

OCTOBER 2005

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ATU

LOCAL 587

# News Review



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VOL. XXVIII, NO. 10

# Finally... Someone Listens

By Lance F. Norton

Over the past 5 ½ years as President of our Local, I have complained over and over to many in Metro/King County upper management regarding the issuance of excessive discipline. Within Article 4 - Discipline, of the MKC labor agreement, Section 3 describes the types of major infractions which can (and usually do)

lead to termination. Paragraph B of this section also states "...major infractions will result in discharge unless Metro determines that there are unusual circumstances which cause a suspension to be appropriate."

There are seventeen (17) different major infractions which, when violated, can result in an employee being terminated. Of the seventeen, fifteen are pretty much understandable. With that said, I want to make it clear this Union has represented and obtained reinstatements for members that have allegedly violated one of the listed fifteen that I'm not addressing here. But the two that most often result in terminations are Gross Misconduct and Gross Negligence. By far, of those two, Gross Misconduct is issued more than any other infraction.

But what does Gross Misconduct mean? Webster's provides many definitions for gross, the most pertinent to this discussion being "...glaringly noticeable, usually

because of the inexcusable badness or objectionableness..." and "...course in nature or behavior, crudely vulgar..." The most commonly used definitions would

be flagrant, extreme, glaring, or perhaps excessive.

Shortly after General Manager Kevin Desmond came onboard

*continued on page 6*



Lance F. Norton

## ATU Disaster Relief Fund

The ATU has set up a relief fund in response to the devastation caused by Hurricane Katrina. ATU members in the Gulf Coast need your help! Every penny raised will go to help ATU members who have been impacted by Katrina's devastation. Local 587 has contributed on behalf of our membership in a motion approved at the last cycle of membership meetings. Any member wishing to make a personal contribution may do so by sending a check to:

**ATU Disaster Relief Fund, Inc.,  
5025 Wisconsin Avenue NW,  
Washington, DC. 20016.**

Consider contributing to the ATU Disaster Relief Fund TODAY!

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# The Month at a Glance

## Executive Board Report

September 27, 2005

The following officers were present: President Lance Norton, Vice President Glen Travis, Financial Secretary Paul Griffin, Recording Secretary Jennie Gil, Marc Auerbach, Paul Bachtel, Ninus Hopkins, Alan Huston, Joe Mangiameli, Paul Neil, Neal Safrin, Rick Sepolen, Jeff Stambaugh, Deb Stenoien, Bruce Tiebout, Dee Wakenight, Mike Whitehead.

Chris Daniels and Brian Sherlock were attending the APTA Convention, Judy Young and Ray Campbell were out sick.

The following business was conducted:

- Motion by Paul Bachtel that Local 587 authorize expenditure to send up to three members to Portland on December 1<sup>st</sup> and 2<sup>nd</sup>, 2005, to attend an arbitration seminar, paying 2 nights hotel, 3 days per diem and travel.

- Motion by Marc Auerbach for a \$500 donation to Transportation Choices Coalition.

- Motion by Jennie Gil to recommend taking Dobbie Boyington's termination grievance to arbitration.

## Business of the Membership

At the September 2005 cycle of membership meetings the following business was conducted:

- Brother Tyler Schultz' request for arbitration was approved by the membership.

- Motion to compensate Sister Edith Redmond for an amount equal to the loss she suffered due to a union pick room error was approved by the membership.

- Motion that ATU Local 587 donate \$4000 to the ATU Disaster

Relief Fund, representing one dollar for each member, was approved by the membership.

The following members were September pot draw winners: Kathy Maddux-Dunn at the Charter meeting, Judy Young at the Morning meeting, Jeff Durall at the JTA meeting. CTS pot draw winner was Theresa Acorn. CTS rolling pot draw of \$75.00 was lost by Gary Lazore. Next month's rolling pot will be \$100.00.

## Tentative Agenda

### Membership Meetings:

**CHARTER MEETING**  
Thursday, October 6, 2005  
8:00 p.m.  
The Labor Temple, Hall #8  
2800 1st Ave., Seattle, WA

**JEFFERSON TRANSIT**  
Monday, October 10, 2005  
7:00 p.m.  
Port Townsend Rec Center  
Port Townsend, WA

**MORNING MEETING**  
Friday, October 7, 2005  
10:30 a.m.  
The Labor Temple, Hall #6  
2800 1st Ave., Seattle, WA

**CLALLAM TRANSIT**  
Tuesday, October 11, 2005  
7:00 p.m.  
Vern Burton Memorial Building  
Port Angeles, WA

### Among topics to be discussed:

Grievance and arbitration update, SPT contract ratification, intermediate discipline MOA, worker's compensation audit report.

Sister Dobbie Boyington and Brother Johnson Ayodeji will be appearing before the membership to request their grievances be taken to arbitration.

### Unfinished business

There is no unfinished business for October.

## ARBITRATION UPDATE

1. KennyMcCormick: Grieved failure to follow FLSA requirements for travel time for board/report/ATL operators. Grievance being held in abeyance while issue pursued in court.
2. Vince Lee: Grieved improper procedure for upgrade to temporary position. Arbitration scheduled for November 8, 2005.
3. Edward Young: Grieved termination for severe preventable accident. Arbitration. Arbitration concluded, decision pending.
4. Greg Mothersbaugh: Grieved improper payment of administrative leave. Arbitration held September 15th, 2005. Decision pending.
5. Jim Hermanson: Grieved alleged ADA violation, being relieved of duty for six months more than required by state CDL regulations. Settlement offered and accepted. Grievance final.
6. Kayetta Richardson: Grieved termination from MV for alleged failure to report an accident. Reinstatement settlement offered and accepted. Grievance final. Welcome back Sister Richardson!
7. Sandie Olosky: Grieved termination for alleged gross misconduct. Arbitration scheduled for November 7 and 8, 2005.
8. Louise Gredig: Grieved premature non-disciplinary medical termination. Schedule pending.
9. Tyler Schultz: Grieved medical termination. Arbitration approved by the membership at the August cycle of meetings. Schedule pending.

### ATU LOCAL 587

*News Review*

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Vehicle Maintenance Position No. 2  
Vehicle Maintenance Position No. 3  
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Web site: <http://www.atu587.com>

### WEINGARTEN RIGHTS STATEMENT

*I request to have a union representative present on my behalf during this meeting because I believe it may lead to disciplinary action taken against me. If I am denied my right to have a union representative present, I will refuse to answer accusational questions and any I believe may lead to discipline.*

### Letters to the editor

Letters/contributions must include signatures, work ID number, addresses and telephone numbers that can be verified during office hours. Letters that cannot be validated will not be published. All articles/letters are subject to editing and should be limited to 350 words or less. Not all letters can be published due to space limitations. Cut off date is the 15th of each month.

Send letters to:

Jennie Gil, Editor

c/o ATU Local 587

News Review

2815 Second Avenue, Suite 230  
Seattle, WA 98121

# Help With Shoulder Harnesses

By Executive Board Officer Rick Sepolen

## ATTENTION ALL LOCAL 587 DRIVERS

*In order to change the rules we need supporting data that shows the continued use of the shoulder harness continues to be a safety risk.*

The 587 COPE (Committee on Political Education) members along with the ATULC (ATU Legislative Council) need your assistance. We are currently working with our legislative lobbyist in an attempt to change the rules requiring bus drivers to wear shoulder harnesses.

Operators throughout the system (**Ed.Note:** and actually in several bargaining units) have been complaining about the problems associated with the seat-belt harness attachment. Most complaints center on problems associated with unexpected restriction of movement occurring at awkward moments. Usually this restraint of movement occurs just as the

operator is trying to scan mirrors or while 'bobbing and weaving' in an attempt to see around obstructions in search of pedestrians and/or vehicles.

In order to change the rules we need supporting data that shows the continued use of the shoulder harness continues to be a safety risk. We are asking each of you to report any shoulder harness problems on green sheets if you are Metro. Those of you from other bargaining units, please submit written documentation to the Union office. We will take this information with us to Olympia, using it to support our request for changes in legislation.

# It's Not Too Late

By Executive Board Officer Dee Wakenight

September 24, 2005 was the date for the yearly event some of you donated to in the previous years, and may still wish to donate to this year. The annual "Jump for Joy" raises money for families with terminally ill kids. When I agreed to jump I also agreed to do my best to raise \$1000.00 for this very worthy cause. The Sparrow Foundation accepts donations in any amount and is **100% tax deductible**. I need your help to make my jump worthwhile and help our adopted family. When donating by check please make it

payable to "Sparrow Clubs." You may either drop it into the base mail and address your envelope "Dee Wakenight, SBA-TR-0100", or avail yourself of the USPS and mail the check to Dee Wakenight c/o ATU Local 587, 2815 12<sup>nd</sup> Avenue, #230, Seattle, WA 98121.

This was my third year for the jump and I do plan once again on writing an in-depth article for the *News Review*. Look for it in the November issue.

You have the power to make this year the best ever. Please help, it's not too late.

## JUMP FOR JOY

*To make a donation contact:*

**Dee Wakenight**

**c/o ATU Local 587**

**2815 2<sup>nd</sup> Avenue, #230**

**Seattle, WA 98121**

## IN LOVING MEMORY...

*When death overtakes us; all that we have is left to others;  
all that we are we take with us.*

— Author Unknown

**Ed Rondeau**, Jefferson Transit Operator, passed away suddenly September 21, 2005. Brother Rondeau joined Local 587 in November of 2002. He was an active member *Ed Rondeau*



working out of Forks Base. Brother Rondeau was well-liked by his passengers and coworkers and leaves behind a hole in many hearts. He will be fondly remembered.

**Kenneth B. Wicker**, Transit Operator, was tragically killed on September 17, 2005. Brother Wicker joined Local 587 in March of 1993 as a Part-time Transit Operator, and went full-time in July of 1997. He was an active

member out of South Base at the time of his death. He leaves coworkers and family shocked and saddened, and he will be greatly missed. Please extend your condolences to his wife, Mary K. Wicker, also out of South Base.

**John Gore**, retired Transit Operator, passed away September 11, 2005, after a lengthy battle with cancer. Brother Gore joined Local 587 in 1977 as a Transit Operator, and retired in September of 2003 for medical reasons. Brother Gore last worked out of South Base prior to his retirement. He will be fondly remembered.

**Milton Logsdon**, retired Transit Operator, passed away September 3, 2005. Brother Logsdon joined Local 587 in October of 1959, and retired in April of 1994. No further information available.

**Jack Martin**, Transit Operator ID #3565, passed away suddenly August 29, 2005. Brother Martin joined Local 587 in September of 1992 as a Part-Time Transit Operator, and went full-time in May of 1997. *Jack Martin*



He was an active member out of East Base at the time of his passing, and an active and involved member of the Critical Incident Support Management team. Jack worked hard to serve his fellow coworkers during their time of distress, and lobbied hard to garner continued support from both the Local and the Agency for the CISM team and the services they provide. He will be greatly missed.

**Lonnie Sumner**, retired member, passed away August 29, 2005. Brother Sumner joined Local 587 in 1938, and retired in June of 1976. No further information is available.

**John A. Ross**, retired member, passed away August 24, 2005. Brother Ross joined Local 587 in December of 1941, and during the course of his career worked as a busdriver and then a supervisor. He retired in 1976. He was 86 years of age at the time of his passing, and a fifty-year member of the ATU. He leaves behind loving family and friends, including his son, Brother John Ross, a fellow member from Seattle Personal Transit. If you see Brother Ross at the work site, please stop for a moment and express your condolences.

*Please notify the union office of any member's passing so that this information may be shared with the rest of our union family.*

# Letters to the Editor...

## COLOR-CODE CURBS FOR SKIP STOPS

Dear Editor:

I rode one of the training coaches this past weekend (Sept. 11<sup>th</sup>) that was designed to familiarize Operators with the changes downtown due to the tunnel closure Sept. 24<sup>th</sup>. Our driver/trainer was going down 3<sup>rd</sup> Avenue and explaining the skip stops over the PA to all the operators riding this training coach.

This experience reminded me of

the first time I drove down Fourth/Second Avenue doing skip stops. The feeling of not knowing where you're going or where to stop is something I'm sure all Operators have experienced at one time or another. There is a big visibility problem with the colored half circle (red, blue, white, yellow) on top of the kiosk. When driving down any of these streets: Second, Third, or Fourth, in lane two you CANNOT see these half circles if a bus is in the zone. Other obscurities such as trees, delivery trucks, fire trucks, etc., only serve to enhance this problem. The last thing we all

need is for an Operator to stop and wait for the blocking coach to pull away, revealing the half circle, all the while holding up traffic.

I also noticed all the new paint on the curbs in many of the bus zones downtown. Why not paint the curb to correspond to the color of the zone? Red curbs in red zones, blue curbs in blue zones, etc. If the curb was painted the entire length of the block to correspond with the color of the zone you, could see it for several blocks away.

Color-coded curbs would not only assist drivers but passengers as well. Passengers that commute daily on Metro know where to catch their bus, but not casual riders, visitors from out of town, drivers that haven't driven on a given street for months/years, [or] new drivers that have never driven downtown Seattle at all.

I understand this paint is there for safety reasons but I'm confident that Metro could come up with a color scheme that would serve both purposes. Yellow and Black are international safety colors. I would like to see a block of yellow safety paint from the top inside edge of the curb, toward the sidewalk, 12" to 18", with CAUTION WAIT BEHIND YELLOW PAINT stenciled

in black over the top of the yellow safety paint. Then color-code the curb itself to correspond to the respective skip stop. Then maybe some of the idiots that stand right on top of the curb and get hit by bus mirrors would move back far enough for the bus to SAFELY get in and out of the zone. Considering the volume of passengers coming from the tunnel closure the last thing we need is more passengers standing on the curb slowing down buses and creating another safety hazard.

I firmly believe that a color-coding system like this would address two very important issues.

- Safety: keep passengers back away from the curb so buses can get in and out of zones safely, efficiently and effectively.

- User-friendly: both drivers (new and old) and passengers can spot the color-coded curb from several blocks away and drivers won't hold up traffic while trying to decide if this is their stop.

Sincerely,  
Dan Bennett #20599  
Atlantic Base

### SEND IN YOUR OPINIONS

Letters/contributions must include signatures, work ID number, addresses and telephone numbers that can be verified during office hours. Letters that cannot be validated will not be published. All articles/letters are subject to editing and should be limited to 350 words or less. Not all letters can be published due to space limitations. Cut off date is the 15th of each month. Send letters to:

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News Review Editor  
c/o ATU Local 587  
2815 Second Avenue  
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### NOTICE TO ALL READERS

*Views and opinions expressed in News Review articles are those of the authors and not necessarily the official position of Local 587*

## Attention ATU Members

# Critical Incident Stress Management

*The CISM team provides 24 hour emotional support and crisis intervention to all King County Metro Transit employees.*

**Hotline**  
**206-263-3761**

**From your CISM team**

## UPCOMING AT LOCAL 587

**OCT. 6** — Shop Steward elections for Operations or Vehicle Maintenance as needed. (MKC).

**OCT. 6** — Shop Steward nominations close for First Line and Special Classifications.

**OCT. 8** — New shakeup begins for First Line.

**OCT. 11** — Chief Shop Steward nominations close for Vehicle Maintenance and Operations.

**OCT. 12 and 13** — Shop Steward training for new stewards and alternates. Please call the union office by a 4 p.m. Friday, October 7, if you would like to attend. Only those stewards who have not attended the training before will be detailed to attend. Detail time is paid only for those members who are scheduled to work on these days.

**OCT. 20** — Shop Steward elections for First Line and Special Classifications as needed.

**OCT. 25** — Executive Board Meeting.

**OCT. 30** — Daylight Savings Time ends. Remember to change your clocks!

**NOV. 8** — ELECTION DAY.

# Paid Straight Through, Or Not...

By Paul J. Bachtel, Executive Board Officer

Two provisions found in the MKC contract, in Article 15, Full-time Transit Operators, provide for straight-through pay when an operator is working a split-shift assignment with more than one split, or straight-through pay for splits of 29 minutes or less.

The first provision is in Article 15, Section 4, Paragraph A.2. This language specifically addresses combos. It requires straight-through pay for the shorter of two splits in a Combo with more than one split. It also requires straight-through pay if a combo has a split is 29 minutes or less. Currently Metro has no Combos with more than one split. If Metro creates such Combos in the future, the straight-through pay for the shorter of two splits and/or for splits of 29 minutes or less will be automatic, as it will be preprogrammed into the payroll system.

The second provision for straight-through pay is in Article 15, Section 8, Paragraph E.6. This language is specific to Tripper Combinations. It requires straight-through pay for the shorter of two splits in a Tripper Combination assignment with more than one split. It also requires straight-through pay when a Tripper Combination assignment has a split is 29 minutes or less. Metro routinely creates Tripper Combinations with more than one split and with splits of 29 minutes or less. The straight-through pay for these assignments is **not** paid automatically. To be paid, an Operator must submit a required Metro form and is required to fill out a Metro sundry sheet.

## But When is it What?

Complying with Metro's requirement has been difficult at best. The confusion is in determining when a posted assignment is a Tripper Combination consisting of three trippers, entitling the Operator to be paid straight-through for the shorter split, or if the posted assignment is two trippers as the **regular** assignment and a third tripper as **overtime**. If the third tripper is assigned at overtime, the original assignment is two trippers (with one split) and does **not** qualify for payment of the shorter of two splits. But if assigned three trippers, how is an Operator to tell if one of the three trippers is assigned at overtime, or if all three are assigned at straight time thus providing straight-through pay for the shorter of the two splits? There is no way to tell!

Different bases have approached this problem different ways. At one base, when assigning two trippers as a regular assignment and a third tripper at overtime, the planner hand-writes the word "overtime" on the extra board posting next to the overtime assignment. At another

base Operators query the planner as to whether or not one of the three trippers is assigned at overtime. A base chief recently that suggested all Operators assigned three trippers should request payment for the shorter of the two splits, and let Payroll decide which requests are valid.

## Complete and Accurate Reports?

In the last contract negotiations Metro requested the following sentence be added to Article 15, Section 8, Paragraph E.6, "To be paid, an Operator must submit complete accurate reports". This new sentence is added in the M.O.A. section of the contract on page 189. I kinda thought Metro asked for this additional sentence to avoid responsibility for not paying Operators per contract. But I was okay with it in order to place the responsibility on Metro to provide the necessary information for Operators to comply with the added sentence, and thus be able to determine exactly what these type of assignments pay. Shortly thereafter, a situation arose which resulted in confusion over and Operator's proper pay for a three-tripper assignment combination. A grievance was filed and a corresponding request was sent to Metro asking that the extra board be marked to indicate when a third tripper is being assigned at overtime.

## It's All My Fault

I'm sure this article is just as confusing to those not familiar with extra board assignments as it has been for those Operators attempting to be paid properly for a Tripper Combination assignment. For all the confusion I must accept responsibility. I'm the nimrod that negotiated these two new provisions on straight-through pay for certain splits back in 2001. I have learned an important lesson: don't negotiate new language that is nearly impossible to implement. Hopefully, this problem will be resolved outside of the grievance process by Metro providing Operators with the needed information to determine the proper pay for Tripper Combinations assignments. Further, it is my fervent hope that the new software being developed to create operator assignments will automatically pay operators correctly. But don't hold your breath.

## Ulterior Motives

I must digress for a few lines. I have ulterior motives for writing this article. Metro recently implemented the "Between Assignments Travel Pay" (BAT) sundry sheet as part of the Travel Pay lawsuit settlement. Once again Metro is implementing an overly complex requirement in order to properly pay

operators for travel pay between assignments. There is one significant difference between not properly paying Operators straight through for Tripper Combinations, and not properly paying Operators BAT. Not paying BAT is a violation of federal law and will result in a complaint being filed with the Department of Labor, Wage and Hour Division. I hope Metro is listening

Back to the original point. If

management doesn't begin marking the extra board properly, indicating in an assignment of more than two trippers whether or not one is assigned at overtime, I suggest we take the afore-mentioned base chief's advice and request payment for the shorter of two splits in all Tripper Combinations assignments with more than one split. And I extend my apologies to Payroll in advance.

# An Official Thank You

By rank-and-file-member Jennie Gil

I have always known that we have awesome drivers here at King County Metro. I experience it on a regular basis. Last week I experienced it firsthand yet again. And since we very rarely get thank you's for all the little things we do right, or for the many, many times during the day that we incorporate good judgment, courtesy and consideration in our regular workday, I felt a run-of-the-mill commendation was not good enough.

Responding to my doctor's challenge regarding my sedentary lifestyle, as well as \$2.89 a gallon, I rode my bike to the bank one afternoon. Riding southbound on 5th Ave NE towards Northgate Way can be exhilarating, and I made the trip in roughly 4 minutes. Coming back, however, was a different story. As I made my way north on 5th I came up behind a northbound #41. As he was unloading a large number of people I pulled around on his left side when the traffic broke, making sure I had plenty of room so that he would see me when he got ready to roll. I was about one car length past his front bumper when he began to pull out of the bus zone, and it was a wonder to me that he was not laughing out loud as he watched me huffing myself up the road. But he patiently hung back waiting for me to clear him and move over. He never rushed me. Being a courteous cyclist myself, I waved him past me on the right, he cleared me, and went on his way. At no time during the maneuver did I feel that my safety was threatened.

But that wasn't enough. As I painstakingly huffed my way to the crest of the hill, in my custom

Charlie Tiebout Handy Dandy Helmet Mirror (trademark pending) I spotted another bus approaching behind me. Knowing I could not clear the bus stop ahead of me before the bus reached me, and not wanting to slow that bus down, I slowed down myself. As the bus approached me, the driver did something I had never seen a bus driver do before. She announced her presence to me on the outside PA system. A friendly voice called out, "41 bus coming up behind you on your left side." I waved her around me, she unloaded her passengers, and we both proceeded safely on our individual merry ways.

I know this all seems inconsequential. But I also know how hard it is to maneuver a coach through traffic, and to try and anticipate what those folks out there on two, four, and sometimes more wheels, are going to do as you try and move in concert with them down the same roadways. I also know as a cyclist how daunting it can be to share that roadway with vehicles that are much larger and going much faster than I am. Yet I see no reason why they all can't coexist. As gas prices rise to a level we never dreamed of when we slid behind the wheel of our very first car, I believe more and more people will take to smaller vehicles, including and especially bicycles. But this is not a letter to expound the virtues of cycling or conservation, nor is it to rail against the rising cost of fossil fuels. It is instead to extend thanks to two individuals who simply incorporated kindness and consideration into the course of their regular workday.

## President's Report, continued from page 1

about a year ago, he and I entered into talks regarding my concerns over the issuance of excessive discipline, primarily when an employee may be guilty of misconduct. One of my concerns was that such violations always seem to fall into the gross misconduct category and the employee is then suspended for 30 days with termination to follow. I gave him numerous examples of this application and the potential consequences when it is applied, particularly the timelines involved. For example, let's say an employee is charged with Gross Misconduct. Said employee immediately files a grievance.

Now the clock starts running. The 1<sup>st</sup> step hearing is scheduled and Metro must respond within twenty days of the filing of the grievance. Now, assuming the grievance is denied at first step (which it always is!), the Union must make a determination that the grievance has merit and request a second step within 15 days. In the event of termination that request usually comes immediately as this office is very sensitive to

the amount of time an employee is out of work waiting for their issue to be resolved. Termination grievances consist of two steps, prior to requesting arbitration.

After the Union makes their second step request, Metro must schedule that hearing and respond within forty (40) days. In many cases an employee can be off work for almost two months before any hope for reinstatement exists. In the meantime, their benefit coverage stopped at the end of the calendar month in which they were terminated.

I explained to Kevin in our discussions that in many cases, I believed under just cause the Union will prevail in getting the member's job back. In many of those cases I suspect Metro also recognizes that fact.

In our discussions I gave a number of examples of employees brought back to work short of arbitration, after lengthy suspensions. Kevin seemed very interested and genuinely concerned. In some of the examples I had brought forward to him he told me he felt some reason-

able discipline would have been appropriate, but not necessarily termination.

### Finally Someone Listens!

As a result of these discussions your officers have been able to negotiate an intermediate category of discipline which reads as follows: **Section 3 of Article 4 New Paragraph C:** "Serious Infractions-Metro may also determine that an infraction is misconduct, negligence, or a serious performance problem, which warrants discipline under the just cause standard. A suspension under this section may be issued up to, but not to exceed, 5 days." In addition, the current Paragraph B. of this section which read "Major infractions will result in discharge unless Metro determines that there are unusual circumstances which cause a suspension to be appropriate." has been altered. We have removed the word **unusual!**

This is a significant improvement in the discipline section of King County members' labor agreement. I very much appreciate General Manger Kevin Desmond's willingness to discuss and understand my concerns, but

most important to recognize a change needs to be made.

### SPT Contract Ratified

After eight months of negotiations the SPT negotiating committee reached a tentative agreement. That agreement was presented on Sunday, September 11, during two meetings scheduled for the purposes of consideration and ratification of that agreement. Members that attended those meetings voted by a two-to-one majority to accept the proposed new labor agreement. I wish to thank all of our 587 members working for Seattle Personal Transit for their patience and understanding during this long period of negotiations. I especially thank my negotiating team: Vice President Glen Travis, Recording Secretary Jennie Gil, Executive Board Officers Paul Bachtel and Ninus Hopkins, Shop Steward Roscoe Seamon, and member David Read for their great efforts. Please see the related article by Executive Board Officer Paul Bachtel for further information on the terms of the agreement.

Regards to all...  
Be safe...  
LFN

# Fifteen Years of ADA

By President Lance Norton  
and Executive Board Officer Judy Young

2005 marks the fifteen-year anniversary of the American's with Disabilities Act (ADA), which was enacted in 1990. Along with many other provisions, the ADA requires both rail and bus operators to announce when they've reached transfer points, major intersections, major destinations and stops that passengers frequently use to orient themselves.

Numerous lawsuits have been filed against transit agencies across the country for alleged non-compliance. Two of the largest laws suits were against MARTA in Atlanta, Georgia, and the Chicago Transit Authority (CTA) in Chicago, Illinois. In the Chicago case the state of Illinois was fined 15 million dollars for ADA violations.

Because of the outstanding work our transit operators do system-wide Metro/King County has not been sued for non-compliance or punished by the Federal Transit Agency for accessibility-related violations. In addition to the regular stress of the job, checking your mirrors every 3 to 5 seconds, bobbing and weaving to overcome visual blind spots, checking your run card for time points, maintaining proper

following distance, answering questions, issuing transfers, loading and unloading wheelchairs, mediating disputes between unruly customers, hoping at the end of the route there will be enough time to use the comfort station (if there is one there!) we also manage to check the stop announcement card and call out stops.

## BE A BIG MOUTH!

Executive Board Officer Judy Young has been appointed to serve as the Union's Representative on the Accessible Advisory Committee. Sister Young has helped organize many of the ADA Fairs at Metro's operating bases. We both wish to extend our appreciation to all members of the ADA Committees from all the operating bases. Also special thanks to Pat Cleary, Larry Showwalter and Jeffrey Morris for their support during the ADA fairs at the bases.

The ADA Committee at Central/Atlantic Bases has for their motto "BE A BIG MOUTH! LET US HEAR YOUR ADA ANNOUNCEMENTS" Our operators have significantly contributed to the well-deserved reputation of Metro Transit as one of the foremost transit agencies in our country.



# It's Your Money

By Bruce Tiebout, Executive Board Officer

Open enrollment is coming soon. One way to save your money, especially part-time and on-call Employees without full benefit coverage, is to have all health care premium deductions taken BEFORE-TAX. That way, you don't pay federal income and Social Security taxes on the money that you use to pay for your health care premiums.

Before-tax deductions do reduce the income tax you pay out. However, certain IRS restrictions do apply:

- Any portion you pay to provide coverage to a domestic partner or domestic partner's children is taxable, therefore you cannot make of that a BEFORE-TAX deduction.

- You may not drop any coverage until the next open enrollment unless it's due to a qualifying change in status:

1. Death of a family member
2. Divorce, legal separation or dissolution of a domestic partnership
3. Significant change in your spouse's or domestic partner's coverage due to his/her employment

- You must re-enroll for before-tax deductions every year during open enrollment or you default to the after-tax arrangement.



Paul L. Griffin

## The Financial Secretary's Report

# 25<sup>th</sup> Anniversary of Solidarity

By Paul L. Griffin, Financial Secretary/Treasurer

Twenty-five years ago this August, the workers in the shipyard in Gdansk had the unmitigated gall to go on strike. On the first day they didn't know it was going to be a "strike", nor that they were going to give birth to one of the major events of history. They were just objecting to the firing of a fellow coworker by the Communist director of the shipyard. The communists compounded the problem by rounding up a group of individuals who had been calling for "independent" unions. Communist governments already had "unions" in place but the leadership was not elected by the workers they represented. (Much like the "company unions" we used to have in America, which are now illegal.)

At the Twenty-fifth Anniversary of Solidarnosc Lech Walesa told the story of how he was late getting to the shipyard. He arrived after the communists had rounded up most of the leadership. Evidently the communists thought that rounding up some worker leaders would calm down the agitated workers. It didn't. They had chained and locked the gates to the shipyard and Lech Walesa had to literally climb over the wall to get inside. He became the leader of the strike almost by accident, because he was the only one of the leaders still left standing. Or, rather, climbing over the wall.

Prior to the strike workers had a lot of complaints that they expected the government to listen to, and respond to appropriately. But as the "lock-in" progressed (the workers locked themselves inside the shipyard and left the security forces on the outside) the workers put together a list of demands. The short story is that the government finally met and agreed to the twenty-one demands. The following is a translation of those demands.

1. Recognition of free trade unions, independent of parties and employers, based on Convention 87 of the International Labor Organization, referring to the freedom to form trade unions, which has been ratified by the Polish People's Republic.
2. The guarantee of the right to strike and the safety of strikers and persons assisting.
3. To comply to, as guaranteed in the Constitution of the Polish People's Republic, free speech, print and publication, and with the same not to persecute

independent publishers and to make available mass media for representatives of all professions.

4. To restore to previous rights:
  - a. people dismissed from the work after strikes in 1970 and 1976, students removed from colleges for convictions.
  - b. To release all political prisoners (including Edmund Zdrozinski, Jan Kozlowski and Marek Kozlowski).
  - c. To lift repressions for convictions.
5. To publish in the mass media information about the creation of the Inter-Factory Strike Committee and to publish its demands.
6. To undertake real activities for the elimination of the critical situation in country through:
  - a. giving to public knowledge full information about the social-economic situation.
  - b. allowing all environments and social strata participation in the discussion about the reforms program.
7. To pay all workers being a party to strikes a salary for the term of the strike as a rest holiday from the CRZZ (Central Trade Union Committee) fund.
8. To raise the basic salary of every worker by 2000 zloty a month as compensation for the existing rise in prices.
9. To guarantee an automatic pay increase parallel to the rise in prices and the fall in the value of money.
10. To fully supply the internal market in food articles, and to export only and exclusively that which is surplus.
11. To lift commercial prices and the sales of articles for foreign currencies, in what is called internal export.
12. To introduce rules for the selection of management personnel on the basis of qualifications and not party membership, and to remove Militia and security service privileges and the party apparatus by the equalization of family allowances, liquidation of special sales etc.
13. To initiate cards- food tickets for meat and products (until the situation on the market is under control).
14. To lower the retirement age for women to 55 years and for men to 60 years or the total amount of working years in Polish People's Republic would be 30 years for women and 35 years for men, irrespective of age.

15. To level disability pensions and retirement pensions of the old payment system to the present level of pay.
16. To improve the work conditions of the Medical Services, which will assure full medical care for working persons.
17. To assure a suitable quantity of places in day care and nursery schools for children of working women.
18. To introduce a paid maternity leave for a period of three years for child-raising.
19. To shorten the waiting time for an apartment.
20. To raise diets from 40 to 100 zloty and a bonus for separation.
21. To make all Saturdays free from work. For workers on a continuous or a four-shift system, the lack of free Saturdays will be made up with an increased

amount of vacations or other paid days free from work.

Now for a little commentary on some of the demands. Most of them are obvious and mean exactly what they say. But a little background will help on some of them. Demand Eight sounds like a lot of money but the Polish currency has since had the decimal point moved four places to the left. Currently the exchange rate is one US Dollar per 3.2 zloty. In other words, they were asking for a six cent per month raise. Demand Twelve we would call hiring on "merit and qualifications" rather than "the good old boys" system. Demand Fourteen reflects the short life expectancy of the people living in the Eastern Block countries. Demand Fifteen would have been easy because the pay was so little to begin with.

*continued on page 8*



Solidarnosc leader Lech Walesa addresses the crowd in his rousing keynote speech.



AFL-CIO Secretary Treasurer Richard Trumka, his lovely wife Barbara, and Local 587 Financial Secretary Paul Griffin shared the honor of witnessing the anniversary of this historic event in the labor movement.

# Is VM Ready?

By Mike Whitehead, Deb Stenoien, Jeff Stambaugh

With the catastrophic events in New Orleans in the news and on our minds, we as good Union brothers and sisters, employees of the largest transportation agency in the state, and tax paying citizens of this community, have to ask ourselves, "Are we ready?" This question has come up again and again in the local news media. As some of you recall the City of Seattle has been in somewhat of a battle trying to find the answers to this question. Some ask, "Will we ever be able to respond to a disaster?" and others answer, "Yes, if we prepare."

So what are the plans here at this Agency? I am sure there is at least one plan with a few contingencies out there. So often the familiar phrase from the labor agreement, "management's right to direct the workforce," is thrown

at us. Well, we would like to see management's plan of direction in the event of a disaster. Currently we have monthly safety and crew meetings and we believe now is the time for management to show us what they have in store. After all, being well informed makes us more efficient. We are the largest transit agency in the state and undoubtedly will have some role in whatever disaster affects this area. It would be nice to know what our disaster plan is.

A few years back after 9/11 the Union sent some Board officers to a two-day seminar put on by FEMA and the newly created Homeland Security Agency. The seminar was titled "Getting Connected." It was very interesting, and an eye opener to say the least. In the room were a lot of local government agencies. There was a scenario played out where an outdoor venue involving

around 15,000 turned up sick with fatalities. FEMA went through some responding steps showing the various local agencies how to interact. They put an emphasis on the fact that all agencies have something to contribute and that resourcefulness is a key factor to a successful response. I believe we have some of the most resourceful members in VM. It would be nice to know what part we play in this plan.

## Moving Tool Boxes

On another issue, a lot of members in the largest classification in VM are amazed at the Tool Box Movement Policy and its recent modifications. We have had a LOT of conversations with the members and the number one question is, "Who came up with this?" We have met with Management and Vehicle

Maintenance Manager Jim Boon has agreed that more research needs to be done and that we will have further discussion on this issue. Hopefully we will come to a resolution in the near future that works for everyone.

The larger problem we see with all VM policies is that management does not contact the Union to discuss the ramifications with regards to policies that directly impact members and the Labor agreement. This lack of communication from VM management has been a frustration for us VM Board Officers for quite some time. Sometimes it appears management creates issues just to see the response. Maybe that's the way they stay busy.

**VM: a higher level of professionals, just keep your sticks sharp and your fires burning...**

# A Newly Ratified Contract

By Executive Board Officer Paul Bachtel

Local 587 represents employees of six different employers in King, Jefferson and Clallam counties. Geographic separation and work type differences often leave many of us knowing little about the difficulties faced by our union brothers and sisters working at different properties. I recently had opportunity to serve on our side of the negotiating team for Seattle Personal Transit's (SPT) contract negotiations, and was left with a deep appreciation

for the hard work, dedication to community, and public service provided by our brothers and sisters at SPT. I was also left with a resounding frustration for the low pay and poor working conditions experienced by Access Operators nationwide.

Access service provides safe, reliable, and convenient transportation services to those members of our community physically unable to ride the bus. Unfortunately, the federal government mandated

local transit agencies to provide Access services without providing those agencies any additional funding. Consequently, many local transit agencies subcontracted Access service to non-union companies in an attempt to cut costs. King County Metro subcontracted Access service to three providers and subsequently Local 587 organized two of those three providers. SPT is one of the two providers represented by Local 587 in King County.

Top pay at SPT prior to the recent negotiation was \$15.07 per hour. The recent ratification of SPT's tentative agreement will bring top pay to 15.52 per hour with two additional pay increases over the life of the agreement. Operators will reach \$16.47 per hour in June of 2007.

The new contract vastly improves SPT's labor agreement with new and/or additional language that nearly tripled the length of the agreement, most importantly new language in the preamble, discipline, breaks and rest periods, non-discrimination, union membership, seniority, wages, picks and move-ups, attendance, and collisions.

Those who have served our union much longer than myself often remind me that the King County Metro labor agreement is a living document, which has improved slowly over many years, and those who work under the King County Metro agreement

owe a debt of gratitude to those who came before and fought for the provisions we enjoy. I hope as time passes the employees of SPT will also gain a similar respect for their union forefathers. This will only be accomplished by fighting to limit or eliminate sub-contracting of transit work by raising the pay levels of employees working for contractors, with the eventual goal of bringing all transit workers together with equal pay and working conditions.

If you work for King County Metro, please remember the Access operators we cross paths with are our current or future union brothers and sisters. Treat them with the respect they deserve and in doing so, let them know that we are all in this together and will fight for the rights of the underpaid and overworked.

We all owe a debt of thanks to the negotiating team that brought back this recent agreement. I'm grateful to President Norton for allowing me to participate in SPT negotiations and I'm particularly grateful to SPT/MV Executive Board Officer Ninus Hopkins, Shop Steward Roscoe Seaman and Shop Steward David Read for their outstanding work in improving the wages and working conditions for our brothers and sisters at SPT. We have one Access provider in King County left to organize and this latest agreement should help provide the impetus to accomplish our goal.

## Solidarity, continued from page 7

It was indeed an honor to be a delegate to the 25<sup>th</sup> Anniversary of Solidarnosc. Richard L. Trumka, Secretary-Treasurer of the AFL-CIO led the United States Delegation. Due to limited seating the Solidarity Union issued only about six credentials to Americans. Every major union organization in the world had delegates in attendance. The whole presentation was extremely well done, including radio-transmitted translators. Words cannot describe the electricity that ran through the crowd when Lech Walesa took the stage to deliver the opening Key Note Address.

As this was an official gathering of Solidarnosc unions, they did conduct official business regard-

ing a few policy positions. The most important one was that the Solidarnosc Union has adopted the official position to not try to function as a political party AND a union. When it got started there was a total vacuum of leadership and Solidarnosc filled the void by default. But as communism went by the wayside people formed and re-formed political parties and little by little Solidarnosc lost status as a political party. Now they will concentrate on the base line things union do: organizing, increasing wages and benefits, and providing for improved working conditions.

Even on the other side of the world some things never change. I guess we are all in this together,