



"TWU workers have stared hardship and uncertainty right in the face for nearly a year now, yet we remain resolute."

# **TWU Holds the Line**

By International President John Samuelsen

or the past year our members have been moving America, in typical unsung fashion.

In the midst of incredible societal turmoil, the TWU has held the line. Every day, you risk your health and the health and well-being of your families.

Our airline workers, bus operators and mechanics, subway and railroad workers, bikeshare and utility workers and all of us across the broad spectrum of the TWU, serve as the circulatory system for our country's fight to survive Covid-19. Other essential workers — the nurses, doctors, paramedics, meat cutters, grocery store workers, National Guard, and beyond — all have some level of connectivity to the transport workers who deliver them safely to and from their daily toil, watch out for their children's safety, and heat their homes during this pandemic.

I am thankful to be a member and the leader of our awesome fightback union. TWU workers have stared hardship and uncertainty right in the face for nearly a year now, yet we remain resolute.

We have dealt with unprecedented chaos in all of our industries. We have suffered Covid-19 fatalities and economic casualties, and yet still we persevere. In battles with dangerous indifferent bosses - from the heartland to our big cities to Washington, DC - we have vigorously defended and delivered for transport workers and the industries in which we earn our livelihoods.

We are now on the precipice of our third stimulus package, with each continuing to provide payroll protections for the overwhelming majority of our membership, and stability to our vitally important transport sectors.

Every Local, coast to coast, in every one of our industrial divisions has stood tall and met this disaster head-on. Now the vaccines are slowly but steadily being doled out and Americans are traveling again, whether it be on public transit, on the airlines or on the railroad. Schools and universities are reopening, and relief is coming to our school bus operators, monitors and mechanics. Hopefully leisure travel will pick up in 2021 and our tour buses will begin rolling again. There are strong indicators that we are on the way toward eradicating this current plague which has come upon us.

Better days are coming, we are nearly through the gloom. All of America knows that the TWU will always HOLD THE LINE.

Thank you.

John Samula



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# Healing on the Horizon?

By International Secretary-Treasurer Jerome Lafragola

veryone is well aware the past year has been filled with struggle and strife for TWU members and our families. We certainly can't ever forget the
losses we've suffered and sacrifices we have made.

However, healing may finally be on the horizon.

One step is direct relief in the hands of workers hit hardest by the pandemic via the latest relief bill: The American Rescue Plan. It provides direly needed support for all transport workers, including \$30 billion for public transit systems, \$15 billion for the airline Payroll Support Program and \$1.5 billion for Amtrak. As this issue went to press, the House voted to pass the American Rescue Plan, and the TWU was calling on the Senate for a vote.

All of this funding also comes with strong worker protections and is ensured to go to our members and other essential workers who have been serving on the frontlines, not companies and CEOs. This is the very least that can be done to alleviate the burdens they are carrying.

Although all TWU divisions have suffered enormous losses, with approximately 135 fatalities and counting, our Transit, Universities, Utilities and Services Division has seen the worst of this virus.

But with a second step, the vaccine roll out (even though it has been confusing and cumbersome in some areas), hopefully better days are ahead.

As this issue was going to press, public transit workers were eligible to receive the Covid-19 vaccine. The International has been working hard in conjunction with our locals to ensure that transit members are able to receive it, no matter where they work – whether it be New York, San Francisco, Miami or other areas. We will continue to do the very same for those Air and Railroad Division members that are still not eligible at this time.

The more vaccinations administered, the lower the infection rate, which should slowly return things back to normal. People will start flying and flights will again be full. People will return to work, commuting on public transit and rail systems. Schools will re-open and buses will be rolling. Things will be brighter.

Please continue doing what you are doing. We will get through this dark time just like we have all others, by remaining United Invincible.

June 25



"One step is direct relief in the hands of workers hit hardest by the pandemic via the latest relief bill: The American Rescue Plan."

## **DEADLINE FOR APPLICATIONS APRIL 26**

# 2021 Michael J. Quill Scholarship Applications

Applications are now being accepted for the Michael J. Quill Scholarship Fund. This scholarship will offer 15 college-bound dependents of TWU members a scholarship worth \$4,800. This scholarship will be paid out each year in the amount of \$1,200 to winners who continue to be eligible over their four years in school.

We are also grateful to again have four additional scholarship contributors:

- Union Benefit Planners
- M3 Technology
- Pitta LLP
- Pitta Bishop & Del Giorno LLC

All of the above sponsored scholarships will be paid out in the first year, as a single scholarship.

Please visit *bit.ly/2021twuscholarship* for an application and for additional information and rules, including eligibility requirements.

The deadline for all applications will be April 26, 2021. No applications postmarked after this date will be accepted. No applications will be accepted by fax or email. There will be no exceptions.

Winners of the scholarships will be determined by a public drawing, to be held in May. Winners will be notified by mail 5 to 7 days thereafter.



Michael J. Quill

# Successful Fundraiser Honors Our Friend Gwen

or the past two years, in honor of TWU International COPE Director Gwen York who passed away too soon in February 2018, members have volunteered inperson for the Texas non-profit, Trusted World, which provides resources including clothing, food, and toiletries to schools, police departments, and non-profit agencies at no cost.



"It has been so special to spend the day doing good work, while honoring Gwen, a dear friend or family member, who we all love and miss so much," explained TWU Local 556 member Jessica Parker. "Due to Covid-19, we couldn't volunteer in person, but I wanted to continue the tradition. The next best thing to meeting in person, was doing a fundraiser for this wonderful organization that helps less fortunate people in their community."

The fundraiser easily surpassed its goal of \$1,000, raising \$2,350.

"I was so happy with the outpouring of support, but not surprised," Parker said. "Gwen was such a special person and brought out the best in those around her... Something that a mutual friend of Gwen and I always says is that Gwen did not have a poker face. I



Gwen York (right) volunteering

always laugh because we most certainly have that in common. You always knew where Gwen stood. She was forthright, but kind - and funny! Man, was she funny. I miss her so much."

This specific fundraising effort is over, but you can still donate to Trusted World by visiting *trustedworld.org*.



# Local 575 Swear In

Local 575 Executive Board members took office at the beginning of the year. Back row, left to right: Kaumavae Taufa (Board member), Abraham Morante (Financial Secretary Treasurer), Abner Rivera (VP), Johhny Arce (President), Rodney Yanai (Board member), Saadat Ghani (VP), Air Division Director Gary Peterson and International Rep Jose Galarza. Seated are Anibal Ortiz (Board member), Sharon Russell (Board member) and Latisha Briscoe-Ward (Recording Secretary).

## March is Women's History Month The TWU International Celebrates Our Working Women

March 1 kicked off a month dedicated to celebrating Women's History. The TWU International will be spending the next 31 days shining a bright spotlight on the incredible feats TWU working women accomplish each and every day.

Before Covid-19 times and throughout this pandemic, they silently overcome obstacles while skillfully performing their day-to-day duties – whether they be a bus or subway operator, flight attendant or mechanic, on-board service workers or car inspectors, bikeshare or utility worker – TWU working women always get the job done.

Each year, The National Women's History Alliance selects a theme. Since the pandemic caused many of the 2020 women's suffrage centennial celebrations to be postponed, the annual theme will be extended into 2021: "Valiant Women of the Vote: Refusing to Be Silenced." Women's demands deserve to be heard loud and clear. At the TWU we openly and proudly herald their achievements.

# **TWU Local 320 Elects Executive Board,** Nation's First Bikeshare Local

- ransport Workers Union Local 320 the nation's first organized bikeshare work group – elected an executive board on February 9. The results are:
- Patrice Delva President
- Sheldon Hall Executive Vice President
- Stan Jones Secretary-Treasurer
- Kimberly Griffin Eastern Regional Representative
- Justin Grembowski Central Regional Representative
- Malcolm Thomas Western Regional Representative

"We are proud to charter our newest local union, TWU Local 320, and we welcome their newly elected local leadership. Our bikeshare workers are an integral element of 21<sup>st</sup> century, multimodal transportation networks," said TWU International President John Samuelsen. "The TWU is excited to

## **Ongoing Campaigns**

The TWU International Organizing Department is continuing new organizing campaigns in El Paso and Corpus Christi, TX, for Bus Operators and other related workgroups.

**COVID-19 RESOURCES** The TWU offers guidance and links to Covid-19 resources which can be found at, *www.twu.org/covid-19-resources/* 

## Detroit, Portland Bikeshare Negotiations Progress Cordially

Negotiations for the Detroit Bikeshare group take place once every two weeks. About 80 percent of the contract is completed. The Portland Bikeshare group is also moving forward with bargaining sessions.

Organizing Director Angelo Cucuzza explained the negotiations are being led directly by the workers and all demands are being put forward are theirs. The International union offers assistance and guidance. represent bikeshare workers from coast to coast. From bikes to buses, trains to planes, to utilities and university workers, we are America's fighting democratic trade union."

"Extending warm congratulations to some of the newest members of our TWU family. We look forward to working with this dynamic group and making TWU Local 320 a thriving success," said Transit, Universities, Utilities and Services Division Director Curtis Tate.

"Having my coworkers put their faith in me to handle such a big responsibility is awesome and also something I take very seriously," said Local 320 President Patrice Delva. "I've never done anything like this before, but I am up to the challenge. It's also meaningful that I was elected as president

of the very first bikeshare local during Black History





# Our International headquarters has moved to a new address:

1220 19<sup>th</sup> Street NW, 6<sup>th</sup> Floor Washington, DC, 20036 Our phone and fax numbers remain the same.

Please make sure you update your records

## STATE CONFERENCES

# No Time Off! Florida State Conference Jumps into Action

The Florida State Conference dived into 2021 Florida Legislative Sessions. Local 570 and Local 291 members, check your locals' website or bulletin board for information on how to sign up for the app.





# **Georgia Senate Runoff**

Members of the Georgia State Conference worked hard to GOTV for the Georgia Senate runoff elections in early January.

Benyoel T. Morgan, Chairman of the TWU Georgia State Conference said, "I am so proud of what Georgia was able to accomplish in the general and runoff elections, and it could not have been achieved without your help. This was a shining achievement for us, the labor movement, the Georgia State Conference, and the state of Georgia. Thank you! Thank you! Thank you!"

### TWU 'MEMBER MOMENT'

# Member Moment: U.S. Senator Chuck Schumer (D-NY)

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. Senator Chuck Schumer, who is currently serving as Senate Majority Leader.

**Q**: Throughout the pandemic, you have led the fight to ensure transportation and other essential workers are protected on the job. Including the recently proposed American Recovery Package, you have negotiated legislation that will have delivered more than \$150 billion in targeted aid to transport workers to get us all through the pandemic. What further actions are needed to get our economy back to normal and get riders back on transit, planes, and Amtrak?

A: This pandemic has presented unprecedented challenges to our economy and our way of life. In March, the President and Congress were confronted by this challenge and we passed the CARES Act. Three of my highest priorities then were: maximizing relief funding for transit and Amtrak and ensuring that whatever funds the airlines received were worker focused. Last year, I succeeded on all three counts, delivering \$39 billion in transit relief, over \$40 billion for airline payroll support, and \$2 billion for Amtrak. At the end of the day, Congress can only do so much with fiscal support. The only way out of this chasm is to beat the virus once and for all. While transportation relief has been a focus, I've also understood that there was no more important task than ensuring our researchers had the funding they needed, and our states have the resources they need to develop and deploy mass vaccination to put the virus behind us for good. Only then can we get back to normal.

### **Q**: President Biden has promised to make transformative infrastructure investment a priority for his administration. When can we expect the Senate to take up a major infrastructure bill and what are your priorities for next generation transit, air, and rail projects?

A: Right now, the Senate is working on another round of Covid-19 relief funding to help us weather the months



ahead as we deploy the vaccine. The immediate next priority is a climate-focused infrastructure bill. The last administration talked about infrastructure investments. This administration and this Congress will actually get it done. We all know the needs are great and there's an appetite across the spectrum in my caucus to go big. Investments in rail and transit are huge priorities for me as they are at the intersection of infrastructure investment and addressing climate change. My committees and the House are already brainstorming and developing legislation to address these priorities and 21st century upgrades to roads, airports, the energy sector, broadband, and more.

### **Q:** Major innovations like automated and electric vehicles have the potential to majorly change the way our transportation systems operate. What measures do you plan to advance to ensure that new innovations and technologies are advancing middle class workers priorities and protecting jobs?

A: I have long thought that technological innovation does not have to come at the expense of the middle and working-class jobs that built this country. The federal government has an enormous role to play in ensuring that the transition to an increasingly automated, electrified transportation sector is fair to workers. On transit, defending 13(c) labor protections that ensure no federal transit dollars may be used to put people out of work have long been and will continue to be a priority for me. Further, while decarbonizing our transportation sector is also a priority, I have and will continue to work with organized labor and regulators to ensure that these investments are done in a way to protect and grow the labor force.

# **Looking Ahead**

Big changes have come in Washington, DC. For the first time since 2010, Democrats control the White House, House, and Senate (although just barely). President Joe Biden, Speaker Nancy Pelosi, and Senate Majority Leader Chuck Schumer have all pledged to make pro-worker infrastructure investment a center piece of their agenda – promising massive increases in funding for public transit and Amtrak, as well as renewed focus on aviation and road safety. Here are a few issues the TWU is pushing for action this year.

## **Foreign Aircraft Repair Stations**

More than 900 aircraft maintenance and repair stations have been certified by the Federal Aviation Administration (FAA) outside of the U.S., and the number has grown by more than 30% in the past four years. They are located all around the globe.

While all U.S.-registered aircraft are nominally required to be maintained to the same standards, work done outside of the U.S. is NOT being held to this requirement. This work is subject to fewer regulations and lower safety standards, including:

- Security background checks for workers
- Risk-based safety and security evaluations for facilities
- Drug and alcohol testing

Congress has previously directed the FAA to address several of these issues through rulemakings. Despite these statutory requirements, which go back as far as 2012, the FAA has yet to initiate any regulatory changes in this area.

American mechanics, technicians and pilots have been alarmed by poor and incorrect maintenance on aircraft maintained outside of the U.S., including:

- · Critical engine components held together with tape and wire;
- Parts on the aircraft exterior doors installed incorrectly;
- Aircraft covered with flammable paint; and
- Drug smuggling in aircraft noses, wheel wells, avionics, and lavatory panels.

Due to the decreased levels of regulatory scrutiny, airlines have already moved more than 8,200 maintenance jobs abroad. Many of these jobs are likely to return to the U.S. if the same safety standards applied universally.

### **Toxic Cabin Air**

The air we breathe inside of aircraft cabins is subject to mechanical processes which, when malfunctioning, can cause severe, negative public health effects.

■ To create breathable air at 40,000 feet in the sky, most modern aircraft pull oxygen from over their wings, warm it over the engines, and then compress it before venting the air into the cabin. This air is then filtered and a portion of it is recirculated.

When the engine or compressor malfunctions, engine oil, jet fuel or other fluids can leak into the process and be gasified. Passengers and crew then breathe in these compounds -known as a "fume event".

These chemical compounds can be potent nerve agents when inhaled or absorbed through the skin. Effects of exposure to these agents include brain and nerve damage. Prolonged exposure to low doses, like the kind flight crews may have, can be equivalent to one acute event.

Concerningly, our aircraft are not currently equipped to detect when a fume event is occurring nor are there clear reporting requirements.

# **Preventing Transit Worker Assaults**

• Assaults against transit workers continue to be a significant concern. In the U.S., at least one transit worker is assaulted every day and in some localities the average can be more than five assaults each day.

• According to the Federal Transit Administration (FTA), these assaults are caused by a variety of factors, including fare and rules disputes from passengers. However, many assaults are uncategorized and appear to be random acts of violence from transit customers. All frontline transit workers are at risk of assault.

• Addressing these assaults is complicated by inconsistent and under-reported data collection, as well as under-investment in mitigation infrastructure and training. Under the FTA's current practices, an assault victim could have their nose broken, be

hospitalized for 24 hours or suffer first degree burns without triggering any reporting requirements. Additionally, the FTA does not separate customer assaults from worker assault in the National Transit Database, making it nearly impossible to conduct statistical analysis on a large scale.

Barriers, increased police presence, and route changes have all demonstrated significant decreases in the frequency and severity of worker assaults. Localities must dedicate the resources necessary for whichever strategy will most immediately protect workers.

■ Congress must update the FTA's data collection requirements to accurately gauge the issue at each transit agency and identify the best practices of successful agencies. Agencies that are failing to decrease the number and severity of assaults must be required to spend dedicated resources addressing this issue in partnership with their workers.

### **Amtrak Reform**

Amtrak has been plagued by funding and process issues that have severely hampered performance. To better connect people to the places they want to go, reduce greenhouse gas emissions, and restore passenger rail in the U.S., we must fully fund and reform Amtrak.

Professional food & beverage service is an essential component of passenger rail service. Riders require healthy, convenient, and freshly prepared options available onboard. Instead of investing, Amtrak has routinely cut jobs and attempted to replace workers with vending machines. Food and beverage service must be conducted on trains by Amtrak onboard service workers to meet passenger demands.

In recent years, Amtrak has attempted to furlough its employees and contract out their work. These efforts to outsource good jobs using federal dollars must be stopped. Amtrak's governing documents should be clarified to require the railroad to rehire furloughed workers and to stop outsourcing.

Despite serving as a public utility for decades, Amtrak's mission statement still alludes to a profit motive. It should be modified to clarify Amtrak's role as a national intercity passenger rail carrier operating as a public good, as opposed to a forprofit business.

Outside of Congressional intervention, there are almost no procedures to correct management missteps at the railroad. The structure of Amtrak's board of directors should be reformed to reflect the railroad's stakeholders, including its unions, riders and government partners.

■ Worker protections have been a staple of federal assistance since the 1930s. Unfortunately, today there are different standards and practices that leave many Amtrak workers carved out. Gaps in federal worker and jobs protections at Amtrak must be closed and all federal grant programs for the railroad must come with the same suite of worker protections (including those in Railway Labor Act and the Railroad Retirement Act).

Customer-facing workers at Amtrak face the threat of assault. Combating worker assault requires federal involvement, as well as company-level mitigation efforts. Assaulting an Amtrak worker must be recognized as a federal crime (similar to assault on an airline worker) and the railroad must be required to create and implement a plan to protect its employees from these assaults.

## **Bus Fleet Electrification**

• Over the next century, as the transportation sector seeks to reduce our carbon footprint, zeroemission vehicles will take on more prominent role, starting by electrifying the bus fleet. **Creating a proworker, pro-rider transition to electric buses will** require Congress to act carefully and with a jobsfirst approach.

As is the case with most new technologies, battery electric bus (BEB) companies promise a rosecolored future. While the promise of cleaner air and environmental protection is essential, **policymakers must ensure that the transition to BEBs delivers the same level of service to riders without creating large scale job loss.** 

The current generation of BEBs has demonstrated limitations that will need to be addressed before they can be universally adopted.

■ Today, BEBs account for less than 1% of the domestic U.S. fleet. Consequentially, the number of mechanics trained to fix these engines is very small. At

one major transit agency **only 15% of bus mechanics have been trained to use an electrometer – the most basic diagnostic tool for electric engines.** Without investments in training programs, many of these jobs will be outsourced.

Additionally, electric engines generally require fewer mechanics to maintain than their diesel counterparts. A quick transition to an all-electric fleet runs the risk of putting tens of thousands of workers on the unemployment rolls. Policymakers must ensure that our public transportation agencies have the time and resources needed to transition their current workforce into the next generation of jobs.

■ Good, middle class, union jobs and environmental protection are *not* mutually exclusive. A better trained mechanic fleet in-house should command higher wages while maintaining the good benefits and retirement these jobs are known for. However, to achieve this goal, policymakers cannot ignore the potential problems the transition to electric buses will create without Congressional intervention.

# Q & A with Air Division Director Gary Peterson

n January 4, International Vice President Gary Peterson became the Air Division Director. These were a few questions that did not make the podcast he recorded during the last week in January:

### **O.** Most members are not aware of your military service and education, would you tell the members about those two qualities you bring to the Air Division?

I served in the Air Force on active duty as a C-9 Crew Chief, which was a military term for aircraft mechanic. My time in the C-9 program was where I learned the discipline that I follow today. I served in the Illinois National Guard as a KC-135 Crew Chief for four additional years after

my active-duty service and was honorably discharged from both. In fact, many members of the Guard Unit that I served with also work for American. I always look forward to visiting and catching up with them whenever I am in their station. My higher-level education includes a bachelor's degree in Business Finance and a master's degree in Dispute Resolution. I should probably explain that my Dispute Resolution degree has its foundation rooted in arbitration, mediation and negotiation skills.

## **0**. As the Air Division Director, what do you want members to know about TWU that they may not already know?

TWU Locals are built on autonomy and I believe that the TWU is unique in this philosophy. I do not think most members are aware of the structure where 70% of each member's dues go back into the Local and 30% goes to the International; many Unions take 50% of every dollar in member's dues for the National or International. With \$0.70 from every \$1.00 in member dues going into the Local, local leaders have more financial power to fight for their local members. Under TWU's structure, the International is built to provide support during negotiations, the attacks on our contracts from anti-union politicians and corporate lobbying firms, or when a Local or group of Locals determine they need assistance from the International because an issue is beyond their capabilities. It is important for our members to review the TWU International Constitution and recognize the structure starts from the membership to the Local, then to the Air Division, then to the International Administrative Committee. Our Locals and the membership are the foundation of the organization, and the Air Division is here to provide that support from TWU International. I believe in a very simple approach - the Air Division must be engaged



Gary Peterson

with our Locals and our members, but not interfere with the business or autonomy that is provided the Locals by their bylaws and the Constitution.

### O. During the podcast you briefly touched on the AMFA raid at American Airlines, can you expand on your answer for the membership?

Most importantly, until the NMB determines if AMFA has enough signed cards for a craft and class election, for the TWU Maintenance & Related members at American Airlines, this may all be just informational. However, I would begin with AMFA's leadership has zero experience on the contract we just negotiated with American Airlines. AMFA has roughly 3,700 members total in their organization,

we have roughly 10,000 TWU members in the group they are raiding at American. Our members complain about how dysfunctional US Airways leadership is at American, but I believe this is similar to how AMFA will be if they were able to win an election at American. All you need to do is look at what happened at United and Northwest, while AMFA was waiting for the NMB to set up a vote and the certified results after raiding those large airline memberships. Both companies had months to seemingly preplan how to outmaneuver AMFA contractually, once they arrived on property. I wouldn't be surprised if American has a group of consultants working with legal & labor on similar tactics.

I'm not sure if most members realize what a vote for AMFA actually looks like. According to their 2019 LM-2 filings, AMFA's locals only had about \$3.2 million in total assets. The filings show they only have local offices in Dallas and Seattle; while the address for the Chicago local is at a UPS store 8-miles south of Midway airport, the Denver local appears to be running out of someone's private residence, and the Houston local is listed at a PO box. On the local level, TWU M&R members will be walking away from a solid infrastructure and about \$11.5 million in assets just from Locals 514, 567, & 591. To put things further into perspective, AMFA only has about \$2.8 million in assets in their national treasury, in comparison TWU International has about 18-times that amount. From my experience, having just a few million dollars in a national treasury doesn't give an organization much room when engaged in contract battles with the company.

It is also important to look at AMFA's track record, where AMFA only grew their total assets by about \$1.2 million dollars between 2005 & 2019, while losing in the neighborhood of 12,660 members during that same time. Even as Southwest went massive expansion, where TWU grew by roughly 17,000 members at Southwest, AMFA failed to make any significant headcount gains. I can only attribute

### AIR UPDATES

the lack of membership growth to AMFA's Letter of Agreement that allows Southwest to outsource mechanic's work, in exchange for a mechanic group headcount of no less than 2.75 heads per aircraft. In contrast, TWU has grown the membership at Local 591 by about 700 members since being chartered in 2013 and Local 514 has grown by about 700 members in just the last few years, giving us about 5-times as many mechanic heads per aircraft at American.

AMFA's headquarters continues to be located in an obscure office in Centennial, Colorado. AMFA also has little, if any, presence in Washington, DC. By contrast, TWU has a fulltime legislative team in DC, working Capitol Hill, fighting every day for the membership. Having this DC presence, plus TWU's affiliations and partnerships with other unions, is critical in representing the membership.

The TWU has been fighting for our members in DC throughout the Covid-19 crisis, joining with our AFL-CIO affiliated unions and many other non-affiliate organizations with whom we all have working relationships, we fought together to get congress to approve the PSP money for aviation workers. All I saw out of AMFA was an October 9, 2020 letter that was sent to congressional leaders asking them for continued PSP support on behalf of their 3,700 or so members; that is what I think going it alone with AMFA looks like.

## **Q.** For clarity, do you think there will be a negative impact to the membership under AMFA?

Yes, without the infrastructure and knowledge on the contract, I would expect an attack on the contract, including the interpretation of Scope. I saw what happened when they won the representational election at Southwest, United, and Northwest and I would also expect an attack on the work rules we negotiated into this new agreement.

As most of the membership already knows, we have successfully fought back against changes that American has tried to make without having to go to arbitration. Since the company has no history with AMFA, I would expect the company to push them into arbitration and test them. The company would bring in their team of experts from negotiations to testify about contract interpretation and intent of the parties; I have no idea how AMFA would be able to counter that.

This is one of my biggest concerns, since AMFA has no knowledge of the bargaining history, intent, or the actual language written into the contract, which is critical in arbitrations, negotiations, and mediations. All of those venues are all rooted in evidence and facts, not stories and fiction. One example I can give the membership is why brake riding became such an issue during negotiations. AMFA's attorneys lost their brake riding arbitration case at Southwest, then AMFA's attorneys took the case to court to have the arbitrated decision abrogated and lost again.

### **0.** Anything else?

Yes, some of the false narratives I have heard that are being told from potential AMFA supporters to TWU supporters are:

- Assuming an election is approved to go forward and AMFA were to win, an agreed upon transition between AMFA and the Association must take place, this is false;
- AMFA will get most of the money from the M&R TWU Locals, this is false;
- There will be immediate elections for every position under AMFA, this is likely false as well.

Upon the certified results of an NMB election, the winner of the vote is responsible for fully representing the membership and the contracts. Having zero infrastructure in place to represent the entire M&R membership and thinking the company isn't going to take advantage of a vacuum in leadership, while AMFA is trying to organize and hold elections to replace union representatives, in my view is pretty delusional. In fact, my guess is that the company is already preplanning exactly what they will start doing day one, if AMFA is successful in the election. Members also need to look at the benefits and other support we receive as a result of being in the TWU and affiliated with a broad structure of the AFL-CIO and our partners unions. Those affiliations were built over years of trust and will end as a member of AMFA.

# Local 556 Member Raises Money for Covid-19 Victim

TWU Local 556 member Cheyenne Cope turned her bad day into a charitable one.

On February 1, the Dallas-based Southwest Flight Attendant began raising money via a Facebook video to help a shuttle bus driver named Ben, whose daughter passed away from Covid-19, leaving behind five children – one as young as eight.

"I was kind of in a grumpy mood that day and talking to him really put me into check," Cope recalled. "I was complaining about really, tiny little things and he was being so nice and listening to me... even while he was dealing with so much. It put my problems into better perspective."

Cope explained that Ben, who works for a

DoubleTree in Phoenix, did not miss a day of work because his coworkers rely on him. She felt "called to do something" and posted a message on Facebook, asking for donations for Ben. She thought she could maybe raise \$100 or so.

"So far, we raised \$4,259. I didn't expect that at all," Cope said, as this issue went to press. "I am overwhelmed by how generous everyone was that donated. I didn't think anyone would reach out or even react to it. To have that response was incredible and I want to thank everyone that donated. I know Ben appreciates it."

If you are interested in donating, contact *dromano@ twu.org.* 

## **RAIL UPDATES**

# Holiday Hawk: Local 2001 Member Saves Injured Raptor from PATH Train Tracks

Railroad Division member saved an injured hawk from PATH train tracks on the E platform heading towards Grove Street during the early morning hours of Friday, December 18, 2020. Local 2001 member Kevin Ronan said he was with his inspection partner and fellow TWU member Giuseppe Rosado, walking and inspecting the areas they were assigned to that night. Halfway through their route for the evening, Rosado spotted the hawk. Ronan approached the bird slowly and saw its wing was mangled.

Ronan called emergency power to get electricity turned off in the three adjacent runnels, which a power railman took care of right away.

"About a half hour goes by and we are waiting on the Emergency Services Unit, which has all the animal control equipment. A train ran close by us on the other side of the station, which really spooked the hawk. I was afraid he would run off and hurt himself even more," Ronan recalled.

"I put my flashlight on the strobe setting and he [the hawk] would look into it and be mesmerized. I took my jacket off, approached him close and got him the third time – was able to throw my jacket over him and scoop him up really quick."

Ronan, an animal lover, said he grew up in a "really rural section of New Jersey" and likes to go bird watching there.

"It was cool to be able to help an animal like that," he said, adding that he named the bird, Hawkeye. "One of my co-workers said we should have just left it there, but I joked that I am a bleeding-heart liberal, I had to do something."

Hawkeye was safely transferred to Jersey City Animal Control.











Steve Graphman (second from left) and Jeff Spears (fourth from left) are TWU members who painted Engine 46.

# **Amtrak Beech Grove Shop Members and Engine 46**

WU members at the Amtrak Beech Grove Shop in Indiana nearly played a big part of President Joe Biden's Inauguration. Our members refurbished and painted what was christened as Engine 46, in honor of Joe Biden being the 46th President. This was the engine that was going to be used to transport President Biden's train from his hometown of Wilmington, Delaware to Washington, DC for Inauguration Day on Jan. 20.

Unfortunately, due to heightened security after the Jan. 6 insurrection attempt on the Capitol, Biden was no longer allowed to take Amtrak to his Inauguration ceremony.

Members that painted the engine pictured above are Steve Graphman (second from left) and Jeff Spears (fourth from left); those not shown in the picture are Chris Gamboa and Marty Coble. Others in the photo are from different unions and managers that also did some work on Engine 46.

Members that did body work but are not shown in picture are: Tim Sherwood, Jeff Morris, Kyle Ratliff, Mike Skillman, Terri House, Duane Messer, Justin Bowman, Matt Gunter, John Jordan and James Henry.



# **Local 260 Tries to Stop Virus Spread**

embers of Local 260 in Houston, Texas are doing their part to stop the spread of the coronavirus. They are taking CDC guidelines to the streets with

their N-95 mask drive at the Polk St. facility, Hiram Clark

facility and S&I Rail Operations Center, to check the spread of the coronavirus.

Staff are also on hand to assist our members with PPE when they visit the office.



### The TWU Releases White Paper on New Technologies in Transit Systems

As companies continue to introduce new technologies onto our roads and into our cities, we must ensure that our communities are the ultimate beneficiaries of new technology. Since the TWU and our members have always been at the forefront of transportation innovation, we released a white paper on new technologies in transit systems.

You can read the full white paper and the Executive Summary by visiting, *www.twu.org/innovation/.* 

"New technologies have to work for America's working families. For the safety of the traveling public, the transit workforce needs to be ready to operate and maintain new equipment safely on day one. And for the good of the local economy, the protection of workers' wages and working conditions must be priority number one," said International President John Samuelsen. "Departments of Transportation at the federal, state and local levels have often acted as cheerleaders for big business and tech investors, ignoring the threats to public safety and job security outlined in this paper. We urge all policymakers to take a new direction on technology and its effect on public transportation, by establishing new frameworks that ensure these industry-changing technologies are not only pro-innovation, but also pro-worker. New technology must enhance transportation service delivery, not just enrich Wall Street."

### Local 291 Member Appears on CBS Competitive Series 'Tough as Nails'

Local 291 member and track worker Iraida Mujica is also a television star, appearing on the CBS Show, "Tough As Nails." According to CBS, the show is a "competition series" that celebrates everyday Americans who roll up their sleeves and don't think twice about working long hard hours and getting their hands dirty, in order to keep their country running. Competitors who consider the calluses on their hands a badge of honor will be tested for their strength, endurance, life skills and, most importantly, mental toughness in challenges that take place at realworld job sites."



Iraida Mujica

Mujica is a track worker for Miami-Dade Transit. The 43-year-old lives in Miramar, Florida.

According to a CBS Interview, a typical day for her consist of: "At work from 6 a.m. to 2 p.m. Sunday through Thursday and complete work orders that are open based on track maintenance. After that I go home, get ready to head out to the gym for about two hours and then go home around 6:30 to 7 p.m. to attend to my family. I work longer hours on Saturdays and Sundays.

"It's a dangerous job and if you're not careful in an instant you can lose your life," she said.

The work-related build/structure she is most proud of is "on the weekends, demoing and rebuilding crossovers, diamond crossovers, switches, and tracks."

Mujica said she is competing for, "My family, myself, and the women in the world to show them that you don't have to be super big and super

strong to be mentally strong and accomplish your dreams and goals, and because I was born a winner."

She wants to win "For my family and to make them super proud of me. To definitely prove to myself that I am as strong, mentally and physically, as I believe myself to be. To show myself that I need to stop doubting myself. I have a lot of doubts of what I am capable of doing."

## Local Charter Milestones

Local 234 Local 234 in Philadelphia celebrated its *75<sup>th</sup> anniversary* in February 2018.

Local 241 Local 241 in New York City celebrated its *75<sup>th</sup> anniversary* in February 2019.

**Local 248** Local 248 in Winston-Salem, North Carolina celebrated its **75<sup>th</sup> anniversary** in January 2021.

Local 223 Local 223 in Omaha celebrated its *80<sup>th</sup> anniversary* in March 2021.

### In Memoriam: Kenneth Robertson

Retired TWU Director of Applied Research Kenneth Robertson passed away on February 23, 2021. He was only the second director of research at the TWU, working on staff from 2003-2010.

Ken served in the U.S. Navy as an anti-submarine warfare operator and then went on to earn a B.S. degree from Louisiana State University and a Master's degree from Rutgers University. He spent many years working in research for New York State and as an officer for the NY State Public Employee Federation (PEF).



Kenneth Robertson

Upon coming on staff at the TWU, Ken provided valued research support for many locals at the negotiations table and in between contracts. With his uncanny ability to research information and explain it in an understandable way, Ken was able to assist TWU leaders shape policy in transportation and collective bargaining. Outside the TWU, Ken was president of the Plainview (NJ) Democratic Club and a chair of the Plainview City Planning Board.

# **A Look Back: TUUS Division**

Over the last few years, a spirit of fightback was instilled in every facet of the TWU. We've developed political and organizing programs that have not only garnered respect, but truly protect and advance the lives of our members. Despite a national pandemic and political unrest, our union is growing. Let's take a Look Back at some of what the TUUS and Air Division have achieved.

he TUUS Division overcame many difficult obstacles, all while winning fights.

One of the biggest was the 2018 Supreme Court *Janus vs. AFSCME* decision, which ruled public sector union members no longer were required to pay union dues or agency shop fees. Despite this, they would still reap the rewards of any collect bargaining gains and provisions. This decision could have adversely affected many of our Transit locals.

"We did not know how this ruling would ultimately impact our union participation," explained TUUS Director Curtis Tate. "We were in constant contact with local presidents. We put together a committee, had a conference in DC where we talked strategy with our attorneys.

"Miraculously, we did not suffer a big hit. Thanks to the hard work and partnership between the International and our local presidents, our members got it. Our members understood the value of a union. Hats off to locals such as 260 in Houston and 291 in Miami, which are located in states that were already rightto-work. Despite that, they continue to maintain high levels of membership. In fact, some locals actually increased dues-paying membership."

Another huge undertaking is the Autonomous Technology campaign, which is being used across all divisions. "People think about the driving aspect, but when it comes to electric buses, batteries and overall maintenance, there is less work to do, which translates to potentially less jobs," Tate said.

"The TWU is not trying to stop the technology, but to ensure we do not lose good paying jobs. We must provide retraining and capture the market for jobs it can create. The TUUS Division created a task force, which has been monitoring advances in cities where this technology is being deployed. We have also been developing contract protection language which can be shared and included in future contract negotiations. This must be a partnership between the International and our locals."

One key city was Columbus, Ohio, affecting Local 208. In late 2017, we spearheaded a large campaign featuring townhalls, press conferences and social media blitzes, resulting in a city council resolution. In 2020, when the shuttle went into service, our warnings came true. A passenger was seriously hurt when the driverless shuttle suffered a malfunction. The service was immediately suspended.

Another ongoing battle is transit worker assaults. Despite low ridership levels due to the pandemic, assaults are steeply on the rise. The International has been working on the federal, state, and local government level with our locals to pass legislation that ensures proper prosecution.

Other notable fights included contract campaigns for Locals



TUUS Director Curtis Tate

"Miraculously, we did not suffer a big hit. Thanks to the hard work and partnership between the International and our local presidents, our members got it. Regardless of politics or things not being perfect, our members understood the value of a union."

291, 241, 250A, 252 and 100. These are just a few out of dozens of contract settlements.

Local 241 workers nearly went on strike in 2020 right in the middle of the pandemic. Columbia University wanted to raise healthcare premiums. Using internal organizing and a social media campaign, Columbia relented, and a strike was averted.

Local 252 went on a school bus strike in 2017. All International staff deployed to Long Island at short notice to assist.

Local 291 endured a long contract campaign against Mayor "Clueless" Carlos Gimenez, who severely neglected workers in 2018. Using social media, op-eds and holding rallies, the union prevailed.

The International created member testimonial videos as well as a sophisticated social media campaign in 2019, emphasizing housing struggles and the high cost of living in the Bay Area.

Local 100 also successfully won a contract, which stands out because due to the pandemic, many are without newly negotiated contracts.

The Toxic School Bus campaign assisted Local 239 in Augusta, Georgia in their fight for alternative sites to park their buses. The original site was a brownfield. Using radio ads, social media, and holding town halls, the union was able to get the board to offer alternative sites. The county superintendent subsequently resigned.

TUUS locals in Georgia along with the State Conference also played a huge role in getting out the vote in the Georgia runoff elections in January 2021.

Covid-19 has taken a tremendous toll on the TUUS Division. Taking the brunt of it, TUUS has lost at present count 135 members. Thousands testing positive or quarantined.

"The division reps checked in constantly with locals to ensure they had proper PPE. We didn't wait. International leadership secured and distributed to our members," Tate said. "We have to hold employers' feet to the fire. We fought tirelessly to secure stimulus funding with payroll protections. We continue to work with and engage the federal government to make sure we get the needed assistance to keep our members on the job. We also have to monitor employers to make sure they are doing the right thing and complying with financial and safety orders."

Looking ahead, the division has new organizing projects in El Paso and Corpus Christi, Texas. The division plans to resume its traveling road tours to meet with locals. Tate said he encourages TUUS locals to get involved with the various committees, such as Veteran's, Working Women and Human & Civil Rights. The division hopes to develop a young workers committee.

"It's a very challenging time we live in. It's important that we have internal TWU unity so that we can rise above those things," Tate said. "Take advantage of both the things we have in common and where we differ. Keep our eyes on the prize and do what labor unions are supposed to do."

# A Look Back: Air Division

ne of our greatest accomplishments was to ratify the American Airlines contract by more than 90% across all work groups, right as the country shut down when the pandemic hit," said TWU International Executive Vice President Alex Garcia. "It's an industry-leading contract and one of the richest in history."

Another huge organizing win happened in April 2018, when 97% of JetBlue InFlight Crewmembers voted for union representation by the TWU.

"At the time, it was the biggest organizing drive in the industry in the past 20 years," said TWU International Administrative Vice President and former Air Division Director Mike Mayes. "The TWU is also one of the leaders advocating for better cabin air quality in the U.S."

The union partnered with British directors to promote the documentary "Everybody Flies," which shines a spotlight on toxic cabin air. Right before the pandemic hit, film screenings with garnered media interest, were scheduled in cities coast-to-coast. TWU International officers and staff held meetings to execute a fightback campaign. The union has so far created a website for cabin crew to report toxic fume events and distributed palm cards so workers can be aware of signs or symptoms.

"The TWU has taken air cabin quality to task," Mayes said.

In late April 2019, the first Joint President's Council Meeting took place in Orlando with the Air and TUUS Divisions. The first day featured a meeting with both divisions and the second day separate sessions.

"It was nice that we could all be together with the leadership," Garcia said.

"We are trying to break down the silos in between the divisions," Mayes explained. "When local presidents and boards had discussions with other locals, we found out that everyone was having the same kind of struggles, whether it was with bosses or companies.

The one struggle that has deeply impacted the Air Division is Covid-19.

"There has been so much uncertainty. Members have died and been infected, and we don't know what the future holds. We have to deal with the reality that the public is not flying," Garcia said.



Alex Garcia, CA State Conference Chair Matt Hettich, and Mike Mayes

"We have had to work politically and legislatively to get the Payroll Support Program to return our jobs."

"Everybody's lives have changed in different ways," Mayes added. "Members have been going to work every day not knowing if they are going to catch Covid or not, whether it be a mechanic, fleet service, or dispatcher. Before Covid hit, airlines were seeing record profits and we were making industry-leading contracts with all our work groups, including Envoy, now we are looking at bankruptcies."

But the Division's future still looks bright, thanks to the TWU Young Workers Committee, which was launched by the Division in late 2018. The Committee works to encourage and empower the next generation of TWU members by giving them the tools, resources and relationships to encourage local participation while helping them grow successfully.

During the Committee's latest meeting on Feb. 9, Garcia announced a mentorship and internship program the TWU plans to launch to allow young members to gain a greater understanding about the work the TWU International does on all levels, as well as further developing their skills in the labor movement (*see p. 22 for details*).

"We want to identify and help encourage the future leadership of this union," Garcia said.

### **DIVISION UPDATES**



# International Communications Dept. Wins Two Labor Media Awards

he International Communications Department won two International Labor Communicators Association (ILCA) Labor Media Awards for work performed in the year 2019. The above photo, TWU Future Leaders Organizing Committee is Formed, won first place for Best Photograph.

The video, People Before Robots: Stop Autonomous Buses, won second place for Best Longform Video. It can be viewed at *https://vimeo.com/339340388*.

# **TWU Dedication: 25 Years Serving Our Members**

*By TWU Local 501 President and International Executive Board member Victor J. Gonzalez* 

t's an honor and privilege to be provided the opportunity to have this communication published in our *TWU Express*.

Being a part of the union has its constant moving parts: unity, protection and making our organization stronger is always on the agenda. The International leadership in recent years has established a game plan to bond our leaders throughout our organization, by having us working together not only in our divisions but by operating as an injustice to ONE is an injustice to ALL!

Membership education on what it takes to be a good union member and who their leaders are and what they do within the organization is a priority moving forward. Hopefully, I will be able



Local 501 President Victor J. Gonzalez

to shed some light on why having strong union members and leaders are needed to win tremendously beneficial results on the job.

Let me begin by stating that I started my career at American Airlines LaGuardia Airport in 1986 as a part- time employee in Ramp Services. When I began my career at American, the furthest thing in my mind was that one day I would become the President of TWU Local 501. In fact, it would take years before I even recognized or appreciated the importance of being a union member.

It was 1996 when a LGA Shop Steward who down the road became President of TWU Local 501 peaked my interest in becoming a representative. It was the energy, the fight and the information that he provided that encouraged me to join him in protecting the membership.

### **DIVISION UPDATES**

"Being a part of the union has its constant moving parts: unity, protection and making our organization stronger is always on the agenda."

Since 1996, I have served our TWU Local 501 members as a Shop Steward, Chief Steward, Section Chairman, Executive Board Member, Recording Secretary, 1<sup>st</sup> Vice President and

currently serving our members in my fourth term as President, currently holding the title as the second longest tenured president in the 75-year history of Local 501 of the TWU Airline Division.

When I reference that it took years before recognizing or appreciating being part of a union, there are numerous reasons why that occurred. My experience allows me to understand how that trend continues until today and it's a trend that needs to be corrected. Another point I want to make clear is that when people read this communication and come across the titles I've held, it needs to be understood what type of commitment, dedication and fight came with earning and serving our members in those roles.

I would like to take this opportunity to recognize the continued support I have received over the last 25 years and state that with that support, it provided me with the fuel, encouragement and confidence to protect our members to the best of my abilities.

In an effort to grab the attention of our rank and file throughout our entire organization, here are a few examples to those members who think and believe that paying union dues is all that is needed.

When a person references a union, typically their first thought is to think of its leadership. Our members need to clearly understand that they are the union and through their actions, involvement and support is what makes the organization strong.

Of course, the union leadership plays a major role in establishing its reputation and producing positive results, but the better the bond between leaders and members the stronger the union will be for sure. When I say members' actions make a union stronger, an example is that even when a representative is not present at a particular time on the job if a member can robustly stand up to management those actions go a long way. There are many examples of a role a member can play in the union, and another important example is to talk positive about your union, as negative talk and rumors are unacceptable.

Let's talk about a steward and his/her importance to their union. Their role is critical in enforcing the contract, working rules and informing the members expeditiously and accurately. Just think of the stress that some of our members endure when a manager wants to speak with them. Now, think of the stress that the steward goes through when the burden is now on them to take on management and protect the member.



It's often been said that being a union representative is a thankless job.

The truth of the matter is that new members and long-standing members need to respect what our union has accomplished and produced from the very beginning until today. Members sometimes seem to forget and take for granted everything the union has earned for us through hard fought battles.

Every day, there is an ongoing battle on ALL types of levels when you're a union member or leader. The higher up the leader ranks, the more responsibility and stress. So, look at it in this manner, if a steward gets stressed performing their responsibilities, I can assure you the Section Chairman has his share of stress and responsibility and more.

As you look at an Executive Board Member, unless you have held that position, the weight of the Local is on their shoulders. I can speak from experience as I've served on every TWU Local 501 Executive Board since 2002!

While I also serve our Transport Workers Union organization on the International Executive Board, I want to make sure I communicate with our members that our leaders serving at the top of the organization carry a tremendous responsibility and deserve a tremendous amount of respect.

In conclusion, I can go on and on with war stories from arbitration, organizing, hearings, meetings, elections and so on but the main point of my letter is that we should always be proud members of the Transport Workers Union!

On April 6, 2020 at TWU Local 501 we made history when we reached our 75<sup>th</sup> Anniversary. Unfortunately, due to the Covid-19 pandemic we were unable to celebrate in the manner we had planned but it's still an achievement that will always be recognized in our organization. Congratulations.

United - Invincible

### **Union Plus Scholarship Winners**

Union Plus awarded \$300,000 in scholarships to 215 students representing 43 unions, including one winner representing the TWU, Gregory Harasym (also Gregory Harasym, now deceased), Local 100.

### FOLLOW US ON SOCIAL MEDIA!

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## **COMMITTEE UPDATES**





# FLOC Zooms Into 2021

n February 9, the TWU Future Leaders Organizing Committee (FLOC), which consists of young and new TWU members, met via Zoom. TWU International Executive Vice President Alex Garcia, Administrative Vice President Mike Mayes, Air Division Director Gary Peterson and Air Division Reps attended the meeting to talk about the work the TWU has been doing regarding Covid-19 relief and upcoming bills to further their work security. Garcia announced a mentorship and internship program the TWU plans to launch to allow FLOC members to gain a greater understanding about the work the TWU International does on all levels, as well as further developing their skills in the labor movement.

The TWU FLOC is a committee that works to encourage and

empower the next generation of TWU members giving them the tools, resources and relationships to encourage local participation, while helping them grow successfully. By recruiting passionate individuals, we are creating an environment where they can grow and develop mentor based relationships to hold each other accountable. FLOC members also receive educational trainings to empower and develop their skills within the union. The FLOC members are the TWU's future.

Even amid a pandemic, the TWU is thriving and our future can be even brighter, thanks to our talented members. We encourage all of our newer members and members under the age of 35 to check out FLOC! Please email Heather Laverty for more information, *hlaverty@twu.org.* 

# **TWU Veterans: We Need Your Pictures and Selfies!**

In preparation for the TWU 2021 Constitutional Convention, we are asking for your help. We want to show the Convention Delegates our proud TWU Veterans in action.

We need your pictures.

Have you registered as a veteran with the committee? If not, you can do so by going online to *http://veterans.twu.org/register/.* 

Once you have registered, you will receive a pin, patch, and coin. We are asking that you take a picture or even a selfie with any of these items and send it to us with your name, TWU local and location to be used in our video that will be shown at the convention.

Does your station have a designated military cart, tug, tractor, piece of equipment (Airline Locals)?

Can you get a group picture of your local veterans and send it to us?

Have you participated in an activity that benefits veterans in our work group or the community? Send us some pictures and let us know what you have done. We want to show how important TWU veterans are to at the workplace and in our communities.

Send all pictures with a description to *twuveterans@twu.org* Thank you for your service!

## **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 Statement of Calculation of Chargeable Expenses (modified cash basis) of Transport Workers Union of America (a nonprofit organization) for the year ended August 31, 2020, and the related notes to the statement.

#### Management's Responsibility for the Financial Information

Management is responsible for the preparation and fair presentation of this statement in accordance with the modified cash basis of accounting as described in Note 1b; this includes determining that the modified cash basis of accounting is an acceptable basis for the preparation of this statement 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 statement that is free from material misstatement, whether due to fraud or error.

#### Auditors' Responsibility

Our responsibility is to express an opinion on the statement 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 statement. 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 statement 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 statement.

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 Statement of Calculation of Chargeable Expenses, referred to above presents fairly, in all material respects, the chargeable and non-chargeable expenses of Transport Workers Union of America for the year ended August 31, 2020 in accordance with the modified cash 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 Statement of Calculation of Chargeable Expenses was prepared on 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 Statement of Calculation of Chargeable Expenses as a whole (modified cash basis). The supplementary information (modified cash basis); statement of main office expenses, statement of servicing, negotiations and grievance expenses and statement of salaries and related expenses on pages 9, 10 and 11 is presented for purposes of additional analysis and

is not a required part of the Statement of Calculation of Chargeable Expenses. 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 Statement of Calculation of Chargeable Expenses. The information has been subjected to the auditing procedures applied in the audit of the Statement 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 statement or to the statement 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 Statement of Calculation of Chargeable Expenses 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, 2020

	TOTAL	CHARGEABLE	NON- Chargeable
Main office expenses	\$2,563,988	\$2,313,976	\$250,012
Servicing,negotiations and grievance expenses	5,177,631	5,177,631	-
Political expenses	404,250	-	404,250
Organizing expenses	718,075	-	718,075
Affiliation fees	1,158,755		1,158,755
TWU Expense: Non-political information	236,535	236,535	-
Political information	60,844	-	60,844
Donations, tickets and advertisement	645,588	-	645,588
Social events, non-political	22,000	22,000	
Salaries and related expenses	12,153,514	9,865,279	2,288,235
Quill scholarship	90,200	-	90,200
Insurance	165,664	165,664	-
Investment expenses	285,356	285,356	-
Totals	\$ 23,682,400	\$18,066,441	\$ 5,615,959
Percentage to total	100.00	76.29	23.71

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

### NOTES TO STATEMENT OF CALCULATION OF CHARGEABLE EXPENSES AUGUST 31, 2020

### 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.

#### 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 10, 2020, 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, 2020

EXPENSES	TOTAL	CHARGEABLE	NON-CHARGEABLE
Rent and related expenses	\$ 1,317,051	\$ 1,174,688	\$142,363
Stationary and printing	112,215	104,606	7,609
Outside consultants	151,612	146,825	4,787
Telephone	149,500	133,796	15,704
Postage	59,942	47,976	4,966
Data processing expense	266,985	237,571	9,677
Equipment rental and maintenance	87,085	77,408	9,677
Subscriptions	103,079	93,373	9.706
Accounting	212,386	203,386	9,000
Depreciation	63,891	51,641	12,250
Sundry expenses	47,242	42,706	4,536
Totals	\$ 2,563,988	\$ 2,313,976	\$ 250,012

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, 2020

EXPENSES	TOTAL	CHARGEABLE	NON-CHARGEABLE
Negotiation expenses	\$ 2,413,527	\$ 2,413,527	\$ -
Legal fees	839,461	839,461	-
Transportation and facility costs	1,353,012	1,353,012	-
Reimbursement of Locals negotiating expenses	571,631	571,631	-
Totals	\$ 5,177,631	\$ 5,177,631	\$ -

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, 2020

EXPENSES	TOTAL	CHARGEABLE	NON-CHARGEABLE
Salaries	\$ 6,711,663	\$ 5,424,806	\$ 1,286,857
Pension and welfare expenses	4,361,766	3,527,537	834,229
Payroll taxes	517,394	418,193	99,201
Auto expenses	541,023	477,230	63,793
Insurance, workers compensation	21,668	17,513	4,155
Totals	\$ 12,153,514	\$ 9,865,279	\$ 2,288,235

See independent auditors' report and notes to statement 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.

- Employees who are members of TWU are eligible to engage in a broad range of activities by virtue of their membership. This includes, for example, the right to run for and vote in Union elections, to vote on ratification of collective bargaining agreements, and to attend and participate in Union meetings and activities that are pertinent to their employment. Employees represented by TWU can elect to be non-members, but if they do, they lose these and other rights and benefits that go along with membership in good standing in TWU.
- 2. A TWU-represented nonmember employee who is subject to a union security clause conditioning continued employment on the payment of dues or fees referred to as "agency fees" for nonmembers has the right to object to expenditures by TWU or the employee's Local Union that are not related to collective bargaining, contract administration, grievance adjustment or other expenditures that are considered "chargeable" to nonmember objectors. A nonmember objector's agency fees shall be calculated in accordance with this Policy.
- 3. To become an objector, a TWU-represented nonmember employee shall notify the International Secretary Treasurer in writing of her/ his objection by mail postmarked during the month of January in the first year for which the employee elects to be an objector. The written notification shall be signed by the employees and include the objector's current home address and TWU Local Union number, if known. The nonmember objector shall also mail a copy of this notice to her/his Local Union. A nonmember employee who first becomes subject to a TWU union security clause after January in a particular year and who desires to be an objector must submit written signed notification to the International Secretary Treasurer, with copy to the employee's Local Union, including the objector's current home address and TWU Local Union number, if known, within thirty (30) days after the employee has become subject to union security obligations and been provided notice of these procedures.

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

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

- 4. Expenditures in the following categories are among those chargeable to nonmember objectors.
  - a. Negotiation of agreements, practices and working conditions.

b. Administration of agreements, practices and working conditions, including grievance handling, all activities related to arbitration, and discussion with employees in the bargaining unit or employer representatives regarding working conditions, benefits and contract rights.

c. Conventions, Union business meetings, and other Union internal governance and related expenses.

d. Social activities.

e. Publications, to the extent related to chargeable activities.

f. Litigation before courts and administrative agencies related to contract administration, collective bargaining rights or other chargeable activities.

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

h. Education and training of members, officers and staff intended to prepare the participants to better perform chargeable activities or otherwise related to chargeable activities.

i. Activities related to group cohesion and economic action of or by TWU represented employees, e.g., demonstrations, general strike activity, informational picketing.

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

- 5. Expenditures in the following categories arguably are non-chargeable to nonmember objectors:
  - a. Community service and charitable contributions.
  - b. Affiliations with non-TWU organizations.
  - c. Support for political candidates.
  - d. Member-only benefits.
  - e. Lobbying to the extent not chargeable as per paragraph 4.g. above.

f. Publications, litigation and for overhead and administration to the extent related to arguably non-chargeable activities.

g. external recruitment of new members.

- 6. The TWU Policy on Agency Fee Objections shall be reprinted in each December issue of the EXPRESS. The International shall also send a copy of this Policy to each nonmember who objected during that calendar year to inform such person of the right to elect to again object in a succeeding year. Any Local Union that is required by law to have an agency fee policy, but which has failed to adopt such a policy, shall be deemed to have adopted this "Policy on Agency Fee Objections" as its own, and such Locals shall be identified in the December issue of the EXPRESS.
- 7. The International shall retain an independent auditor who shall submit an annual report verifying the breakdown of chargeable and arguably non-chargeable expenditures (the "Report"). Similarly, if a Local Union has determined to apply this Policy for its expenditures, the Local Union shall arrange for an independent audit of the breakdown of the

Local's chargeable and arguably non-chargeable expenditures. Any Local Union which fails in a given year to conduct an independent audit of expenditures shall be deemed to have spent the same percentage of its expenditures on chargeable activities as the International expended as reflected in the auditor's Report. The Report(s) of the independent auditor(s) for the International and, where applicable, the Locals shall be completed promptly after the end of the fiscal year. The most recent Report of the International's expenditures shall be reprinted in the December issue of the EXPRESS. The Local Union shall provide to the nonmembers it represents a copy of the Report of the breakdown of the Local Union's expenditures.

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

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

### THE TRANSPORT WORKERS UNION OF AMERICA, AFL-CIO 1220 19th Street NW, 6th Floor Washington, DC 20036



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