



The Transport Workers Union
of America *United Invincible*

Express

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TWU RESPONDS TO SANDY



*TWU and TWU of Australia Form Trans-Pacific Transport
Unions Alliance, President James C. Little's Call to Action*



we close 2012

by *International President*
James C. Little

One week prior to Election Day, Hurricane Sandy hit, devastating many of our TWU brothers and sisters in the northeast.

Many of those members of local 100 and 101 were hit hardest but continued to work long hours leaving their families to ensure the recovery. Hundreds of TWU members were deeply affected by Hurricane Sandy. Despite members of locals 100 and 101 being hit hardest they left their families to clean up at home and continued to work long hours to ensure recovery for the city. Many lost their homes, vehicles, and most of their personal treasures and belongings.

The storm disrupted public transportation, cleared homes and flooded streets and subway entrances. It is the worst catastrophe to hit the city's subway system in the history of its operation. Thousands have been displaced and are living in temporary housing.

As always, TWU members stepped up to the challenge and stood in unity with union members from nearly a dozen other unions to lead the clean up and rescue efforts. The dignity and respect they receive because they have a voice in their places at work is the reason for their pride and sense of ownership when it comes to lending a helping hand. Time and time again, union members have stepped up to protect, defend, and rebuild the communities they live and work in.

In response to Sandy, the TWU motor coach descended on the Rockaway area packed full of donations of water, canned goods, clothing, and other items to help those left with little to nothing. Local 234 responded by driving unused SEPTA buses to New Brunswick, New Jersey to temporarily replace some of the buses in the NJ Transit's fleet that were damaged and inoperable after the hurricane. They have also opened their local union hall to

house donations for those affected.

TWU Local 100 established their own hurricane relief fund and has spent most of their weekends traveling to different areas distributing food and goods to those who are in need.

The effects of hurricane Sandy are still ongoing, but let's not forget who is putting the cities back together: union members.

Others noticed the dedication as well. Charles Seaton NYC Transit Spokesman said to CBS New York: "We had thousands of dedicated workers. Imagine what they had to do. They had to pump out tunnels, they had to clean debris, they had to restore electricity, they had to check signals, and replace and repair components. They had to do so much it makes me tired even thinking about how much they had to do."

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But despite the challenges Sandy brought, the elections went on and Americans had their voices heard. A clear message was sent. Through volunteerism, focus, and tenacity we were able to help bring President Obama and Vice President Joe Biden into a second term.

As TWU's COPE and Political Field Director Alex Garcia stated in his column on page 11, "We ran our very own program for the first time with nearly 900 TWU member volunteers which lead to a great success. "I too am incredibly proud of the



TWU program for 2012 which was both unique and successful.

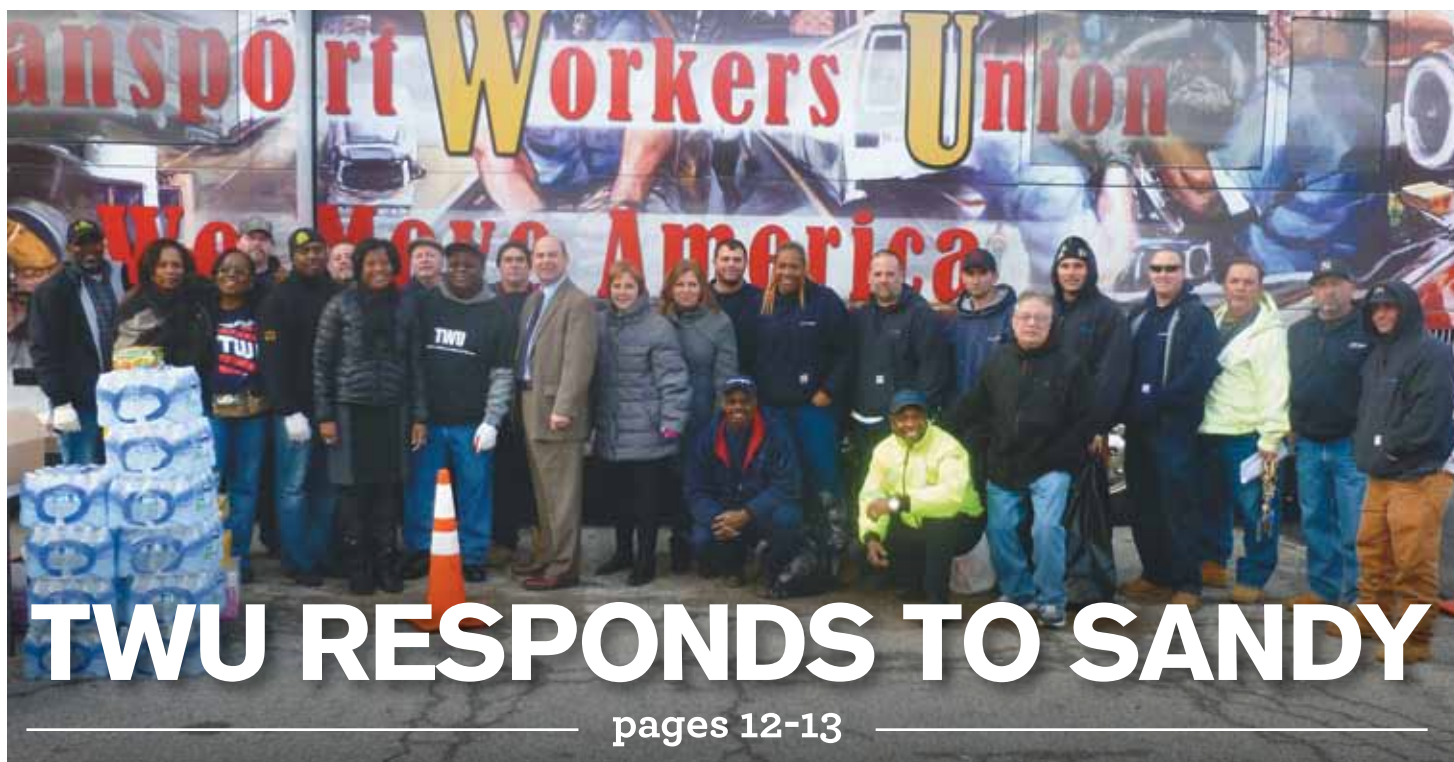
However, despite our victory, our work has only just begun. In the weeks following the election, Anti-Union agendas have lashed back at the state level pushing Right to Work legislation through Michigan.

President Barack Obama waded into the debate during a visit to the Daimler Detroit Diesel plant in Redford, Michigan, a few days before Dec. 11, criticizing the Republican right-to-work effort.

"These so-called 'right-to-work' laws, they don't have to do with economics, they have everything to do with politics. What they're really talking about is giving you the right to work for less money," said Obama.

As we wrap up 2012 and move forward I want to thank all of our members who tirelessly dedicated their time and efforts this year to the election while securing wins for candidates that support working families. Also a thank you to all those who have and are continuing to help those affected by Hurricane Sandy.

Together, we are moving forward.



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TWU and Transport Workers Union of Australia Form the Trans-Pacific Transport Unions Alliance



In another step to further mobilize and strengthen our resolve in the fight for economic and social justice for our members and working people, the Transport Workers Union of America has entered into an agreement with the Transport Workers Union of Australia to form the Trans-Pacific Transport Unions Alliance.

The alliance allows both Unions to share best practices on research and campaign strategies as well as, gain influence in dealing with privatization issues, multi-national employers, and corporate airline alliances.

"Transportation unions have to coordinate activity around the globe to match activity by international companies in the transportation sector," said TWU Int'l President James C. Little.

TWU's issues with American Airlines

are similar to those that TWU Australian, which has 60,000 members that include workers at Qantas Airways, is confronting with Qantas.

The companies in the aviation industry are adopting similar and often exactly the same strategies against the aviation community," said Tony Sheldon, National Secretary of the Australia union.

Qantas has been moving to cut costs, and in August cancelled orders for 35 Boeing Dreamliner jets after it posted a full-year net loss for the first time in 17 years.

"The Trans-Pacific Alliance is about two proud unions sharing our knowledge and resources for the betterment of our members," said Little. "The TWU in America and Australia will be working closer together to get the best for our members and their families."

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remembering JOHN KERRIGAN

John J. Kerrigan, who served as International Secretary Treasurer from 1991 to 2007, passed away on Nov. 9 leaving behind an unforgettable legacy advocating for working people.

Kerrigan joined the TWU International staff as an International Representative for the union's Air Transport Division in 1970. He was then named an International Vice President in 1979 and Director of the 45,000-member Air Transport Division in 1981. He was named International Secretary Treasurer in 1991 to replace retiring Secretary Treasurer Charles Faulding. He was elected to a full four year term to

Year in 1994.

However, Kerrigan's first start at advocating on behalf of working people came just weeks after being discharged (a member of "The Greatest Generation," served in World War II in the U.S. Navy) in August 1945. He got a job at a steel plant in Providence, Rhode Island, across the street from his home. There, he realized very quickly that workers needed a lot more than the goodwill of management. He and his co-workers

which brought unionization to the plant's 2,000 workers, Kerrigan was elected Secretary-Treasurer of the new Steelworkers Local 4418. He was elected Vice President of the Local in 1955, and while working every day in the plant as a machinist, served in that capacity for five years.

The plant closed in the late 1950s as consequence of the de-industrialization.

He would then land a job with Pan American World Airways as a mechanic in 1960 at Idlewood Airport, now JFK International Airport, in New York. He again became involved in union activities, and was elected shop steward. In 1963, he was elected Vice President of TWU Local 504, and then President in 1968. Soon after he was named to the TWU International Executive Council.



Kerrigan said this in 2007, a sentiment held by many and by a man who believed in the working people:

"There will always be a need for unions. Right now the country is under the control of corporate money and we see the effects with millions of good jobs going overseas, and the erosion of the middle class. There's a greater need for unions now than in many years. The pendulum will soon swing in the other direction."

There will always be a need for unions. Right now the country is under the control of corporate money and we see the effects with millions of good jobs going overseas, and the erosion of the middle class. There's a greater need for unions now than in many years. The pendulum will soon swing in the other direction.

that post at the union's Constitutional Convention in 1993. He was reelected at the 1997, 2001 and 2005 Conventions. Kerrigan served as a delegate to the 34th and 35th Congresses of the International Transport Workers Federation. He served on ITF's Civil Aviation Section Committee and the Ground Staff Technical Committee. He was honored by the Deborah Hospital Foundation as its Man of The

were earning 75 cents an hour, with no benefits, no sick days and no vacation.

"The company closed for two weeks every July for inventory," said Kerrigan in a past interview. "We were all sent home, without pay of course. That was our vacation."

He joined an organizing campaign with the Steelworkers Union in the summer of 1947, and served as chair of the in house committee. After a successful election,

ITF young transport **WORKERS FEDERATION CONFERENCE**

TWU members joined over 100 youth activists from 54 unions and 28 countries for the ITF Young Transport Workers Federation in Montreal from Sept 17-19 in order to explore ways of building internationalism and mobilizing international solidarity.



At the conference, numerous topics were explored, such as union action on the economy, environment (climate change), precarious (insecure, part time and subcontracted) work and union building. Overall, these topics are to assist in the process of building global solidarity and educating the youth, keys to the survival of the labor movement.

"The conference inspired me to try and start a youth group at my local which I am working on now," said Andrew Nowak, TWU Local 171. "Overall, it was the most motivating experience I have ever had in the Labor movement to date."



Nowak, moved by the discussions amongst his international brothers and sisters, also participated in numerous workshops, debates and discussions with others to create and share different perspectives and goals for the topics explored.

Groups were formed and a website for the ITF Youth Committee was created: <http://www.itfglobal.org/youngworkers/index.cfm> as well as a Facebook page to continue the momentum from the conference.

At the end of their last full day, unions' flags were combined into one "big flag," providing a visual image of what the ITF's work is all about; all workers of the world standing by each other as one, in global solidarity.

The next conference is scheduled in Sofia, Bulgaria, August 2014 with the theme "From Global Crisis to Global Justice."

CALLING YOUNG WORKERS OF TWU



In 2011, TWU's IEC voted to support the creation of a TWU young workers committee. We began to plan and coordinate efforts, which unfortunately were placed on hold

due to the expenses associated with the bankruptcy filing at American Airlines. I am happy to report that we are in a position to resume those planning and coordination activities and I am writing to ask for your assistance in doing so.

Engaging young workers is critical for the success of the labor movement, and we

need your help to reach the young members of your union.

TWU Young Workers committee is for TWU members and workers ages 18-35. The focus of the committee will be to educate our young workers on current issues and the importance of unions, mobilizing them for political action, connecting labor and community groups, and providing youth with training to become effective activists and leaders.

With that said, I am proud to announce the International will be hosting a committee planning meeting and a young workers conference in 2013 to elect their leadership.

I strongly encourage you to get young workers at your local involved. We are asking for you to provide us with a youth member (name, email and phone number) at your local to serve as a point of contact to the following email: youngworkers@twu.org. Please keep in mind the member must be between the ages of 18-35.

If you have any questions, please feel free to contact Tonya Gordon at 202-719-3834 with any questions or comments. As always, thank you for your support and all you do.

In solidarity,
James C. Little

ATD WWC Elect New Chairs for 2013-2015

The ATD Working Women's Committee (WWC) held their last 2012 meeting this past October in Cocoa Beach, Fla., which was hosted by Local 525, where they elected new chairs, listened to a slew of speakers, got out the vote.

Chair, Nan Warren, 567; Co-Chair, Shae Christakis, 513; and Recording Secretary, Cat Chacon, 556 were each elected to their new positions and will serve from 2013-2015.

Angi Tucker, Local 513; Margaret Sadler, Local 555; and Diana Thomas, Local 575, each spoke about their time as officers.

"These three ladies are amazing women and I have no doubt they will do an excellent job in keeping our committee strong and moving in the right direction," said former Chair Angi Tucker. "I look forward to seeing them grow."

The participants, which also included members from Local 100, heard from Gwen York, TWU's COPE Political Field Assistant, who educated the group about each of this year's presidential candidates while providing factual information on each of them. Andrew Rangolan also joined Gwen as they gave an update on the COPE State Conferences, phone banking and block walking for the 2012 Election Campaign.

Sandra Burleson, Director Human Rights Department and Chair of the TWU Women's Committee also spoke about the

AFL-CIO Women Vote Campaign 2012.

Other speakers included: Lillie Latorre Watkins, Assistant to the Ramp Administration Manager, who spoke about assisting TWU Fleet Service Clerks with things ranging from safety vests, J-16 keys, employment verification letters and any other issues they may have. She also talked about being a member of The Hispanic Latin Employee Resource Group, American Giving, Habitat for Humanity and the Joy of Life Committee. Wayne Ivey, Resident Agent in Charge talked to our group about Self Defense through Mental Awareness and Shae Christakis, of Local 513, who presented "Characteristics of Inspirational Leaders."

These three ladies are amazing women and I have no doubt they will do an excellent job in keeping our committee strong and moving in the right direction.

They also participated in an icebreaker/teambuilding scavenger hunt and phone banked at the Space Coast AFL-CIO.

The next ATD WWC will be held March 4th and 5th, 2013 and will be hosted by Local 556.



From left to right: Nan Warren - Local 567 (Chair); Shae Christakis - Local 513 (Co-Chair); Cat Chacón - Local 556 (Recording Secretary).



AMR BANKRUPTCY UPDATE

American Eagle - Court Approves Four Agreements

At a hearing held on the afternoon of December 21, 2012, Judge Lane heard and granted four motions filed by the debtors to authorize American Eagle Airlines, Inc. and Executive Airlines, Inc. (together, "Eagle"), both subsidiaries of AMR Eagle Holding Corporation, a subsidiary of AMR Corporation, to enter into new collective bargaining agreements (the "New CBAs") with the following four groups:

- The Transport Workers Union of American (the "TWU") pursuant to the terms of the agreements with the TWU Fleet Service Clerks (the "Fleet Service Clerks"), ratified by the Fleet Service Clerks on August 24, 2012, with the TWU Aircraft Maintenance Technicians, Inspectors, Ground Support Technicians, Aircraft Cleaners and Inventory Control Specialist (the "Aircraft Maintenance and Related"), ratified by the Aircraft Maintenance and Related on October 26, 2012 and with the TWU Ground School Instructors (the "Ground School Instructors"), ratified by the Ground School Instructors on October 19, 2012.
- The TWU pursuant to the terms of the agreement with the TWU Operations Coordinators and Flight Dispatchers (the "Dispatchers"), ratified by the Dispatchers on December 17, 2012.
- The Association of Flight Attendants - CWA, AFL-CIO ("AFA"), ratified by the membership of the AFA on September 7, 2012.
- The Airline Pilots Association, International ("ALPA"), ratified by the membership of ALPA on October 8, 2012.

Accordingly, Eagle is now authorized to enter into the collective bargaining agreements outlined above, effective January 1, 2013.

APPLY FOR THE MICHAEL J. QUILL SCHOLARSHIP

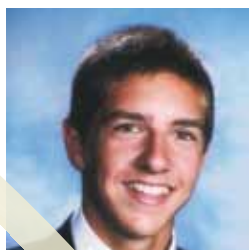
Since 1969, TWU has been awarding **15 four-year college scholarships** annually to the dependents of TWU members. The awards are worth \$1,200 each annually, for a **total of \$4,800** over the four year college period.

Winners of the scholarship are determined by a public drawing held each May at TWU Headquarters. The benefits of the first 30 drawings have been enjoyed by families throughout the Union. Sons and daughters of members in city passenger transit, railroad and air transportation, utilities, public employment, space installations, and allied industries are among those who began their college education with the help of funds paid to the universities.

The scholarship money is paid directly to the college or university that the successful applicant actually attends. Applications can be secured online and from the first issue of the TWU Express each year.

The Quill Scholarship Program is supervised by International Executive Vice President Harry Lombardo with the able assistance of Executive Secretary to the International Vice President & Secretary-Treasurer Tinisha Thompson.





2012 MICHAEL J. QUILL SCHOLARSHIP WINNERS

Top row: Sean Rowland, Kallie Woodruff, Estefania Saavedra, Jake Kelly, Kim Weaver. **Middle row:** Taylor Hilton, Jessica-Joyce Wong, Jake Callahan, Massimo D'Alessandro, Andrea Barahona. **Bottom row:** Joseph Leon II, Anthony Cava, Daniel Tsinis, Christina Colon, Amanda Zessin.

FREQUENTLY ASKED QUESTIONS

HOW DOES AN APPLICANT QUALIFY?

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

WHO IS ELIGIBLE?

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

WHAT IS THE DEADLINE?

All applications must be received by the Michael J. Quill Scholarship Fund by May 1, 2013.

HOW IS THE SCHOLARSHIP PAID?

Money is paid directly to the college or university that the successful applicant actually attends.

HOW DOES A PERSON APPLY?

Fill out and send in the application.

HOW ARE THE WINNERS DECIDED?

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

ELECTION 2012



Thank you to the hundreds of TWU members around the country who tirelessly phone banked and canvassed to get out the vote these past few months. Your hard work got people to the polls and vote for a president who supports working families.

We know just how important this election was for working families across the country. For TWU members in-particular we knew that it was going to be a fight we could not lose and we didn't.

November's victory for the middle class was won because of the power of the people, not the power of money.

Hundreds of TWU members around the country, tirelessly phone banked and canvassed to get out the vote these past few months.

The message received around the world was loud and clear. The middle class matters. Working families matter. Women Matter. Human Rights Matter. Every Vote matters. Corporate greed will not run our government, people will.

The road to re-election began four years ago for President Obama and while it has had its ups and downs, the People have made their voices heard. Today, the real work of moving forward begins. We must

continue to use our voices to work with each other and our allies to hold all elected officials accountable. We still face numerous challenges, but working together and with them, we can bring progress.

On behalf of the Transport Workers Union of America, we congratulate President Obama, Vice President Joe Biden and all of the Men and Women who were elected to serve and may God Bless them to serve in the interest of the people.

Again, we'd like to thank our members for all the work they have done over the past few months. This win was because of your hard work and dedication.



Members from across the nation getting out the vote.



thank you for making our labor 2012 program **A SUCCESS**

by COPE
and Political
Field Director
Alex Garcia

First and foremost to our TWU International Leadership, the COPE-Political Field Department would like to say thank you for having confidence in the new Labor 2012 Program. We would also like to thank our other TWU International Staff Members who helped make the Program a success.

As the year comes to an end I would like to wrap up our Labor 2012 Program with a brief synopsis. I am very happy to say the TWU program for 2012 was both unique and successful.

It was unique because it marked the first time that the TWU ran its own program centered around our State Conferences instead of releasing our Members into the AFL-CIO programs, as had been done in the past. It was successful on many fronts and in many races. While the November election was a "status quo" election (meaning the majorities in both the House and Senate remained unchanged as did the White House), working families did have victories by virtue of gains in the Senate and in the House of Representatives.

The first "boots on the ground" were our TWU State Conference Chairs representing New York, New Jersey, Pennsylvania, Florida, Texas, Nevada/Arizona, Illinois/Indiana, California, Georgia/Tennessee, Ohio/Michigan and Oklahoma. These State Conference Chairs from across the country met several times for planning and strategy, and were the first to be released. Our program this time was centered on contacting our own

TWU members and where they work and live, to educate them on pro-labor candidates. Each State Conference group had identified and endorsed candidates at the local, state, and federal level, and those races became the highest priority for each group, along with the President's race. We set out to contact as many of our own Members as possible with phone calls, fliers, and one-on-one conversations. We focused on worksite visits and door to door neighborhood canvassing for our endorsed races with some very positive results.



And a special thank you to the Local Presidents across the system for their tireless support and for going the extra mile to ensure our success.

These State Conference Chairs, along with the COPE-Political Field Dept. worked together and produced upwards of 900

*I am very happy to say the TWU program for 2012 was both **unique and successful**.*

A big thank you and recognition from the TWU COPE-Political Field Department is due to all of our State Conference Chairs who helped make this program such a success:

- **Curtis Tate** - New York
- **John Johnson** - Pennsylvania
- **Andrew Rangolan** - Florida
- **Andrew Jordan** - Ohio/Michigan
- **Tim Marting** - Illinois/Indiana
- **Gary Moffitt** - Texas
- **Steve Hamm** - New Jersey
- **Ben Morgan** - Georgia/Tennessee
- **Bryan Orozco** - Nevada/Arizona
- **Derek Moore** - California
- **Joe McGill** - Oklahoma

TWU volunteers, including our esteemed retirees, distributed 20,000 buttons, 1000 shirts, and produced and shipped 650 yard signs. They also made thousands of phone calls to Battleground States, knocked on doors, staged voter registration and absentee/early vote drives, and attended events on behalf of the TWU. This group also provided rides to the polls for our Members, and performed Election Judge and poll watching duties.

Now that President Obama has been successfully re-elected, our focus shifts to the upcoming 2014 election cycle, which will include Governors' races and mid-term Congressional elections. The COPE-Political Field Department looks forward to seeing all of you out there when you invite us to your Local for a COPE drive in 2013.

TWU RESPONDS TO **HURRICANE SANDY**



On October 29 a tidal surge caused by Hurricane Sandy pummeled New York City, bringing a wave of blackouts and devastation while temporarily shutting down the life line of the city—New York’s public transportation system.

Thank you to all of our TWU brothers and sisters across the country who tirelessly worked around the clock risking their lives to ensure the safety of others and getting the city back up and running.

As stations, rail yards and bus depots flooded and escalators became submerged, sandbags proved to be no match for the rushing waters. TWU members of TWU Locals 501, 504, 562, 101, 252, 2001, 106, 1400, Local 100, Locals 225 and 229 proved again that they were dedicated to getting the life-line of New York City running and the estimated 8.7 million riders each day back on it.

The TWU Local 100 members and leadership kept in close touch with division and section officers to ensure coverage of all issues as soon as it was safe and the winds had calmed, they got to work. TWU members were on deck and ready to assist in evacuations and recovery efforts.

The Union's first concern was safety as many TWU Local 100 members rushed in to flooded locations to check electrical systems and make sure equipment was functioning.



Service was shut down prior to the storm and the day after the storm hit, shuttle buses were sent out to assist New Yorkers who were attempting to get to work in a city paralyzed by destruction. Bus operators worked around the clock to ensure everyone's safety and that the people of New York were safely taken to their destinations as well as assisting in evacuation efforts.

Track Workers, Signal Maintainers, Structure crews and Tower Operators were ready in crew quarters until they were called upon while ventilation and Drainage crews were ready at the pumps.

In Brooklyn, members of TWU Local 101 were hard at work getting National Grid gas and electric services back online. In New Jersey, members of Locals 225, 226 and 227 helped keep critical bus service running, with members of Local 252 providing similar services in Nassau and Suffolk. Members of TWU Local 1400, who operate bridges and tunnels for the New York and New Jersey Port Authority, also

had their hands full during the crisis.

The MTA reported seven subway tunnels under the East River flooded in the course of the storm, the Metro-North Railroad lost power in sections of its lines and the Long Island Rail Road sustained flooding in one East River tunnel and evacuated its West Side Yards. Some stations were even full of debris.

But, one week after the storm, roughly 80 percent of the system was back up and running, an unfathomable period of time and one praised by the city and the nation.

Today, TWU members are continuing to help those affected by Hurricane Sandy.

TWU would like to thank all of our TWU brothers and sisters across the country who tirelessly worked around the clock to keep our cities moving.

You can send financial donations to:

TWU Disaster Relief Fund

c/o John O'Donnell

501 3rd St.

Washington, DC 20001



updates from TWU

HEALTH & SAFETY

The Occupational Safety and Health Administration (OSHA) plans to grant coverage to Flight Attendants under a proposal to share jurisdiction with the Federal Aviation Administration, (FAA).

After many years of fighting, hours of testimony, intense lobbying and many protest, on December 1, 2012 OSHA announced that it may extend various safety protections to Flight Attendants and other cabin workers as many other workers in this country currently enjoy. The topic has always been in the forefront at TWU conventions for decades.

"On behalf of the Flight Attendants of Southwest Airlines, we commend both the DOT and Labor Department on their effort and unwavering support to finally cover flight attendants from harmful health and safety concerns," said Chris Click1st Vice President/ Safety Chair TWU Local 556.

The TWU Department of Legislative affairs, the Safety Department, Local 556, and the Transportation Trades Department, the coalition of flight attendants, the AFA-CWA and many others have been steadfast in fighting for these protections for decades. The persistence has paid off.

In a prepared statement, Secretary of Labor Hilda Solis noted that these safety protections were also being extended to the passengers.

From the FAA's press release:

"While the FAA's aviation safety regulations take precedence, the agency is proposing that OSHA be able to

enforce certain occupational safety and health standards currently not covered by FAA oversight."

Flight Attendants have not been covered under OSHA, but rather under the FAA since the mid-1970s. The FAA like the other agencies in the federal government claimed it was exempt from OSHA laws.

"Flight attendants contribute to the safe operation of every flight each day," said Acting FAA Administrator Michael Huerta. "This proposed policy is an important step toward establishing procedures for resolving flight attendant workplace health and safety concerns."

"We look forward to working with the FAA and the airlines to assure the protection of flight attendants," said Dr. David Michaels, assistant secretary of labor for occupational safety and health.

Through the FAA Modernization and Reform Act of 2012, Congress required the FAA to develop a policy statement to outline the circumstances in which OSHA requirements could apply to crewmembers while they're working on aircraft".

The announcement opens up a 30-day public comment period on the proposed policy.

On October 10, 2012 under the coordination of the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) TWU, IAM and the TTD renewed an alliance with the

airline industry to prevent injuries for ground personnel.

The agreement forms an "Airline Ground Safety Panel (formerly the Airline Group)" which will be responsible for continuing the mission of ensuring that all workers return home in the same condition that they left. Mark Johnson, Safety Chair for TWU at American Airlines will continue the great work for the TWU. Mark is from Local 513.

From OSHA's press release "... the Airline Ground Safety Panel will address hazard communication hazards and issues related to increasing awareness of the Global Harmonized System of Classification and Labeling of Chemicals."

The Alliance Program participants do not receive exemptions from OSHA inspections or any other enforcement benefits. Any signee can withdraw from the voluntary program with 30 days notice. For more information, visit www.osha.gov/dcsp/alliances/index.html.

TWU health and safety officers presented a panel on Aviation Safety Action Program (ASAP) and "Confidential Close Call Reporting" systems at the 2nd annual National Committees on Safety and Health (COSH) conference.

The conference took place in Baltimore December 6th and 7th. Michele Moore and Stacy Vavakas of Local 556, along with Ed Watt Director of HS at TWU talk about their experience on a panel on which discussed union action plans. CWA lead by Dave LeGrande presented the second half of the panel on heat stress and other issues. Joining the discussion was Dinkar Mokadam from AFA-CWA.



Japanese Rail Union Visits TWU

In early October, TWU hosted a group of Representatives from the JR Tokai Union which represents railway workers in Japan. In addition to discussing a wide range of issues related to railroad workers, and comparing views and experiences, the meeting provided an opportunity for Railroad Division Staff to have

an exchange on the topic of “privatization”. With GOP efforts to privatize Amtrak escalating, the discussions provided a better understanding of privatization in Japan which was implemented in 1986 with 7 private companies taking over operation of Japan’s National Railway (JNR).

JOIN TWU

and other labor activists at the AFL-CIO Annual Dr. Martin Luther King, Jr. Holiday Observance on January 17 – 21 in Philadelphia, Pennsylvania at the Sheraton Philadelphia Downtown Hotel.



As in past years, there will be informative workshops and dynamic speakers. Participants will also commit one day to community service projects. This year’s Observance will be a memorable event.

For further information contact TWU Director of Human Rights Sandra Burleson by email at sburleson@twu.org or at 281-686-0215.



DURHAM DRIVERS VOTE TWU

TWU welcomes its newest members the bus drivers and monitors of Durham School Services in Burleson and Weatherford, Texas as they overwhelmingly voted to join TWU for a voice on the job.

“TWU will go to bat for us and help us with our workers’ rights,” said Jay Gunter a bus driver for Durham for the past eight years.

The vote, which took place after months of organizing and dedication as well as years of unfair treatment from Durham.

“They can now be held accountable on how we are treated improving our workplace,” said Dena Hooley, a bus driver for five years.

The workers encountered numerous issues at the workplace, such as how management spoke to them, favoritism on who was allowed to drive routes and who could be fired, as Texas is a right to work state.

Another major issue the drivers faced was their concern of bus maintenance in regards to safety. The drivers had been reporting issues with some of the buses and saw very little to no response from Durham.

Collectively, they knew unionizing was going to provide them with a strengthened voice inevitably making their jobs and Durham better. But that did not come with out other obstacles.

They also overcame and countered a very large anti union campaign from Durham who pulled information from other organizations to discourage workers from unionizing, such as misleading people about how much dues were.

“It was uncomfortable,” said Hooley about coming to work facing the anti union messages. “But we maintained our civility and a better future.”

This is the second set of Durham School Services for TWU in Texas, the first being in Weatherford this past May.



funding transit assault RESEARCH

The Transportation Research Board has announced that funding of a \$300,000 research project on transit operator assaults for the upcoming year.

Funded by the Federal Transit Administration (DOT), the Transit Cooperative Research Project (TCRP) has announced its funding of just over \$6 million in research projects for fiscal year 2012. The problem statement, "Tools and Strategies for Eliminating Assaults against Transit Operators" was submitted by TWU International President James C. Little and ATU President Larry Hanley. The submission was the product of a year long collaboration between TWU and ATU on operator assaults and other health and safety issues.

"Say No to Workplace Violence" has been a campaign by the International Transport Workers Federation (ITF) for several years now. On April 28, 2009, the ITF organized an International Action Day on violence in public transport. Despite their best efforts, violence increased in frequency and intensity for transit workers.

At a recent (ITF) meeting in Toronto the TWU of Australia put forth a resolution to increase efforts to combat violence against operators. We will be working with our sisters and brothers in Australia to bring as much international pressure to bear on the matter. The transport industry is a global industry with multinational corporations dominating on several continents. These corporations cannot be allowed to expose our members to vio-

lence just to reduce costs.

In addition to this research and these actions the TWU/ATU joint committee will be meeting with representatives on the federal level to see what more can be done to protect workers in these occupations.

Recently, the facts have come out in the transportation industry that violence is the top cause of fatalities and the most costly type of injury. (See attached chart) It is one of the few injuries that management has a hard time placing the blame on the worker.

Also contributing significantly to the statement was the Transportation Learning Center and the International Brotherhood of Teamsters (IBT). The industry association also signed on to the project and that had virtually assured that it would get the attention it needed to pass. Unfortunately a similar problem statement on operator bathroom access had cleared the TCRP screening committee, but was not approved. All parties involved in that submission have vowed to redouble their efforts to pursue relief for our members through identification of best practices and making our case to responsible officials.

TRANSIT AND GROUND TRANSPORTATION

COSTS (2006 DOLLARS)

CHARACTERISTIC	NUMBER OF FATALITIES	FATALITY RATE (PER 100,000 WORKERS)	MEAN (THOUSANDS)	MEDIAN (THOUSANDS)	TOTAL (MILLIONS)
EVENT OR EXPOSURE					
0* Contact with objects and equipment	9	0.3	922	817	8
1* Falls	5	0.2	716	790	4
2* Exposure to harmful substances or environments	5	0.2	1,231	959	6
41 Highway accident	104	3.5	629	673	65
43 Pedestrian, non-passenger struck by vehicle, mobile equipment	18	0.6	819	803	15
61 Assaults and violent acts by person(s)	143	4.8	659	707	94
62 Self-inflicted injury	8	0.3	1,139	877	9
TOTAL	287	9.9	6,115	5,626	201

Source: Department of Health and Human Services; Centers for Disease Control and Prevention; National Institute for Occupational Safety and Health

NOTE: Dashes indicate data that do not meet publication criteria. Asterisks denote a summary level code not assigned to individual cases.

Local 100 Member Wins CLUW Scholarship

Erica Guerrido of Local 100, who was also recently elected Recording secretary of the train operators division of the rapid transit operation depart of subways, was one of 10 women to earn a CLUW Scholarship funded by the Berger-Marks Foundation.

Guerrido discovered CLUW (Coalition of Union Women) at Women's Summer School 2012 and later received an email regarding a Berger Marks Foundation scholarship for young workers to attend a CLUW, Women's leadership Skills conference.

Hesitant about submitting her scholarship, she was ecstatic when she was notified that she was a recipient of the Berger Marks scholarship.

She then consulted with one of her mentors, Elizabeth Wilson, a member of TWU Local 100 and C.L.U.W., together they chose a track and electives offered that addressed Guerrido's needs in terms

of training that she could benefit from as a new union officer.

The leading focus of the conference was to groom, encourage, and lead union workers into running for governmental offices.

Guerrido took the emerging leader track, which was very influential with a focus of leadership and the process of identifying effective leadership.

The emerging leaders class covered two days of the conference. There were also numerous activities facilitated by the instructors, which allowed the participants to use their leadership skills and observe different styles of leadership.

One important lesson discussed, said Guerrido was, "a good leader will never overlook a persons pain, but will suggest ways of identifying the possibility solving the issue or the effect of the experience."

She also had a class that was based on self evaluation and creating a plan,

which is imperative to leadership, and was selected as a panelist for the closing forum of the conference.

"Planning ahead allows one to execute many tasks with very limited time, it allows for organized change, and the outcome of the event or situation usually exceeds one's expectations," she said.

Guerrido enjoyed the environment of family that CLUW created because it allowed women and men to express their true feelings on unionism and workplace issues.

"It was special to see the love that grew in these rooms from the understanding of anothers' struggle and the assistance with overcoming the pain and the problem In my opinion, there was a sisterhood established and I look forward to working with these powerful ladies of activism in the future. I'm honored to be a new member of CLUW! And, this conference changed my view on unionism completely!"



MICHIGAN: THE 24TH RIGHT TO WORK STATE

On December 11, 2012 a new kind of history was made in a state that prided itself as being at the forefront of the labor movement's history

as nearly 15,000 people gathered in Lansing, Mich. to protest the right to work bills.

TWU Local 171 joined in the rally to support and many held signs that read, "If a man tells you he loves America yet hates labor he is a liar," and chanted, "This is what democracy looks like."

Tuesday's events came after a swift movement from Michigan's house and senate which passed the so-called "right to work" bills on Dec. 6. The Republicans then took advantage of their majority and were able to avoid a floor hearing and debate. They then inserted a \$1 million appropriation on the bill, which under Michigan law precludes it from being overturned by a citizen referendum.

One week following the Senate vote, the Michigan House took only three hours to pass right to work legislation on both public and private sector workers sending the bills to Gov. Rick Snyder to sign into law later that day and

making Michigan the 24th right to work state.

"Despite Gov. Snyder's previous statements about not making right to work laws an agenda, he and his party affiliates did the opposite," said President James C. Little.

"These anti-worker laws are an attack on the middle class, working families and on our fundamental rights and these laws will hurt an already hurting state. We will continue to hold those elected officials accountable and have our voices heard."

"We are very disappointed in the lack of democratic process," said Local 171 President Delisa Brown. "It goes to show the Republicans continue to support the 1% and not the 99%. But we will continue to fight to have this overturned and help in whatever way we can."

And as history has proven, when given the opportunity to overturn these laws and to vote those who support these laws out of office, we do and we prevail.

ANNE GRESSO OBITUARY

It is with deepest regret we announce Anne Gresso, one of our TWU local 101 members, fell victim to Hurricane Sandy.

Gresso worked for the National Grid for 20 years as an Accounting Assistant, Sr, for the last years in the call center when her accounting work was moved to Syracuse.

Her co-workers, along with her union sister and brothers, knew her as a kind and very organized person with excellent work ethic. The Officers and Executive Board of TWU Local 101 feel fortunate enough to have known her and her loss will be felt deeply by her family and co-workers.

She is survived by her brother, Robert, and her nephew, Gimo. She will truly be missed.

LOCAL 225 SWEARING IN OF NEW OFFICERS

*President Carlos Padilla,
Louie Ortiz, Tony Celeste,
Louis Marte.*



Lowell Latham, TWU Local 208 Retiree; **Terry Daniels**, TWU International Legislative Field Staff; **Sean Doyle**, President, TWU Local 512; **Alisia Combs**, TWU Local 208, Union Steward; **Theo James**, TWU International Representative, Transit Division; **Simon Carruthers**, TWU Local 208 Retiree; **Edith McIntosh**, TWU Local 208 Retiree; **Bryant Henderson**, TWU Local 208 Executive Board; **Duane Marbury**, TWU Local 208 Sec. Treas.; **Nila Smith**, TWU Local Retiree; **Andrew Jordan**, TWU Local 208 President; **April James**, TWU Local 208 Retiree



LOCAL 291 ↑

Working Women's Committee of Local 291 worked on a Habitat for Humanity house that was being built by only women.



LOCAL 1400

supporting the Special Olympics with a Plane Pull competition.



LOCAL 241

Turkey Giveaway



International Representative Jerome Lafragola swearing in Mike Conigliaro as President at Local 101

WE REMEMBER



Frank Rugnetta was elected and served as the Title II Executive Board Member on the Local 513 Executive Board for 3 years in 1990, 91 and 92. He also served the Local in the capacity of Section Chairman in Facilities Maintenance at the AMR Headquarters location in DFW. He was a loyal and dedicated representative that served his members well.

Chris Mikkelsen of TWU Local 225 branch 4 passed away in November from battling cancer. He was employed by the Township of Howell since Jan. 1984, became Vice Pres. Oct. 1994, President Oct. 2000.



SHOP TWU

Find exclusive Union products at our TWU store at shopTWU.com. All merchandise is Union made in the U.S.A.



LOCAL 225-4 SWEARING IN

Margaret Reddan (Recording Secretary), **Joyce Kramer** (Secretary Treasurer), **John Menshon** (President), **Christina Scott** (Vice President), **Jeffrey Masker** (Executive Vice President) **Jerome Lafragola** (International Rep.)



INDEPENDENT AUDITOR'S REPORT

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

We have audited the financial statements (modified cash basis) of Transport Workers Union of America for the year ended August 31, 2012. We have also audited the accompanying schedule of Calculation of Chargeable Expenses (modified cash basis) of Transport Workers Union of America for the year ended August 31, 2012. This schedule is the responsibility of the Union's management. Our responsibility is to express an opinion on this schedule based on our audit.

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

In our opinion, the schedule of Calculation of Chargeable Expenses (modified cash basis) referred to above presents fairly, in all material respects, the chargeable expenses of Transport Workers Union of America for the year ended August 31, 2012, in conformity with the Transport Workers Union of America Agency Fee Policy.

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

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

TRANSPORT WORKERS UNION OF AMERICA AGENCY FEE POLICY SCHEDULE OF CALCULATION OF CHARGEABLE EXPENSES (MODIFIED CASH BASIS) YEAR ENDED AUGUST 31, 2012

	EXPENSES		
	TOTAL	CHARGEABLE	NON-CHARGEABLE
Main office expenses	\$3,010,399	\$2,861,430	\$148,969
Servicing, negotiations and grievance expenses	3,438,338	3,438,338	-
Political expenses	1,307,602	-	1,307,602
Organizing expenses	307,192	-	307,192
TWU Express:			
Non-political information	128,594	128,594	-
Political information	13,883	-	13,883
Donations, tickets and advertisements	53,775	-	53,775
Salaries and related expenses			
Social events, non-political	13,541,480	11,283,670	2,257,810
Quill Scholarship	14,260	14,260	-
Insurance	70,800	-	70,800
Quadrennial convention expense	126,633	126,633	-
Investment expenses	154,659	154,659	-
	<u>\$22,167,615</u>	<u>\$18,007,584</u>	<u>\$4,160,031</u>
Percentage to total	<u>100.00</u>	<u>81.23</u>	<u>18.77</u>

See notes to schedule of calculation of chargeable expenses.

TRANSPORT WORKERS UNION OF AMERICA AGENCY FEE POLICY SUPPLEMENTARY SCHEDULE OF SERVICING, NEGOTIATIONS AND GRIEVANCE EXPENSES (MODIFIED CASH BASIS) YEAR ENDED AUGUST 31, 2012

	EXPENSES		
	TOTAL	CHARGEABLE	NON-CHARGEABLE
Negotiation expenses	\$1,321,960	\$1,321,960	\$-
Legal Fees	905,154	905,154	-
Transportation and facility costs	845,985	845,985	-
Reimbursement of Locals negotiating expenses	\$365,239	\$365,239	-
	<u>3,438,338</u>	<u>3,438,338</u>	<u>\$-</u>

See notes to schedule of calculation of chargeable expenses.

**TRANSPORT WORKERS UNION OF AMERICA
AGENCY FEE POLICY SUPPLEMENTARY SCHEDULE
OF SALARIES AND RELATED EXPENSES (MODIFIED
CASH BASIS) YEAR ENDED AUGUST 31, 2012**

	EXPENSES		
	TOTAL	CHARGEABLE	NON-CHARGEABLE
Salaries	\$9,108,069	\$7,538,204	\$1,569,865
Pension and welfare expenses	3,124,276	2,587,438	536,838
Payroll taxes	662,746	562,802	99,944
Auto expenses	595,514	553,120	42,394
Insurance, workers compensation	50,875	42,106	8,769
	\$13,541,480	\$11,283,670	\$2,257,810

See notes to schedule of calculation of chargeable expenses.

**TRANSPORT WORKERS UNION OF AMERICA
AGENCY FEE POLICY SUPPLEMENTARY SCHEDULE
OF MAIN OFFICE EXPENSES (MODIFIED CASH
BASIS) YEAR ENDED AUGUST 31, 2012**

	EXPENSES		
	TOTAL	CHARGEABLE	NON-CHARGEABLE
Rent and related expenses	\$1,210,376	\$1,153,688	\$56,688
Stationery and printing	98,347	91,831	6,516
Outside consultants	80,481	78,559	1,922
Telephone	293,472	277,442	16,030
Postage	170,295	162,661	7,634
Data processing expense	271,807	267,354	4,453
Equipment rental 35,434 and maintenance,	177,008	169,583	7,425
Newspapers and subscriptions	84,032	48,598	35,434
Accounting	68,684	66,967	1,717
Depreciation	399,598	395,301	4,297
Sundry expenses and taxes	156,299	149,446	6,853
	\$3,010,399	\$2,861,430	\$148,969

See notes to schedule of calculation of chargeable expenses.

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

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

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

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

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

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

- a. A current TWU member who chooses to become an objector, must first resign from TWU membership before she/he can file an objection through these procedures. A member who resigns from membership during the course of the year shall have 30 days following resignation in which to elect to become an objector by utilizing the procedures set forth in paragraph 3 above.
- b. A nonmember employee objector who wishes to again be an objector in a subsequent calendar year must provide notice of objection in the January of the year for which the employee desires to be an objector, in accordance with the procedures in paragraph 3 above.

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

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

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

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

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

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

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

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

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

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

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

10. The provisions of this Policy on Agency Fee Objections shall be considered legally separable. Should any provision or portion thereof be held contrary to law by a court or tribunal of competent jurisdiction, the remaining provisions or portions thereof shall continue to be legally effective and binding.

UNION MEMBER RIGHTS AND OFFICER RESPONSIBILITIES UNDER THE LMRDA

UNION MEMBER RIGHTS

Bill of Rights - Union members have:

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

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

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

Officer Elections - Union members have the right to:

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

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

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

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

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

UNION OFFICER RESPONSIBILITIES

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

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

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

Labor Organization Reports - Union officers must:

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

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

Officer Elections - Unions must:

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

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

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

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

working together to **MOVE FORWARD**

by *International
Secretary-Treasurer*
Joseph C. Gordon

We did it. The working class joined forces this election year uniting and

electing pro working family representatives and a president who supports labor!

As I said in my last column, an effort to divide and conquer has been the agenda for most corporations and the politicians they support, but working families came out on top.

We remembered all the attacks on working families that took place leading up to the election and we took that fight to the ballot box on Nov. 6.

The American Future Fund (AFF), a front group for corporate special interests linked to the Kochs, donated \$4 million to the effort to pass Prop 32 in California and independent groups fronted nearly \$1.5 billion on this election and similar voter suppression laws.

However, the billions of dollars dumped into anti-worker candidates and most anti-worker bills did not silence the middle class, and bills such as California's Prop 32 that were designed to ban union contributions to state and local candidates, were defeated.

Working families rallied in states like New Hampshire and New Jersey. In states like Ohio and Wisconsin, battle ground states for two huge union attacks by their governors, union members rallied and turned those states blue.

In spite of our victories, we mustn't become complacent. As President Little mentioned in his column, our work has only just begun.

Despite the rejection of the emergency manager law which allowed appointed emergency managers to amend or scrap collective bargaining agreements under certain circumstances in Michigan, Governor Snyder and Republican Representatives

found a way to silently push their agenda to destroy unions and utilized appropriations language to block democracy in a state with deep labor union roots.

The GOP continues to favor the rich insisting on preserving tax cuts for the wealthiest Americans and threatening Social Security, and Medicare and Medicaid benefits.

Meanwhile, according to a report reissued by a nonpartisan organization that serves lawmakers and their offices, Congressional Research Service, said "the reduction in top tax rates has had little association with saving, investment or productivity growth." Giving tax breaks to the rich keeps wealth at the top and does not boost the economy, despite what the GOP has said.

As International President of the USW (United Steelworkers) union, Leo W Gerard wrote for the Daily Kos, Happy Holidays: GOP Delivers Uncertainty to Middle Class, "In addition to demanding cuts to programs crucial to middle class certainty like Medicare and Social Security, Republican lawmakers in GOP-controlled states across the country have passed laws prohibiting union security clauses in collective bargaining agreements. This results in weaker unions and lower benefits and wages, not just for union workers but for everyone in union insecurity states."

With that said, working families must continue to move forward with the same tenacity and perseverance that was shown on November 6, 2012. If we have learned nothing over the past twelve years other than corporate interests groups are constantly at work to identify and attack in our moments of weakness, we must stop operating on the defense and begin to execute an offense.

As AFL-CIO's President Richard Trumka



wrote in his article published on Dec. 12, "Prosperity for all requires an agile and strong labor movement at its core. As they have for decades, America's unions believe in building a strong middle class, and we'll work with anyone to do it."

**...working families must
continue to move forward
with **the same tenacity
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We will do that. We will continue to push for prosperity by working with those we elected to be our voice. We will also continue to work with our brothers and sisters across the labor movement to continue the momentum we have built for the middle class.

The middle class is united and will continue to be.

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