

Crunch Time

You knew it wasn't going to be easy. Despite negotiations that began three months prior to 1997's, it doesn't appear that it's going to be early. Both UPS and the Teamsters are sticking to their stories that the contract should be wrapped up by the end of July with a possible agreement in place as early as the end of June. Based on what's left to be done, it will take nothing short of a miracle for a tentative deal to be reached in June and a great deal of hard work needed to have it in place by the July 31 deadline.

Right now only half of the regional supplements have been agreed to in principle. Of those, two in particular have drawn criticism and will likely incur changes between now and when they are put up for a vote. Negotiating changes in these or other supplements will take additional time which is beginning to run in short supply.

The Central States supplement has been the most disparaged with language that reportedly allows the probation period for full-time employees to be extended 5 days, takes away seniority to deny laid off feeder drivers the right to bump junior employees and allows the phrase "and other serious offenses" to remain a cardinal sin, subjecting



UPS Yours

United Parcel Contract Offer Is 'Disappointing,' Teamsters Say

By Alan Ohnsman

Washington, June 18 (Bloomberg) -- United Parcel Service Inc.'s initial contract proposal to workers is unsatisfactory and indicates talks between the world's largest delivery company and the International Brotherhood of Teamsters may not be resolved before a July deadline, the union said.

"It was a very disappointing initial proposal," said Teamsters spokesman Bret Caldwell, without discussing specific aspects of the offer. "We are not close."

When Atlanta-based United Parcel and the Teamsters union met in Washington yesterday, both said an agreement might be reached before a July 31 strike deadline. Company officials weren't immediately available to comment.

United Parcel is the largest employer of Teamsters, with 210,000 members working as drivers, package sorters, loaders and clerks. The company wants to avoid a repeat of a 15-day 1997 strike that cost it \$750 million in lost revenue and disrupted shipments.

The union last week began offering proposals on issues including higher pay, more full-time jobs and improved benefits. The two sides are meeting this week to discuss those items, issues not involving compensation, and regional agreements covering matters such as local holidays and hours of operation.

"This is certainly a threat to any type of early settlement," Caldwell said. Still, "it's too early to say it's a threat to the contract deadline."

United Parcel "absolutely" expects to reach an agreement ahead of the July 31 deadline, company spokesman Norman Black said. He didn't provide details of the proposal.

"This is the start of negotiations and we're addressing the hardest issues, the economic issues. It would be inaccurate to draw any conclusions at this stage," Black said.

United Parcel shares rose 35 cents to \$62.57. They have gained 15 percent this year.



"...and stop smirking when I spread nasty rumors about the union. I have feelings too, you know."

an employee to immediate discharge. What has not been addressed is why such concessions were given when the UPS has enjoyed record profits since 1997.

With the Upstate/West NY supplement, the controversy surrounds the agreed use of drivers' helpers on 10% of dispatches as detailed in our [May editorial](#). Unconfirmed reports have this language out of the supplement but it remains to be seen or in this case not seen. Again, why are/were concessions of this sort acceptable to the union's regional negotiating committee?

On top of the supplements to be finished up comes the exchange of initial economic proposals between the company and union. "Now the hard work begins. The hardest part of any negotiation is the money part," UPS spokesman Norman Black was quoted as saying. Considering the IBT's reaction to

UPS' proposal, Mr. Black may have said a mouthful. Though restrained, the union's comments on the company's offer included the words "disappointing" and "not close". This will be the juncture where the Teamsters trot out the economists it has hired to show how wealthy the company is. Already members have received a mailing with graphs detailing the company's revenue increase over the last 10 years and the more than doubling of net profit in the last 4 years as compared to



"Our anti-union message must be getting through. Nobody booted."

Please remember, we don't have to take the first contract proposal. We can vote "NO" and send them all back to the bargaining table (without a strike).

the 4 years prior to 1997. At the same time UPS will introduce its financial people to paint a picture of a gloomy future versus its non-union competitors if the company is not given more "flexibility" (read increased use of part-timers, decreased number of top-rate jobs). It is a truism that the union wants its members compensated based on documented profits the company has made in the past whereas UPS wishes to compensate its employees based on the preservation of projected profits and market share in the future. If it took the better part of four months to reach the monetary discussions which are considered the most difficult aspect of negotiations, and the fact that both sides are far apart, one wonders how they can possibly be satisfactorily ironed out by the contract anniversary let alone the end of June. A lot of numbers crunching is going to be done between now and then.

A possible factor that could begin to emerge now is the diverting of volume by customers fearful of being caught in the middle should a strike occur. Despite rhetoric from some quarters of the company, both official UPS and Teamster spokesmen have indicated that there has been no major volume diversion as of June 17.

Customers who vividly remember 1997 have shown remarkable patience during these negotiations due in part to the fact both sides have remained optimistic and talking with almost no public threats. As the deadline approaches, however, and with the amount of issues yet to be resolved, some customers may not wish to take any kind of chance and begin shipping elsewhere. This type of pressure is a double-edged sword, pushing the company to hasten the speed of negotiations while at the same time possibly hurting business to the point that it could influence what UPS members ultimately receive. All in all, with both sides continuing to talk and a little luck, we are still hopeful that a contract will be ready to be voted upon by July 31...as long as UPS doesn't make the same mistake as 1997 by putting the union's back against the wall with a "last, best and final offer".

Got fired June 21st. Could be a bit tough now to distribute leaflets and such. Time for others to step up. Just remember – Bosses suck! They suck more than 'their fair share' out of us. Somebody said to me, "It's Gene's building." I think it's more ours than his. There are more of us working here. Its just capitalism to seek to maximize profits for shareholders, but it's beyond to micro-manage, intimidate and harass workers from exercising their rights. "Stealing time" my ass. The union needs relevance on the shop floor, not just at the union hall and in grievance paperwork. The union doesn't live only in our officials brothers, sisters, it's us. (U put the U in Union, eh?) We members should not be intimidated out of talking union or passing union literature, resisting unfair new rules. Management should not have captive audience meetings in which they discuss union t-shirts, without giving time for the steward to rebut. If we don't have free speech without company retaliation, we don't have much. Money does not equal dignity. Respect and dignity are part and parcel of all this, written into our contract, but we can't seem to back them off from harassing us. I'm not a thief and I don't appreciate being constantly treated like one because I'm pro-union and pissed at the past practice violations and new rules. It violates our rights to jerk us around.



"We don't want you to sell your soul... We'd just like to rent it for a while."

(Conscience of Local 294)



Court Finds UPS Owes For Employees' Overtime, Orientation

United Parcel Service Inc. owes delinquent contributions to collectively bargained pension and health funds for hours worked by UPS employees in excess of an eight-hour day, as well as for hours employees spent in orientation sessions, the U.S. District Court for the Northern District of New York ruled April 9 (*New York State Teamsters Conference Pension & Retirement Fund v. United Parcel Serv. Inc.*, 4/9/02). In addition, UPS must make contributions for employees' unused sick leave, holiday pay, vacation pay, workers' compensation and disability pay, and for jury duty, funeral leave, and military leave, Judge Frederick J. Scullin Jr. ruled. The New York State Teamsters Conference Pension & Retirement Fund, along with the New York State Teamsters Council Health & Hospital Fund, were created through collective bargaining between participating employers and International Brotherhood of Teamsters local unions. According to the court, UPS, as party to collective bargaining agreements with New York-based Teamsters locals, made contributions to the funds on behalf of approximately 5,000 UPS employees working in New York. From 1995 to 1997, the funds conducted an audit of UPS's records and determined that UPS owed the pension and retirement fund nearly \$2.9 million and the health fund approximately \$500,000 in delinquent contributions for the period Jan. 1, 1989,

through Dec. 31, 1994. The funds asserted that UPS failed to make contributions for overtime, unused sick leave, holidays, vacation pay, sick leave, workers' compensation and disability pay, orientation jury duty, funeral leave, and military leave.

Defending against the delinquent contribution assessment, UPS argued that it had no duty under the governing collective bargaining agreement to make contributions for hours worked by UPS employees in excess of eight hours per day. The funds asserted, on the other hand, that there was no eight-hour-per-day cap on UPS's contribution obligations, but rather that there was only a weekly and yearly cap. Although the court agreed with UPS that the governing collective bargaining agreements limited UPS's contribution obligations to an eight-hour-per-day cap, the court found the cap was null and void because it was inconsistent with the "participation agreement" between UPS and the funds. The participation agreement provided that no agreement between an employer and the Teamsters could alter any terms of the participation agreement, which specifically provided for a weekly rather than a daily cap on contributions. The collective bargaining agreements between UPS and the Teamsters that would have permitted an eight-hour-per-day cap were inconsistent with the participation agreement and, because the participation agreement governed, the bargaining agreement's cap was void and unenforceable, the court said....

Article originally printed in the Daily Labor Report on 4/19/02.

Teamster Solidarity Towards Big Brown

Stakes high for UPS, Teamsters

By Richard A. Ryan / News Senior Washington Correspondent

WASHINGTON -- With their contract covering 210,000 employees set to expire in a little over a month, negotiators for the Teamsters Union and United Parcel Service this week begin the nitty-gritty haggling over crucial economic issues. Union negotiators presented their proposals June 13 calling for higher wages, better pensions and health care benefits for retirees and part-time workers and an increase in full-time workers. The company countered with its proposals last week.

The contract, which covers 210,000 of the 230,000 Teamsters employed by UPS, is the largest private sector contract to be negotiated this year. It is by far the largest contract that Teamsters President James P. Hoffa has been involved in since he took over control of the union.

The agreement will help establish Hoffa's national reputation and set the pattern for future contracts, including a new master freight agreement that must be negotiated next year. Company officials are eager to conclude negotiations as soon as possible. They worry that uncertainty may cause customers to switch to a competitor, such as Fed-Ex, Airborne Express, or the U.S. Postal Service. "Our customers have businesses to run," UPS spokesman Norman Black said. "They can't take a chance on (a strike) happening again. The company knows that and the Teamsters know that. That is why we are all working so hard."

The only issues the two sides haven't yet put on the table are pensions and health care benefits for full-time workers. Those proposals are expected to be presented when the two sides resume bargaining this week in Washington. "We are now starting the most difficult part of the negotiations," Black said. "The hardest part is when you get down to the money." Both sides are anxious to wrap up a contract before the July 31 deadline and avoid a strike similar to the 15-day work stoppage five years ago that cost the company \$750 million in lost revenue and resulted in the layoff of thousands of Teamsters workers. "We are doing everything we can to get this contract wrapped up by July 31," said union spokesman Bret Caldwell. "It is not in the company's interest, it is not in our members' interest to go beyond that date."

"We do expect to negotiate a timely agreement here without a strike, and we still believe, given the incredible progress that has been made, that we can have this done by the end of June or early July," said Black. Neither side will disclose the details of its proposals. But Hoffa said earlier he intended to seek "record-setting" wage increases. He also wants a three-year contract and an agreement by the company to convert 3,000 part-time jobs into full-time jobs for each year of the pact. UPS is seeking a five-year contract. Ken Hall, the Teamsters chief negotiator, complained that the company's initial counterproposals raised "serious questions about their sense of urgency. If we are to achieve a contract," he said, "UPS must present an offer that meets the needs of our members."

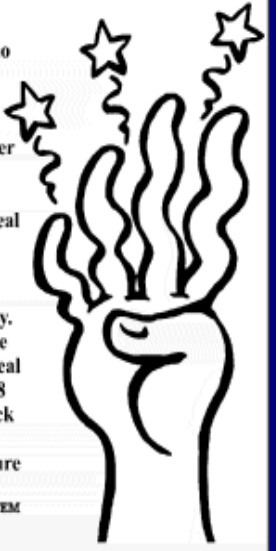
UPS and union bargainers are much further along this year than they were at a similar time in the three previous contract negotiations. An agreement wasn't reached until September in 1990. It was October in 1993. And in 1997 the union struck in August. Negotiators, who held their first meeting back in January, already have reached agreement on more than half of the supplemental contracts that cover work related issues affecting a region or an individual local. They also have begun bargaining over union demands that mandatory overtime be reduced and supervisors now doing certain jobs be replaced by Teamsters.

Despite insisting a strike is "an option of last resort," the Teamsters have made preparations to go out if they decide they have no other choice. Earlier this year, Hoffa pushed through a dues increase, in part to build up the union's strike fund. The increase allowed the union to take out a \$100 million line of credit that will permit it to pay striking workers a weekly stipend equal to 10 times their hourly pay. In the 1997 strike, Teamsters received only \$55 a week. UPS workers also have voted overwhelmingly to authorize a strike if necessary. "While the ultimate purpose of a dedicated and strong strike fund is to support members during a strike, the immediate purpose is to show UPS that we are prepared for a fight if they do not bargain reasonably," Hoffa said in a letter to UPS workers.

On April 5, 2002, Secretary of Labor Elaine Chao announced a "four-pronged comprehensive approach to ergonomics that the agency believes will quickly and effectively address MSDS (Musculo-Skeleto Disorders) in the workplace." Her announcement came a little over one year after Congress passed a precedent-setting repeal of the then-existing OSHA Ergonomics standard, a repeal President Bush signed into law in March 2001.

Secretary Chao's recent announcement has run into a firestorm of opposition by Democratic Senators and AFL-CIO President John J. Sweeney. Sweeney was harsh in his criticism. He called the Administration's plan "an insult." "Since the repeal of the [OSHA Ergonomics - DK] role last year, 1.8 million workers have suffered injuries such as back injuries and carpal tunnel syndrome." The new ergonomics plan, he said, is a "meaningless measure that provides workers with no protection."

-NEWS ITEM



Bruno loses 5 more Employees! [Shark](#) 6-22-02 (Teamster.net)

396 members, take a good look around you! Pay attention to what is happening! UPS is using "hit-squad" tactics to remove employees considered to be Union "players/supporters" without regard to contractual language! The company has spoken! UPS has begun a paper trail on the employees since February in order to begin removal cases and if you're not careful, YOU TOO will be removed. Why, you ask? Who knows. Other than divide and conquer there can be no other reason. The company is in the driver's seat when it comes to term cases in 396. With Danny Bruno traipsing around the country acting important, Teamsters are being terminated at a pace unseen before in 396 history! Managers laugh at the mention of a grievance, they joke with other managers when a Teamster challenges violations, it's time to reclaim our language and put "teeth" back into our contract! Election time is around the corner. Peace Brothers and Sisters

Hoffa/IBT goals

The Teamsters Union and United Parcel Service have traded initial economic proposals. The union is seeking:

- * Record wage increases. UPS drivers currently average \$23.11 an hour.
- * Better pensions and health care benefits for full and part-time workers and retirees.
- * Conversion of 3,000 part-time jobs into full-time jobs for each year of a three-year contract.
- * Reducing mandatory overtime, resulting in more jobs.
- * Filling jobs now done by supervisors with Teamsters, resulting in more jobs.

GLOBALIZE SOLIDARITY

GLOBALIZE
UNION
POWER
ORGANIZE



Carey "heist" gotcha 5-27-02 ... I heard that it was Carey who stole Hoffa's campaign promises!!!!....All along members thought that it was Hoffa who broke his promise to fix the strike fund WITHOUT a dues increase, or to cut and cap multiple salaries.....this guy Carey is truly amazing to have such a lasting influence....did he also steal the Hoffa/Murphy plan to win the Overnite strike??.....if this Carey guy is that powerful, can we get him back??.....

Re: Carey "heist" Bud Yes, it's true. Ron Carey is responsible for Hoffa's failure to keep any campaign promises. Hoffa needs to fully investigate Carey in this matter and see that he is prosecuted to the fullest extent of the law. Otherwise Carey is making Hoffa look like he lied about his campaign promises.

Re: Carey "heist" rnfpower In part because of its very importance, the Teamsters union suffered from infiltration by organized crime and other corrupt elements. Of the 5 presidents who served from 1952 to 1988, three (Dave Beck, Jimmy Hoffa, Roy Williams) left office upon being convicted of federal offenses, and one (Presser) died in office while awaiting trial. Neff, Mobbed Up 1-5, 367, 419-423 (1989); LaBotz, Rank and File Rebellion 124-136 (1990). These problems drew attention both from the federal government, which tried for many years to put the malefactors in jail, and from the union membership, which formed rank-and-file

groups to encourage the fellow members to vote the rascals out as well as insisting on good representation and honest unionism. Over the years, these efforts to reform the Teamsters and to oust its criminals have drawn unceasing attention from all sectors of the mass media, not to speak of government commissions, legislative committees, and the like. See bibliographies in LaBotz, Rank and File Rebellion 330-331 (1990), Neff, Mobbed Up (1989), and Friedman, Teamster Rank and File 285-290 (1982); President's Commission on Organized Crime, The Edge: Organized Crime, Business, and Labor Unions, ch. 5 (1986); 8/93 VID, 4:06:40 ("union has been under attack since the McClellan Committee").(1)

Re: Carey "heist" Ed Heisler Brother Carey was found not guilty. Now how much is Hoffa getting paid to work on behalf of the Bush government and its right-wing agenda? ...Anyone who has been found not guilty in a court of law should not be banned from membership in the IBT. But, that's not the way the former head of the CIA and FBI, William Webster, sees it. Clinton and the employers got rid of a militant labor leader they could not control. Now Bush and his corporate gang have someone warming the General Presidents chair who does their bidding. The IRB banned Carey on the grounds that he knew about and participated in the campaign fund raising scheme. However, two of the IRB members said they simply lacked evidence to prove their contention. So they charged Carey with failing to carry out his fiduciary responsibility. The labor movement and Hoffa should demand that Ron Carey be allowed to rejoin the Teamsters Union since the man simply is not guilty of violating any laws. How can Hoffa claim to be against the consent decree and at the same time oppose brother Carey's re-admittance into the IBT? The man was found not guilty in a unanimous verdict! Let's have a little justice here. If Mr. Hoffa were charged with illegal activity and a jury found him innocent I would demand his reinstatement into the IBT.

Re: Carey "heist" Molly Maguire That's exactly why Carey is gone. He was a militant leader who was activating the Teamsters Union again. Our government and the corporate asses they kiss, couldn't have that could they?

Re: Carey "heist" Dixie Being pinched at a UPS picket line during the last strike, I've walked the walk. Ron can talk the talk. Good Luck UPS. It's uncharted waters for part-timers, and we know what the Carey contract spelled out.....JOBS. Top it.

Re: Carey "heist" farley I. hatcher Carey was found guilty of using dues money to enhance his 1996 campaign by the IRB. He was found "not proven" of lying to the committee and it had NOTHING to do with his being found guilty of embezzlement of Union funds.

Re: Carey "heist" witness farley, the record of the IRB hearing and decisions you have not read. "should have known" is what Carey was found guilty of...let's see if it applies to the current gp if Passo/Hogan are found guilty of collusion with employers (the current gp's former clients)."not guilty" is the record of the criminal proceeding. not guilty of perjury when Carey testified that he was not involved in the consultants' crime against the law AND Carey. ..."not proven" is a label that better fits the current gp when referring to his commercial- like claims of power.. or a label that should become your middle name.

Re: Carey "heist" Ed Heisler Dan R. writes: "if they found Carey guilty of not fulfilling his fiduciary responsibility, isn't that kind of like stealing? The only thing he was found not guilty of was perjury." The only thing that Carey did was tell the truth????????!!!! Well, I am glad that you finally recognize and accept the unanimous jury verdict that Carey was not guilty of even knowing about that theft, much less participating. Unless you have access to information that the prosecution and jury did not have, can we assume that you recognize and accept the jury's verdict? The bottom line is that Ron Carey told the absolute truth regarding the campaign fund raising scheme!. And Ron Carey has never been found guilty of any wrongdoing at a trial. Carey is the first full-term General President in half a century who has not gone to jail or who did not plea bargain their way out of jail. If the old man, James Hoffa Senior were alive today, he would have been out at the courthouse to embrace Ron Carey and his family and wish them well. And secondly, Hoffa senior he would be leading a campaign against the Bush governments consent decree while he demanded the reinstatement of Carey. His son is a no chip off the old block. Old man Hoffa would never have kissed up to an anti-labor government like his untalented and incompetent son has.

Re: Carey "heist" witness 5-28-02 LOL! from stealing our current gp's promises to now being responsible for our "current economic fix"-- farley , your middle name is clearly 'not proven'. LOL! rumors are surfacing that our current president was "bought" into calling the strike at overnight!! the strike is called and the little union support we had hits the picket line and then overnight is rid of them!! Was the call to strike a quick way to end the organizing? why call a strike with less than 1/3 support??

Re: Hey Union! TS Read the Consent Degree from 1989! The IRB's decision is final and binding, no matter what the Federal gov't says. Even though Brother Carey was found INNOCENT, the only way Brother Carey could clear it would be to take it to a higher court and take on the IRB.....but why? Why waste what money in his retirement that he has left to try and fight the IRB? Those that know and knew Brother Carey, know what kind of person he is and what he has done for the labor movement! Those that know him, remember our membership numbers were finally taking a turn to increase...maybe that is what the Feds & big business was concerned about? I would not blame him for not coming back to this mess anyway.....a mess perpetuated by a lie! Ron Carey is Innocent!

Re: Hey Union! Ed Heisler Carey brought Teamster' pride, militancy and power back. He had to step on union bureaucrats to achieve that, some feel unjustly, but he shook up this union and led the biggest organizing drives and biggest union strike victory in over 20 years. As much as some disliked some of Carey's appointments (and there were bad ones) you can't take that away from him. And Ron Carey was the only GP who challenged and beat the mafia in local after local.



Teamster.net

UPS offers 30 cents an hour. ManhSouthNY 6-23-02 Today at LOCAL 804 we had our general membership meeting. with J. Hoffa , C Keegel and K Hall. They all spoke and then there was a rally outside for about a thousand people. Hoffa said that the first money offer by UPS was 30 cents and hour he told them to " stick it up there ass " From what I heard, from talking to people from the international (not Hoffa , Keegel or Hall) it looks like we will get about 80 cents an hour the first year then 75 cents an hour for the next 4 years also they are very close to getting part-timers' pension years to care over to full time, not sure the table but maybe 2 p/t years = 1 f/t year or 25 dollars a month for ever year on top of what your full time pension is. for example if your local f/t pension for 20 years is \$2000 a month but you have 5 years p/t then you would get \$2125 a month. It was a very nice rally with alot of energy.

Highest pay in industry? HJK 6-24-02 UPS claims to have the "highest pay in the industry", often citing the \$23 per hour package car/feeder rate. But as most of us know if you factor in...Package and feeders with less than two years, Part and fulltime air drivers, Art. 22 and Art. 40, and Part-time

package handlers....You might have a \$14.00 average, which would be well below the average pay under the National Master Freight Agreement and the U.S. Postal Service and about the average for Fed Ex, groups UPS cites as competitors. Plus the NMFA and the USPS are made up of mostly full-time older employees and their health, welfare and pension cost are much higher than UPS (UPS does pay benefits to part-timers but with the high turnover and a very young workforce many workers don't reach 90 days to be covered and a vast majority do not stay the 5 years to be vested in the pension plan) so don't buy the lie about how high UPS's labor cost are compared to the competition, it's a crock of bull!





REMAINING U.S. CEOs MAKE A BREAK FOR IT

Band of Roving Chief Executives Spotted Miles from Mexican Border El Paso, Texas (SatireWire.com) — Unwilling to wait for their eventual indictments, the 10,000 remaining CEOs of public U.S. companies made a break for it yesterday, heading for the Mexican border, plundering towns and villages along the way, and writing the entire rampage off as a marketing expense. "They came into my home, made me pay for my own TV, then double-booked the revenues," said Rachel Sanchez of Las Cruces, just north of El Paso. "Right in front of my daughters." Calling themselves the CEOnistas, the chief executives were first spotted last night along the Rio Grande River near Quemado, where they bought each of the town's 320 residents by borrowing against pension fund gains. By late this morning, the CEOnistas had arbitrarily inflated Quemado's population to 960, and declared a 200 percent profit for the fiscal second quarter. This morning, the outlaws bought the city of Waco, transferred its under-performing areas to a private partnership, and sent a bill to California for \$4.5 billion. Law enforcement officials and disgruntled

shareholders riding posse were noticeably frustrated. "First of all, they're very hard to find because they always stand behind their numbers, and the numbers keep shifting," said posse spokesman Dean Levitt. "And every time we yell 'Stop in the name of the shareholders!', they refer us to investor relations. I've been on the phone all damn morning."

"YOU'LL NEVER AUDIT ME ALIVE!"

The pursuers said they have had some success, however, by preying on a common executive weakness. "Last night we caught about 24 of them by disguising one of our female officers as a CNBC anchor," said U.S. Border Patrol spokesperson Janet Lewis. "It was like moths to a flame." Also, teams of agents have been using high-powered listening devices to scan the plains for telltale sounds of the CEOnistas. "Most of the time we just hear leaves rustling or cattle flicking their tails," said Lewis, "but occasionally we'll pick up someone saying, 'I was totally out of the loop on that.'"

Among former and current CEOs apprehended with this method were Computer Associates' Sanjay Kumar, Adelphia's John Rigas, Enron's Ken Lay, Joseph Nacchio of Qwest, Joseph Berardino of Arthur Andersen, and every Global Crossing CEO since 1997. ImClone Systems' Sam Waksal and Dennis Kozlowski of Tyco were not allowed to join the CEOnistas as they have already been indicted.

So far, about 50 chief executives have been captured, including Martha Stewart, who was detained south of El Paso where she had cut through a barbed-wire fence at the Zaragosa border crossing off Highway 375.

She would have gotten away, but she was stopping motorists to ask for marzipan and food coloring so she could make edible snowman place settings, using the cut pieces of wire for the arms," said Border Patrol officer Jennette Cushing. "We put her in cell No. 7, because the morning sun really adds texture to the stucco walls."

While some stragglers are believed to have successfully crossed into Mexico, Cushing said the bulk of the CEOnistas have holed themselves up at the Alamo. "No, not the fort, the car rental place at the airport," she said. "They're rotating all the tires on the minivans and accounting for each change as a sale."

(thanks to the brother in Brattleboro, who turned us on to SatireWire.)



UPS Yours is still in financial disarray. Anyone who has not sent their \$10 this year should do so now, to:
 UPS Yours
 6 Park Street
 Underhill, VT 05489



big brown- going down 15 year teamster 6-22-02
 I am 110 packages down every day (Teamster.net)

Re: big brown is going down john harvey jr 6-22-02
 Why? How? Don't they put an extra split on you? Is your sup a complete idiot?

Re: big brown is going down UPS Driver 6-22-02
 Hey chump, you have been here 15 years and still haven't figured out that volume slacks every year during the summer months? Get a clue.

Re: big brown is going down UPSSup 6-23-02
 Definitely true; volume does slack every summer. Large shippers don't divert to Fedex every year.

Re: big brown is going down SIGVierzig 6-23-02
 Post Office is down in volume. Fed-X is down. Fed-X ground is down too. It's the economy. My numbers have been spiraling down since January.

FedEx spokesman Jess Bunn confirmed Norman Black's (UPS' spokesman) statement that there has been relatively little shift of freight up to now. "Hard to tell when we'll see an increase," he said. "Five years ago we started seeing spikes in volume a couple of weeks before the deadline. This time we've got extra capacity. I think customers understand we have a little more capacity and may wait. But we're asking for commitments if they plan to use us."

The Duty of Fair Representation

Throughout the years a legal principle has been developed by the National Labor Relations Board called "the Duty of Fair Representation (DFR)." This legal principle quite simply states that a union must represent all workers equally and without prejudice. A union cannot refuse to represent or improperly represent a worker due to the worker's age, race, creed, nationality, sex, religion, political beliefs, union status or personality. If a union fails to represent a worker due to prejudice or hostility the union can be charged.

"Failure to represent" includes failing to properly investigate a grievance, process a grievance, or in some cases, even to arbitrate a grievance. The duty to represent all workers is especially true in the case where a non-member or anti-union worker files a grievance. Personal feelings or the feelings of the membership cannot be allowed to interfere with the processing of that person's grievance. The key factor in a "failure to represent" case is that the union knowingly commits these acts because of prejudice or hostility towards an individual. If an honest mistake is made, that is not considered to be "failure to represent." If basic principles in grievance handling are followed there should not be a problem with "failure to represent" charges. *Example:* A union loses a case because they missed the time table for advancing the grievance to the next step. The grievant files a complaint that the union violated the duty of fair representation because they missed the time limit. In this case the union would *not* be found guilty of a DFR unless it is proven that the union missed the time limit because it was prejudiced or hostile toward the grievant for some reason.

Here are some basic guidelines for **proper grievance handling**: Listen to the worker's complaint(s) —don't blow them off. Investigate what happened, don't accept the bosses' word as fact. If the worker wants to file a first step grievance, file it, even if you're not sure of its merits. Keep all notes of the investigation. Discuss the grievance with the grievance committee or chief steward. Make a collective decision on processing the grievance to the next step. Keep the worker or workers involved in the grievance fully informed about what is happening to their grievance. If you must make a compromise settlement, make sure the reason for that decision is explained and fully understood.

4

Never allow prejudicial statements to be made about the grievant in a discussion on whether to file their grievance. If there is a debate at a union meeting over whether or not to take a grievance to arbitration, make sure the grievance is debated solely on its merits. If one of the officers is personally involved, he or she should excuse themselves from the vote. Derogatory discussion of the individual during a meeting *must* be ruled out of order out of order. The minutes of the meeting should clearly note that such discussion was ruled out of order. If the members vote not to take a case to arbitration because the person who filed the grievance is anti-union, the union can be charged and will most likely lose. If the case involves back pay, the union may be liable for paying that worker's back wages.....(excerpted from the UE Steward, online)



**UPS - END PART TIME POVERTY
 A LIVABLE WAGE - EVERY HOUR!**