



Teamster Talk



Members of Teamsters Local 117

Teamsters Local 117: 14675 Interurban Ave. S, Suite 307 • Tukwila, WA 98168 (206) 441-4860 • www.teamsters117.org



Teamsters Local 117 Business Representative, Matthew House (l), and SHA member, Jerome Foster (r).

Arbitration win puts SHA employee back on his feet

Life has been a roller-coaster ride for Jerome Foster. One day he's celebrated as a hero for rescuing an elderly lady from her burning apartment building; the next day he gets unjustly terminated from his job at the Seattle Housing Authority (SHA), evicted from his apartment, and forced to live on the streets.

Good thing Foster has a union contract backing him up, and competent Union representatives who care, or maybe Foster, a single

dad, would still be living out of his car.

Jerome Foster's story goes back to 2007 when he went to work as a Resident Manager for the SHA. Foster was provided an apartment as a part of his job and put in charge of the upkeep of a low-income West Seattle apartment complex bordering on White Center.

Foster's new job started with a scare. He got a call from a tenant saying that a fire had broken out in

the apartment complex. When he went to investigate, he saw smoke billowing up everywhere. Foster called 911. Then he remembered the 90-year-old lady who lived in one of the units, and rushed over with a fellow resident to see if she was okay. "When we got there, she was completely disoriented," Foster said. "We got her out of the building to safety. She was pretty shaken."

The two men were praised by fire fighters on the scene and treated like heroes at their apartment complex. But strangely, instead of being congratulated by his employer, Foster faced criticism. Apparently, he had called the wrong supervisor to report the incident. "I couldn't believe it. It was a panicky moment and I thought I had done everything right."

UNJUST TERMINATION

In 2008, shortly before Christmas, Foster received some more bad news. At a meeting with his manager to discuss the progress of his to-do list, Foster had complained about not having adequate supplies to do his job. After the meeting, he was fired for what management alleged to be "gross insubordination." Foster was kicked out of his apartment, and within a few months, he was living in his car.

"When I lost my job, I felt numb. It felt like my whole world came crashing

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A message from your Secretary-Treasurer



Brothers and Sisters:

We've all heard someone ask the question, "Why do I need a Union?" You only have to read the current issue of *Teamster Talk* to find the answer. With a Union, workers have a seat at the table and the right to negotiate their wages,

benefits and working conditions. With a Union, workers have a contract that binds the employer and guarantees workplace rights. That Union contract provides a procedure for fighting the employer when it violates the contract.

"JUST CAUSE" PROTECTION

Without a Union contract, Jerome Foster would have been an "at will" employee, which means his employer could fire him for any reason. Jerome would have had to pay out of his pocket if he wanted an attorney to fight for his job. The Union contract gave Jerome "just cause" protection. Jerome received zealous representation from a dedicated Business Representative and a Local 117 Staff Attorney, paid for by Union dues. As provided in his Union contract, a neutral arbitrator heard the dispute and issued a decision giving Jerome his job back with back pay, which was final and binding on the employer.

The next time you hear someone say, "Why do I need a Union?", tell them that without a Union, their employer gets to make all the rules about wages, hours and working conditions. And, the employer would be able to change those rules whenever it wanted and without regard to the desires or interests of the employees. Why would you want that?

In Solidarity,

Tracey A. Thompson
Secretary-Treasurer

Arbitration win

Continued from Page 1

down. I blew through all of my savings and drifted from one person's couch to the next. On the days that I didn't have a place to stay, I slept in my car," he said.

Stricken by his predicament and shocked at his employer's actions, Foster called his Union. With the help of Local 117 Business Representative, Matthew A. House, he filed a grievance, arguing that his employer's actions had violated the 'just cause' provision of his collective bargaining agreement. Foster's grievance also asserted that the SHA did not conduct a proper investigation and that the punishment was excessive.

UNION FIGHTS BACK

That started a process that lasted nearly a year and a half. A series of grievance meetings ensued followed by three arbitration hearings. Foster was represented throughout the process by Business Representative, Matthew House, and Local 117 Staff Attorney, James V. Smith II.

The arbitrator who heard the case ultimately ruled in Foster's favor. She said that Foster's employer did not give him a clear order, did not conduct a thorough investigation, and that Foster's behavior did not warrant gross insubordination. Foster was reinstated with back pay and benefits. He returned to work on May 24, 2010, after being out of work for over 17 months. SHA's argument that the grievance was untimely was denied.

*“These guys
fought for me like
no one has ever
fought before.”*

- JEROME FOSTER
SEATTLE HOUSING AUTHORITY

To say that Foster is grateful to his Union is an understatement. “These guys literally saved my life,” he said. “Who else was going to take my case and look at the facts? These guys fought for me like no one has ever fought for me before.”

In a letter of appreciation to his Union, Foster wrote:

“This communication comes as a result of the outstanding job that was done on my behalf by two of your Local 117 employees, Matthew House and James [V.] Smith. These two gentlemen handled my case timely, professionally and without prejudice. They worked tirelessly to gain the correct results in this matter. I would like to offer my highest level of gratitude for taking the time to look into the facts that ultimately saved my job and basically helped rebuild my life. The fairness and integrity that they showed was impeccable....It is the people like Matt and James that make America’s workplace better for all of us.”

Teamsters at Coke vote to authorize a strike

If Coke doesn’t get real about health care, the Teamsters are ready to put up a fight. That was the message that came out of the bargaining update meeting for Union members at Coke on Sunday, June 13.

Teamsters from 6 Locals across our region, some driving several hours to attend the meeting, packed the Teamsters building in Tukwila as their bargaining committee reported on the Company’s stubborn unwillingness to maintain decent health care coverage for Coke employees, their families, and Coke retirees.

At the end of the meeting, the group voted resoundingly, by a margin of 249-2, to authorize a strike.

“This vote sends a clear message to the company that an economic package that reduces our healthcare is unacceptable,” said Teamsters Shop Steward, John Beck. “Now

it’s important for all of us to stick together and keep each other informed of the issues as negotiations continue.”

Teamsters Local 117
Secretary-Treasurer
and lead

negotiator,
Tracey A.
Thompson, had this to say: “The Teamsters will not allow Coke, a multi-billion dollar company that is performing

extremely well financially, to take advantage of the economic downturn in ways that punish working families and retirees who committed decades of their lives to Coca-Cola.”

Coca-Cola and Coca-Cola Enterprises are \$121 billion and \$13.5 billion dollar companies respectively, with the companies’ CEOs earning compensation packages of well over \$15 million a year.



Stand united with Teamsters at Coke in their effort to win a fair contract for themselves and their families!

Local 117 files grievance and ULP over furlough, seeks injunctive relief

Teamsters Local 117 has been taking all available legal action to challenge the Department of Corrections on furloughs.

Your Union filed a grievance, alleging that DOC violated numerous sections of members' collective bargaining agreement by implementing furloughs. DOC has agreed to process the grievance on an expedited basis.

Your Union also filed an Unfair Labor Practice Charge (ULP) with the Public Employment Relations Commission (PERC) on the issue. The ULP asserts that DOC implemented unilateral changes, engaged in direct dealing with represented

employees and failed to engage in good faith bargaining on matters affecting wages, hours, and working conditions. As a remedy, your Union is requesting that PERC issue a make-whole award that includes back pay and benefits for any bargaining unit members subject to furlough under the new law. PERC has issued a preliminary ruling, requiring the State to answer the charges within 21 days.

Additionally, your Local Union sought a court injunction to stop the State from moving ahead on its plans to furlough some DOC workers.

After hearing argument in Thurston County Superior Court on July 9,

a judge denied the injunction in a narrow ruling. The judge did not deny the fact that the issue needs to be negotiated, nor did he say that the State has the right to implement the furloughs. He simply denied the Union's motion for an injunction on the grounds that he did not find a clear legal or equitable right. This is the second time in a month that the courts have denied motions for injunctive relief for State workers.

Teamsters 117 will continue to fight against the furloughs. The ULPs will be heard by PERC, and we will push for expedited arbitration on our grievance. We firmly believe that that State does not have the right to unilaterally cut Teamster-represented employees' hours in this manner.



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14675 Interurban Ave. S., Suite 307

Tukwila, WA 98168

206-441-4860

1-888-872-3489

www.teamsters117.org



MARK YOUR CALENDARS!

August 1 – Solidarity Day/Tacoma Rainiers baseball

August 6-7 & 13-14 – Paint Tacoma Beautiful

August 7 – Grocery Negotiations Workshop

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