Against TriMet

Transit Union 757 pushes back

20-month-old Isaac Ronnie takes part in a picket by his father's union, Amalgamated Transit Union (ATU) Local 757 outside an Oct. 28 meeting of the TriMet board. ATU is fighting to maintain fully-paid family health insurance coverage for its members at the transit agency.

TriMet board members got some heat Oct. 28 over the transit agency's decision to impose terms on union members while it waits for an arbitrator to pick between union and management final contract offers.

Outside the board of director's meeting at the Portland Building, 1120 SW Fifth Ave., a crowd of about 80 members and supporters of Amalgamated Transit Union (ATU) Local 757 put up a high-visibility informational picket as buses and light rail trains passed by. The picket's purpose was telling the public that TriMet is breaking the law by making changes to the contract without union member agreement. But the underlying message — "No contract, no peace!" — also came through loud and clear. Chants could be heard four blocks away.

A week earlier, some 200 members and allies rallied outside the Portland Hilton Hotel, where over 1,000 transportation experts were attending the Rail-Volution conference.

The union contract at TriMet — which covers 2,000 bus and rail operators, mechanics, and support staff — expired Nov. 30, 2009. After bargaining over a required 150-day time period, an impasse was declared. Under a new Oregon law that the union supported, transit workers are prohibited from striking, and any contract dispute must be settled through binding arbitration. However, when the sides submitted their "last best and final" offers to the arbitrator, TriMet's proposal contained issues that were never raised at the bargaining table.

The union filed an unfair labor practice (ULP) complaint with the Oregon Employment Relations Board, accusing TriMet of bad-faith bargaining.

In bargaining, when either side makes offers that are worse than earlier offers, it suggests they're not really interested in reaching agreement. It means they're not bargaining in good faith, as the law requires.

Because a ULP had been filed, the arbitration process stopped.

Then, in September, TriMet General Manager Neil McFarlane announced that the agency, effective Jan. 1, 2011, would implement its own proposals, greatly increasing union members' required contribution to health insurance, and halting cost-of-living wage increases.

The union cried foul again, and amended its earlier ULP charge against TriMet.

"This is being done as retaliation because we filed an unfair labor practice complaint that has delayed arbitration," said Local 757 President Jon Hunt.

Hunt told the Labor Press that TriMet has complied with the law since the contract expired, covering all scheduled wage and insurance increases, "which is what they are required to do."

Instead of waiting for an arbitrator to rule and award a binding decision on new contract terms, Hunt said that TriMet now wants to change the status quo, and begin charging active and retired employees for their insurance.

For TriMet's union employees, the stakes are real. Local 757 member Scott Ronnie brought his 20-month-old son Isaac to the board of director's protest. A TriMet "mini-run" bus driver since July 2008, Ronnie said TriMet service cuts have prevented him from getting full-time work, as he had hoped. Instead, he's struggled as a part-time driver to maintain his hours in order to keep health insurance benefits for his family. Insurance is vital for Isaac, who has a blood disorder.

Under the terms TriMet imposed, Ronnie said his monthly insurance contribution will rise more than $200 a month, which will put a strain on his monthly income of around $1,800.

Hunt said members took sacrifices in previous contracts in order to preserve their health benefits — even swallowing the bitter pill of a two-tier wage structure in maintenance: New hires in that department make $5 an hour less than old hands.

When the board meeting began, picketers packed into the meeting room, and Hunt made a statement to the board. "The union and its members are abiding by the law, and we expect TriMet to do the same," Hunt told board members. "We're not going to stand by and let this happen without a fight."

TriMet board President Richard Van Beveren responded that the board is not the forum to negotiate a labor agreement, but assured Hunt that TriMet intends to be fair and to abide by the law.

A hearing on the ULP charge had been scheduled for January, but now will be held in April. That means the dispute may not be wrapped up until the middle of next year, because the ULP has to be resolved before the arbitrator can choose between the two offers.