

TriMet calls an end to bargaining with ATU Local 757

Union files unfair labor practice complaint alleging the transit agency bargained in bad faith

TriMet and Amalgamated Transit Union (ATU) Local 757 submitted contract offers to a state mediator May 22, as required by state law once TriMet declared impasse May 14. The two sides could still reach agreement at a scheduled June 24 mediation session, but with their positions so far apart, it seems more likely that the contract will again go to binding arbitration, possibly this fall. In binding arbitration, each side would present a final offer to a mutually-agreed-upon arbitrator, who would pick one offer in its entirety as the new union contract covering about 2,000 workers and 1,200 retirees.

That's the way it's supposed to work, anyway, under a 2007 change to state law. The change, sought by the union, replaced public transit workers' right to strike with binding contract arbitration, which is what public safety workers like firefighters and police and corrections officers have. But when ATU lost the 2012 arbitration, it filed legal objections on the grounds that elements of the arbitrator's ruling were unlawful. That case is still pending before the Oregon Court of Appeals.

Meanwhile, the contract that the arbitrator imposed expired Nov. 30, 2012. Bargaining for a

new contract didn't start until September 2013, because TriMet and the union couldn't agree on negotiation ground rules. And the three-year contract they've been discussing would expire Nov. 30, 2015.

ATU filed charges with the state Employment Relations Board May 21 saying TriMet bargained in bad faith because it didn't provide timely, complete, or accurate information about health insurance that would justify a demand for concessions; it refused to discuss a union proposal to establish a joint health insurance trust; and started off proposing 2 percent annual wage increases and then dropped its proposal to 0 percent.

In the unfair labor practice complaint, Local 757 said TriMet's initial proposal contained over 400 changes to the collective bargaining agreement. Of those, 22 were changes that would negatively impact members' income. The union said no bargaining took place over economic issues during the first 30 bargaining sessions, noting that the first 20 sessions were dedicated solely to TriMet explaining its (400) proposals and answering questions.

TriMet and ATU will have a chance to change their offers before arbitration, but the offers they sent to the mediator show how far apart they are.

TriMet proposes no raises in the first two years of the contract, and a 3 percent raise at the beginning of the third year. Its final offer last time — the one the arbitrator imposed — was 3 to 5 percent a year, based on the increase in the Consumer Price Index. ATU proposes that those raises be



continued.

TriMet also proposes to increase what union members pay for health insurance. Before 2009, TriMet paid substantially all insurance costs for members and their families. But persuaded by TriMet's argument that the coverage was too expensive, the arbitrator agreed to reduce the benefit to a level that covers 90 percent of the bills after a \$300-per-person yearly deductible. TriMet now proposes to reduce that further to 80 percent, and require members to start paying 6 or 10 percent of the premium. In contrast, ATU wants to return the benefit level to 100 percent, and it pro-

poses that active members start paying 3 percent of the premium (though at a composite rate, so that workers would pay the same regardless of family size.)

TriMet dropped a number of proposals that angered union members, including an end to laundering bus mechanics' coveralls. But it still wants to get rid of the Employee Assistance Program, which provides things like marital and financial counseling, or substance abuse treatment, to union members in crisis. ATU wants TriMet to continue funding the program at \$65,000 a year.

The union also proposes:

- That TriMet hire sufficient bus and rail cleaners to ensure that vehicle interiors are thoroughly washed and disinfected at least once every 30 days;
- That Veterans Day be added as a paid holiday for veterans;
- That split shifts be limited to 12 hours from the beginning of the first shift to end of the last shift;
- That a union representative participate in any decision to purchase new vehicles, radio systems, GPS, or maintenance equipment;
- That in the maintenance shop, TriMet install fire alarms, provide a public address system that's clearly audible, clean the ventilation system at least once a year, and modify inspection pits so that mechanics can stand upright while working under the new low-floor buses; and
- That bus drivers never have to make left turns like the one that killed two pedestrians and injured three others in a 2010 accident.

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