

Benefits of Union Membership



Martin Costello & Katrina Joseph
Attorneys for Teamsters Local No. 120

Why Join A Union?



1. Higher Wages & Better Benefits
2. Job Security & Work Preservation
3. Protection of Workers' Rights
4. Teamsters Political Power
5. Strength Through Numbers



Higher Wages & Better Benefits



Generally



- Unionized workers earn higher wages and receive better benefits than non-unionized workers.
- Non-unionized workers, in contrast, have lower wages, and reduced benefits, that are constantly at risk because they are not protected by a contract.

The Numbers



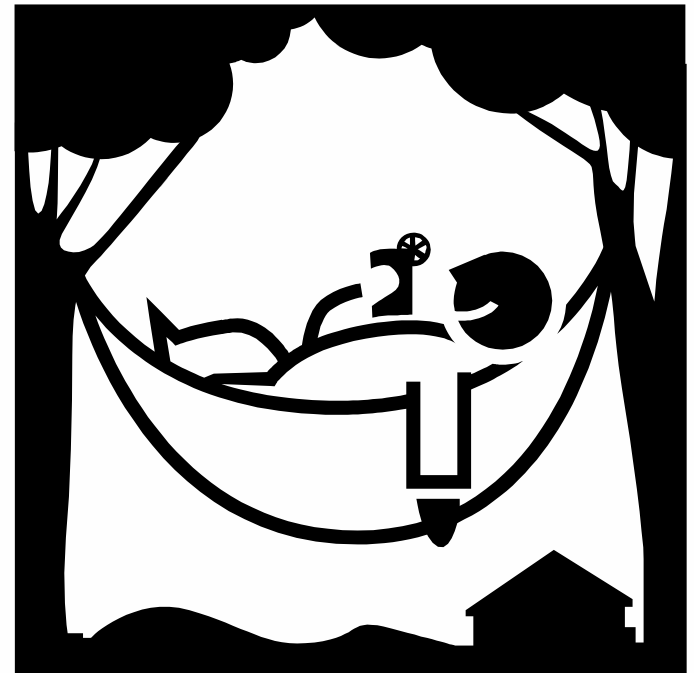
- Union Workers Earn Higher Wages
- In 2004, union workers earned a median salary of \$781 per week, as compared to \$612 per week for nonunion workers. (U.S. Bureau of Labor Statistics). That's \$8,788 more per year.



Retirement Benefits



- 88% of private sector union workers have retirement benefits through their jobs, as compared to 56% of nonunion workers.
- 73% of union workers have defined-benefit pension plans, as compared to 16% of nonunion workers.



Health Benefits



- 92% of union workers have job-based health care benefits, as compared to 68% of nonunion workers.
- 73% of union workers have access to job-provided dental care, 57% to vision care, and 87% to prescription drug coverage; compared to 43%, 26%, and 61% of non-union workers.
- On average, nonunion workers' health insurance premiums were over \$1,000 more per year than what union workers had to contribute.



Other Benefits



- 65 % of union workers have access to job-based life insurance, and 67% to short-term disability benefits, as compared to 50% and 37% of nonunion workers.
- 58% of union workers are offered education benefits, as compared with 48% of nonunion workers.

Paid Leaves



- Union Workers Receive Paid Holidays and Leaves
 - 87% of union members have access to paid holidays and 86% have paid vacations, as compared to 75% and 77% of nonunion workers.
 - CBAs provide for paid funeral leave, etc.



Collateral Services



- Union Workers can take advantage of the Collateral Services Provided by the Teamsters
 - Teamsters Financial Services
 - Teamsters Service Bureau



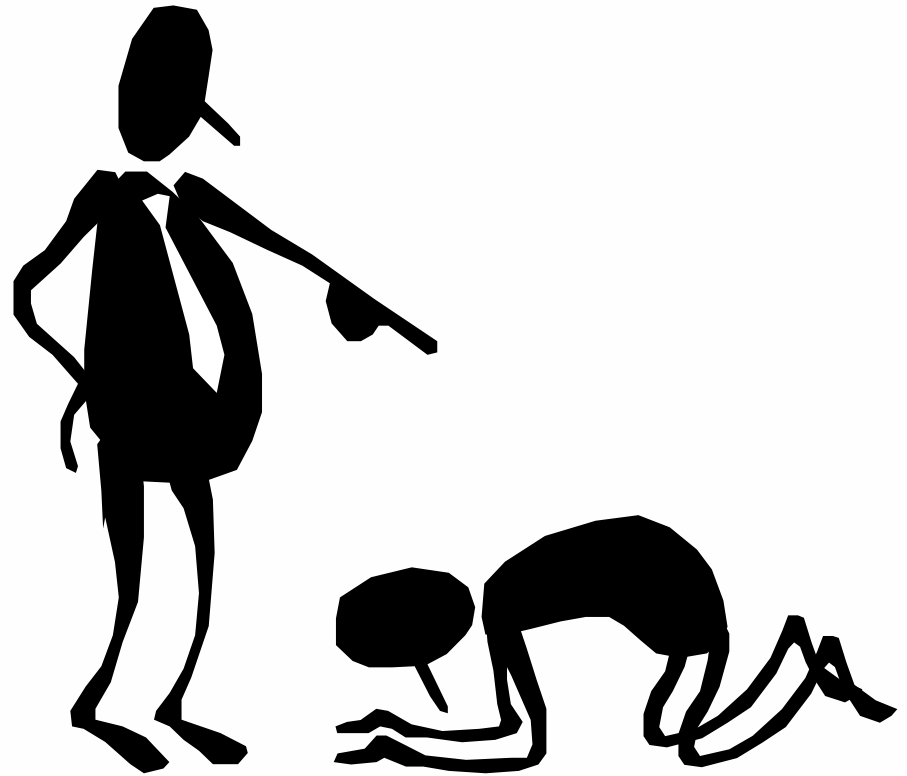
Job Security & Work Preservation



CBA Protection



- Union workers have job security and work preservation protections under their CBA.
- In contrast, nonunion workers are employees at-will, whose jobs may be taken away at any time, for any reason (or, for no reason at all!)



Just Cause



- Just Cause requirement to discipline or terminate a union employee.
- Progressive discipline is required: verbal warning, written warning, suspension, and termination.



Your Union at Work



- An employee is accused of stealing by the Employer, and terminated. At arbitration, it is found that the employee had no intent to steal, and that any bad judgment by the employee did not justify termination. Reinstated.
- An employee is terminated for failing to report to work. At arbitration, the Union showed that the employee left work due to a heart attack, and that he gave notice to the Employer as well. Reinstated.
- Business Agent – John Schwartz

Your Union at Work



- An employee is accused of threatening another worker by the Employer, and terminated. At arbitration, it is found that the Employer didn't properly investigate the matter, and the employee was reinstated, regardless of the facts of the incident, because his rights weren't protected by the Employer.
- Business Agent – Tim Maxey

Your Union at Work



- A 32-year employee is accused of slacking off. The Union showed the allegations were simply false – the Company wanted to penalize the employee for other people not being available to him. Reinstated.
- An employee is accused of threatening co-workers. The Union showed that the allegations exaggerated the actual events. Reinstated.
- An employee is accused of off-duty drug use. The Union brought in its own testing experts to show the Employer's tests were unreliable in this case. Reinstated.
- Business Agent – Brad Slawson Jr.

Your Union at Work



- An employee is terminated for sleeping on the job, and for acting in a bizarre fashion. At arbitration, the Union showed, through a medical analysis, that the employee was experiencing a medical attack. Reinstated.
- Business Agent – Mark O'Brien

Your Union at Work



- An employee is terminated for not using proper safety equipment. At arbitration, the Union showed the employee was acting reasonably and safe, and moreover, that he was only following normal plant procedure. Reinstated.
- Business Agent – Steve Parks

Your Union at Work



- An employee is terminated while out on medical leave, for failing to follow a call-in requirement. The arbitrator found that the Company took advantage of an opportunity to apply an overly-strict reading of its absenteeism policy, and reinstated the employee.
- Business Agent – Tom Ohlson

Your Union at Work



- An employee is terminated for poor attendance and performance at work. At arbitration, the Union showed that the employee was having difficult personal troubles at home, and that termination was unreasonable. Reinstated.
- The Company refused to reinstate him, and the Union had to take the matter into Federal Court to have the Company ordered to reinstate the employee
- Business Agent – Bryan Rademacher

Job Preservation Requirements



- CBA provisions that permit employees to follow the work, and limit outsourcing and subcontracting.
 - Seniority clause protects against job displacements and lay-offs.
 - Maintenance of Standards and other clauses protect union workers from losing their job through subcontracting out their work.
- These clauses guarantee that the body of work held by union workers is preserved for those union workers

Your Union at Work



- An employer tried to bring in outside contractors to perform welding work alongside Union workers. Arbitrator held this to be in violation of job protection rights of Union workers.
- The Union's response to this effort at outsourcing and eroding union work was overwhelming – we worked with this company's union stewards and long-time employees to gather substantial evidence of the history of this work as union work, and of the outsourcing of the work
- Business Agent: Brad Slawson Jr.

Your Union at Work



- An employer tried to divert some duties away from maintenance workers to outside contractors, after reducing the department through time and attrition. Arbitrator held this to be in violation of job protection rights of Union workers.
- Business Agent: John Schwartz

Without a Union...



- A non-union employee is an employee at will, with none of these protections. They can be fired for any reason or no reason at all.
 - No seniority protections
 - No just cause requirement
 - No right to a hearing
 - No right to appeal the Employer's actions.
 - Only protection are the federal anti-discrimination laws for age, race, gender, and disability, which are a very high standard for the employee to reach.



Protection of Workers' Rights



Union Members' Rights



- Union workers' rights are protected at the workplace.
- Workers have the right, THROUGH THEIR UNION, to assemble and organize for the purpose of collective action.
- Workers have the right, THROUGH THEIR UNION, to act collectively under labor law.
- Workers can attain some rights to free speech and privacy THROUGH THEIR UNION and their contract.



Enforcement Structure



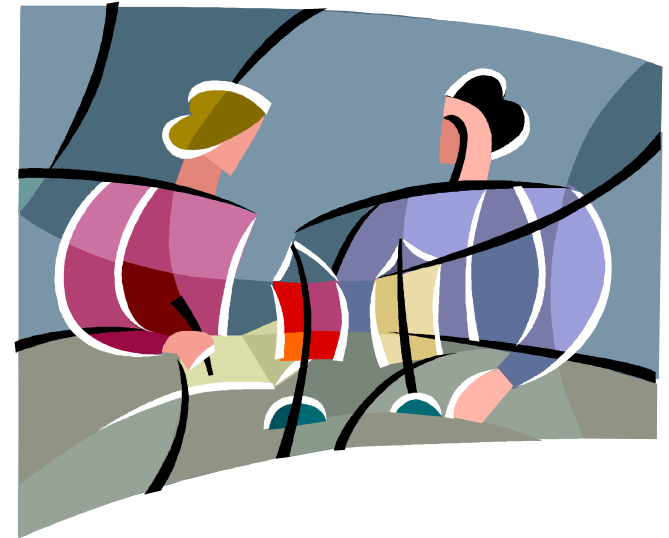
- Union workers have protections and the structure to enforce them: their stewards, business agents, and union officers.
 - Weingarten rights
 - Due process rights



Weingarten Rights



- An employee who is being questioned by management has a right to have a union representative present during the questioning, if the interrogation may be reasonably expected to lead to discipline.



Weingarten Rights, cont.



- Five Principles:
 1. The right to union representation during interrogation is part of the right of employees to act in concert for mutual aid and protection.
 2. The right arises only in situations where the employee requests representation.
 3. The employee's right to request representation is limited to situations where the employee reasonably believe the investigation will result in disciplinary action.
 4. Exercise of the right may not interfere with legitimate employer prerogatives.
 5. The employer has no duty to bargain with any union representative who may be permitted to attend the investigatory interview.

Weingarten Rights



- An employee has been called to the manager's office for questioning regarding an alleged work rule violation. The employee asks for union representation, and the steward reports to the office. Upon arrival, the employee and steward are given time to speak privately in a conference room. What next?
 - May the Employee be subject to discipline?
 - Will the violation result in criminal charges?

Due Process Rights



- Due process rights
 - Right to full & fair investigation
- Example: An employee was terminated for allegedly threatening another employee. The Employer failed to fully and fairly investigate the matter. When the Union showed this to the Arbitrator, the Arbitrator reversed the termination without looking into the matter any further.

Teamsters Political Power



Political Power



- The Teamsters have a significant influence at the national, state, and local level that positively affects your jobs.
- By comparison, the non-unionized worker stands alone – their political power is limited to their single vote, and what little money they may contribute, alone, to a favorable political cause.

D.R.I.V.E.



- D.R.I.V.E. uses Teamsters Political Power to:
 - Lobby at all levels of government for labor-oriented laws and against anti-labor laws;
 - Support union-friendly candidates; and
 - Support our friends in the legislature.



D.R.I.V.E. In Action



- CDL legislation
 - At national level, the IBT obtained concessions to delay the implementation of the new regulations
 - At state level, MN DRIVE succeeded in limiting the look-back period for prior offenses.
- HazMat endorsement regulations
 - At national level, the IBT identified a loophole that would give extensions to drivers that that they wouldn't lose their endorsement during the re-certification process.
 - At state level, MN DRIVE did the same.

Strength Through Numbers



United We Stand



- A Union's strength is in its membership; strength through numbers.
- Teamsters are one of the largest unions in the country—1.4 million workers in the US and Canada equals a lot of political power. Strikes and picket lines will affect the country.

Change To Win



- Change to Win Coalition pools the strength of the 6 largest unions in the country:
 - SEIU
 - Teamsters
 - UFCW
 - UNITE HERE
 - Laborers
 - UFW

Change To Win In Action



- SEIU and Houston janitors
- IBT and UFCW grocery strike in Southern California



