

SEIU 1021 Executive Board Meeting
Saturday, June 25, 2016, San Francisco Office
MINUTES

Executive Board Members Participating: President Roxanne Sanchez, Secretary Jan Schardt, Treasurer Amos Eaton, VP of Politics Alysabeth Alexander, VP of Organizing Ramses Teon-Nichols, VP of Representation Theresa Rutherford, VP Region-A Sunny Santiago, VP Region-B Tom Popenuck, VP Region-C Gary Jimenez, VP Region-D Joseph Bryant, VP Region-E Marcus Williams (by videoconference), Felipe Cuevas, Omar Medina (by teleconference), Jim Wise, Karla Faucett, Eric Stern, Cynthia Landry, Derrick Boutte, John Arantes, Gregory Correa, Yeon Park, Angel Valdez, Robert Taylor, Monique Broussard, Theresa Breakfield (by videoconference), Evelyn Curiel, Lorraine Bowser, Al Fernandez, Akbar Bibb, Mary Sandberg, Cristin Perez, Tina Diep, James Harris, Jr., Peggy LaRossa (by videoconference), Mary Duncan

Executive Board Members Excused: Pete Albert, Janice Wong, Dan Jameyson, Mercedes Riggleman, Kathryn Cavness, Rhea Davis

Executive Board Members Absent: Norlissa Cooper

Staff in Attendance: John Stead-Mendez, Seth Schapiro, Joanne Cansicio, Lisa Morowitz, Bill Petrone, John Shaban, Kim Alvarenga, Lisa Maldonado

Call to Order: President Roxanne Sanchez called the meeting to order at 10:00 am.

Review of Agenda: Add to the following - Budget and Finance report: final decision on San Francisco building lease; Action Items: San Joaquin strike sanction and Reports website discussion. Approved by consensus.

Member Comments:

Darla Brown, Highland Hospital: She spoke about an FMLA issue.

Amaka Watson, City of Oakland: She spoke about issues at her worksite. She also addressed issues around the recent City of Oakland chapter election; and has requested that the Executive Board review the Oakland Election Committee report. A formal appeal was made to the Board. President Sanchez announced that a special meeting of the Executive Board will be held to address the appeal.

Blanca Leggett, City of Oakland: She spoke about an injury at her worksite and ADA accommodations.

Denise Escobar, City of Oakland: She spoke about a termination.

Stephanie Hamilton, City of Oakland: She spoke about projects and issues in the temporary part-time unit. She also spoke about issues around the recent City of Oakland chapter elections.

Jacqueline Kinnebrew, City of Oakland: She spoke about a termination and addressed issues around representation.

Bonita Henry, City of Oakland: She spoke about medical issues, as well as worksite issues.

Martha Muller, City of Oakland: She spoke about concerns/issues in the temporary part-time unit and concerns around Union staffing changes.

Belinda Calvin, City of Oakland: She spoke about issues affecting members in the temporary part-time unit, as well concerns with racism in the City of Oakland. She also addressed issues around the City of Oakland chapter election.

Monica Cedillo, City of Oakland: She spoke about an issue pertaining to an investigation and asked for the Union's support.

Al Marshall, City of Oakland: He formally requested that the Board address the appeal around the City of Oakland chapter election. He also spoke about the chapter bylaws template, and suggests that members should have access to a hard copy of the template at Oak St.

Tim Glasper, City of Oakland: He spoke about the chapter bylaws template and challenges around the City of Oakland chapter election.

Greg Marro, Retiree: He spoke about chapter bylaws.

Implementation of Vision for Power Document:

At the 1021 Member Convention in September 2015, the delegates adopted the *Vision for Power* document, which has four parts: Grow our Labor Movement, Build our Worksite Power, Reclaim our Democracy and Unite with our Communities. These four parts are not separate or distinct; and we can't accomplish one of them without accomplishing all of them. President Sanchez introduced Sam Kaner, with Community at Work, who has been working with the local to assist with implementing the *Vision for Power* plan. An overview was explained on how to address, change and accept the challenges facing us.

The meeting was temporarily suspended at 12:30 p.m. for a lunch break and reconvened at 1:00 p.m.

Implementation of Vision for Power Document (continued):

The members requested that we build something and that is the Vision for Power document. We have the document now, and need to establish how and to whom we will be involved. It is our responsibility to transform this union to reach the goals and build the union that the Vision for Power document has mandated.

The Transformation Process:

1. The work since January
2. The planning framework, Part 1
 - a. Presentation of the tool
 - b. Discussion
3. Exploring the core goals for transformation
 - a. Conversations
 - b. Whole group
4. Planning framework, Part 2
 - a. Presentation of the tool
 - b. Discussion
5. Next Steps

- a. Agreement #1
- b. Agreement #2

Stage 1 – Understand

Stage 2 – Re-design

Stage 3 – Nuts & bolts

Agreement #1- The board has agreed to the following. We agree to engage in the transformation process. M/S/C (Correa/Stern) to approve agreement #1.

Agreement #2- We agree to, and authorize the concept of an architect group that goes away, draws a blueprint to materialize the vision for power document and brings the blueprint back to the board for review. Discussion, revision and final approval of the blueprint in principle, and agreement to the first stage of transformation. M/S/C (Stern/Boutte) to approve agreement #2.

Minutes of the May 14, 2016 Meeting: M/S/C (Wise/Taylor) to approve the minutes.

Budget & Finance Report:

Treasurer Amos Eaton reported on behalf of the BFC.

The BFC approved the following items:

1. Contra Costa County Campaign:

The Local is using this campaign to build the chapter and to strengthen the membership; at this time the membership is 76% the goal is 90%. Safety and staff turnover are major issues in the workplace along with wages and benefits. The BFC approved to accept the campaign plan and budget, as the membership requested, at a total cost of up to \$47,200. The budget includes costs for items such as publication needs, office space rental and costs for various actions/events. It was recommended that the budget include additional member lost time.

2. SEIU Local 668 Leader Visit:

Roxanne Sanchez explained how 2 member leaders with SEIU Local 668 in Pennsylvania would like to come and see how our Local works. She has invited them to come and meet with the Board at the September meeting. The request is to cover the cost of the hotel and flight. The BFC approved to fund this request at a cost of up to \$3,000 to bring 2 member leaders to the September meeting.

3. Patrick Waters, Consultant:

The BFC approved to extend Patrick Water's contract through up to September 30, 2016 at the same contract terms, with the understanding that the contract max would need to be adjusted for the additional hours. His current rate is \$50.00 per hour at up to 100 hours of work per month. He is currently assisting with IT work. Note: We are in the process of screening applicants to fill this position.

The BFC approved to **recommend** to the Executive Board to approve the following proposals:

A. RBC Wealth Management Presentation:

Catherine Chen presented on our performance of our investments for the most recent quarter ending March 31st. Third Quarter 2015 the markets took a down turn with the huge drop in the price of crude oil. This year is expected to be volatile because of low oil prices and Britain's upcoming vote on EU membership.

RBC is recommending that we move funds from Wedgewood management to Granite because of poor performance. There is no charge to move the funds. The BFC recommends the move to transfer funds from Wedgewood to Granite. M/S/C (Jimenez/Wise) to approve the move to Granite.

B. COPE Disbursement Policy:

A sub-committee met and drafted a policy for COPE expenditures. This policy does not change how COPE or the BFC currently operates. It clarifies that Local COPE has authority over PAC account expenditures. The BFC recommends that this policy be approved. This was the first reading of the policy, it was requested that some practical examples be provided at the next meeting. In section 3 COPE account needs to read as PAC account.

C. Fred Beal, Consultant:

The BFC recommends extending Fred Beal's contract through up to December 31, 2016 at the same contract terms, with the understanding that the contract max would need to be adjusted for the additional hours. His current rate is \$80.00 per hour at up to 100 hours of work per month. Note: Fred will help lead the work around the new Fair Labor Standards Act (FLSA) mandates. He is doing this work in Alameda and we would like to have him do assessment in the rest of the counties and the regional centers in the Local.-Cynthia Landry asked to move this item to executive session.

D. Nato Green, Consultant:

The BFC recommends extending Nato Green's contract through up to December 31, 2016, with the understanding that the contract max would need to be adjusted for the additional hours. His current rate is \$70.00 per hour at up 120 hours of work per month. He is leading the adjunct chapters' first contract campaigns for 3 chapters. M/S/C (Jimenez/Boutte) to approve the extension.

(Extend the meeting: M/S/C (Schardt/Jimenez) to extend the meeting to 5:30.)

E. Steve Sommers, Consultant:

The BFC recommends extending Steve Somers' contract through up to July 31st. He is working on the joint equity study for the City of Oakland and is wrapping up Hayward. M/S/C (Fernandez/Jimenez) to approve the extension.

F. SF Building Project:

o 939 Ellis St:

Seth Shapiro reported that we have signed a letter of intent for 939 Ellis Street. The landlord has changed their terms.

1. The stairs are not up to fire code for assembly areas that hold more than 100 people this could add up to \$.5 million dollars in our costs.
2. The zoning for the property has been residential/office. The landlord was going to cover the legal costs of the rezoning for our use (including assembly) and now they are backing out of that agreement.

- 350 Rhode Island:
Our current landlord is now willing to renew our lease. They have now responded to the offer we made with terms close to what we offered.

There was a discussion around cost, parking, size and timing of the move which will very likely happen during bargaining in San Francisco (most of our San Francisco members will go into bargaining next year.)

Current rent and parking is \$1,149,000. Average rent/parking over term for 939 Ellis \$1,653,137 and for 350 Rhode Island 2,096,297: In other words annual costs approximately 1 million more for current location, and \$600,000 more for 939 Ellis) Overall it would still be less costly going to 939 Ellis but more uncertainty than was previously discussed.

The BFC recommends to stay at 350 Rhode Island and to withdraw from negotiations at 939 Ellis.

There was a discussion stating all of the pro and con of moving to Ellis Street. Seth Shapiro explained in detail that the differences. M/S/C (Schardt/Fernandez) that we remain at 350 Rhode Island Street.

The following is a report out on previous community/allies requests that were to be considered as part of the Resource Agreement (RA):

- North Bay Jobs of Justice annual dues of \$10,000: half will be paid by the RA and half from Community Allies.
- North Bay Organizing Project Dues of \$6,000 will be moved to the resource agreement.
- Statewide Self-Advocacy Conference request of \$3,500 will go through the resource agreement.

The BFC approved the following Community Allies Requests from June:

- San Francisco Dyke March:
The BFC approved to sponsor the event in the amount of \$300.00. This request was presented by the Social Economic Justice Committee, as a tier 3 request, which will provide advertisements on the Port o' Putty Ad, Dyke March website and Facebook page, name/business mention during the Dyke March rally and events leading up to the march.
- SF Tran March:
The BFC approved to sponsor the event in the amount of \$300.00. This request was presented by the Social Economic Justice Committee, which will provide our name being listed in all Trans March related media, displayed on the Trans March website, name recognition at the My MCs event and a space to table at the march.
- S.F. Living Wage Coalition:
The BFC approved to purchase a table in the amount of \$1,000 for the annual S.F. Living Wage Awards Dinner. Alysabeth Alexander explained how this organization works with our union in a variety of ways. They have one fund raiser a year, which is in lieu of dues.
- Organize Sacramento:
The BFC approved to donate \$150.00 to support the group's Summer 2016 Community Mixer event. The Sacramento COPE committee is working with this community group which provides training and education for community organizing along with other functions.
- Capital Region Organizing Project (CROP):

The BFC approved \$300.00 to sponsor the group's Freedom & Power Summit event. This is a community organizing training with six 1021 members attending. The event is June 18th at the Sacramento Office.

- Hayward Zucchini Festival:

The BFC approved to rent a booth at the Hayward Zucchini Festival on Aug. 20-21 at a cost of \$500.00. The Alameda County COPE Committee is requesting support for this event. The request of \$1,000.00 was reduced to \$500. This would be to have a booth at the festival August 20-21 to publicize our campaigns for the November ballot. It was requested to flag this as it needs to be reviewed by the political department.

- Oakland Rising:

The BFC approved to sponsor the group's Townie Awards event in the amount of \$1,000. Gary Jimenez brought this request explaining that it is their only fund raising means. They are working with us on rent control and have worked with us on the living wage campaign. They partner with the labor council on value based politician training. This was requested that it be pulled as COPE has already funded it.

NOTE:

There were no requests presented at the June meeting that were not passed by the BFC.

ACTION ITEMS:

San Joaquin Strike Action: Marcus Williams reported that the chapter has voted to strike. M/S/C (Jimenez/Taylor) to approve the strike sanction.

BFC Region D position: The member that had been elected resigned due to time and family. President Sanchez would like to appoint Julie Meyers to fill this position. M/S/C (Faucett/Taylor) to appoint Julie Meyers at the additional BFC Region D position. Julie Meyers was sworn into office.

Shasta Area Representative Position- Geneva Haines will be brought forward next month as she was unable to attend today's meeting. M/S/C (Amos/Arantes) moved to table to the July meeting.

S.F. Living Wage Coalition: It was requested that we have a table at this event. This has already been approved by the BFC as a community/allies request so it does not need further discussion.

California Federation for Climate Change: The proposed resolution was distributed. It was explained that this request will be sent via poll, in order to allow time for the Board to review and consider. There was a discussion over the process. The Climate Justice Committee has reviewed this and is in full support.

Support for Railroad Workers: M/S/C (Stern/Curiel) to approve as presented.

Website: Eric reported on the motion that he sent out via email over revising the website. Eric would like to pull the motion for at least a month while it is being reviewed. It was requested to have Joseph Bryant, Yeon Park, Eric Stern and John Stead-Mendez to build a blueprint and measurable timeline to revise the website. M/S/C (Teon-Nichols/Boutte) to table this topic to the July meeting.

Reports:

Draft of Chapter Bylaws Approval Policy: Eric Stern reported on what the policy committee has come up with around a policy on chapter bylaws approval process. This was the first reading and will be discussed at the July meeting. It was announced to contact Eric Stern with any questions.

Announcement:

It was announced that the Sacramento Unified School District Bylaws has been reviewed and found to be in compliance. There were no objections raised by the Board.

The board moved into executive session at 5:15 p.m.

Executive Session

Extension of Fred Beal's contract: M/S/C (Schardt/Boutte) to approve the extension of the consultant contract for Fred Beal.

The board moved into open session at 5:41 p.m.

Secretary Jan Schardt announced the motion that was in closed session.

The meeting was adjourned in memory of Erica Watkins, Roy Russell Dietrich and Patricia Newell.

Meeting adjourned at 5:45 p.m.

Respectfully submitted,

Jan Schardt
Secretary



Railroad Workers United

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April 25, 2016

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Re: Docket Number FRA-2014-0033

To Whom it May Concern:

Thank you for the opportunity for us to comment upon the FRA Proposed Rule identified by Docket Number FRA-2014-0033. Railroad Workers United (RWU) - Composed of hundreds of railroad workers across dozens of crafts - is a rank-and-file organization which brings thousands of years of railroading experience to the FRA proposed rulemaking. While it is notable that the FRA has acknowledged the dangers of single person crew operations, and commendable that the U.S. railroad regulatory agency is taking some small steps toward protecting both worker and public safety, the rule is not strong enough. It is our combined assessment that both option 1 and option 2 of proposed FRA rule 49 CFR part 218 do little to protect the safety of railroad workers and the general public. Both options present a roadmap for railroad carriers to implement single crew member operations. At no point is running an over-the-road operation safe with fewer than two crew members. *It is the RWU position that a minimum of two qualified members should be in the crew of every train operation.*

We commend the FRA for taking notice of this important safety issue and for proposing an open rule making process for the public to participate. Some of the worst tragic accidents in recent times all involved a single employee in the cab: the Lac-Megantic train explosion in Quebec, Canada; Amtrak # 188 wreck in Philadelphia, PA; the Metro North wreck at Spuyten Duyvil, NY; and the Metrolink wreck at Chatsworth, CA. In combination, they have all helped trigger the need for the FRA to take action. All of these incidents involved a single person in the crew or a single crew member in the controlling locomotive. It is our contention that with another crew member on the scene or in the cab, these accidents could have been prevented. A flaw of the proposed rule is that it doesn't remedy this problem.

Despite our support for FRA action on the question of minimum requirements for train crew size, here are a few more of the troubling, misleading or contradictory points in the FRA Proposed Rule:

Technology alone is not a fix. Carriers increasingly cite technology as a replacement for human beings when it comes to safety. But those of us who have been working on territories with decades of old forms of train control similar to PTC know all too well that these technologies are simply an added layer of protection, and one which is prone to failure. Train control alone does not prevent all accidents. The two highest profile accidents on the railroad in recent years, the Lac Megantic explosion and the Amtrak #188 crash both involved technological as well as policy failures. Both of these accidents prove that another crew member would have helped improve safety in each circumstance. We do not oppose technology such as PTC - as added layers of protection can greatly assist us in our jobs - but no technology has been developed which replaces human judgment and experience in emergency situations. As we see in heroic incidents of rescue, technology will not yet pull a human being to safety.

Human beings are part of emergency response. The FRA cites - in the Casselton North Dakota train wreck - an example of the critical expedited emergency response due to the crew size, which included two employees. Diminished crew size greatly reduces ability to respond in emergency situations. Had there been just one employee on board at the time of the Casselton wreck, the outcome could have been much worse.

Exceptions are the rule. The proposed rule cites at least five exceptions (Section 218.127 a-e) and is proposed as "Influencing How Railroads Approach Future One-Person Operations," (Section 5, A) as if it were possible for rail carriers to guarantee the safety of trains operating with single person crews. If exceptions are made it opens the door for potentially unsafe operations. The railroad is a dangerous industry with fatalities among the workforce and the public regularly. A blueprint to single person crews promises little to correct this problem.

The rule would not correct all problems leading to recent tragic wrecks involving single employee crews. As noted above, an extra employee could have prevented the worst railroading accidents in recent history. While the rule takes steps to identify hazards it doesn't add human redundancy to the cognitive team operating the train.

Railroad industry input is misleading. In the executive summary the rule cites "railroad industry input" pointing to two person crews creating "additional incidents caused by crew distraction". It is again mentioned in passing in the Lac-Mégantic accident recap. Anybody who has worked on a railroad train crew would scoff at the notion of a two person crew distracting from the task of safely operating a train. If anything, the opposite is true. By reducing crew size to just one, a railroad worker is *more* likely to be distracted and lose focus, causing an unsafe condition. Two persons in a crew increase the situational awareness and help maintain focus. "Job briefings" - so essential to safe operations - are rendered impossible when there is no one to job brief with! For the FRA to rely on industry input in this regard is certainly a case of the fox guarding the henhouse. For this viewpoint to be incorporated into the proposed rule-making is troubling as it does not contain any factual basis, nor can it be shown to make for a safer operation.

FRA acknowledgement of need for two person minimum safe requirement. On the one hand the FRA seems to acknowledge the issues while actually doing little in terms of concrete protections for safety. Beyond a waiver in option 2 or a review in option 1, little in the way of specifics is spelled out to ensure that safe train operations are assured when crew size is reduced from two to one. As mentioned above, the FRA acknowledges the rule is more roadmap or blueprint for companies wishing to reduce crew size, rather than a ban on the practice.

Both options leave railroad safety to the carriers as governed by current regulation. Leaving railroad carries to develop and implement safety programs has allowed them to emphasize "behavior based" safety programs that focus on worker behavior rather than hazard elimination. This Proposed Rule does not contain concrete safety solutions, leaving us concerned that the rail carriers will simply emphasize worker behavior as the key to safely implementing single employee train crew operations.

While we generally support FRA action on the issue of minimum crew size, we hope these points are taken into consideration to further strengthen the rule when published in its final form.

Sincerely,

Ron Kaminkow
General Secretary
Railroad Workers United
secretary@railroadworkersunited.org

cc: RWU Steering Committee