



NEWS & VIEWS

THE NEWSLETTER OF TEAMSTERS LOCAL 638

Volume 16 Issue #1

Local 638 Stewards Gather for Bi-Annual Seminar

Your new Local 638 website is up & live!



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On a late Saturday afternoon on March 25, 1911, just before quitting time, a fire broke out on the top floors of the Triangle Shirtwaist factory located in the Asch Building in Lower Manhattan, New York. The tragedy that resulted changed the face of the American Labor Movement. See page 6

Stewards, Politics, and Your Brand New Website

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Dear Brothers and Sisters of Local 638:

It looks like spring is finally here, along with potholes, melting, flooding and, of course, many more walkers, bikers, runners and kids sharing the roads. So

please be extra careful as you drive, and give our pedestrian friends a break whenever you can. Three things on my mind as I write this:

First, a big thank you to the 162 Local 638 Stewards and committee persons, to our officers, trustees, staff, and to our guest speakers for taking time to attend our bi-annual seminar last month in Minneapolis.

As you know, your steward is your first point of contact when you have questions, problems or concerns at the worksite. In addition to doing their own jobs, our stewards donate

so many extra hours to learning the ins and outs of our contracts, handling grievances, dealing with management on issues such as past practices and keeping in touch with current and retired Local 638 members. The seminar is a great opportunity for them to listen as our guest speakers explain the latest developments with respect to labor law, politics, pensions and grievance handling. It is a chance to renew acquaintances, share experiences and a host of other issues. Next time you see your steward at work, take a minute to say thanks. They're working hard for you and for our great union.

Second, I'm sure you're all aware of the battles for workers' rights and public employee collective bargaining going on in Wisconsin, Minnesota and a number of

other states. I know some of you joined our brothers and sisters standing up for working families in Madison a few weeks ago. No one is closer to the center of the fight than Ed Reynoso, who spearheads our political efforts at Joint Council 32, which includes locals throughout Minnesota, Iowa and the Dakotas. Ed took time from his busy schedule at the capitol in St. Paul to prepare an update on current developments affecting you and your family. Please take time to read it on page 4.

Finally, by the time you receive this newsletter, our new and improved website – teamsterslocal638.com – should be up and running (see the back page for a preview).

Please visit often. One of the most important jobs here at the Local is to keep in touch with our members, and help make sure you're aware of matters on and off the job that affect you and your families. I know many of you look increasingly to the Internet for news, and I hope the new website meets your expectations. Use the 'Contact' page on the site to share your ideas and suggestions.

Next time you see your steward at work, take a minute to say thanks.

They're working hard for you and for our great union.

Now I'll close as I always do, by reminding you that there's nothing we can't accomplish when we stand together in union as proud Teamsters. Please don't hesitate to contact me, or any of our great officers, stewards or business agents, with your questions and ideas.

Keep driving ahead.

Mark Rime
Secretary Treasurer

From the Desk of Al Thomas

Bismark, ND Local 638 Satellite Office

Battling the Rats

First of all, let's hope winter is on its way out. This picture aside, I for one am tired of snow and ice. Here's hoping summer comes quickly, and that it's a great one for all of us.

The latest news on CHS: The company talked one of its rats into filing a decertification petition. Therefore, the NLRB had to conduct a decertification election. I would like to point out once again that we accomplished something that has never been done before in my almost 38 years as a Teamster. Thanks to Democrats, we challenged the way voting was to be conducted, and we won!

In the past, decertification elections were conducted through polling sites set up in a few locations. With the type of operation CHS has, the Union was worried that they would dispatch our drivers as far away from the sites as possible, making it impossible for them to vote. We were successful in convincing the NLRB to do a mail ballot, giving everyone the opportunity to vote.

Then began the process of creating a list of eligible voters. The Union and the company both had the right to challenge potential voters. So needless to say, both sides had votes they wished to challenge. This led to another NLRB hearing in Grand Forks on January 11-12, 2011.

The Union and the company both subpoenaed several witnesses to testify on their behalf. After lengthy testimony, there remained two challenged ballots, one by the Union, the other by the company. Please keep in mind the Union believes it needs to win its challenge and have the company's challenge thrown out. That's how close we believe this election is, thanks to all the rats this company hired.

On Feb 14, 2011 the NLRB rendered their decision in favor of both the Union and the company. In other words they "split the baby." As a result, the Union has appealed

the Region 18 decision to the NLRB in Washington, DC.

If our appeal is denied, we believe we will lose a very good group of Teamsters. I hope and pray I'm wrong, and that some of the rats understood the importance of working under a contract, and voted in favor of the Union. Without a contract, CHS is an evil company to work for.

One last thing regarding the counting of the ballots... Once all the appeals are decided, in the event of a tie vote, the Union loses. Sad, isn't it?

I would like to thank our Union brothers and sisters for standing up to this Union busting company and fighting for their rights! If the right thing happens in this case, the Members will prevail! Please offer your support to any

Union CHS drivers you see, because this battle is long from over. CHS will try this all over the country if we lose this fight.

I would like to remind our brothers and sisters that if

you are working beside someone who hasn't become a member of the Teamster Union, please strongly impress upon them what can happen to your group if you become weakened by non-members. This should be everyone's priority.

Vote to Protect Your Money!

Moving on to our next issue, please remember Republicans are not our friends, as you can see by what's happening in Wisconsin. They have now found a way to reach right into your pocket and steal your pension away. Don't forget, this is your money. Protect it! Vote for a Democrat!

We are in a battle right now with our Statewide Construction Agreement. The AGC is the representative for these construction companies. They think they are going to just quit paying benefits - H&W and Pension.



Funny how this trickles down, isn't it? All these Republicans think alike. I have been in this battle since May of 2010.

Just to let our construction members know, the latest I have heard is that the company wants the pension back as of two weeks ago. I have told them "absolutely not." So the battle continues. Zenith Administrators is running numbers for me, right now, to see if we can find some sort of relief for them on this issue. Please keep in mind, if anything comes about that hurts our construction members in any way, I will hold my position and let you know.

UPS Difficulties Ongoing

Last but not least, UPS is an ongoing, difficult situation statewide.

Quinten and I have been handling UPS statewide since September. The issues we have with UPS alone take up a lot of time. Quinten handles most of those problems and the company keeps him busy fixing problems all over the state. They just seem to keep having the same issues every week.

We believe most of these issues could be fixed by putting more people to work. Unfortunately, UPS is having a great deal of difficulty hiring due to the oil boom, which has pushed wages in ND anywhere from 18 to 25 dollars an hour.

These record breaking wages have made hiring difficult for all our companies. The price of labor has gone up in ND. This has been a long time coming for us in ND. We hope we have this problem for a very long time. In closing, I would like to wish everybody a great summer.

CHS talked one of its rats into filing a decertification petition. Therefore, the NLRB had to conduct a decertification election.

In the Fight to Preserve the Middle Class They Have Won a Battle, but the War is Not Over!



By Ed Reynoso
Political Director
Teamsters Joint
Council 32

The war against the middle class and Unions has just begun. While the anti-Union elected officials

won battles in Wisconsin, Michigan and Ohio, the war's outcome is still undecided.

I understand that Local 638 members aren't public employees, but many of you may have relatives or friends who are. The war being waged on public employees is just the first step in an aggressive agenda to hurt Unions and the members we represent. **AS A UNION, AN ATTACK ON SOME OF US IS AN ATTACK ON ALL OF US!**

At least thirteen states have passed or are in the process of passing legislation that would further hurt the middle class and Union members. We are asking members to take the time to reach out to their elected officials and remind them that they are proud Union members. Any attack will be remembered on election day!

In Wisconsin, it is so obvious that the original issue of the public cost of pension and benefits was just a smoke screen to confuse the electorate. When the public employee Unions had agreed to concessions on those issues, it turns out that wasn't enough, they wanted more. What Governor Walker and his cohorts are after is plain and simple – **BUSTING THE UNION!** Luckily at this time there has been court action to postpone this legislation, but we don't know what the outcome will bring.



In Michigan, extreme anti-Union forces have passed legislation that allows the governor to remove city elected officials and, in essence, throw out all collective bargaining agreements with Unions. This is not only an insult to the bargaining process, but an attack on democracy.



In Indiana the governor has backed off on a "Right to Work for Less" legislative agenda. While he has agreed to not attempt to pass this Union-busting legislation for now, it is almost guaranteed to raise its ugly head again soon.



In Ohio, a once very pro-Union state, elected officials have passed legislation banning bargaining rights for public employees and will soon be hearing legislation to pass "Right to Work for Less." This at its very least will hurt Union members, but as statistics have shown, will hurt all working people in Ohio.

Unions and the middle class are being attacked, and our communities are being asked to tighten their belts with more cuts. Meanwhile the wealthiest individuals in all of these states receive more tax breaks. This is fundamentally wrong and must be stopped.

What can you do? **CALL YOUR STATE ELECTED OFFICIALS!** Let them know that they need to create jobs as they promised during



Minnesota Teamsters stood up for working families in Madison, Wisconsin

the election season. Let them know that their attacks on Unions and the middle class will be remembered when they campaign for re-election!

Look in the mirror and remember you are the Union – either strong or weak. Take the initiative and get involved before it's too late!

If you have family and friends in Wisconsin, please urge them to get involved and sign recall petitions to kick some of the anti-Union legislators to the curb! Call or write your legislators and let them know that you are a proud Union member and

take their vote personally and as an assault on your family! Brothers and sisters, as I always say, we have a legacy to protect the rights and benefits our predecessors handed to us. Good wages, benefits and Union rights are on a full assault by some elected officials. It is up to us to protect this legacy, or our children and their children will suffer by our inaction.



Calendar Of Events

Minnesota Membership Meetings

Third Monday every month
1:00 PM and 8:00 PM

Steward Meetings

Third Monday every month
7:30 PM

Shop Stewards meet before the 8:00 PM
General Membership meeting every month.

North Dakota Membership Meetings

Third Tuesday every month at 7:00 PM,
Bismarck Local Union Hall

All members of Local 638 are encouraged to attend all of these meetings.

Local 638 Health & Welfare Plan



**With Vicki Lehnen
Administrative
Manager**

As a member of Local 638 you should be proud that the Plan provides the opportunity for over 2,700 members and 5,300 dependents to receive great benefits and excellent medical care. Listed below are some of the key components that factored into the financial picture for 2010.

Medical Claims

The Plan paid over \$24 million(1) in medical claims compared to over \$23 million in 2009. This was an increase of 3% as compared to 2009. On a per participant basis, claims increased over 5% in 2010. This increase was slightly below the average medical claim increase our Third Party Administrator saw for union health and welfare funds of 6%. Listed below are some medical claim statistics for 2010 as compared to 2009.

Prescription Claims

The Plan paid over \$4.6 million(1) in prescription claims in 2010 and close to \$5 million in 2009. On a per participant basis, the claims expense remained about the same for the last two years. This was good news for the Plan considering the average prescription claim increase our Third Party Administrator saw for union health and welfare funds was 8%.

- Lipitor this year and last year was the top utilized drug (1,900+ claims) with a cost to the fund of \$255,000
- Specialty drugs (typically self-injectable) are averaging about \$2,000 per claim; the number of specialty drug claims filled went down but the claim cost is rising; in 2010, 364 claims were paid at a cost of \$748,000 as compared to 2009 when 396 claims were paid at a cost of \$709,000

Your Part

To maintain these exceptional benefits, the Trustees encourage you to be mindful of how benefit dollars are spent and to do the following:

- 1) Review your bills closely to make sure that you are being charged properly.
- 2) Consider using Retail Clinics (also known as Minute and Express Clinics) for minor illnesses. Services provided at retail clinics will be reimbursed at 100% after your calendar year deductible has been met.
- 3) Enroll in the Diabetes Management program, the Stop Smoking program or the Prenatal Support program, if appropriate.
- 4) Use Blue Cross AWARE network doctors, clinics and hospitals whenever possible to limit the Plan's cost and your out-of-pocket costs.
- 5) Use generics (if approved by your doctor) and the prescription mail order program (90-day supply for only 2 co-pays) whenever possible.
- 6) Consider getting more information from

	2010	2009
Large Claims	42% of the medical claim dollars (\$10.29 million) cover 156 participants (1.9% of the group)	38% of the medical claim dollars (\$8.86 million) cover 138 participants (1.6% of the group)
Claims over \$300,000+	4	2
Claims \$100,000 to \$300,000	22	18
Claims \$50,000 to \$100,000	32	36
Claims \$25,000 to \$50,000	98	82
Percent of Claims paid for Inpatient/Outpatient Hospital Services	57%	54%
Average Annual Benefit Paid Per Member and Their Dependents	\$8,777	\$8,156
Network Discount	36%	38%

the Fund office on the Rx OTC program(2), Half-Tab Rx program(3) and the Prescription Solutions Wise Choice program(4).

If you have any questions, you may reach the Fund office at (612) 379-9157 or (800) 462-5329, Monday through Friday, 7:30 am to 4:00 pm.

(1) Unaudited

(2) A \$0 co-pay for certain OTC allergy and stomach acid relief medications with a doctor's prescription.

(3) Some medications are about the same cost regardless of the dosage and are safe to split resulting in savings to you and the Plan. It is important that you speak to your doctor first before splitting any medications.

(4) Personalized prescription benefit consultation that may help you identify money saving options if you are taking a number of medications.

The Triangle Shirtwaist Fire

Sweatshop Deaths Changed the Face of American Labor



**By Trevor Lawrence
President, Local 638**

On a late Saturday afternoon on March 25, 1911, a fire broke out on the top floors of the Triangle Shirtwaist factory located in the Asch Building in Lower Manhattan, New York. Approximately 600 workers were in the factory at the time of the fire.

It was customary at most sweatshop factories to lock the workers inside during work hours. Trapped because the owners had locked the doors and other exit doors opened to the inside instead of the outside, many workers



Triangle factory workers were mostly young immigrant women.

jumped to their death. Others were burned to death because of locked doors, blocked exits and firefighters inability to get ladders and hoses to reach the upper floors of the building.

In less than half an hour, the fire was over and 146 workers out of 600 were dead. They were mostly young Jewish and Italian immigrant women (16 - 23 years old), who had recently emigrated to America seeking a better life.

International Ladies' Garment Workers fought sweatshops

As shirtwaist makers, they worked seven days a week, 13 plus hours a day with a half hour lunch break in unsanitary factories. Years before the Triangle fire, the International Ladies' Garment Workers' Union (ILGWU) had been pressing factory owners for more pay and shorter work hours. On November 22, 1909 they called for a general strike. The next day 20,000 workers from 500 factories walked out. The strike was settled in February 1910, and most of the owners agreed to higher wages, shorter hours and to recognize the Union.

The Triangle fire tragedy was a turning point for labor movement, workers rights and in particular the ILGWU, helping it organize many workers into the Union. The ILGWU together with the National Women's Trade Union League (NWTUL) – a group of mostly middle and upper class women – became a vocal and effective champion of protective legislation and Union organizing for women.

After the fire, the NWTUL sprang into action, collecting hundreds of responses from factory workers on unsafe and unsanitary conditions in which they were forced to work. They called a mass meeting at the

Metropolitan Opera House, and people of all backgrounds (including politicians, clergymen, union members, reformers) packed the hall. They approved a resolution asking the state legislature to form a Bureau of Fire Prevention.

In June 1911, after pressure from activists and like-minded organizations New York's governor signed a law creating the New York State Factory Investigating Commission. The Commission had broad power and scope and used it to investigate hundreds of factories.

Among its recommendations were registration of all factories with the Department of Labor, licensing of all food manufacturers, medical examination of food

In less than half an hour, the fire was over and 146 workers out of 600 were dead.



After the fire, devastation.

workers, increase in stairwells and exits, installation of fire walls, fireproof construction, fire extinguishers, alarm systems, automatic sprinklers and the prohibition of smoking in factories.

In 1913, a number of the recommendations became law, including rewriting the New York State labor laws, prohibition of night work for women, fire prevention, safety and health regulations, employment rules for women and children - including a 54 hour work week - and reorganization of the Department of Labor to enforce the laws.



Frances Perkins greets President Roosevelt

Local 638 Stewards Seminar Draws a Record Crowd

More than 160 Local 638 Stewards, officers, trustees, speakers and guests spent Saturday, March 12 renewing friendships, sharing experiences and catching up on the latest workplace-related legal developments. Thanks to all who helped make this biannual event such a great success!



Frances Perkins and Robert Wagner champion reform

Two prominent members of the New York State Factory Investigating Commission were Frances Perkins and Robert Wagner. Frances Perkins, a fierce fighter for workers rights, was a major force behind wide-ranging legislation to protect working men and women in New York.



New York Senator Robert Wagner championed workers' rights

Later, she became Labor Secretary in President Roosevelt's administration. The first woman to hold a cabinet position, she helped establish the nation's most sweeping worker protections of the New Deal era, including laws governing the minimum wage, unemployment insurance and child labor laws. She also served on a committee whose work and proposal later became the basis for the Social Security Act.

Robert Wagner later became a United States Senator from New York. He and Frances Perkins helped create the bill that would become the National Labor Relations Act of 1935. The Wagner Bill proposed creation of the National Labor Relations Board. Its mandate was to enforce employee

rights rather than to mediate disputes. It gave workers the right to form and join unions and obligated employers to bargain collectively with unions. It endorsed the principles of exclusive representation and majority rule.

Lessons for today

Out of the tragedy of the Triangle Shirtwaist factory fire came legislation that still protects our rights as workers. We should not allow the likes of Governors Walker (Wisconsin), Kasich (Ohio), Daniels (Indiana), Snyder (Michigan), Christie (New Jersey) and other right-wing anti-worker zealots like Rush Limbaugh, Glenn Beck, Sean Hannity, Bill O'Reilly and others to trample rights that were bought so dearly with the lives and blood of workers.

United we stand, divided we fall. An injury to one is an injury to all. Today it is public workers unions under attack. Tomorrow they will come after our unions if we stand by, do nothing, continue to support and elect anti-union politicians and listen to the right wing.



Thousands of New Yorkers mourned the deaths of the Shirtwaist workers



Democrat, Republican, Independent, Voter, Education

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