

June 2006

The Sentinel

MAINE TEAMSTER

Teamsters Local 340

Building a Better Future for Working Men and Women in the Public and Private Sector

144 Thadeus Street • P.O. Box 2290 • South Portland, Maine 04116-2290

Telephone Number (207) 767-2106 or call toll free in Maine only at 1-800-452-1995

Fax Number (207) 767-7315 - Office Hours Monday-Friday 8 A.M. – 5:00 P.M.

AFFILIATED WITH INTERNATIONAL BROTHERHOOD OF TEAMSTERS



James E. Carson
President and Business Agent

I wanted to take this opportunity to share with you some insights on State Tax Policy and in particular the “new” Polesky initiative on this years ballot called “Tabor”. We all should know by now that the State of Maine has and has had a tax revolt on its hands these past four (4) years, since Governor Baldacci took office, which in reality has been brewing for over thirty (30) years. It really is the result of a changing national and state scene which has shifted the tax burden from a business-individual mix that once sufficed the states needs, to a burden that now falls largely on individual tax payers.

The State of Maine, and its tax base was once largely an economy that was based on manufacturing with a heavy reliance on clothes, shoes, textiles and paper or wood products in general and fishing. With the advent of deregulation, trade agreements, outsourcing and unfair foreign competition, these traditional industries have been devastated. As a result the tax burden which was once shared 70% individual and 30% business, the result is predictable; individual taxpayers are feeling a heavy burden, as well they should. Clearly something, quite dramatic needs to be done to restore some balance to a tax system which has made Maine one of the states with the highest tax burden on its citizens.

On the economic front, we need to realize and accept that the “old Maine” is gone and that we literally have to get about the business of re-inventing Maine and put it on a new footing going forward. This “new Maine” needs to be a recognition of the world in which we live. It will require us to exploit our greatest assets in a new way, our people and our geography. In the new

economy the winner will be those who educate their people, win the high tech battle in the information age and in our case figure out how to use our beautiful piece of real estate in new ways that will bring jobs, tourists and tax revenues to offset the loss of our manufacturing base.

Education, higher education, technical training and innovation in the world of high tech are critical to the future success of our common enterprise. Our state economy, our state government, our tax system and our education systems all need a major overhaul, not a band-aid approach that has been and is being suggested to fix the problem. Recently we had the so called Polesky referendum question on the ballot in Maine, which was an idea born in California known as “Proposition One” in that state. Polesky was largely a response to a property tax revolt which had arisen as a result of the tax shift I’ve spoken about earlier in this report. It was in my opinion the wrong answer to the right problem. Luckily, a majority of the State’s citizens came to the same conclusion when the impact “Polesky” would have had, was revealed. We had some minor property reform in response to “Polesky” (about 8.5%) which fell far short of providing the magnitude of the relief that is necessary.

Governor Baldacci, upon taking office, found himself with a 1.2 billion dollar structural budget deficit inherited from the outgoing King administration, and with a pledge not to raise broad based state taxes he found himself unable to provide relief in a meaningful way.

Now comes TABOR, the latest citizen referendum designed to deal with the states tax burden. TABOR is a Colorado idea, which attempts to deal with the question of taxation not by reducing revenue, but by placing arbitrary limitations on spending at all levels of government. TABOR in my view is an even worse and more dangerous idea than Polesky was. Once again it is the wrong answer to the right question. TABOR has not worked in Colorado and won’t work here. TABOR caps do not allow for the rising costs of K-12 education or health care (two critical elements of the future). Cuts in this area are inevitable. It does not allow us to consider what we want, need or desire in our local communities because of its arbitrary spending levels.

TABOR does nothing to change the current tax system (the kind of real reform necessary). TABOR has been suspended in Colorado while the state attempts to buy time to repair the damage done by it to public services and the economy. We don’t have time or room for that kind of experiment here in Maine. The damage in Colorado was extensive, higher education funding was cut 21% in Colorado from the year 2000 to 2004 (Maine’s higher education has already been cut dramatically with the share of state funding to the University going from 66% in 1992 to 39% in 2005).

The University of Colorado lost 16 tenured professors to better paying jobs in 2003 (the state of Maine already has a salary revolt on their hands in the University of Maine System before TABOR). Colorado State University lost 54 faculty due to budget cuts in 2004. (University of Maine System has already had massive cuts in staff in the past ten years including hundreds of layoffs we suffered in our own bargaining units). If TABOR had been in place in Maine since 1995, the Maine General Fund would be 470 million dollars poorer. What would a \$470 million fund do in Maine?

\$241 million	Higher Education
\$21 million	Conservation
\$54 million	Judicial
\$19 million	Public Safety
\$57 million	Child Welfare
\$67 million	Mental Health
\$6 million	Environmental
\$5 million	Vetans/Emergency

Please take the time to find out the real facts behind TABOR, and when you do I encourage you, your family, your friends and contacts to vote against this failed gimmick and press for real tax reform in Maine that recognizes our changing landscape and circumstances.

We'll be watching this closely for the good of our members, our communities, our state and our way of life.



**From the desk of:
Terry Hanlon, Secretary-Treasurer**

UPS continues to be busy. There are many issues to be handled daily on the local and national level. The Union conducted a survey of our UPS members on early negotiations. Maine Teamsters proved to be leaders in their response to the survey. Eighty nine percent of those surveyed urged the I.B.T. to seek early negotiations with UPS.

UPS/CSI (FORMERLY EMERYWORLDWIDE) has been intergraded into the National Master United Parcel Agreement and will be added as a supplemental agreement. The UPS/CSI members pick up and deliver air freight .We wish them a smooth transition to the UPS brand.

The Union is organizing UPS Freight (FORMERLY OVERNITE TRANSPORTATION). The Union asks that you take an active part and encourage the UPS Freight employees to become Teamsters. "One Company, One Union" Your support is critical to the success of this campaign.

Be aware that there have been instances reported to the Union that UPS has subcontracted or diverted our work to UPS Freight. You should report any subcontracting or diversion of our work to your steward or business agent.

We are thankful that Bob Piccone has returned to work as an agent of Local 340. He works within the guidelines established by the pension fund for retirees. We have met with the UPS Labor Manager regarding issues of stewards' rights, grievances, working conditions, wages, H&W and Pension payments, vacation selections, accrual, and seniority (6 for 1 ratio).

We have informed UPS that they must comply with the contract and Maine Law regarding the withholding of wages to offset alleged overpayments.

The Union continues to pursue the Basic Service issue and UPS's expansion of that service .We ask that you continue to provide this office with any information regarding this service.

The summer ahead will be busy as we begin preparation for negotiations.

Enjoy your summer and we thank you for your help and support.

BUSINESS AGENT and TRUSTEE REPORTS

By Ken Eaton, Recording Secretary & Business Agent

I have great news! Through the tireless efforts of many Teamsters and perseverant DHL employees, we have a three year ratified agreement covering DHL employee at the Brewer terminal. I would like to thank everyone involved in reaching this monumental achievement. Without the concerted efforts of so many people this Local's success would not have been realized. We were also successful in bringing national attention to the struggles that DHL employees are experiencing across the country.

Under freight news, trucking business is brisk and almost all Teamster carriers are seeking to supplement their workforces with CDL qualified drivers. So if you are that person, or know someone who is, please call the hall and I'll be glad to introduce you to several terminal managers and Human Resource Officers.

Also, construction work may be finally arriving in Maine with the development of the LNG pipelines. Work may be coming on line during this and next summer. Again, if you are interested in construction work call the hall so that we may place your name on the list of available employees. This work will be assigned and offered on a first come basis.

Organizing efforts are going on Local-wide. I am organizing and negotiating first contracts with the Hancock County Clerical unit and with the Town of Mt. Desert Dispatch/Clerical unit.

Contracts in negotiations this summer include Lincoln P.W. and P.D., Fairfield F.D. and P.D., Waterville P.W., Winslow Custodial, Franklin County Sheriff's Department and at Somerset County with the Sheriff's Department and the Clerical units.

In closing, I'd like to announce that our Local has affiliated with the Central Maine Labor Council. The goal of the Council is to advance labor issues on the State and local levels. If any members are interested in participating at the Council level (maybe take in a meeting?) please drop me a line at the hall.

Thanks to all. Enjoy the summer and hope to see you at the membership meeting in September.

By Carl Guignard, Trustee & Business Agent

The past year has been a very active time for the units that I am assigned. I am currently negotiating 21 collective bargaining agreements in the areas of Rockland, Biddeford, Oxford and Cumberland Counties. We reached an agreement with the University of Maine Service and Maintenance and Police Units which took over a year to put together. I have had several cases with the Maine Labor Relations Board over this past year, three (3) Fact-findings in Livermore Falls, two (2) Prohibitive Practice Complaints at Jay School and the University of Maine. Also I have had 9 Arbitration cases, one (1) at Cumberland County, four (4) at the University of Maine, one (1) at Portland Water District, one (1) at Rockland Police, one (1) at Rockland School and one (1) at Dixfield Public Works.

At Elmet Technologies the down turn in the economy has cost our members jobs through layoffs. I find that the most difficult part of this job is dealing with issues for members who lose their jobs without having done anything wrong.

I find that over the 16 years that I have been working as a Business Agent the job continues to be interesting and challenging. I count on sixty-five (65) stewards to "police" forty-three (43) contracts. We work closely on all issues for our members. I believe that our Union is a good example of a group of workers who have joined together for mutual aid and protection in the work place.

By Mickey Maynard, Trustee & Business Agent

I hope this newsletter finds you and your loved ones healthy and happy. The Presque Isle office continues to be very busy. Collective Bargaining Agreements continue to be negotiated and ratified with increases in benefits, wages with improvements in working conditions. In the past few months I have settled Aroostook County Law Enforcement and Corrections, Fort Kent Police, Public Works and Utility, and First Atlantic Nursing Home. The contracts opening up are Eastport Nursing Home, Caribou Fire, Caribou Police and Calais Support Group is currently in negotiations. We also have a couple of new units coming on board this summer.

We have stated an Employer/Employee Committee at TAMC which has been created as a result of language negotiated in the agreement. Our hope, with the creation of this committee, is that we will be able to identify and address wages, insurance and other issues during the term of the contract. This Committee will also better prepare us for future contract negotiations.

With the hardships working families are being forced to endure, no employee should work without support, representation and a written contract with the employer. We should always talk to, and support, anyone who may not be receiving fair treatment in the workplace. Remember all workers have the right to join a Union and stand up for their rights on the job.

Have a good summer and work safe.

By Alan Churchill, Business Agent

We would like to welcome our new brothers from Sabattus Public Works to our great union. It was a very lengthy process, from the time we organized the group to getting a signed contract. It is a very good contract that we all are very proud of. Recently we prevailed in arbitration in the City of Augusta with a potential of more than a million dollars in retiree benefits to our members there. We prevailed in many other grievances, negotiations, and arbitrations and it all goes by so quietly but certainly with painstaking efforts. Be sure that your contracts and rights as members of Teamsters Union Local 340 are being jealously guarded.

We hope everyone is having a great summer and that all is well with you and your families. It is a great day to be a Teamster, our families have always enjoyed good benefits and we have so much to be thankful for.

By Sylvia Hebert, Business Agent

I hope everyone enjoyed the "wonderful" spring weather; hopefully the summer will be better. It has been a very active spring we are currently negotiating contracts in City of Biddeford, City of Saco, Biddeford School Bus Driver and Town of Rangeley. We reached agreement with the Town of Eliot, and Kennebunk Sewer District this spring. I am happy to announce we have new members in the Town of Ogunquit and Bus Aides in Kennebunk. We are currently negotiating their first contract.

I would like to take this opportunity to once again thank the stewards in all my units for their hard work and support they have given me. I would like to share with all of you a thank you we received from a new member he wrote, "This is my first experience dealing with a union. I was very surprised at how well a union can work for its members. I grew up in a die-hard Republican anti-union family. I am sold in the importance of a union in the work place. Again thank you for all your help." I hope you all have the same feeling of pride I had when I read the card. It is a good feeling to know that we as Union Members, through our unity and strength, can make a difference in the work environment even in today's world.

By Robert L. Piccone, Business Agent

The Local Union has asked me to come back to work as a business agent. Because of the pension fund restrictions I am working within their allowed hours for such covered employment. I enjoy doing so. I am committed to dealing with those issues that need addressed at UPS in order for us to maintain the rights we have won from employers in the past. All of our rights are hard won, many through strikes, and we don't intend to lose any of them. For instance, our right to have a shop steward is not negotiable. It is settled.

I have told the Company that we tell our members not to go into the office without a shop steward whenever there will be a discussion concerning their employment/performance or complaint. Some Center Managers have told the member that although there may not be a shop steward available that a rank and file member could or should sit in place of a shop steward.

This Local Union is on record with UPS as not accepting substitutes for our shop stewards. Before becoming a shop steward their names are presented to the Local Union Executive Board for their consideration and approval. If approved, they are then certified and credentialed and thereby gain the authority to act on the Local's behalf. They are recognized by law as being agents of the Local Union for whose actions we are responsible.

Also, there is no distinction between shop stewards as part-timers or full-timers, package or feeders. It is the Local Union's long standing position that our shop stewards are authorized and expected to represent all of our members regardless of their classification. They are the only members that the Local Union recognizes as being authorized to sit in at meeting with the Company and our members.

[Visit Local 340 Website](#)

Teamsters Local 340 is proud of the continued growth of our website. It has a wealth of information. Members are able to access information and updates on a daily basis. Easy access is available at <http://www.teamsterslocal340.org>. Any Union member can log on and check out the:

- Pension Fund
- Credit Union
- Northern New England Benefit Trust (NNEBT)
- Union Executive Board
- Retiree's
- Organizing News and Updates
- Library w/ FMLA, ADA info.
- Workers Compensation in Maine
- many other choices.

RETIREE'S CORNER

Stay Connected;

reminisce with your Teamster brothers and sisters.

This summers Teamster Retiree meetings and cookouts are as scheduled below:

June 29th, July 27st, and August 31th

Picnic time starts at 11:00 a.m. just after the regular meeting. Regular meetings take place on the last Thursday of each month at 10:00 a.m. at the Local 340 Union Hall. If you are interested in joining, please attend a meeting. Annual dues are \$12.00.

GENERAL MEMBERSHIP MEETINGS	
2006	
<u>PORTLAND MEETINGS</u>	<u>BANGOR MEETINGS</u>
Teamsters Local 340 Union Hall 144 Thadeus Street South Portland, Maine <u>Meetings start at 9:00 a.m.</u>	Ramada Inn Odlin Road Bangor, Maine <u>Meetings start at 9:30 a.m.</u>
September 10, 2006	September 24, 2006
October 8, 2006	
November 12, 2006	November 19, 2003
December 10, 2006	

The Sentinel, Maine Teamster News is an official publication of The Teamsters Local 340, South Portland, Maine. Photograph courtesy of The Museum at Portland Head Light, Cape Elizabeth, Maine. Photographer, Bob Petras.

NOTICE RE: PAYMENT OF FAIR SHARE FEES OR UNION DUES

Pursuant to the provisions of your collective bargaining agreement you are required to authorize a monthly payroll deduction of Union dues or fair share fees.

Rights and Benefits of Union Membership

As a dues-paying member of the Union, you are entitled to the full range of rights beyond those afforded by the collective bargaining agreement, and can also vote on successor collective bargaining agreements, vote in Union elections, attend Union meetings, and run for Union office.

Rights and Benefits of Non-Union Bargaining Unit Members

Fair Share payers are entitled to certain rights afforded by the collective bargaining agreement, but may not vote on successor collective bargaining agreements, vote in Union elections, attend Union meetings, or run for Union office.

Explanation of Fair Share Fee

As a fair share fee payer, you are required to tender 80% of the regular monthly Union dues to the Local as your fair share of the Union's collective bargaining expenses. The Union may only charge you to finance the costs of negotiating and administering the collective bargaining agreement and associated grievance procedures. The Union may not use fees to finance its political or ideological activities which are unrelated to collective bargaining.

The period for which the fee is assessed is from January 2004 to December 2004. The attached document is an audit conducted by an independent accountant which shows exactly how the amount of the fair share fee is calculated and more fully explains the major categories of expenses incurred by the Union and the allocation of such expenses as chargeable to non-members versus non-chargeable. You will receive a copy of this notice and the audit conducted by an independent accountant on or before August 1 of each year.

Right to Object to the Fair Share Fee and Procedure for Objecting

You have a right to object to having any portion of your fees spent on activities unrelated to the Union's duties as an exclusive bargaining representative.

To object you must deliver a written notice by certified mail to the Local 340 President that you wish to challenge the fairness of the computation of the fee. Your objection must be made within thirty (30) days of the receipt of this notice and attached audit or your objection will be deemed waived unless you request an extension which is determined to have been for good cause.

If you object to the payment of either Union dues or fair share fees on religious grounds, an official designated by the Union shall make the initial determination, considering: (1) whether payment is being withheld for a *bona fide* religious reason; (2) whether you should be permitted to pay an equivalent sum to a non-religious charity; (3) whether exempting you from having to pay Union dues or fair share fees on religious grounds would be an undue hardship to the Union; and (4) whether the impact of exempting you from having to pay Union dues or fair share fees would substantially impact the morale of other Union members.

You may demand a hearing before an impartial arbitrator, if you do so by certified mail, return receipt requested, within thirty (30) days of the Union's determination. Failure to appeal the Union's initial determination will result in your obligation to make the required payment immediately. If you request arbitration, you shall split the cost of the arbitral hearing equally with the Union. The arbitrator will be selected either through procedures established by the American Arbitration Association or by agreement between you and the Union. The arbitrator's decision is final and binding.

Your Right to Have Disputed Portion of Fair Share Fee Placed in Escrow

If your objection is received in accordance with the procedures set forth above, the disputed portion of the fee will be placed in an escrow account until the dispute has been finally resolved. In the interim, you will be expected to comply with the requirements of the collective bargaining agreement and continue to make timely payments of the non-disputed portion of the fee.

Independent Auditor's Report

TRUCK DRIVERS, WAREHOUSEMEN AND HELPERS
LOCAL UNION NO. 340, AFFILIATED WITH THE
INTERNATIONAL BROTHERHOOD OF TEAMSTERS

We have audited the statement of financial position of Truck Drivers, Warehousemen and Helpers Local Union No. 340, Affiliated with the International Brotherhood of Teamsters as of December 31, 2004 and 2003 and the related statements of activities and cash flows for the years then ended. These financial statements are the responsibility of the Local's management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

The total expenses presented in column A of the statement are based on the expenses of the Truck Drivers, Warehousemen and Helpers Local Union No. 340 Affiliated with the International Brotherhood of Teamsters as of December 31, 2004. The allocations of expenses are between chargeable (Column B) and non-chargeable (column C) are based on the significant factors and assumptions described in Note 2. The accompanying statement was prepared for the purpose of determining the fair share cost of services rendered by the Local for employees represented by, but not members of, the Truck Drivers, Warehousemen and Helpers Local Union No. 340. The accompanying statement is not intended to be a complete presentation of the Local's financial statements.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Truck Drivers, Warehousemen and Helpers Local Union No. 340 Affiliated with the International Brotherhood of Teamsters as of December 31, 2004 and 2003 and the results of its activities and cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America.

This report is intended solely for the information and use of the Truck Drivers, Warehousemen and Helpers Local Union No. 340 and its agency fee objectors and is not intended to be and should not be used by anyone other than these specified parties.

Reading, Massachusetts

March 10, 2005 except for the allocation of expenses Described in Note 2 as to which the date is August 1, 2005.

EXPENSES BETWEEN CHARGEABLE AND NON-CHARGEABLE EXPENSES FOR THE YEAR ENDED DECEMBER 31, 2004

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Basis of Presentation The Local maintains its records on the basis of recording dues, fees and income when received and expenses when paid. Memorandum entries, while not recorded on the books, have been given effect to in the accompanying financial statements to reflect income when earned and expenses when incurred in conformity with accounting principles generally accepted in the United States of America.

Depreciation and Amortization It is the policy of the Local to provide for depreciation and amortization of fixed assets at annual rates, which will amortize the cost of depreciable assets over their useful lives, using the straight-line method.

Expenditures for maintenance, repairs and betterments, which would not materially prolong the useful life of an asset, have been expensed as incurred. Additions and betterments, which would substantially extend the useful lives of assets, have been capitalized.

Federal Income Tax The Local qualifies as a tax-exempt organization because of its inclusion in the group exemption of the International Brotherhood of Teamsters.

Accordingly, no provision for Federal income tax is required.

2. SIGNIFICANT FACTORS AND ASSUMPTIONS USED IN THE ALLOCATION OF EXPENSES BETWEEN CHARGEABLE AND NON-CHARGEABLE EXPENSES.

The significant factors and assumptions used in the allocation of expenses are as follows:

A) Per capita taxes were allocated based on the 2003 core / non-core dues allocation provided to the Local by the International Brotherhood of Teamsters.

B) All contributions and scholarship awards were deemed to be non-chargeable.

C) To provide for any diminimus expenses which may be determined to be non-chargeable, five percent (5%) of meeting, committee, strike and organizing expenses, office and administrative expenses, legal and other professional fees, employees' benefits, and salaries, wages and reimbursed expenses.

TRUCK DRIVERS, WAREHOUSEMEN, AND HELPERS LOCAL UNION NO. 340 STATEMENT OF EXPENSES AND ALLOCATION OF
EXPENSES BETWEEN CHARGEABLE AND NON-CHARGEABLE EXPENSES FOR YEAR ENDED DECEMBER 31, 2004

	(A)	(B)	(C)
	Total Expenses	Chargeable Expenses	Non-Chargeable Expenses
Automobile expense	33,689	33,689	
Building maintenance	15,767	15,767	
Contributions	9,110		9,110
Depreciation	55,386	55,386	
Education and Publicity	6,838	6,838	
Employee Benefits	321,774	305,657	16,087
Legal and other Professional fees	48,772	46,333	2,439
Meeting, committee, Strike and organizing expenses	11,757	11,169	588
Office and Administrative Expenses	171,530	162,954	8,577
Per Capita taxes	498,331	408,681	89,650
Salaries, Wages and Reimbursed expenses	747,715	710,329	37,386
Stewards' dues and expenses	47,878	47,878	
Taxes	71,205	71,205	
Travel	49,681	49,681	
Total Expense	2,089,403	1,925,567	163,836
	100.00%	92.16%	7.84%

International Brotherhood of Teamsters

Consolidated Statement of Expenses and Allocation of Expenses between Chargeable Expenses and Non Chargeable Expenses

Year Ended December 31, 2004

Report of Independent Auditors

	Column A Total Expenses	Column B Chargeable Expenses	Column C Non-Chargeable Expenses	*Notes
	Chargeable Expenses			
Education and Training	\$2,297,511	2,297,511		3b
Organizing	23,127,345	23,127,345		3c
Strike Benefits Asst. Program	6,760,368	6,760,368		3d
Teamster Affil. Pension Plan net	6,315,209	6,315,209		3e
Financial Assistance to Affiliates	6,141,345	6,141,345		3f
Governance & Exec. Administration	12,710,403	12,710,403		3g
International Rep and Auditors	5,582,946	5,582,946		3h
Internal Administration	19,361,625	19,361,625		3i
Industry Relations	3,351,117	3,350,117		3j
Industry Trade Divisions	17,329,818	17,329,818		3k
	Non-Chargeable Activities			
Government Affairs	12,346,826		12,346,829	3l
Retiree Relations, Scholarships Community Service and Other	475,426		475,426	3m
	Mixed Activities			
Legal and Litigation	11,789,141	11,489,594	299,547	3n
Communications and Public Relations	5,206,730	3,079,570	2,127,160	3o
Affiliation Fees	9,189,669	2,308,697	6,880,972	3p
Magazine Costs	3,266,106	2,098,851	1,167,255	3q
Other General Expenses	4,838,808	4,055,889	782,919	3r
Total	150,089,396	126,009,288	24,080,108	
	100%	83.96%	16.04%	

*Accountants Notes are available upon request to Secretary Treasurer Terrence Hanlon