicing Rep. (Dallas Office) Darrell Shepherd and TWU Local 513 Strategic Action Coordinator Brian Parker met prior to the strike at UAW 276 Union Hall in Grand Prairie, TX and pledged our support.



Brian Parker, Brian Golden, and Scabby the Rat brought breakfast and supplies and joined UAW SWS CAP and Local 816 President Jacob Richardson and his members on the picket line in Roanoke, TX.

California Leads the Way on Worker Misclassification

After a year-long, hard fought campaign, California Governor Gavin Newsom signed a new law on September 18. The law, known as AB5, establishes a three-pronged test to determine whether a worker is an employee (instead of an independent contractor):

- Is the worker free from control and direction of the company?
- Does the worker perform work outside the usual course of that company's business?
- Is the worker engaged in work generally performed by independent contractors?

If the answer to any of these questions is "no," that worker is automatically considered an employee.

Following California's example, similar legislation was recently introduced in New Jersey and is expected to become law by the end of the year. New York, Illinois, Washington and several other states are also moving forward to implement this test and raise the bar for workers.

Classifying workers as employees not only helps those individuals, but also helps the TWU preserve and extend wins for our members. For example, contractors often misclassify their workers in an effort to underbid existing providers. By forcing these contractors to pay their workers minimum wage, employment taxes, and workers compensation insurance, the true cost of outsourcing became clear, making it significantly more difficult to eliminate existing jobs (*see p. 28 for more*).

Senate Votes to Preserve \$1.2B in Transit Funding

As Congress debates whether the federal government will shut-down again before the end of the year, the Senate voted in late October to preserve \$1.2 billion in transit funding. As part of an amendment offered by Senators Doug Jones (D-AL) and Martha McSally (R-AZ), this money would be made available for public transit even if the Mass Transit account cannot cover the expense. Without this amendment, our nation's investment in public transportation will drop more than 10% next year, potentially halting transit investment in many cities.

This fight is not over. The House will need to take similar action to preserve the funds for this year and we will need to find a more permanent solution for 2021 and beyond. Transit investment has generally been paid for by gas tax revenues but because the gas tax has not been adjusted for inflation since 1993, there is no longer sufficient revenue to cover transit expenses each year. The long-term fix to this problem will require identifying new sources of revenue for transit investment.

Congress Advances Bill to Increase Requirements on Foreign Aircraft Repair Stations

American workers scored a major victory on November 20 when the Congressional Transportation and Infrastructure Committee passed HR 5119. The bill – known as the Safe Aircraft

TWU Powered UP Political Grassroots Training

The TWU International is kicking off "TWU Powered UP" political grassroots training sessions in 2020.

TWU Powered UP trains members to become political activists in their states and within their workplaces. We know that power structures in the U.S. have steadily shifted against labor unions and the working class for decades and more than ever we need to be prepared.

Activists in training will hear from TWU Government Affairs and COPE department staff, as well as experts on best practices in communicating effectively with members using new technology and activating members to get more involved in their communities and states in order to bolster more organizing drives and issue-based campaigns.

Trainings are scheduled as follows:

El Segundo, CA – hosted by Local 502:

Monday, January 13 – Wednesday, January 15



New York, NY – hosted by Local 100:

Monday, February 3 – Wednesday, February 5

Philadelphia, PA – hosted by Local 234:

Monday, February 17 – Wednesday, February 19

Southlake, TX – hosted by Local 513:

Monday, March 16 – Wednesday, March 18

Maintenance Standards Act – would significantly increase the safety requirements on foreign repair facilities working on U.S.-flagged aircraft, raising the costs associated with offshoring mechanic jobs from airlines. Despite vocal opposition from airline management and their allies, the bill was reported out favorably by a vote of 39-19, including a strong showing of support from both Republicans and Democrats.

The TWU is leading a coalition of labor unions and consumer rights groups to permanently address safety gaps between aircraft maintenance performed in the U.S. versus maintenance performed abroad. Unlike domestic facilities, repair facilities abroad are not required to:

- Conduct drug and alcohol testing on safety sensitive personnel;
- Perform background checks on workers;
- Assess security threats for facilities;
- Allow unannounced FAA inspections of maintenance operations; and,
- Meet minimum qualifications for aircraft mechanics.

Each of these loopholes increases the disparity in costs between work performed in-house, by TWU mechanics, and work done by contractors. Because of these loopholes, the U.S. government is effectively incentivizing offshoring jobs.

After passing the bill, Committee Chairman Peter DeFazio (D-OR) clarified that the bill is meant “to establish one standard of safety regardless of where an aircraft is maintained.” During the hearing, both Democrats and Republicans cited numerous safety incidents caused by poorly done, unregulated maintenance facilities in foreign countries. TWU mechanics have found critical engine components held together by tape and wire, corroded floorboards left untouched during overhaul maintenance, and numerous incidents of drug smuggling inside safety-critical systems.

The bill has now been placed on the House calendar where it could be called up at any time for debate of the full chamber. No action has been taken yet by the Senate.

Amtrak CEO Called Out for Anti-Worker Practices

The House Transportation and Infrastructure Committee brought together Amtrak workers, rider groups, representatives

from state governments, and Amtrak CEO Richard Anderson for a hearing on the future of the railroad on November 13. During the hearing, Members of Congress pressed Mr. Anderson on his anti-worker policies, his poor customer management decisions and other key missteps under his tenure.

Since taking control of the railroad, Mr. Anderson has significantly increased outsourcing of jobs and services – bringing him in direct conflict with the TWU and the Amtrak workers’ contract. He’s also transitioned some routes to box lunches (in lieu of dining service), which has driven ridership down on longer routes. His poor choices are undermining the longstanding, positive relationship Amtrak workers have had with the railroad and potentially lowering revenues.

The TWU submitted testimony to the Committee on behalf of our members at the railroad and participated at the hearing as members of the Amtrak Service Workers Council.

TWU Calls out DOT for Failing to Implement Flight Attendant Rest Rules

On October 5, Congress passed a law mandating that flight attendants receive no less than 10-hours off in between shifts. To date, the administration has refused to implement this change, leaving these safety professionals fatigued during their workday. On November 12, the TWU, in partnership with the International Association of Machinists and the Association of Professional Flight Attendants, filed an official objection with the Department of Transportation for this failure to act.

Flight attendants are the first line of safety and security on every airplane. They protect the cabin from 9/11-style terrorist attacks; identify threats and human trafficking; provide medical assistance when necessary; and evacuate aircraft in less than 90 seconds during emergencies. All these tasks require quality rest in between long days. Currently, flight attendants are only required to receive 8-hours rest between shifts which includes travel time to/from the airport, debriefing and cleaning an aircraft, and boarding passengers. Many flight attendants regularly get fewer than six hours of sleep between shifts for several days in a row – making the threat of fatigue a major concern for airline safety.



International Rep Shirley Duff, Secretary-Treasurer Jerome Lafragola, International Rep Andre Sutton, Special Projects Coordinator Angelo Cucuzza, International Rep Tony McCoy, Air Division Administrative Professional Karen Koziatsek and Local 525 President Kevin Smith at “Woofstock” – the IAM Guide Dogs of America’s annual charity event in Las Vegas on November 23.

TWU, Leading Unions, Associations, Announce ‘Moving America Forward’ Presidential Candidate Forum on Infrastructure at UNLV

On Nov. 20, a group of leading labor unions and industry associations announced “Moving America Forward: a 2020 Presidential Candidate Forum on Infrastructure,” convened by United for Infrastructure, to be held over President’s Day Weekend 2020 on the campus of the University of Nevada, Las Vegas (UNLV). President’s Day Weekend marks the start of early voting in Nevada’s presidential caucuses.

The host committee for the bipartisan candidate forum represents millions of union members, public sector workers, engineers, transportation and water agencies, and manufacturers. Host committee members include the TWU, International Union of Operating Engineers, American Society of Civil Engineers, American Public Transportation Association, Value of Water Campaign, American Road and Transportation Builders Association, and the Association of Equipment Manufacturers.

Infrastructure presents both an urgent challenge and a singular opportunity for the next presidential administration to address an issue that affects every American. It is also an issue that 90 percent of Americans believe should be a priority for the next administration. Infrastructure dictates access to jobs, education, and health care; it can help alleviate

or exacerbate rising inequality; it can help solve the affordable housing crisis; and it is key to how American’s experience climate change pressures. The forum will be an opportunity for candidates to address the challenges facing America’s roads and transit systems, bridges and railroads, ports and airports, and water and wastewater systems – and to lay out their vision for an infrastructure plan that supports a strong economy, job creation, consumer safety and national security.

President John Samuelsen stated, “If we don’t address the basic networks that keep America moving – including our nation’s public transportation and infrastructure – we will not be able to fight for better working conditions. I am eager to hear about these issues directly from the candidates at such a crucial time during the election cycle. As they head to the polls in key states, the millions of workers our host committee represents, along with the voters of Nevada and across the country, deserve to know these candidates’ plans to rebuild America.”

The forum is convened by United for Infrastructure, a non-partisan, non-profit organization dedicated to educating the public and policymakers about the importance of America’s infrastructure. The forum will be open to members of the press.

San Francisco Motivate Workers Ratify TWU Contract Extension In a Crushing 91-6 Vote

Motivate bike share workers in San Francisco ratified their one-year contract extension with the TWU in a crushing 91-6 vote on November 21. The one-year extension is a local supplement to the national contract they adopted. The contract settlement includes significant raises, strong safety language and fair access to training opportunities.

“I strongly believe that all my brothers and sisters in this newly formed Bay Area bike share union are proud to be members of the TWU: an organization that has historically been at the forefront of the fight for equality in the workplace, and has spoken out against discrimination on race, job title and ethnicity since its founding,” said Stan Jones, a bike share worker in the unit.

“Union membership ensures that all its members have their effort and work valued fairly and equitably – and will always be treated with dignity and respect,” he added.

The TWU also represents Motivate workers in New York City, Washington DC, Chicago, Boston and Jersey City, as well as bike share workers in Cleveland and Phoenix.



TWU 'Member Moment'

Rep. Hakeem Jeffries, (D-NY-8)

The TWU has champions fighting for workers in every state around the country. Elected Members of the U.S. Congress and state legislatures have your back in our nation's capitols, yet most of these allies remain unknown outside of their home districts. To help you get to know these compatriots better, The TWU Express is featuring a new recurring section called "Member Moments," which will give you a personal view of some of our union's greatest friends in positions of power around the country. This issue features an interview with U.S. Representative Hakeem Jeffries (D-NY), who represents large parts of Brooklyn and a section of Queens. Serving his fourth term in Congress, Rep. Jeffries is a member of the House Judiciary Committee, House Budget Committee and Chairman of the House Democratic Caucus.

Q.1: You're about a year into your term as the elected chairman of the House Democratic Caucus. What have been some of the challenges and changes you've faced since taking over?

A: This has been an incredibly successful year for House Democrats. In our first 100 days, we passed a once-in-a-generation democracy reform bill designed to clean up corruption in Washington and return our government to everyday Americans. We advanced critical gun violence prevention



Rep. Jeffries talks to constituents at a local event in Prospect Heights, Brooklyn.

measures and passed legislation to put more money in the pockets of American families by ensuring that women receive equal pay for equal work. Since then, we've been working to drive down the sky-high cost of prescription drugs and have passed more than 300 bills that are currently sitting in Mitch McConnell's legislative graveyard.

Q.2: Your district and the entire country are facing serious infrastructure challenges. What do you believe we need to do to address these important problems?

A: A key priority for Democrats is to pass a trillion-dollar infrastructure bill that would create shovel-ready jobs and rebuild bridges and tunnels across

the country, upgrade our mass transportation systems and repair public housing. That remains a central focus of ours and is something we hope we can get done in a bipartisan way.

Q.3: What does the labor movement mean to you?

A: I grew up in a union household in Brooklyn. Unions are the backbone of America and have been the vehicle through which millions of families in this country have reached the middle class. We must continue to protect our brothers and sisters in the labor movement and ensure all hardworking Americans have a chance to achieve the American dream.

SAVE THE DATE:
TWU Legislative & Political Conference, April 26-29, 2020

Florida State Conference



Nevada Colorado State Conference



COMING SOON

The 2020 Michael J. Quill Scholarship Applications

The Michael J. Quill scholarship offers 15 college-bound dependents of TWU members a scholarship worth \$4,800. This scholarship is paid out per year in the amount of \$1,200 to winners who continue to be eligible over their four-year course of study. The union has been honoring our founder with these scholarships since 1969.

Preparations for the 2020 Michael J. Quill Scholarship application process are already underway, and a deadline was being set as this issue went to press.

Updates regarding the scholarship will be available at www.twu.org beginning in January 2020.





At a JetBlue AO/Res organizing session at the Utah State AFL-CIO on Oct. 1.

JetBlue IFC Triple Training

Throughout the fall, three training sessions were held for JetBlue InFlight Crewmembers seeking a jump start in union involvement. JetBlue IFCs Leah Weintraub, Shadia Castellano, Steven Miller and Kelly Floyd ran and planned sessions with TWU International Special Projects Coordinator Angelo Cucuzza and International Campaigns Director Nick Bedell. A total of 40 IFCs attended.

The first training, in Boston, was a two-day general training session.

The second training was a one-day session in New York, but only for those on the Grievance Committee. During this session, IFCs also learned how to write statements when the company calls them into office and became part of the “peer-to-peer observer program.”

“This is something we were able to work out prior to the contract. It allows a trained, union-represented flight attendant to assist a person on how to best answer management,” Cucuzza explained.

The last session took place in Orlando. IFCs were able to choose which committee they wanted to be a part of and received certificates.

“There was a big need for the Scheduling Committee because the company used to have an in-house committee made up of IFCs, but once the union came on board, they disbanded it,” Cucuzza said. “We were able to hit the ground running on Nov. 1 with scheduling issues. Newer folks were completely in the dark about how to bid: 48 hours at home with your family makes a big difference, opposed to 12.”

‘A Seat at the Table’

Kelly Floyd, based out of JFK for nearly eight years, is head the of the Education Committee.

“Having an education advocate increases knowledge and power.



JetBlue IFCs help organize AO and RES agents in Orlando on Oct. 26.



All hands on deck as JetBlue IFCs help organize AO and Res agents in Orlando on Oct. 26.



President Samuelson visited an IFC Grievance Committee training at JFK on Oct. 16.

It creates unity among the workgroup for changes we feel are necessary,” she said. “We have a seat at the table.”

Floyd noted that without a solid foundation, anything you build is bound to fall. “We are setting up cornerstones of unsurpassed strength for years to come – a better quality of life for the most senior to the most junior person,” she stated. “Building our own local creates a sense of ownership. We have real challenges that lie ahead, but if we continue to foster these relationships and have an inclusive experience, the union will develop into a powerhouse.”

Floyd stressed that JetBlue IFCs are fighting for all union members. “We have major concerns when it comes to health and safety and quality of life,” she said, noting the uptick in toxic fume events. “The education team wants to foster the sense of urgency for people to take a more active role. It’s not just about us and now – it’s about people working 10 and 20 years down the line.”

Get Involved

If you would like to get involved in any JetBlue committee, visit b6.twu.org.

A New Hire Committee is being created, where members will attend orientation for new IFCs, get them resources as soon as they are on the property, as well as help with scheduling questions, etc.

“This is another example of how the TWU is assisting these members at the beginning stages of forming their own union. It creates a structure already in place so they can hit the ground running once the contract is ratified,” Cucuzza said.

Floyd praised Cucuzza and Bedell as “amazing resources. They were full steam ahead so everyone could feel like this was their union – not just the activists.”

Stay tuned for more training sessions coming in late winter or early spring.

Tuesday is T-Shirt Solidarity Day at DC Bike Share





TWU Toxic Cabin Air Lobby Day

Supporting the Cabin Air Safety Act of 2019

On November 20, TWU members met at our nation's Capitol to encourage Members of Congress to support the *Cabin Air Safety Act of 2019*. Introduced by Senator Richard Blumenthal (D-CT) and Rep. John Garamendi (D-CA-3), the legislation would help set our cabin air on a path to being healthy and safe. Flight attendants from JetBlue, Southwest and Allegiant Airlines participated, as well as other TWU members from across the country.

International President John Samuelsen and International Secretary-Treasurer Jerome Lafragola also participated, speaking with members at headquarters during a training before lobbying.

The TWU was joined in solidarity by the Executive Vice President Captain Bob Fox and other members of the Air Line Pilots Association (ALPA), Sen. Blumenthal and Rep. Brian Fitzpatrick (R-PA) ahead of the lobby day. TWU members made contact with more than 65 congressional offices.

'Completely Unconscionable'

"It's completely unconscionable that in today's world, where we know the negative health consequences of these compounds, we have no regulations in place for the air we're breathing onboard aircraft. Lives and careers are at stake," said President Samuelsen. "Thanks to everyone who came out today to fight for the health and safety of our frontline workers, as well as the flying public."

"In my nearly four decades as a flight attendant, I have never



experienced anything as difficult and troubling as toxic fumes in our cabins. So many flight attendants and pilots have suffered hundreds of injuries from these fume events - and the number is growing exponentially," stated Shane Rogers-Mauro, flight attendant and victim of a toxic fume event. "How many more lives need to be negatively altered as a result of a maintenance issue, which should have been addressed quickly and effectively? The daily headaches, respiratory distress, fatigue, memory loss - and in my case tremors - make my daily life difficult and problematic."

For more, visit www.twu.org.



AIR UPDATES



Trump Targets TWU Service Locals with Rescinded Executive Order

President Trump killed protections for federal contractor employees on October 31. This is devastating news to the Florida Space Coast and all federal contract workers, who can now lose their jobs when the federal government hires a replacement contractor.

This reversal attacks several thousand members of TWU Locals 525, 526 and 527 and union members around the country who work for federal contractors. The TWU represents workers in nearly 25 locations who could lose their jobs because of President Trump's decision.

Until President Trump changed federal rules, current qualified employees had the right of first refusal to their own jobs before companies hired other workers to do the same job. Because of this decision,

our members are more likely to be replaced with employees with no vacation or sick leave accruals when the government ushers in more low bid contractors or firm fixed price contracts.

"It's just simple economics for the successor contractor now - get rid of the expensive employees," said Local 525 President Kevin Smith. "I'm disappointed to see this attack on our worker protections."

How it Works

Every few years, when service contracts expire, the federal government holds a competition to consider other contractors. The government puts out a request for proposal (RFP) and companies bid on the work. The cheaper company often prevails.

Until President Trump's new executive order, our jobs were guaranteed even if a new company took over a contract to do the same work. The workers, who are often TWU members, had the right to accept or refuse these jobs before the new contractor could consider other job applicants. The President's new executive order opens the door for companies to fire the current workers and replace them with a cheaper, untrained workforce.

Federal contractors will probably get rid of our members because they can save money by hiring new workers who don't have seniority, which means they haven't earned sick leave balances, vacations and retirement.

"This is an absolute attack on organized labor and is intended to undermine unions across the country," Smith said.

You can read the executive order by going to the Federal Register (www.federalregister.gov) and searching for "Executive Order 13897." The full title of the order is "Improving Federal Contractor Operations by Revoking Executive Order 13495."

TWU Envoy Air Dispatch Group Ratifies Contract: 89% Voted 'Yes'

On October 6, our Envoy Air Dispatch contract was ratified with 89% of our members voting in favor of the new six-year agreement.

Air Division Director Mike Mayes stated, "This contract puts our Envoy Dispatch Group back amongst the leaders in the regional industry when it comes to total compensation and benefits, with our most senior members recouping more than what was lost through bankruptcy. This contract solidifies that the sacrifices our members made in bankruptcy were not in vain. While reaching this agreement was difficult, it proves the TWU will fight for the pay and benefits our members rightfully deserve."

TWU Local 592 Ratifies Sun Country Airlines Contract in 80% Vote – Every Group Member Voted

Members of Transport Workers Union of America (TWU) Local 592 ratified their contract with Sun Country Airlines in an 80% vote in December. Every member in the Air Dispatch Group participated in voting. A tentative agreement was reached in November, and the new agreement was effective immediately. Visit www.twu.org for more.

TWU Local 592 Ratifies UPS Contract with 79% Vote Every Member Participated in Voting

Members of TWU Local 592 ratified their contract with the United Parcel Service (UPS) with a 79% vote on September 30. Every member in the Air Dispatch Group participated in voting.

The TWU and UPS spent more than four years negotiating the contract. A tentative agreement was reached on August 23. The new agreement became effective on Oct. 1, 2019.

Air Division Director Mike Mayes said, "This contract provides our UPS Dispatch Group members with some of the best wages, health care and pension security in the industry. The fact that every member in the working group participated in voting speaks volumes: Our members trusted their negotiating team, who fought uphill for the best contract possible."

American Airlines Association Update: Court Issues Permanent Injunction

On August 12, 2019, the U.S. District Court for the Northern District of Texas issued a Permanent Injunction applicable to the Transport Workers Union of America, AFL-CIO, the International Association of Machinists and Aerospace Workers, AFL-CIO, and the Airlines Mechanic and Related Employee Association, TWU/IAM, and to all employees represented by the Association, the IAM, or the TWU at American Airlines. A copy of the Permanent Injunction starts on page 22.

As called for in the Permanent Injunction, this directive is to instruct all Association, IAM, and TWU represented employees of American Airlines to resume normal working schedules and practices. No union member should engage in any concerted refusal to perform normal operations. Union members must cease and desist all such activity and exhortations or communications encouraging same upon pain of fine, suspension, or other sanction by defendants.

The Permanent Injunction requires that the Association, IAM, and TWU, the members, agents, employees, including affiliated and associated entities and local unions are permanently enjoined and **must not** call, permit, instigate, authorize, encourage, participate in, approve, or continue any form of disruption to or interference with American's airline operations, including, but not limited to, any slowdown, work to rule campaign, or any other concerted refusal to perform normal operations in violation of

Section 2, First of the Railway Labor Act.

Union members **must not**:

- Engage in any concerted refusal to perform normal operations;
- Refuse to accept overtime and/or field trips as they would in the normal course;
- Fail to complete maintenance repairs as they would in the normal course;
- Slowdown in the performance of their job duties;
- Take any other action intended to cause aircraft to be out of service (and specifically to cause aircraft out of service at 7:00 a.m.) or otherwise result in flight delays or cancellations or interfere with American's operations.

In addition, **no one** shall threaten or intimidate any employee for accepting overtime or field trips or otherwise performing his or her job duties as he or she would in the normal course.

All officials and members of the Association, IAM, and TWU, including local leadership, local executive board members, shop stewards, and grievance committee members, at all stations must refrain from taking any action in public or private communications that could be construed as a call for a continued slow down or non-compliance with the Permanent Injunction in any manner, including using "code words," (e.g., "work safe," "work to rule," "work to contract") and/or making any statements that undermine or contradict, directly or indirectly, the mandate to restore normal operations.

AA Association Update: Notice of Permanent Injunction

On August 12, 2019, the U.S. District Court for the Northern District of Texas issued a Permanent Injunction. The following statement from IAM, TWU, and the Association's most senior leaders, including Sito Pantoja, Alex Garcia, and John Samuelsen, is made to all mechanic and related employees pursuant to the Permanent Injunction:

The Court now has issued a Permanent Injunction that binds us all indefinitely.

We therefore notify you, in no uncertain terms, that:

Any actions by mechanic and related employees that are designed or intended to harm or slow down American's operations is a violation of the Court's Permanent Injunction and the Railway Labor Act. You **MUST** resume normal working schedules and practices. You **MUST NOT** engage in any concerted refusal to perform normal operations.

Any individual employee represented by the Association who is found to have:

Refused to accept overtime or field trip requests as they would in the normal course;

Failed to complete maintenance repairs as they would in the normal course;

Slowed down in the performance of their job duties; or

Taken any other action intended to cause aircraft to be out of service (including specifically aircraft out of service at 7:00 a.m.) or otherwise cause flight delays or cancellations or interfere with American's operations;

WILL face discipline and fines from the Association, TWU and/or IAM.

Sito Pantoja, Director, TWU-IAM Association, General Vice President, International Association of Machinists, and Aerospace Workers

Alex Garcia, Vice Director, TWU-IAM Association, International Executive Vice President, Transport Workers Union of America

John Samuelsen, International President, Transport Workers Union of America

**IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF TEXAS FORT WORTH DIVISION**

Civil Action No. 4:19-CV-414-A

AMERICAN AIRLINES, INC., Plaintiff,

V.

**TRANSPORT WORKERS UNION OF AMERICA, AFL-CIO, INTERNATIONAL ASSOCIATION
OF MACHINISTS AND AEROSPACE WORKERS, and AIRLINE MECHANIC AND
RELATED EMPLOYEE ASSOCIATION TWU/IAM, Defendants.**

FINAL JUDGMENT Containing PERMANENT INJUNCTION

THIS action came before the court on the Complaint for Injunctive Relief filed on May 20, 2019, by plaintiff, American Airlines, Inc. (“American”). After a trial on the merits on July 1, 2019, and considering all of the filings in this matter including the parties’ post-trial briefs, and for the reasons set forth in this court’s memorandum opinion signed on the date of the signing of this Final Judgment Containing Permanent Injunction:

The court ORDERS, ADJUDGES, and DECREES that defendants, Transport Workers Union of America, AFL-CIO (“TWU”), International Association of Machinists and Aerospace Workers, and Airline Mechanic (“IAM”) and Related Employee Association TWU/IAM (“Association”), and their members, agents, and employees, and all persons and organizations acting by, in concert with, through or under them, or by and through them or their orders, including, but not limited to, affiliated and associated entities, and local unions, are permanently enjoined from calling, permitting, instigating, authorizing, encouraging, participating in, approving, or continuing any form of disruption to or interference with American’s airline operations, including, but not limited to, any slowdown, work to rule campaign, or any other concerted refusal to perform normal operations in violation of Section 2, First of the Railway Labor Act (“RLA”): By way of further example, this includes, but is not limited to, refusing to accept overtime as they would in the normal course, refusing to accept field trips as they would in the normal course, failing to complete maintenance repairs as they would in the normal course, slowing down in the performance of their job duties, and any other action intended to cause aircraft to be out of service (and specifically to cause aircraft out of service at 7 a.m.) or otherwise to cause flight delays or cancellations or disrupt or interfere with American’s operations, or threatening or intimidating any employee for accepting overtime or field trips or otherwise performing his or her job duties as he or she would in the normal course.

The court further ORDERS, ADJUDGES, and DECREES that defendants take all reasonable steps within their power to prevent and stop all actions of the kind listed above, and to prevent and stop the continuance of such actions if commenced, including, but not limited to, the following:

Instructing all employees represented by defendants and employed by American to resume their normal working schedules and practices, and providing American a copy of all such instructions;

Notifying all employees represented by defendants and employed by American, by the most expeditious means possible, of the issuance,

contents, and meaning of this Final Judgment containing Permanent Injunction, and producing a copy of all such notices to American;

Including in such notice a directive from defendants to their members employed by American not to engage in any concerted refusal to perform normal operations, including, but not limited to, any slowdown, work to rule campaign, or any other concerted refusal to perform normal operations, including, but not limited to, refusing to accept overtime as they would in the normal course, refusing to accept field trips as they would in the normal course, failing to complete maintenance repairs as they would in the normal course, slowing down in the performance of their job duties, and any other action intended to cause aircraft to be out of service (and specifically to cause aircraft out of service at 7 a.m.) or otherwise to result in flight delays or cancellations or interfere with American’s operations or in any way threatening or intimidating any employee for accepting overtime or field trips or otherwise performing his or her job duties as he or she would in the normal course, to cease and desist all such activity, and to cease and desist all exhortations or communications encouraging same upon pain of fine, suspension, or other sanction by defendants;

Requiring the most senior leaders of defendants, including Sito Pantoja, Alex Garcia, and John Samuelson, to conduct as soon as possible in person group meetings with mechanics at American’s line maintenance stations who are currently scheduled to work the RON (overnight) shift, and communicate a sincere and emphatic respect for the requirements of the Permanent Injunction and an imperative that every single mechanic and related employee fully and immediately comply with an unequivocal goal of restoring the mechanics and related employees’ behavior and the operation to normal subject to the imposition of fines or discipline by defendants, and allow representatives of American management to attend those meetings to monitor compliance;

Requiring the most senior leaders of defendants, including Sito Pantoja, Alex Garcia, and John Samuelson, to conduct as soon as possible in person group meetings with all officials of defendants, including local leadership, locale-board members, shop stewards and grievance committee members, at all stations and communicate a sincere and emphatic respect for the requirements of the Permanent Injunction and an imperative that every single union official fully and immediately comply with an unequivocal goal of restoring the mechanics and related employees’ behavior and the operation to normal subject to the imposition of fines or discipline by defendants, and allow representatives of American management to attend those meetings to monitor compliance;

Requiring the most senior leaders of defendants, including Sito Pantoja, Alex Garcia, and John Samuelson, to the extent that

mechanics or union officials are not available to attend the above meetings to call those mechanics and union officials, as soon as possible and communicate a sincere and emphatic respect for the requirements of the Permanent Injunction and an imperative that every single mechanic and related employee and union official fully and immediately comply with an unequivocal goal of restoring the mechanics and related employees' behavior and the operation to normal, subject to the imposition of fines or discipline by defendants;

Posting this Final Judgment Containing Permanent Injunction to a dedicated webpage and on dedicated bulletin boards, separate from all other union correspondence;

Requiring a video to be posted on the same dedicated webpage of the most senior leaders of defendants, including Sito Pantoja, Alex Garcia, and John Samuelsen, communicating a sincere and emphatic respect for the requirements of the Permanent Injunction and an imperative that every single mechanic and related employee and union official fully and immediately comply with an unequivocal goal of restoring the mechanics and related employees' behavior and the operation to normal, subject to the imposition of fines or discipline by defendants;

Removing immediately from each and every union or Local bulletin board, breakroom, website (including password-protected or member-only websites) any message that reasonably could be construed as a call for a continued slowdown or non-compliance with the Permanent Injunction in any manner, and continuing to monitor them for compliance;

Directing all officials and members of defendants, including local leadership, locale-board members, shop stewards and grievance committee members, at all stations to refrain from taking any action in public or private communications, such as using "code words," (e.g., "work safe," "work to rule," "work to contract"), or cross-messaging (any statements that undermine or contradict, directly or indirectly, the mandate to restore normal operations), that could be construed as a call for a continued slowdown or non-compliance with the Permanent Injunction in any manner;

Requiring defendants to obtain acknowledgment forms signed and dated by members stating that they have read and understand their obligation to comply with this Permanent Injunction upon risk of being disciplined or fined by defendants;

Issuing immediately the following notice, signed by the most senior leadership of the IAM, TWU, and Association, including Sito Pantoja, Alex Garcia, and John Samuelsen, to all mechanics and related employees:

"The Court now has issued a Permanent Injunction that binds us all indefinitely. We therefore notify you, in no uncertain terms, that:

Any actions by mechanic and related employees that are designed or intended to harm or slow down American's operations is a violation of the Court's Permanent Injunction and the Railway Labor Act.

You MUST resume normal working schedules and practices.

You MUST NOT engage in any concerted refusal to perform normal operations.

Any individual employee represented by the Association who is found to have:

Refused to accept overtime or field trip requests as they would in the normal course;

Failed to complete maintenance repairs as they would in the normal course;

Slowed down in the performance of their job duties; or

Taken any other action intended to cause aircraft to be out of service (including specifically aircraft out of service at 7:00 a.m.) or otherwise

cause flight delays or cancellations or interfere with American's operations;

WILL face discipline and fines from the Association, TWU and/or IAM"; Posting the notices described above on defendants' websites and social media accounts and providing American a copy of the notices;

Distributing the contents of such notices through all non-public communication systems maintained by defendants, including any text message distribution lists, or similar systems, and providing a copy of the notices to American; and

Requiring that defendants take all reasonable actions, including but not limited to communications to their members, to ensure that their members working at American's line maintenance stations, achieve approximately, in the aggregate, on a seven-day moving average basis, overnight productivity levels equal to the aggregate status quo overnight productivity level that was achieved during the same seven-day period in calendar year 2018.

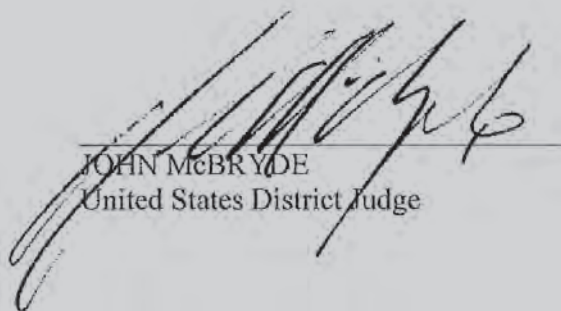
The court further ORDERS, ADJUDGES, and DECREES that defendants are prohibited from including in such notices (or distributing contemporaneously with such notices) any statements that its members might interpret as suggesting they should continue to engage in the previously-described conduct notwithstanding the Permanent Injunction, including code words and:

Any assertion that the Permanent Injunction does not prohibit individual employees from making voluntary decisions to engage in such actions; and

Any explanation of circumstances in which it would be appropriate or necessary for employees to engage in such actions prohibited by the Permanent Injunction.

The court further ORDERS, ADJUDGES, and DECREES that by 10:00 a.m. on the fifth business day following the date of the signing of this Final Judgment Containing Permanent Injunction, defendants shall, by sworn declarations, confirm the methods used by defendants to effect the acts and notices described above and furnish to the court all copies of all notices required to be furnished to American by defendants under the Permanent Injunction. The declarations shall include full details regarding the timing/location of the meetings and names of attendees at such meetings, and a detailed summary of what defendants' leaders said at such meetings-with the recognition that defendants may not be able to accomplish all of the above actions within five business days. If that is the case, defendants shall update the court every third business day until completed.

SIGNED at 1:20 o'clock p.m., this 12th day of August, 2019.



JOHN McBRIDE
United States District Judge

TWU Works with TTD on Precision Railroading, Long-Term Amtrak Reauthorization Policy Statements

In October, the TWU Railroad Division worked alongside the Transportation Trades Department (TTD) creating policy statements regarding precision scheduling railroading and long-term Amtrak reauthorization. Policy statements outline recommendations union members have on various topics.

Precision Scheduled Railroading Threatens to Gut America's Freight Rail System

Precision Scheduled Railroading (PSR) prioritizes corporate greed and profits

over safety. The goal of this dangerous model is to cut every possible corner and slash every penny, regardless of who suffers. As a result, rail workers have been laid off in droves. Those left are being forced to do more with less, perform work they are not qualified for, and overlook critical safety measures. We're calling on Congress and the FRA to reverse the damage caused by PSR before it's too late.

"Freight railroads today are generating record revenues and operating at high levels of efficiency. But for some, these profits are not enough. To satisfy their outsized needs, short-term investors and hedge fund managers have forced PSR on large

segments of the freight rail industry," the statement said. "This decision is not based on what is best for customers, workers, or even the long-term needs of the industry – it is about satisfying what Transportation and Infrastructure Committee Chairman Peter DeFazio described as the 'Wall Street Jackals' who now dominate this sector."

"Whereas carriers once sought to accommodate shippers' unique requirements and schedules, PSR dictates that rail cars operate on a set and often arbitrary schedule, arriving and departing at specific times regardless of the needs of its customers," it explains. "PSR proponents claim that this

Local 2054 Safety Walk

Members of TWU Local 2054 met with Rhode Island State Rep Carlos Tobon and Massachusetts State Rep Jim Hawkins on September 6.

They walked through the Keolis Pawtucket yard and discussed issues including safety; staffing; minimal inspection time;

lack of parts; no accountability to Keolis; doing more with less – which resulted in an injury to a TWU member; and the disconnect between management and labor.



Local 2054 officers with Rhode Island State Rep Carlos Tobon and Massachusetts State Rep Jim Hawkins



TWU Local 2054 member Joe Lawler, Rhode Island State Rep Carlos Tobon, Massachusetts State Rep Jim Hawkins & TWU 2054 Committeeman Kevin Murray

improves train velocity-how quickly they can move trains from one location to another. However, we know the ultimate goal of PSR is to cut every possible corner and to slash every penny out of a capital-intensive industry that needs a long-term perspective to survive.”

In just the first two years after CSX implemented this PSR, the carrier fired 22% of its equipment maintenance workers, 16% of its train crews and 11% of its maintenance-of-way employees.

The policy statement outlines PSR's negative effects on carriers, shippers, and worker safety.

“PSR works for the few – wealthy investors who have little concern for anything other than their bottom lines...This trajectory can be changed, but doing so will require active engagement from Congress and federal safety and economic regulators, as well as a serious rethinking of operational strategy from freight rail carriers,” it said.

Pro-Worker Priorities for a Long-Term Amtrak Reauthorization

This policy statement calls on Congress to authorize legislation that strengthens the national network, protects and promotes its workforce, and provides high-quality service to the travelling public.

“The service Amtrak provides creates economic growth, reduces congestion on our roadways, and brings the nation closer together,” it said. “We have arrived at an important juncture for Amtrak and inter-city passenger rail. Amtrak reauthorization is an excellent opportunity for Congress to ensure that intercity passenger rail supports good jobs, provides customers with an outstanding product, and connects communities through a national and inter-connected network. Unfortunately, Amtrak's current leadership appears focused on outsourcing as much work as possible and walking away from its commitment to long-distance service in a misguided effort to appeal to austerity-driven political forces. We forcefully reject this approach and will fight for Amtrak legislation that provides passengers with safe and efficient service and a rail carrier that both deploys and benefits from a high-road labor model.” The policy statement specifically calls for:

- Securing meaningful funding increases
- Strengthening labor protections and enhancing the Worker's Voice
- Preserving the National Network and the passenger experience
- Improving safety

It also calls for implementing the Confidential Close Call Reporting System (C3RS) on Amtrak and taking action to protect works from violent assault. C3RS is a voluntary reporting program

that allows employees to report close calls without fear of discipline or FRA enforcement.

“Both Amtrak and commuter railroads should be required to develop plans that seek to prevent violence preemptively, deescalate an in-progress event, and help employees manage the aftermath of an assault. Passenger rail employees deserve a safe workplace, and the development of these plans would be a step in the right direction,” it said.

To read the full statements, visit www.ttd.org.

Rail Chiefs Announce Formation of Coordinated Bargaining Coalition

Top leaders of 10 rail unions announced on Nov. 8 that their organizations will be participating in coordinated bargaining in the round of national negotiations that began on Nov. 1, 2019. The unions comprising the Coordinated Bargaining Coalition are:

- American Train Dispatchers Association (ATDA)
- Brotherhood of Locomotive Engineers and Trainmen / Teamsters Rail Conference (BLET)
- Brotherhood of Railroad Signalmen (BRS)
- International Association of Machinists (IAM)
- International Brotherhood of Boilermakers (IBB)
- National Conference of Firemen & Oilers/SEIU (NCFO)
- International Brotherhood of Electrical Workers (IBEW)
- Transport Workers Union of America (TWU)
- Transportation Communications Union / IAM (TCU)
- Transportation Division of the International Association of Sheet Metal, Air, Rail, and Transportation Workers (SMART-TD)

The following statement was jointly issued by union leaders and representatives, including TWU Railroad Division Director John Feltz.

“We are pleased to announce the creation of the Coordinated Bargaining Coalition as we are on the threshold of the most critical round of national bargaining in a generation. Our Coalition is founded on two key values that we all share. One is that we understand the importance of each Union's autonomy to pursue membership-specific goals within a framework of broad solidarity to defend and improve the wages, benefits and working conditions of our members. The other is that we will spare no effort to defeat the attack by the railroads on the very foundation of our members' economic security.”

Jointly, the Coordinated Bargaining Coalition unions represent more than 105,000 railroad workers covered by the various organizations' national agreements and comprise over 80% of the workforce who will be impacted by this round of negotiations.

The TWU Takes Over Broadway at Local 100 Rally *International In Lock Step with Local*

Deafening shouts of “We Move this City,” “No Contract, No Peace” and “We’ve Got the Power” echoed down Broadway as TWU International President John Samuelson led a rogue march of hundreds of transit workers from New York City Hall to MTA headquarters on October 30.

Waiting for them and taking over the street for blocks in front of 2 Broadway were nearly 8,000 transit workers and their allies, rallying for a fair contract for TWU Local 100.

As this issue was going to press, a tentative agreement had been reached on December 5. TWU Local 100 members had been without a contract since May. The company was proposing a concessionary contract – demanding that transit workers cough up more for health care costs. Wage increases and changes to overtime pay weren’t making the cut either – as Local 100 members face dangerous working conditions and regular assaults and harassment from riders.

TWU International Secretary-Treasurer Jerome Lafragola and Transit, Universities, Utilities and Services Division Director Curtis Tate were in attendance, as a show



PHOTOS COURTESY OF JOSEPH CALISI

of unity with TWU Local 100. Members from TWU Locals 100, 101, 241, 252, 501, 502, 591, 1400, 2001, 2005 and future locals for Bikeshare and JetBlue also came out – along with allies including the Amalgamated Transit Union, 32BJ SEIU; and dozens of elected officials.

The media, which rarely covers rallies, swarmed the event from all the major

outlets in TV, radio and print giving the rally and its message of fairness for transit workers universally positive coverage. N.J. Burkett from WABC Channel 7 called it “one of the largest and loudest union rallies I’ve seen in New York in a long time.”

View more photos on our Flickr page, bit.ly/Local100Rally.



'It's Our Future'

Oscar Reyes is a bus operator. He explained that he is 22, and his future depends on a good contract.

"If we don't come out here now, where will I be in 40 years?" he asked. "I plan to work for this company for a long time."

Evelyn is a construction maintainer. She said she just returned from her maternity leave, which was only two weeks – but if it wasn't for the TWU, she may not have had any paid time off.

"We need to get a fair contract," she said. "Without the union, we wouldn't get benefits."

Larry Deao, a bus operator, agreed. "It's important for all of us to have a good contract. I support my coworkers and fight for all of our livelihoods. We need a change."

Karyne Volmar, also a bus operator, added, "We need a fair contract!"

Laura Holder is a conductor who was assaulted. "We need a better contract," she said. "If you don't belong to a union, they will walk all over us."



TUUS International Reps Theo James (pictured) and Carl Martin spent some time in Georgia this fall, doing some internal organizing for Local 269.

TUUS International Rep Jose Cruz attended the Democratic Presidential Debate on Sept. 12.



On November 6, TWU staff attended an ATU Local 689 rally outside WMATA headquarters in Washington, DC. As this issue went to press, Local 689 members were on strike for over one month over privatization issues.



The Gig is Up; New CA Law Addresses Misclassification of Rideshare and Other Workers

California has passed a groundbreaking law that tackles the widespread problem of misclassifying workers as contractors, rather than employees. Assembly Bill 5 (AB 5), passed by the state legislature and signed by Governor Newsom in September, goes into effect January 1, 2020. (Note: The Fall edition of the *Express* reported on the passage of the bill by the state Assembly last May.)

AB 5 establishes a three-part “ABC” test to determine how a worker is classified. Per the “ABC” test, a worker qualifies as an independent contractor only if all three of the following conditions are met:

- A. The worker is free of the direction and control of the company;
- B. The worker performs work that is outside the usual business of the hiring entity; and
- C. The worker is established in the business or trade, independent of the hiring entity.

Workers who do not meet all three criteria must be classified as employees, which makes them subject to labor and employment laws and protections unavailable to independent contractors. For example, employees are entitled to minimum wages, overtime protection, unemployment insurance, workers’ compensation and paid sick time, while contractors are not. Labor law also provides protections against sexual harassment and employment discrimination. The TWU supported AB 5, including organizing a lobby day in Sacramento.

For years, employers have intentionally misclassified employees as contractors in order to skirt their responsibilities and boost their bottom lines. This practice not only exploits workers, but also shortchanges the federal Medicare and Social Security programs, as well as state unemployment and workers’ compensation programs to which these employers should be contributing.

Thanks to AB 5, millions of workers in the state not only will have basic employment protections, they also will have the opportunity to organize into a union and bargain collectively – options that are off-limits to independent contractors.

Rideshare Workers

While workers in many industries will be impacted by the new law, rideshare workers at Uber and Lyft have been at the forefront of the fight to pass AB 5. Many rideshare workers have been self-organizing within the industry and now are seeking to join a union as they anticipate the implementation of the law in the New Year. The TWU has been providing support to workers in several California cities who are seeking to unionize.

Uber, Lyft and DoorDash fought AB 5, making the deceptive argument that, as app-based network platform companies (rather than transportation firms), they are in a completely different industry from drivers. They also contend that drivers work for themselves – a wholesale misrepresentation of the level of control the companies maintain over these workers.



President Samuelsen Elected USA Chair of International Transport Workers Federation Road Transport Committee

TWU International President John Samuelsen was elected USA Chair of the International Transport Workers Federation (ITF) Road Transport Committee in October. The ITF represents over 2.5 million road transport workers around the world.

In this role, President Samuelsen will work with other transportation leaders around the world to combat the negative effects of privatization, fight against offshoring and attacks on workers’ rights and working conditions.

“The hard work of our local and national leadership continues to be recognized,” President Samuelsen said.

Transportation network companies (TNCs) – and others – control virtually every aspect of employment. They decide who can use their apps to become part of the network and can restrict access to drivers for even the most minor infraction. The companies’ algorithms determine the fares charged to passengers and what cut goes to the drivers. And, the TNCs establish the payment scheme – per-ride rather than per-hour – which results in poverty wages because drivers are not compensated for all the time they spend in their vehicles between rides. By exploiting the misclassification loophole, companies derive all the benefits of having employees while assuming virtually none of the risk or the expense (e.g. health insurance, paid time off, vehicle maintenance, etc.)

Now, Uber, Lyft and others are pouring at least \$90 million into a ballot initiative to overturn AB 5 in next November’s election. They claim their proposal will help workers by ensuring they retain flexibility in their work schedules. The companies also tout the benefits they claim to offer, including: guaranteed earnings equal to at least 120% of the state’s \$12 minimum wage (or \$14.40 per

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hour); a \$.30-per-mile rate of reimbursement for costs associated with driving, such as gas and maintenance; a healthcare stipend; and some liability and accident insurance.

However, according to the UC Berkeley Labor Center's analysis of the ballot initiative, once hidden costs are subtracted, drivers' earnings could total as little as \$5.64 per hour, well below what the companies are promising. Hidden costs include: the extensive periods of time during which drivers are available to drive, but do not have passengers and for which they are not paid; and the

low rate of reimbursement for driving expenses, which is just over half the \$.58-per-mile standard established by the IRS. Further, the Labor Center's analysis finds that most drivers won't qualify for the health care stipend because they do not drive the minimum number of hours required by the companies.

AB 5 is extremely important to workers' rights and can serve as a model for other states. The TWU will continue to support the new law by fighting efforts to overturn AB 5. The TWU also will continue to help workers who want to join our union.

TWU International Communications Dept Wins More than 10 ILCA Awards

The TWU International Communications Department won more than 10 International Labor Communications Association (ILCA) Awards for work performed in the 2018 calendar year.

The ILCA, founded in 1955, is the professional organization of labor communicators in North America. The annual ILCA Labor Media Contest recognizes excellence among member publications, websites, film, video and other media. It is the first and largest competition exclusively for labor journalists.

Winning entries are as follows:



▲ Visual Communications - Best Photograph

Third Place – *JetBlue Flight Attendants Become TWU Members*

Political Action/Organizing Campaign - Best Flyer ▶

First Place – *Amtrak Lobby Day Flyer*



Political Action/Organizing Campaign - Best Flyer ▶

Second Place – *TWU Organizing Flyer*

Electronic Media - Best Issues Advocacy Video

Honorable Mention – *Autonomous Transit: The Fight for Jobs & Safety*

Electronic Media - Best Longform Video

First Place – *TWU History: The Local 234 Strike of 2016*

Electronic Media - Best Longform Video

Third Place – *Contract Now: The Power of TWU Organizing Jet Blue Flight Attendants*

Electronic Media - Best Education and Training Video

Second Place – *Janus 101*

Electronic Media - Best Education and Training Video

Third Place – *TWU Lobbying Do's & Don'ts*

Visual Communications - Best Design - Magazine ▶

(Print) Second Place – *TWU Express*

Writing - Best Profile

Honorable Mention – *Warrior Union Woman: The Fire & Sunshine of My Friend Gwen*

Writing - Saul Miller Awards - Collective Bargaining

Honorable Mention – *TWU Strategic Fightback Campaign Secures Local 291 Victory*

All winning entries can be viewed at www.twu.org.





Working Women's Committee Takes On San Francisco

The TWU Working Women's Committee met in San Francisco in late October. The meeting was hosted by Local 505.

San Francisco Mayor London Breed addressed committee

members and was given a "Warrior Union Women" T-shirt.

Attendees were able to enjoy city sights – including taking a ride on the famed cable cars, operated by TWU Local 250A members.



Join the Veterans' Committee!

Are you a TWU member and a veteran? Have you registered to join the TWU Veterans' Committee? Why not?

When you register at veterans.twu.org/register/, the TWU will send a care package with a special memento pin, patch and coin.

One Year Later, FLOC Stands Strong

Members of the TWU Future Leaders Organizing Committee (FLOC) met December 3-5 in DFW. FLOC is devoted to empowering and educating young and new workers. They also work to excel the next generation of leaders with the tools, resources, and relationships that will prepare them to take action to further worker's rights and build a stronger labor movement.

The first day kicked off with a visit from TWU International Campaigns Director Nick Bedell, who gave a workshop on effective communication. He led a series of different leadership and team-building activities to strengthen the committee's knowledge, while also building a strong base for the future and when organizing and creating a FLOC committee on a local level.

That afternoon, the committee established short-term goals. They were not only able to devise strategies to further their agenda, but they were also able to collectively implement steps that would bring the committee to the next level.

The second day kicked off with the committee participating in an impactful Steward Training class given by TWU International Training Coordinator Gary Shults. Every member expressed how this training changed their perspective and strategies when defending contractual disputes on a day-to-day basis and look forward to applying some of the information learned in this class to protect and support members of their respective locals.

After the training, all FLOC members donated their time and effort to the Tarrant Area Food Bank, where they joined forces to sort, inspect and pack boxes with more than 4,000 lbs. of food to be distributed among 13 counties in



Members of the TWU FLOC and Veterans Committee

Texas. The committee went above and beyond - making almost 3,500 meals for families in need.

The committee then met with the TWU International Veterans Committee at TWU Local 513's Union Hall for a social and informative gathering. During this event, both TWU International committees exchanged perspectives, ideas and bits of advice on existing topics that are currently affecting young/new workers and veterans alike.

On the final day, the committee met to discuss FLOC's long-term goals and set up expectations for all locals' young leaders to follow, as well as preparation for the next conference, slated for April 2020 in Chicago.

The future of the TWU relies on the engagement of all its members, young

and new included, and now more than ever, the survival of labor unions depends on our support and efforts. The more we come together, the more power we have in confronting the hardships we face. Not just as laborers, but as individuals, all moving forward with the same common goal.

FLOC presents all TWU sisters and brothers reading this with a challenge: Tomorrow, go out and find at least one young or new coworker to talk to about our union and its purpose. We need to get the word out to all spectrums of this great unity! FLOC is building leaders for the future, and there is no Union without "U."

Check out all FLOC updates at:

- www.floc.twu.org
- Instagram: @twufloc
- Facebook: FLOC Future Leaders Organizing Committee

TWU Locals 101, 555 Receive National Safety Council Awards

TWU Local 101 and Local 555 received awards from the National Safety Council (NSC) in September.

The NSC has been the leading safety advocate for more than 100 years. The NSC is a nonprofit organization with the mission of eliminating preventable deaths at work, in homes, communities and on the road through leadership, research, education and advocacy.

The NSC presently has eight divisions, including a Labor Division. Several locals throughout the TWU family are members and participate in meetings twice a year. These conferences are used for training, networking and updates to government agency standards. The training is presented by numerous union organizations, safety professionals and OSHA labor liaisons.

Two of our locals received the Presidents Letter award from the NSC at the 2019 Congress and Expo/Labor Division meeting. (see photo at right)

Philip Coiro has been representing TWU Local 101 since 2010. Karl Mager has been representing TWU Local 555 since 2010.

For the past two years, Mager has served on the Labor Division's leadership team as its Recording Secretary.

On behalf of the International, I would like to take the time to recognize both locals and the gentlemen that have represented them at the NSC for their passion to safety and dedication to our members. I most recently attended the National Safety Council Congress and Expo as well as the Labor Division meeting last year in Houston with them. I recognized their commitment and passion just as the NSC has done. Please join me in congratulating them and their locals for their commitment to safety and receiving these recognition awards.

If your local or safety advocates would like more information on the NSC, please email me and I will provide your local with any information you may need to educate officers on the benefits of participating in the NSC.

— Sean Doyle, Assistant Director of Organizing and International Safety Coordinator

THE NATIONAL SAFETY COUNCIL AWARD READS AS FOLLOWS:

ON BEHALF OF THE NATIONAL SAFETY COUNCIL, IN
RECOGNITION OF SUBSTANTIAL SERVICE AND DEDICATION
TO THE NSC LABOR DIVISION.

YOUR CONTRIBUTION IN THE MISSION OF PREVENTING
INJURIES AND SAVING LIVES HAS BEEN VALUED, AND YOUR
COMMITMENT HAS BEEN NOTEWORTHY.



INDEPENDENT AUDITORS' 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 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, 2019, and the related notes to the schedule.

Management's Responsibility for the Financial Information

Management is responsible for the preparation and fair presentation of this schedule in accordance with the modified cash basis of accounting as described in Note 1b; this includes the determination that the modified cash basis of accounting is an acceptable basis for the preparation of this schedule in the circumstances. Management is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of the schedule that is free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on the schedule 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 statement is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the schedule. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the statement, 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 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.

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, referred to above presents fairly, in all material respects, the chargeable expenses of Transport Workers Union of America for the year ended August 31, 2019 on the basis of accounting described in Note 1b, in conformity with the Transport Workers Union of America Agency Fee Policy.

Basis of Accounting

We draw attention to Note 1b, which describes the basis of accounting. The Schedule of Calculation of Chargeable Expenses was prepared utilizing the modified cash basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

Report on Supplementary Information

Our audit was conducted for the purpose of forming an opinion on the Schedule of Calculation of Chargeable Expenses (modified cash basis). The supplementary information (modified cash basis); schedule of main office expenses, schedule of servicing, negotiations and grievance expenses and schedule of salaries and related expenses on pages 9, 10 and 11 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. The information has been subjected to the auditing procedures applied in the audit of the Schedule of Calculation of Chargeable Expenses and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the schedule or to the schedule itself 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 schedule as a whole.

Restriction on Use

This report is intended solely for the information and use of the Transport Workers Union of America and its agency fee payers and is not intended to be and should not be used by anyone other than these specified parties.

TRANSPORT WORKERS UNION OF AMERICA AGENCY FEE POLICY STATEMENT OF CALCULATION OF CHARGEABLE EXPENSES (MODIFIED CASH BASIS) YEAR ENDED AUGUST 31, 2019

	TOTAL	CHARGEABLE	NON-CHARGEABLE
Main office expenses	\$2,544,718	\$2,318,848	\$225,870
Servicing, negotiations and grievance expenses	5,651,837	5,651,837	-
Political expenses	399,978	-	399,978
Organizing expenses	1,455,061	-	1,455,061
Affiliation fees	1,211,127		1,211,127
TWU Expense: Non-political information	180,315	180,315	-
Political information	27,039	-	27,039
Donations, tickets and advertisement	172,443	-	172,443
Social events, non-political	21,000	21,000	
Salaries and related expenses	13,580,747	11,262,512	2,318,235
Quill scholarship	120,700	-	120,700
Insurance	100,198	100,198	-
Investment expenses	348,046	348,046	-
Totals	\$ 25,813,209	\$ 19,882,756	\$ 5,930,453
Percentage to total	100.00	77.03	22.97

See independent auditors' report and notes to statement of calculation of chargeable expenses.

TRANSPORT WORKERS UNION OF AMERICA AGENCY FEE POLICY NOTES TO STATEMENT OF CALCULATION OF CHARGEABLE EXPENSES (MODIFIED CASH BASIS) AUGUST 31, 2019

Note 1 - Summary of Significant Accounting Policies

a. **Basis of Presentation** - The accompanying statements were prepared for the purpose of determining the fair share cost of expenses

incurred by the Transport Workers Union of America (the Union) for employees represented by, but not members of, the Union and its affiliated local unions. The accompanying statements are not intended to be a complete presentation of the Union's financial position or changes in its net assets in accordance with generally accepted accounting principles.

b. Principles of Accounting - The Union prepares its financial statements on the modified cash basis of accounting, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America. Under the modified cash basis of accounting, revenues are recognized when received rather than when earned and expenses are generally recognized when paid rather than incurred.

c. Income Taxes - The Union is exempt from Federal income taxes under Section 501(c)(5) of the Internal Revenue Code.

d. Retirement Plan - The Union contributes to a non-contributory defined benefit pension plan for the benefit of eligible employees not covered by other union plans.

e. Depreciation - Property and equipment is stated at cost and is depreciated under the straight-line method over the estimated useful lives of the assets.

f. Use of Estimates - The preparation of financial statements in conformity with generally accepted accounting principles and the modified cash basis requires management to make estimates and assumptions that affect the reported amounts of expenses during the reporting period and the allocation of chargeable and non-chargeable expenses. Actual results could differ from those estimates.

Note 2 - Agency Fee Policy

Any Transport Workers Union of America represented nonmember employee, whether publicly or privately employed who is subject to a union security clause conditioning continued employment on the payment of dues or fees, has the right to become an objector to expenses not related to collective bargaining, contract administration, grievance adjustment or other chargeable expenses. A current Transport Workers Union of America member who chooses to become an objector, must assume nonmember status prior to filing an objection. An objector's fees shall be calculated in accordance with Agency Fee Policy.

TRANSPORT WORKERS UNION OF AMERICA AGENCY FEE POLICY

NOTES TO SCHEDULE OF CALCULATION OF CHARGEABLE EXPENSES AUGUST 31, 2019

Note 3 - Agency Fee Policy chargeable expenses

The following categories of expenses are chargeable to objectors to the extent permitted by law.

- a. All expenses concerning the negotiation of agreements, practices and working conditions.
- b. All expenses concerning the administration of agreements, practices and working conditions, including grievance handling, all activities related to arbitration, and discussions with employees in the bargaining unit or employer representatives regarding working conditions, benefits and contract rights.
- c. Convention expenses and other normal Union internal governance and management expenses.
- d. Social activities and Union business meeting expenses.

e. Publication expenses to the extent coverage is related to chargeable activities.

f. Expenses of litigation before the courts and administrative agencies related to contract administration, collective bargaining rights or other chargeable activities.

g. Expenses for legislative, executive branch and administrative agency activities on legislative or regulator matters related to the negotiation or administration of contracts and working conditions.

h. All expenses for the 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. Other costs of activities related to group cohesion and economic action of or by TWU represented employees, e.g., demonstrations, general strike activity, informational picketing, etc.

j. Overhead and administrative expenses related to or reflective of TWU or TWU Local Union chargeable activities.

Note 4 - Agency Fee Policy non-chargeable expenses

Expenditures in the following categories arguably are non-chargeable to nonmember objectors to the extent permitted by the law.

- 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 Note 2g above.
- f. Publications, litigation and for overhead and administration to the extent related to arguably non-chargeable activities.
- g. External recruitment of new members.

Note 5 - Significant Factors and Assumptions Used in the Allocation Between Chargeable and Non Chargeable Expenses

a. Salaries and Related Expenses - Salary expenses for officers, clerical and administrative staff have been allocated between chargeable and non-chargeable activities based on time spent by personnel on such activities. Payroll taxes and workers compensation insurance are allocated based on salary allocations. Pension and welfare expenses are allocated based on employee participation in the pension plan and salary allocations.

b. TWU Express - The expenses related to the publication of the TWU Express are allocated between chargeable and non-chargeable based on the specific content of articles in the publications as determined by the editorial department. Expenses allocable to articles that are political in nature are 100% non-chargeable.

c. Legal, Accounting and Other Professional Fees - These expenses that are directly related to specific projects are allocated to those departments based on chargeable percentages of those departments except that any expenses primarily for non-chargeable expenses are 100% non-chargeable.

d. Organizing and Political Expenses - Organizing expenses are 100% non-chargeable. Political expenses that are not otherwise chargeable under Note 3g above are 100% non-chargeable.

e. Affiliation fees - Affiliation fees paid to non-TWU organizations are 100% non-chargeable.

f. Main Office Expenses - These expenses are directly allocable to chargeable or non-chargeable activities or allocated to non-chargeable activities based on salary expense allocations described

in Note 5a above or any other method that is reasonable in the circumstances.

Note 6 - Union Locals — Agency Fee Policy

Effective with an amendment to the "Agency Fee Policy" adopted by the International Executive Committee on September 19, 1996, any Union Local 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 the Agency Fee Policy of the Transport Workers Union of

America and shall be deemed to have spent the same percentage of its expenses on chargeable activities as the International.

Note 7 - Subsequent Events Review

Subsequent events have been evaluated through December 9, 2019, which is the date the statement was available to be issued. There were no subsequent events requiring adjustment to or disclosure in the accompanying statements.

**TRANSPORT WORKERS UNION OF AMERICA AGENCY FEE POLICY
SUPPLEMENTARY STATEMENT OF MAIN OFFICE EXPENSES (MODIFIED CASH BASIS)
YEAR ENDED AUGUST 31, 2018**

EXPENSES	TOTAL	CHARGEABLE	NON-CHARGEABLE
Rent and related expenses	\$ 1,369,708	\$ 1,242,174	\$127,534
Stationary and printing	104,291	86,941	17,350
Outside consultants	55,395	52,391	3,004
Telephone	152,195	139,817	12,378
Postage	68,611	61,304	7,307
Data processing expense	186,721	178,739	7,982
Equipment rental and maintenance	124,942	114,281	10,661
Subscriptions	100,996	93,126	7,870
Accounting	207,940	198,940	9,000
Depreciation	91,475	75,740	15,735
Sundry expenses	82,444	75,395	7,049
Totals	\$ 2,544,718	\$ 2,318,848	\$ 225,870

See independent auditors' report and notes to statement of calculation of chargeable expenses.

**TRANSPORT WORKERS UNION OF AMERICA AGENCY FEE POLICY
SUPPLEMENTARY STATEMENT OF SERVICING, NEGOTIATIONS AND GRIEVANCE EXPENSES
(MODIFIED CASH BASIS) YEAR ENDED AUGUST 31, 2019**

EXPENSES	TOTAL	CHARGEABLE	NON-CHARGEABLE
Negotiation expenses	\$ 2,218,678	\$ 2,218,678	\$ -
Legal fees	784,079	784,079	-
Transportation and facility costs	1,952,534	1,952,534	-
Reimbursement of Locals negotiating expenses	696,546	696,546	-
Totals	\$ 5,651,837	\$ 5,651,837	\$ -

See independent auditors' report and notes to statement of calculation of chargeable expenses.

**TRANSPORT WORKERS UNION OF AMERICA AGENCY FEE POLICY
SUPPLEMENTARY STATEMENT OF SALARIES AND RELATED EXPENSES (MODIFIED CASH BASIS)
YEAR ENDED AUGUST 31, 2019**

EXPENSES	TOTAL	CHARGEABLE	NON-CHARGEABLE
Salaries	\$ 6,056,381	\$ 5,014,569	\$ 1,041,812
Pension and welfare expenses	6,666,001	5,501,239	1,164,762
Payroll taxes	437,916	362,587	75,329
Auto expenses	394,288	362,456	31,832
Insurance, workers compensation	26,161	21,661	4,500
Totals	\$ 13,580,747	\$ 11,262,512	\$ 2,318,235

See independent auditors' report and notes to statement of calculation of chargeable expenses.

**THE TRANSPORT WORKERS
UNION OF AMERICA, AFL-CIO**
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Washington, DC 20001

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