

**Joint Council 53
Jurisdictional Panel Hearing**

Teamsters Local No.623

PRESENTED BY

**Richard Hooker Jr.
Secretary-Treasurer and Principal Officer**

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Opening Arguments

It is the position of Local 623 that the soon to be opened United Parcel Service (UPS) facility located at 1 Red Lion Road, Philadelphia, PA 19115 is within the geographic and craft jurisdiction of Local 623 alone.

In the past, jurisdiction decisions have awarded UPS facilities according to evidence regarding the stated geographic jurisdiction of the Locals in dispute, the history of the Local's representation of Teamster members within the jurisdiction under dispute, and the number of jobs at stake for each Local in dispute. Today, in keeping with past decisions, we intend to show:

1. that the new facility on 1 Red Lion Road, Philadelphia PA 19115 is within the geographical boundaries of Local 623's jurisdiction; and,
2. that the facility is expressly outside of the boundaries of Local 384's jurisdiction; and,
3. that Local 623 has historically exclusively represented UPS workers within this geographic jurisdiction; and, finally,
4. that current Local 623 members will make up at least half of the workers transferred to the new facility.

With this evidence established we are sure the JC will agree with us that the new facility is well within the jurisdiction of Local 623 and that this local union should have the exclusive right to represent the workers in that facility.

The Jurisdiction of Local 623

First we intend to establish both the geographic jurisdiction of Local 623 and the address of the new facility.

The 623 charter, adopted in 1919, amended in 1940 and again in 1976, states in its description of Local 623:

"the craft jurisdiction title of which is United Parcel Service and Truck Drivers and the geographic jurisdiction of which is Philadelphia and Vicinity, Pennsylvania."

A photocopy of this charter is included in "**Exhibit A**" for the panel to review. As all can see, the charter unambiguously establishes the craft and geographic jurisdiction of Local 623.

The understanding of Local 623's jurisdiction was clarified in a jurisdictional hearing by this JC in 1988, here reproduced as "**Exhibit B.**" In that decision, concerning the UPS Air Hub facility, the JC awarded Local 623 the building because Local 623 had charter jurisdiction and "its members will be transferred into the new facility and work which they presently perform will be performed out of the new facility." The JC understood the Air Hub building to be within Local 623's geographic jurisdiction because the address of the building was a **Philadelphia address and the building would be serviced by Philadelphia Police and Fire Departments.**

The address of the new UPS facility is 1 Red Lion Road Philadelphia PA 19115. This address is established in the press releases from UPS and in the subsequent press coverage for the building included in "**Exhibit C.**" **The address of the building means that it will be serviced by 7th District Philadelphia Police Department and the Philadelphia Fire Departments Engine 62 & Ladder 34 and, therefore, subject to the city wage tax to pay for these services. No part of the Red Lion Road facility will be located outside of city limits.**

All of these facts should amply prove that the building is unambiguously within the city of Philadelphia and therefore, according to past decisions especially the 1988 dispute concerning UPS PHL, within the geographical boundaries of Local 623.

EXHIBIT A: 623 Charter Photocopy and History of Amendments

EXHIBIT B: Report of the JC 53 on the Jurisdictional Dispute concerning UPS PHL (1988)

EXHIBIT C: Press clippings of the address of 1 Red Lion Road building.

The Boundaries of Local 384

Second, in addition to establishing Local 623's charter we also submit evidence and argument challenging Local 384's jurisdictional claim.

According to the address and description provided in the official IBT Roster, Local 384 represents Teamsters in "Norristown, Pennsylvania 19104" (**Exhibit D**). In fact, 384's Norristown offices are located more than 20 miles from the proposed new facility, whereas Local 623's Union hall is half as far (**Exhibit E**).

Further, in 1982 this JC helped to clarify the boundaries of Local 384's jurisdiction by awarding 384 the UPS facility in Willow Grove, Pennsylvania which is located in Montgomery County. As stated in the report on that jurisdictional hearing Local 384 argued that they "had the exclusive jurisdiction of UPS facilities in Montgomery, Bucks, and Chester counties" (**Exhibit F**).

Notice, in that decision, Local 384 did not claim any jurisdiction within the city of Philadelphia and did not dispute Local 623's jurisdictional claim to Philadelphia buildings. **As witness Rich Opalesky can attest, in fact, much of the argument in that case was that the Willow Grove facility was not in Philadelphia and therefore not in Local 623's jurisdiction.** The argument that the Willow Grove facility was within the geographical boundaries of Local 384, and that Local 623 has right to Philadelphia addresses, was then affirmed by the General Executive Board (GEB).

The JC and the GEB affirmed their understanding of Local 384's boundaries as limited to Montgomery County in their 1982 decision. Nowhere has Local 384, JC 53, or the GEB ever argued that 384 has any jurisdictional claim to UPS facilities within the city limits.

EXHIBIT D: 384 Roster Description.

EXHIBIT E: Map of Distance Between Halls and New Facility

EXHIBIT F: Report of the General Executive Board concerning UPS Willow Grove (1982)

WITNESS 1: Rich Opalesky

The History of Representation

Third, we aim to show that Local 623 has a history of exclusive representation for UPS workers in Philadelphia.

The GEB affirmed JC 53's opinion that the Willow Grove facility fit both the description of the geographic jurisdiction found in the disputed Locals' charters **and that Local 384 had a history of representing members in the craft within that geographic area.** JC 53 also affirmed arguments that a history of representation is pertinent to jurisdictional dispute in their 1988 findings.

Since the opening of the UPS facility at 15 E Oregon Ave in 19XX Local 623 has maintained exclusive representation of workers in the craft within the city of Philadelphia. In 1975 623 amended its charter to reflect its craft jurisdiction (**Exhibit A**). And when the UPS Air Hub opened in 1988 Local 623 was again awarded the right to represent UPS members in Philadelphia and the vicinity (**Exhibit B**).

Therefore, for more than 50 years Local 623 has maintained the exclusive right to represent UPS workers within the city of Philadelphia. This right has been repeatedly affirmed by past JC decisions: it was implicitly affirmed in the 1982 case concerning the Willow Grove facility and it was explicitly affirmed in the 1988 case concerning the UPS Air Hub.

These facts not only corroborate 623's jurisdictional claim over the new facility, they also demonstrate that Local 623, the traditional and exclusive representative of UPS workers in Philadelphia and the vicinity, has the knowledge and experience to best represent these Teamsters.

Jobs Transferred

Finally, not only does Local 623 have the geographical right to represent these workers and the claim to the exclusive historic representation of UPS workers in Philadelphia, Local 623 members also make up a greater share of workers to be transferred into the new facility.

The decision to award the Willow Grove building to 384 was partially based on “the fact that Local 384 serviced the Willow Grove area before the new terminal was opened” (Exhibit F). Therefore, it is important to note that our members currently service the area on which the new building is located. **Witness Tom “Tiny” Callan** drove packages to 1 Red Lion Road as a driver out of the 623 represented Oregon Avenue building. And because 623 is composed of workers who know the city of Philadelphia, its narrow streets and tight-knit neighborhoods this local is better equipped to fight for these members’ rights.

In addition, the JC argued that the number of workers transferred by each local was a major factor in their decision. The GEB affirmed this arguing that “Local 384 has the greater number of members transferring into the Willow Grove facility” (**Exhibit F**). And again in 1988 the JC affirmed this position when they sided with Local 623 because our members “would be transferred into the new facility” to perform the work previously serviced out of Oregon Avenue (**Exhibit B**).

In keeping with these decisions we also want to state that it is clear from conversations with UPS management that the facility on 1 Red Lion Road will absorb at least two of its proposed four centers from Oregon Avenue — those centers are Mayfair and Mt. Airy. Further our preload workers will be moved to make operational adjustments.

By even conservative estimates this means that at least half of all workers will come from 623 represented buildings and centers. And these workers wish to remain Local 623 members. Through petitions gathered at the worksites we know that a majority of workers to be transferred to the new facility would prefer to be represented by Local 623.

WITNESS 2: Tom “Tiny” Callan

WITNESS 3: Ron Camac

Closing Arguments

In 1982, Joint Council 53 awarded Local 384 the UPS facility in Willow Grove for the exact same reasons that the council should award the new facility at 1 Red Lion Road Philadelphia PA to Local 623.

The 1982 award was affirmed by the General Executive Board, citing the (1) description of the geographic jurisdiction found in the disputed Locals' charters, (2) the history of membership representation within the given region, and (3) the fact that workers would be transferred to the new facility from their home local.

Local 623 has shown that it's claims on jurisdiction meet or exceed each of these critical considerations for the decision and therefore in keeping with past decisions and consistently affirmed precedent, we believe that beyond any doubt the new building at Red Lion Road is within 623's jurisdiction.

We have full confidence that the JC will make a just decision and we thank you for your prompt attention to this matter and for a fair, professional, and speedy hearing.