

Fall 2014

# MAINLINE

**The Official Publication of AFSCME Local 444**

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## **Marguerite Young – Board of Directors Election Victory!**

Local 444 is thrilled to announce the victory of Marguerite Young’s campaign to unseat incumbent Katy Foulks for EBMUD Board of Directors, Ward 3. The race was hard fought with many volunteers spending hours and days knocking on doors and informing voters who their EBMUD Board are, and educating them on what they do.

At first count it looked like Marguerite had lost by a mere 147 votes, but after tallying the absentee and provisional ballots, she prevailed by 905 votes. It is clear that the hard work of all of the volunteers made the difference and every dollar that was donated paid off.

Mrs. Young is committed to addressing our aging and deteriorating infrastructure and to fixing it with EBMUD employees, not contractors. She is also keen to get on the Retirement Board, which was her area of expertise with SEIU – long term pension financial stability.

Local 444 gives a huge thanks to all those who contributed.

## **10 to 40 Update**

Local 444, and in particular, Local President John Briceno, has made abundantly clear to Management that 444 will not tolerate contracting-out of our work. Management has backed off from their push to contract-out the 10 to 40 pipeline infrastructure renewal work and are beginning to recognize that they have to start adding more crews.

But that has not meant we can relax! At the last Planning Committee meeting, Pres. Briceno had to clearly correct Management, stand up, and tell the Board that: “we have not agreed to contract

1-2 miles per year of new technology pilot projects” after their presentation suggested we had. I know our President will keep up the pressure; so be sure to let him know we have his back!

“In terms of the 10/40 plan, our position against the contracting out of Pipeline installation work has not and will not change. We are working on a staffing proposal to present to the Board. Management is interested in submitting one agreed upon proposal and we are close to finalizing that proposal”

-J. Briceno

### **Local 444 vs EBMUD/ Lopez Arbitration**

In November of 2012 the Union filed a grievance against the District for failing to make reasonable efforts to distribute work-out-of-class (WOC) on an equal and rotational basis for qualified employees; (specifically Plumber IV’s) , beginning with the most senior unit member. The District denied the grievance relying on District rights. The grievance went to arbitration.

The arbitrator found that the District violated Section 6.4 of the contract for this grievance by

1. Not passing the test of diligence in meeting its obligation to apply WOC on an equal and rotational basis.
2. It is reasonable to require the District to track WOC when offered, accepted, turned down in order of seniority of qualified employees in South yard unit interested in WOC. To allow the Union to track the Districts compliance with the contractual provision of Section 6.4
3. To treat all qualified employees as eligible and not separate them by classification.
4. The WOC must be rotational starting with the most senior qualified employee of the unit and the next WOC opportunity to the next most senior employee and so forth down the seniority list for WOC.
5. However, Employee must be available to perform the WOC for the entire shift.
6. Finally, it is patently unfair for grievant to be viewed in essences as “too qualified” by virtue of his heavy equipment operator/truck driver capabilities to be able to share in the WOC on an “equal and rotational basis”

This is an important victory for 444 because it affirms that management must maintain WOC lists and distribute that WOC fairly and equitably to all eligible employees