

AIR FREIGHT CHAUFFEURS, HANDLERS,
WAREHOUSEMEN, ALLIED WORKERS, MISCELLANEOUS,
PRODUCTION AND INDUSTRIAL EMPLOYEES

295 News



Teamsters Local 295 & Joint Council 16

Score BIG Political Victory through UNITY

NEW YORK PASSES NATION'S TOUGHEST MISCLASSIFICATION LAW

Teamsters Joint Council 16 and Local 295 expressed their thanks to Gov. Andrew Cuomo for signing the New York State Commercial Goods Industry Fair Play Act (A5237B/S5867) giving the Empire State the strongest worker misclassification legislation in the country.

More than 120,000 New Yorkers are employed by the commercial trucking industry, and many have suffered loss of wages and financial difficulties due to misclassification. The Fair Play Act redefines the definition of an employee in the commercial trucking industry, protecting commercial goods transportation employees from being misclassified.

"Every year, states across the U.S. lose billions of dollars because of loss of revenue from income tax, unemployment insurance taxes and workers' compensation premiums due to worker misclassification," said George Miranda, President of Teamsters Joint Council 16. "Workers and contractors in the industry suffer because of lost wages and responsible businesses face unfair competition."

Joint Council 16 worked with the New York State Motor Truck Association to ensure that the Fair Play Act provides coverage for both employees of the commercial trucking industry and legitimate independent contractors. Their efforts received strong and unprecedented support from both houses of the New York State Legislature.

Under the new regulations, 28,000 truck drivers who are misclassified each year will be properly classified. This legislation comprehensively covers trucking companies in NYS, including larger companies such as Fed Ex Ground and UPS. The bill went into effect April 10, 2014 which also includes historic levels of civil and criminal penalties against employers in the industry who purposely misclassify drivers.

"This legislation goes a long way in protecting the drivers, the industry and our economy," Miranda said. "That's how we will build a stronger middle class here in New York. We applaud the Governor's courageous decision and thank him, Assembly member Keith Wright and Senator Diane Savino for making the commercial trucking industry a fair workplace."

"Cases of misclassifying workers as independent contractors has increased in the airfreight industry for the last few years. There has always been a legitimate use of what a true independent contractor is in the airfreight industry, however in recent years unscrupulous employers have expanded and abused the use of independent contractors and have misclassified employees as independent contractors" said Lou Calemene, President of IBT Local 295.

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President's View

"All that serves labor serves the nation. All that harms is treason. If a man tells you he trusts America, yet fears labor, he is a fool. There is no America without labor, and to fleece the one is to rob the other." Abraham Lincoln

VICTORY THROUGH UNITY

Nothing is more likely to transform our lives than a job (a good job), or the loss of a job. When given the opportunity to earn a good living wage we prosper and feel proud of ourselves. What can be more gratifying than when we can provide for ourselves and our families?

If you are temporarily laid off from a job, the loss of income and benefits may threaten your way of life. The loss of a good job may be devastating to you and those that depend on you. In today's economy the likelihood of replacing that good job is very difficult. A Union and a Union Contract is critical in these times. The Union's right to engage your employer through the legal use of the terms and conditions set forth in your contract (effects bargaining, layoff language, seniority rights, recall rights, etc.) can help to lessen the hardship and may get you back to work. In the event you are terminated and that termination was unjust or wrongful the Union, through your Union contract's grievance procedures can right that wrong and have you put back to work.

Our Union and its membership must never forget how valuable a good job is, what it means to the members, their families and what this Union means to all of us. Politicians we elect to represent us in government are supposed to represent us by serving the best interest of all, not their interest or their party's interest or the interest of a special group. Government should work to insure the best interest of all Americans (workers, people out of work and the struggling small business owners alike); these are the people who make up the majority of the nation that this economy has failed to represent.

People want the opportunity to work; most people are not looking for a free ride. The leaders of this nation must jointly work to nurture and protect an economy that provides good jobs and equal opportunities for the people. Our government and its leaders must never forget the value of good jobs for the people of this nation. Good leaders must preserve and protect the rights of workers and Unions to organize and defend the rights of workers. Good Unions, government, politicians, and American companies and investors should all work together to preserve jobs and work for all. This is the way for all of us and our country to prosper. People need good jobs! With good jobs come good wages which means much needed tax revenues. One example is the Social Security system; more jobs mean more people contributing to Social Security. For the Social Security system this would mean increasing the ratio of active contributors to recipients. This system as well as other systems wouldn't be as strained and suffering from lack of working contributors as they are now.

This nation's wealth is now being taken away from the people that earned it by working. Our earnings and our assets have been sucked up by this economy, Wall Street and banking schemes gone wrong. The middle class has been stuck with footing the bill for corporate welfare, bank bailouts and other bad policies that redistribute our wealth by protecting big business and bad policies based on unrealistic theories.

The notion that this global economy will not hurt Americans is not only proven wrong it was and is nonsense, just look at what it has done! The notion that the government will provide for us is more nonsense, just look at what the Obama Health Care Act is doing. The notion that this economy will improve for us by the volume of trades or the number of electronic transactions of Wall Street or the banks giving mortgages and loans to people who cannot pay them back (because they don't have good jobs) is yet again more nonsense.

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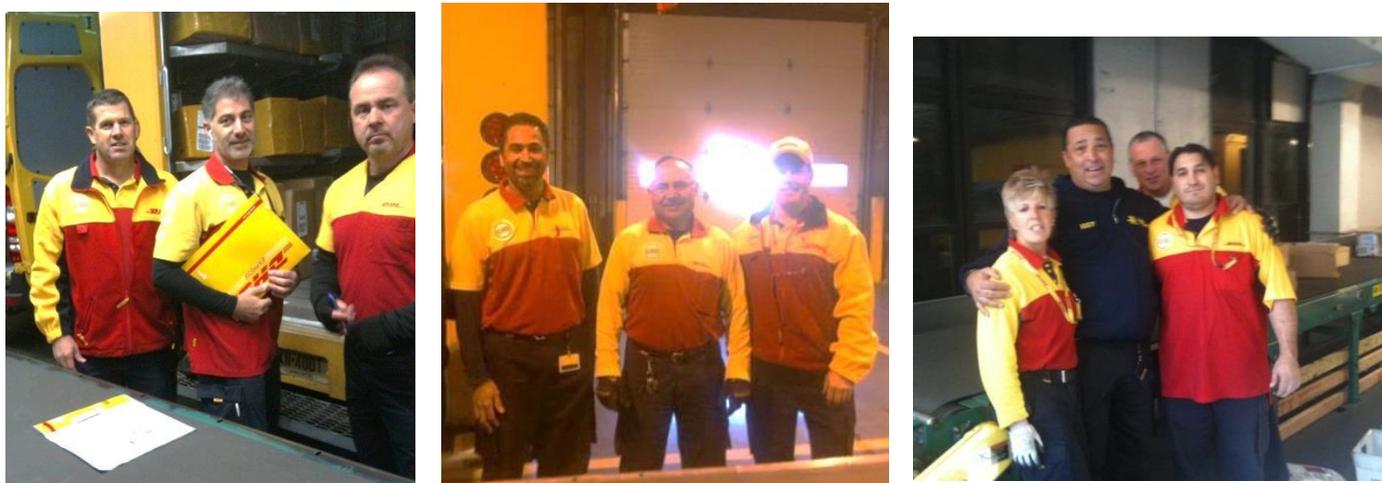
The above-mentioned parts of the economy will not replace the role that good jobs with decent wages and benefits played in building the largest middle class in the history of the world. Good jobs like these were the driving force or the engine of America's once great prosperous economy. We need good jobs!! Those good jobs will stimulate the economy.

The few good jobs left are being threatened by the War on Workers; Unions and union workers are being villainized. It seems to me that everyone that plays a role in creating the nation's wealth should enjoy a fair share of that wealth. What I mean by that is simple, anyone, the investors, the shareholders, the owners and the workers who provide the labor should get their fair share of the profit, without that labor there is no profit. Our government must act to create and preserve good jobs, by doing so they will restore a balance to our economy. The government must preserve and protect the rights of workers and Unions to organize and to defend the rights of workers. Here at Teamsters Local 295, at the IBT and at Joint Council 16 we pledge to do the same, and that is to protect and preserve our honest and hardworking union members and union jobs.

Hardworking Local 295 Members



Left to Right: Shop Steward Billy Blaine @ DHL FRG / Shop Steward Jack Horta & Evelio Labarta @ DHL NWK / Frederico Marino, Tom Fico, and Business Agent Jack Ruggiero @ DHL ELZ / Billy Cross and Shop Steward John Kenny @ DHL TTN



Left to Right: Steve Huegel, Paul Pasquale & Billy Cross @ DHL TTN / Sam Diaz, Shop Steward Jack Horta & Brendan Ryan @ DHL NWK / Cheryl Ann Pilling, Shop Steward Iggy Garcia, Randy Schmidt & Gerry Tardi @ DHL ZYP

....Continued from Cover Story - NY Passes Nation's Toughest Misclassification Law

“The New York State Commercial Goods Industry Fair Play Act better defines in legal terms what an independent contractor is and what an employee is. This bill enforces these definitions by imposing heavy fines and criminal charges as well. This bill will discourage and punish companies from doing business in that way. The exploitation of these workers will be greatly affected. This is a WIN WIN WIN WIN WIN, for the exploited worker, a true independent contractor, our members and their unionized employers that also suffered in competing against companies that used this misclassification as a way to do business. New Yorkers and New York State now benefit when those "freeloading" types of employers now have to pay their fair share.

I would like to thank the Local 295 Executive Board, George Miranda, Joint Council 16, and Heather Beaudoin, with a special thanks to all the Local 295 members that turned out and helped us lobby all local politicians as well as both the NYS Senate and Assembly in Albany. It took us two years of efforts, which believe it or not is a short time to get this victory compared to other bills, but we did it and I am greatly indebted to all that helped and it goes to show what could be done when we all come together”.

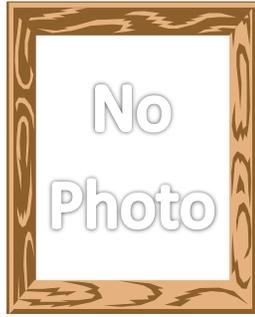
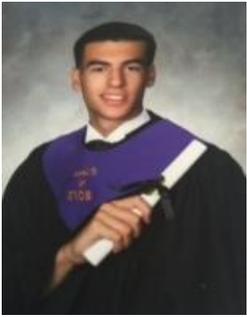


IBT DRIVE
Representative Kevin Currie addresses Local 295 Shop Stewards at the quarterly Stewards Seminar.



Left to Right - Bill Robertson, Phil Saccomanno and Tommy Fico at DHL Express in Elizabeth, NJ

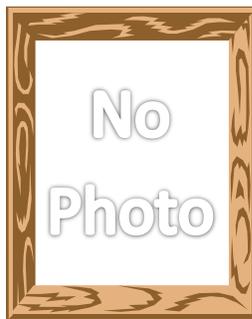
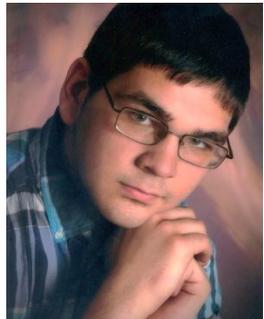
2013 Scholarship Fund Winners



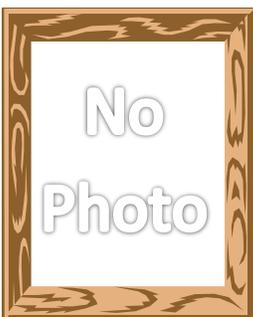
- Mike Benedetto, son of Michael Benedetto III – DHL / TTN
- Dylan M. Cain, son of Matthew D. Cain – DHL / 263
- Antonia Curcio, daughter of Maria Bullcellato-Curcio – DHL / 263
- Tristan Duenas, son of Jose Duenas – DHL / TTN



- Nyaa Ferary, daughter of Dexter Ferary – DB Schenker
- Conrad Goldman, son of Kimberly & Bob Goldman – DHL / TTN & ELZ
- Anthony Guida, son of Emma & Angelo Guida – DHL / 263
- Jaclyn Anne Guido, daughter of Salvatore Guido – Compass Fwd



- Kevin T. Hoehl, son of William R. Hoehl – DHL / ZYP
- Nicholas C. Kovalevich, son of Nicholas S. Kovalevich – DHL / 263
- Vincent Liatto, son of Frank S. Liatto – Danza's
- Julie Macaluso, daughter of Mary E. Steo – DHL / 263



- Joe Masone, son of Joseph Masone – Danzas
- Cory Tirado, son of Kathleen Tirado – Panalpina
- Shelby Toro, daughter of Fernando Toro – DHL / FRG
- Carissa Yannotti, daughter of Carl Yannotti - Danzas

2013 marked the 7th Anniversary of the Local 295 / 851 Scholarship Fund. The Local 295 Executive Board congratulates the 2013 Scholarship winners and parents and wishes good luck to the 2014 applicants. We are proud that we have been able to award over \$275,000 in scholarships to 100 dependents of our members since the inception of our Scholarship Fund.

We are well on our way with the 2014 Scholarship Program (info can be found on our website at www.local295.com) and fund raising efforts. Raffle tickets are being sold by your Shop Stewards and / or Business Agents. We anticipate your participation with this worthy cause.

We would like to thank our Brother & Sister Locals, members and good friends that support us and generously donate every year to make these awards possible. A huge "Thank You" to all our Stewards for their support every year!



Local 295's Political Action – Why?



By Lou Calimine

At Local 295 the Executive Board and staff work every day to service this local and the membership as Officers, Trustees, Business Agents, Shop Stewards and Members. We serve as Trustees on our Pension and Health & Welfare Funds, as Delegates to Joint Council 16, on IBT national negotiating committees and grievance panels. The bulk of our work is spent on the daily needs of our union members. We negotiate and enforce contracts, proudly and vigilantly defend members when unjustly disciplined or terminated. We get involved and resolve disputes with employers or other members, process grievances and arbitrations on behalf of our members. We aggressively follow up and act on every organizing lead that we come across.

The livelihood of our members and what we do to serve them is greatly affected by the general state of the economy and the economy of the industry in which they work in is doing. If an employer in the industry is doing bad or losing money, undoubtedly this will affect the livelihood of the members and result in tough negotiations come contract renewal time. If the whole industry is in decline, this will increase the negative effect on the livelihood of its workers. An example is when DHL Express was forced to downsize, thousands of Teamsters lost their jobs. Now DHL Express has turned the corner and is recovering.

JFK Int'l Airport is declining as an air cargo destination. For years, John F. Kennedy International Airport was a vital gateway for air cargo entering the US, especially goods from Europe headed across North America and shipments intended for the densely packed New York metropolitan region.

But a new study finds JFK's share of the airfreight business has fallen over the past decade, draining billions of dollars from the local economy. The study warns that the numbers could keep slipping unless officials address a host of challenges: contraction in the industry, aging airport facilities and the high cost of trucking goods through the congested streets of New York.

Cargo traveling through JFK declined by almost one-third from 2000 to 2010 according to the Port Authority of New York and New Jersey and the NYC Economic Development Corp (EDC). Over the same period, JFK dropped from the third largest airport in North America (by tons of freight moved annually) to seventh.

The EDC said job data makes the toll plain. In 2004, the EDC agency measured slightly fewer than 50,000 jobs that were directly or indirectly linked to cargo traffic at JFK, producing almost \$3 billion in wages and \$8.5 billion in sales. By 2009, the operation generated 30,000 jobs according to the EDC and wages fell to \$1.75 billion and sales to \$5.2 billion.

JFK's declining fortunes "should disturb all New Yorkers," EDC President Seth Pinsky said. "A major economic engine is not living up to its potential." One of the biggest hurdles: Trucking cargo from the airport to points beyond through New York's notoriously traffic-clogged streets.

Drivers try to avoid JFK when they can, said Craig Stoffel; a Vice President for Omaha based Werner Enterprises Inc., a trucking and logistics firm. The company looks for alternatives whenever possible, he said. "It is one of the most costly places to conduct business in the ground transportation industry," Mr. Stoffel said through a spokesman.

Among the obstacles are restrictions on city roads, especially a ban on 53 foot long tractor-trailers, said Robert Caton, president of the JFK Airport Chamber of Commerce and an executive at ProLogis, which controls two buildings at the airport and another nine just outside its boundaries. "That in itself makes a very difficult scenario for businesses to move freight in and out of JFK," Mr. Canton said.

Mr. Webber, an air cargo consultant who has worked for the Port Authority and its competition said he

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Get a Withdrawal Card When You Leave Your Job

Be sure to request a withdrawal card within 90 days from when you are laid off, called to active duty, terminated, retire, go on disability or leave the craft. The charge for the withdrawal card is \$.50. All initiation fees and back dues must be up to date before the withdrawal card is issued. Mail or bring in the form below to the Local 295 office along with your check or money order for \$0.50. It is your responsibility to obtain a withdrawal card. Failure to obtain a withdrawal card might obligate you to pay extra dues and re-initiation fees.

Withdrawal Card Request Form

Name: _____

Social Security No.: _____

Address: _____

Phone Number: _____

Last Day of Work: _____

Name of Employer: _____

Reason for Leaving: _____

(Quit, Laid Off, Terminated, etc.)

Signature: _____

Date: _____

Wellness Program Success

We currently have 159 members enrolled in our Wellness program. Contact HMC HealthWorks at 1-877-834-4596 or <http://wellnesstherightway.hmcportal.com> to take advantage of these great services provided to you, such as:

- Coaching sessions provided through email, telephone, instant messaging/chat, video conferencing or any combination that works for the participant
- Health assessments on all wellness related topics such as fitness, stress, eating behavior, etc.
- Ability to document specific and measureable goals and actions taken to reach those goals
- Exercise, food, and custom trackers for plan participants to use in their efforts to log their weight management tasks
- Step-by-step directions and support for a number of health conditions such as high blood pressure, high cholesterol, diabetes, allergies and back pain



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Local 295
NEWS

VICTORY THROUGH UNITY