



# News

July, 2021

## Local 3634

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### Record Keeping is Important

As we go into the new bid year and new assignments as both new hires and seasoned Supervisors, it is imperative that you know what your rights are as newly hired members into the bargaining unit and also as you go into a new work function within your respective classifications. Article 17 is very important as it addresses and explains both the probationary and assessment periods of new hires and those who promote within the bargaining unit. Please take the time to read this section carefully. Another important aspect is keeping good records and documentation when receiving training. Always keep a paper-trail as it relates to your training when dealing with management. Verbal conversations are good, however, often times someone can be very selective as to what they remember so always do a follow-up email regarding what was discussed in meetings of significance and when you want answers to questions that affect you and your work environment. **Protect yourself always.** Written correspondence can support your position and help someone recollect their memory just in case they may say they forgot or can't recall. Paperwork helps them get their memory back and they can't run from it.

For the members who are under Article 25, specifically Article 25.7; know and understand what training, assessment and functional qualification means. If you aren't sure please don't hesitate to reach out to any of our Officers or Stewards for assistance.

As always, thank you for your continued support of the Union. Continued Peace, Good Health and Prosperity!!!!

In Solidarity,

AFSCME Local President



# Newsletter

Brothers & Sisters,

As California slowly opens we can now start to enjoy our favorite Restaurants, Sports, Car Shows etc., keep in mind the "Famous Masks" may still have to be worn but maybe only for a few minutes. Metro still has its policy on wearing the Mask at many of its Locations, Divisions, Buses / Trains. We all still need to comply so let's just do it.


Covid-19 as many of you may have heard, there are many places that you can receive an Immunization. We all may have concerns, beliefs and thoughts on it. If you haven't got one maybe you might want to consider it one day, only takes about 20 minutes of our busy days. Veteran's you can go to the VA Hospitals, No appointments necessary.

We just had our Triennial Shakeup. Changes for many of you if you able to bid where you wanted to go. Learn it well, then "Do Your Job" without the complaints or whining, you placed that bid. Welcome to the New VO's and I will stress this, Be Pro-active in the streets, it's not about just sitting at a Terminal trying to impress or acting handsome sitting in the Unit. There is lot to learn and decision making in the field. "Answer the Radio when you're called."

The Hot summer months are here, stay hydrated, maybe offer a water bottle to an Operator that may look flushed or De-Hydrated, they may need it.

In closing, were all Adults /Professionals here, keep up the good work. Good luck to all of you going into your new positions.

Ernie Paredes  
E-Board Officer, TOS/VO



I hope this brief article finds everyone safe and healthy after the Fourth of July holiday. I would like to give our members some brief information regarding our rights as Union members. This information is from the NLRB v. Acme Industrial Co. (1967) The Supreme Court ruled that employers must furnish unions with information relevant to grievances.

As a steward, you may request information to:

- Monitor compliance with the contract
- Investigate whether a grievance exists
- Prepare for a grievance meeting
- Decide whether to drop a grievance or move it up the ladder
- Prepare for an arbitration hearing

What can you request?

The obligation of an employer to provide information is extremely broad. It includes relevant documents, data, and facts. Information is considered relevant if it might be useful to the union or could lead to the identification of useful information. If management does not have the information in its possession, it must conduct a diligent effort to obtain it, including making requests of third parties with whom it has a relationship, such as contractors, customers, and parent corporations. Preconditions, such as an insistence that the union does not disclose information to outsiders, may not be imposed unless the information meets a strict test of confidentiality.

Information requests must be made in good faith. The request must relate to contract administration or bargaining, and the union must explain its reasons if asked by the employer.

**This information is from a National Labor Relations Board case**

Fraternally,  
Jim Avila  
L3634 Executive Board Member

Dear Brothers and Sisters of AFSCME Local 3634

This will be the last time that I will get to address you regarding Union related issues before my term ends. This Union is strong and we have all prospered by the actions of our Union but I do have a few issues that I would like to discuss with you regarding WORK. The Union has gotten us timely wage increases over the years and we're in a much better place than we have ever been. The Covid-19 virus has had a great impact on our daily lives. Some of us have lost loved ones, friends and co-workers but the main issue that I want to discuss is work related issues and how some of us are constantly asking about a wage increase, however some of us to be quite frankly don't do our part to support and be part of the team to be successful and justify the wage increases that have been negotiated and fought for. As with all great unions; they fight to get the raises and benefits for all of its members. At Metro we have a saying "What you do for one you have to do for them all" regardless of those who really don't understand and know the history of how we formed as a bargaining unit. Some of us from a work standpoint often times leave work duties and responsibilities for our co-workers to do and that is not fair nor is it professional to push that burden on those who are also our fellow Union family members.

There are duties and responsibilities that we all have when we arrive to work and there are consequences for not following the rules just like people who break the law and are punished as a result. I have often wondered what it would be like if we didn't have our Union to stand up for us because we fail to do what's right and were punished and disciplined harshly for a failure to fulfil our work duties and responsibilities. As public employees we are fortunate to be protected because in the private sector' the work environment would be very different, harsh and severe and the type of punishments they would dish out would equate to being sentenced in a judicial setting: Zero tolerance and you're fired. Let's not place ourselves in unnecessary situations where our work performance is put into question for a lack of work productivity or for not coming to work at all because we're always on the sick list.

Being placed on an Improvement Plan or suspended for doing crappy work is not the right place to be in and losing your job (Fired!!!) in today's world with the kind of money we are fortunate to earn is equivalent to a financial death penalty. I know this is probably going to tick a few off and it comes across as harsh but I believe in professionalism in the work place and it irritates me when I see people have a "I don't give a damn attitude". I have worked for and given 40 years of my life to RTD/Metro and the job was always a piece of cake.

In closing I hope that you can move forward and just do your job because you get paid very well. They say the truth hurts and some of you know that I'm only being honest in telling the truth and hopefully YOU can be that change because some of us have retired and moved on. The face of Metro is changing daily and a lot of the more seasoned supervisors need to set the example for the younger supervisors and be committed to doing your job. Sometimes we get wrongly characterized and labeled as being lazy. Don't allow this to be true and you find yourself being stigmatized in this category. Do the right thing when you arrive to work and embrace and commit to doing your part to making the team successful. My time is up and supervisors like Darcy Del Cambre and others are a rare breed. You can say what you want about them but I recall them doing their jobs, embracing it and being a leader. We have moved on by retiring and I pray that you and others will just step up and lead by example.

I would like to personally thank the following individuals: President Al Cromer for providing strong leadership and allowing the E-board and Stewards to learn and grow. I would also like to thank Recording Secretary Veronica Gunn for being the stabilizing voice of our union and I also want to thank Q for providing us with the details of the locals money and reassuring us that everything is above board on finances and last but not least all of my E-board members for being strong and not afraid to speak up and voting on various issues that are what's best for the local.

I thank you all for giving and providing me an experience of a lifetime so thank you "Ernie, Frank, Jim, JJ, Tran, Melvin & Lorena". Take care and farewell my Metro family.

Richard Wright  
AFSCME Local 3634 Executive Board Officer



## ROC's Attack on AFSCME Members.

Dear Brothers and Sisters.

It is well known throughout the agency about various mismanagement issues and hostile work environment at the Metro Rail Operations Control Center (ROC). These latest issues add to the list in AFSCME's fight in having to get this location to abide by our Collective Bargaining Agreement and treat our members fairly and equally.

- ROC management has decided to violate the bidding rights of Rail Transit Operations Supervisors (RTOS) who bid out of ROC by not releasing them to their respective locations. A total of 9 RTOS bid out and 4 RTOS bid in. The contract allows the holding of Supervisors until their replacement employees are trained. Therefore only 4 RTOS should be held. ROC management unilaterally decided to hold 8 out of the 9 RTOS personnel at the location citing generalized statements such as "Staffing issues", "Your employees don't want to show up to work" or "We have so many open positions". Also, Members have reached out to us stating ROC management and Labor Relations Representatives have been spreading misinformation. Making statements such as "We believe AFSCME agreed to this" or "I think AFSCME had a meeting and they agreed to wait for six months". I am reassuring you. We did have a meeting and AFSCME completely disagreed with holding of personnel more than what is outlined in our CBA. And we will be taking appropriate action immediately in preserving our AFSCME bidding rights.
- We had a member who was passed up on their overtime opportunity due to a management error. After AFSCME pointed out the error, the ROC management agreed to pay Lost Time at the rate of overtime pay. However, immediately afterwards, I was approached by the ROC Superintendent and a Labor Relations Representative stating "We're not going to pay any more Time Claims. It's a SMART union thing. From here onwards if they are passed up for overtime, we will bring them to work overtime at another time. We do not give away free money". I pointed out to them that since AFSCME overtime is established on a rotational basis, they will be violating another employee's overtime opportunity. Also, if management did not make errors such as not following the rotation, they wouldn't have any Time Claims. Not following the rotation is a direct violation of our CBA and the company should take ownership of their mistake and make our AFSCME members whole. Therefore, if you work at the ROC as a Controller or a CCTV Observer Supervisor, and you feel like you were passed up on an overtime opportunity, contact your AFSCME Representative immediately so we can investigate. Do not agree to show up at a "Later time" or "Another day" to make up for the management error.

I hope all of you have a safe and successful career and keep in mind that AFSCME is looking out for you.

Q Arachchi- Your Treasurer.



## Union Difference

Life is better in a union. Having a voice on the job means better pay, better health care, a more secure retirement, and so much more. It means having a say in safety, staffing, and other important issues that help AFSCME members do their jobs and keep America running.



**This is a friendly reminder:**

**July zoom meeting**

**General Membership Meeting will be on the 17th at 10 am. Please RSVP by Wednesday July 14th.**

**Please provide and or update the Local with your contact information**

**Cell and personal email for our records which will allow us to contact and communicate with you in real time.**

### ***FRIENDLY REMINDERS:***

*Please make sure to update your personal contact information including your alternate contacts with Metro. It is very important in times of emergencies that the employer may need to communicate immediately with you or your family for work and personal reasons.*

*Prosperity, Peace and Good Health*

