2019
COLLECTIVE BARGAINING
BETWEEN

INTERNATIONAL ASSOCIATION OF MACHINISTS
AND AEROSPACE WORKERS, AFL-CIO
LOCAL LODGE 737
&
ST. PAUL AUTO DEALERS

ST. PAUL, MINNESOTA
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INTRODUCTION:

Let’s face it, negotiations for a new contract is a time filled with questions, uncertainty, high anxiety and a rollercoaster of emotions – guaranteed to rival that of any amusement park ride.

It’s a process that will be repeated at least every 3 years and one that cannot be avoided.

You and your families need a contract that ensures good wages, good benefits, and good working conditions.

You deserve no less.

In this handbook we will explain how the negotiations process works. We will also talk about your role in the negotiations process, what you – as a member – can do to help. There is also a section in this handbook to help you cope with the pressures and anxiety that we all experience during contract time. We will do this by exposing some of the tactics the company will try to use on you to put doubt in your mind and to create turmoil amongst our ranks. We have also provided an overview of members’ rights under the National Labor Relations Act. There is a special section on frequently asked questions and answers that always surface during negotiations.

While using this handbook, please remember one thing: Together, standing strong as one Union and speaking as one loud voice, we can improve our standard of living.

Your Negotiating Committee hopes that this handbook will help to answer some of your questions, help you to remain strong, and help you support each other in the weeks ahead.

In Solidarity,
Your Negotiating Committee
It starts when the membership elects a Negotiating Committee and this new committee is seated. The Committee reviews what took place over the last few years and what was learned during the last negotiation session. The Negotiating Committee carefully looks at what has worked and what has not worked, and what has had a positive or a negative effect on the hourly workforce.

Any committee member will be able to tell you that there is a lot of discussion between the committee members as to what can be done to improve the next contract’s outcome. They will also tell you that they rely on what they hear from you, the members.

Some of the things that help the Committee focus on the areas for negotiations, include, but not limited to:
• Feedback from surveys that are designed to learn what is most important to the membership. These surveys provide important information that might otherwise not be known.

• Discussions with members at the work site and at scheduled Meetings at your Union hall. These town halls bring to light issues about which the membership is passionate and that no survey or second-hand reporting could possibly communicate to the committee.

• A complete review of sample bargaining agreements in our industry.

• Feedback from shops committee, who will be on the front lines with this company on a daily basis during Bargaining. This is why it is so important for you to elect a good shop committee and for you, as a member, to keep your Business Representative informed about what is going on. Your Business Representative can’t be everywhere, so he or she must rely on you to know what everyone in management is up to.

• Information requests are carefully prepared and submitted to the company. The company has a legal obligation to respond to the Union’s request for all information that is necessary and relevant for bargaining.

• Industry standards are carefully reviewed by the committee, as well as nationwide trends in our field, in order to craft the best proposals

• Local, state and national cost of living indexes also are a key part of the Committee’s preparation.

These are just some of the resources the Committee relies on to begin putting together a contract proposal.

How does the Committee actually do its work? The Committee usually meets every week or two, before and after work. Occasionally these meetings go into the late evening hours. As the date for contract talks gets closer, the Committee starts to meet more frequently, the Committee leaves the plant site to do its work. The Committee members then meet full time every day to continue putting together a contract proposal prior to the start of face-to-face negotiations with the company.
Both the Union and the company Negotiation Committee meet off site for full time sessions at mutually agreed upon times, frequency and location. It is always the Committee’s desire to have an agreement completed as soon as possible without leaving any subject of concern go without being addressed.

This is a brief summary of the negotiations process, which we hope sheds some light into all the steps that go into creating a contract. More importantly, we hope you never forget that the wages and benefits you receive are the result of the collective bargaining process and not a gift from the company. Without the legal protections of a collective bargaining agreement, the company can change or even eliminate the health insurance, Paid Time Off, holidays, pensions, and many other benefits we now or will enjoy. Without the support of all employees, the Union’s ability to protect and improve wages and benefits in the future will suffer. Employees who don’t pay their fair share strengthen the company’s hand in any negotiations. For the pennies saved, they give up their right to attend Union meetings, to vote on contracts and strikes, and to forge their own futures.

There is one more very important piece in this process and that is you, the Union member! You are the true power behind this Union. You can let the company know how you really feel. You have the final say as to whether or not you will accept or reject the company’s “Last, Best and Final Offer”. You are the real force that makes this Union!
THE MEMBERS’ ROLE IN THE NEGOTIATIONS PROCESS

Negotiating a contract for our members is one of the most important reasons for having a Union. The contract sets the stage for a given period of time (normally 3 years) and dictates all wages, benefits and working conditions. The contract has a major impact on each of us. Our new contract will determine how much money we will have to support our families, our ability to keep up with the ever rising cost of living (the cost of gasoline, the cost of groceries, your utility bills), what medical options we have, life insurance, the out of pocket costs for those benefits, how we will be able to plan for retirement, and how the company deals with us here on the plant site.

Having a good Negotiating Committee is an important step in this process but the single most important factor in the negotiations process is you -- the membership. This cannot be stressed enough. Our strength as workers is in our unity. The greater the number of bargaining unit employees in the Union, the greater our ability to negotiate the best possible contract. The more workers who are active and involved in the Union and the negotiating process, the better our chances for the contract every one of you deserves.

We shouldn’t kid ourselves. Long before negotiations begin, the company has a good idea of our strengths and our weaknesses. They know our membership strength and because they listen to what we are saying on the floor; they have a pretty good idea of what we are thinking. They know this not necessarily because we tell them (some members do tell their supervisors) but because we air our dirty laundry (our likes and dislikes) in front of them. As an hourly employee we all need to understand that everything we do and say out on the floor is communicated right up the chain of command. The company knows our business.

Have you ever noticed that management never airs its dirty laundry in front of us? That’s not because they don’t have complaints and gripes about
their own leadership. They are just better about airing their complaints behind closed doors, where we can’t hear them. We as Union members need to take notice of this and be as professional if not more so than them and keep them guessing. When we do this it keeps them off balance, and they have no idea what we are thinking or planning. It makes the Company approach us more cautiously because they are not sure how we will react to an unfair contract offer. This sets the mood of the negotiations at the table.

What can you do to help?

As a member, there are many things you can do to help increase our chances for successful negotiations.

- Explain to management that you do expect the company to give you a fair contract.

- If your supervisor asks if the Union is going on strike tell him or her that it depends on the Company’s willingness to negotiate in good faith and give us a fair contract.

- Support each other. Talk to your fellow members and share information with them.

- Participate in the Union surveys.

- Participate in all union meetings and informational forums.

- Wear your Union gear (T-shirts, stickers, etc.) to give the Union visibility and to show our solidarity.

- Make sure your stewards are forwarding you information and updates during negotiations.

- Volunteer for one or more of the sub-committees that will be formed in the event we vote to have a work stoppage. Volunteer any talents or skills you may have to help other members in times of
need. We have many trades and skills in our ranks and we can provide vital services to one another should they be needed.

We hope you can see how critical you are to the outcome of negotiations. If you are interested in participating in any of the above or need help, contact your committee reps.
COPING WITH THE PRESSURES OF NEGOTIATIONS

The company may also hold meetings with all hourly workers to try a put their spin on how great the contract really is.

As stated at the beginning of this handbook, contract time is a rollercoaster of emotions for all of us. Understanding some of the events that are about to take place will help you know what to expect and put things into perspective.

The company will try all kinds of tactics to scare you and to put doubt in your mind. Past tactics included sending mail to your home explaining which benefits you will no longer have and when they will end. They will send you letters saying how great the contract offer is, or letters stating “maybe you didn’t understand the offer” or something like maybe the “Union didn’t really explain the contract proposal to you” or “how much you will be missed”.

The company may also hold meetings with all hourly workers to try a put their spin on how great the contract really is. One thing the company
doesn’t realize is that this bargaining unit is smart enough to know when they are being lied to.

If this company really cares about us, then they should be willing to treat us with the respect that we deserve by agreeing to a decent contract with employee rights, general wage increases, better retirement benefits, and improved health care. As we head into our first round of contract negotiations remember these things. And when you start to get caught up in that roller coaster of emotions, STOP and take a deep breath and listen closely to just what it is that the company is saying and doing. Are you getting those letters in the mail? Is management telling you that you are making more than you deserve? Is your supervisor and others getting a pay increase? Is he getting profit sharing checks?

We are the people who help Engineers’ ideas become a reality by building the products they design. We are the folks that fix the broken equipment to keep production up and running. We are the ones who keep the facility presentable to our customers and our guests. We produce the products that will keep our country moving in the future. We deserve a good contract!
YOUR RIGHTS UNDER THE NATIONAL LABOR RELATIONS ACT

• Management cannot attend any Union meeting or engage in any undercover activity which would indicate that the employees are being kept under surveillance to determine who is and who is not participating in any Union program.

• Management cannot tell the employees that the company will fire or punish them if they engage in Union activity (during the employees’ own time).

• Management cannot lay-off, discharge, or discipline any employ for union activity (during the employees’ own time).

• Management cannot grant employee wage increases, special concessions, or benefits in order to keep the union out.

• Management cannot bar employee union representatives from soliciting employee membership on or off company property during non-working hours.

• Management cannot ask employees about union matters, meetings; etc. (some employees may, of their own accord, walk up and tell of such matters. It is not an unfair labor practice to listen, but to ask questions to obtain additional information is illegal).

• Management cannot ask employees what they think about the union or the union representative

• Management cannot ask the employees how they intend to vote.

• Management cannot threaten employees with reprisals for participating in union activities. For example, threaten to move the plant or close the business, curtail operations or reduce employee benefits.

• Management cannot promise benefits to employees if they reject the union.
• Management cannot give financial support or other assistance to a union (theoretically this prevents bribes and payoffs).
• Management cannot announce the company will not deal with the union.

• Management cannot threaten to close, in fact close or move the business in order to avoid dealing with a union.

• Management cannot ask employees whether or not they belong to the union or have signed up for union representation.

• Management cannot ask an employee, during a hiring interview, about his or her affiliation with a labor organization or how he or she feels about unions.

• Management cannot make anti-union statements, or act in any way that might show preference for a non-union person.

• Management cannot make distinctions between the union and non-union employees when assigning overtime or other desirable work.

• Management cannot purposely team up non-union workers and keep them apart from those supporting membership in the union.

• Management cannot transfer workers on the basis of union supporting activities.

• Management cannot choose employees to be laid off in order to weaken the union’s strength or discourage membership in the union.

• Management cannot discriminate against union workers when disciplining employees.

• Management cannot by the nature of the work assignments, create conditions intended to get rid of an employee because of their union activity.
• Management cannot fail to grant a scheduled benefit or wage increase because of union activity.

• Management cannot take action that adversely affects an employee’s job or pay rate because of union activity.

• Management cannot threaten workers or coerce them in an attempt to influence their vote.

• Management cannot threaten a union member through a third party.

• Management cannot promise employees a reward or future benefits if they decide to vote against unionization.

• Management cannot tell employees that overtime work (and premium pay) will be discontinued if the business is unionized (in fact, some premium pay is mandated by federal and state laws anyway. Such as overtime pay after a certain number of hours worked).

• Management cannot say that unionization will force the company to lay-off employees.

• Management cannot say that unionization will do away with vacations or other benefits presently in effect.

• Management cannot promise employees promotions, raises or other benefits if they get out of the union or refrain from joining the union.

• Management cannot start a petition or circular against the union or encourage or take part in its circulation if started by employees.

• Management cannot urge employees to try and induce others to oppose the union or keep it out and/or visit homes of employees and encourage them to reject the union.

Violation of any of these items is a violation of the National Labor Relations Act and could be grounds for unfair labor practice charges against the company.
Make it a point to know your rights. If you don’t know your rights, you have none.
YOUR RIGHTS TO UNION REPRESENTATION

• The right of employees to have union representation at investigatory interviews was announced by the U.S. Supreme Court in a 1975 case (*NLRB vs. Weingarten, Inc.* 420 U.S. 251, 88 LRRM 2689). These rights have become known as the *Weingarten* rights.

• Employees have *Weingarten* rights during investigatory interviews. An investigatory interview occurs when a supervisor questions an employee to obtain information which could be used as a basis for discipline or asks an employee to defend his or her conduct.

• If an employee has a reasonable belief that discipline or other adverse consequences may result from what he or she says, the employee has the right to request union representation. Management is not required to inform the employee of his/her *Weingarten* rights; it is the employees responsibility to know and request.

• When an employee makes the request for a union representative to be present management has three options: (I) it can stop questioning until the representative arrives. (2) it can call off the interview or, (3) it can tell the employee that it will call off the interview unless the employee voluntarily gives up his/her rights to a union representative (an option the employee should always refuse.)

• Employers will often assert that the only role of a union representative in an investigatory interview is to observe the discussion. The Supreme Court, however, clearly acknowledges a representative's right to assist and counsel workers during the interview.

• The Supreme Court has also ruled that during an investigatory interview management must inform the union representative of the subject of the interrogation. The representative must also be allowed to speak privately with the employee before the interview. During the questioning, the representative can interrupt to clarify a question or to object to confusing or intimidating tactics.
FREQUENTLY ASKED QUESTIONS & ANSWERS

“Leading the fight to make it right.” We believe the right thing to do is to work to maintain and improve the quality of life for every member.

We have put together a communications plan that will increase participation from all levels of our membership and your help is vital to the success of these negotiations. As we progress closer to the final contract vote, communication with each other is key. We will be calling on you to step up and help us lead our membership to a successful contract victory.

This questions and answers section was developed to provide you with answers to many common questions you may have throughout negotiations.

*Your support throughout this process will determine our strength at the bargaining table.*

**Q: How can I help during the negotiations process?**

**A:** Participate in the discussions, rallies, surveys and other events showing solidarity. Wear the appropriate union insignia at the designated times in unity with your brothers and sisters. Talk strong about the issues on the shop floor because solidarity works. Encourage everyone you know to become a member.

**Q: Why might we have rallies during negotiations?**

**A:** It is very important that our membership demonstrate their support for the Union and the issues the members have said are critical to them. Large numbers at rallies sends a powerful message to the company that we are unified and strong. Family and friends are highly encouraged to attend. The more people the company sees at a rally, the more we show how much support the negotiators have from the membership.
**Q: How will the Union keep me updated on the negotiations?**

A: We will provide regular updates using our web site, information hand bills and through our shop committee representatives. We cannot send updates to your Company e-mail, but the Company can and will. It is important that our membership recognize the Company e-mails do not reflect the Union’s position.

**Q: What should I say to support the Union’s efforts in negotiations when I am asked by management to give them my opinion?**

A: Supervisors and other managers will be out in force trying to gauge our members' support for various issues. They in turn send this information right up to the company negotiators. The best way to win a good contract is to be strong and together on the shop floor. The Union negotiators are looking out for your best interest, the company is looking out for its own best interest. You can help support your co-workers (your Union) throughout negotiations by sending a strong unified message to company management about better pensions, lower health care costs, job security and issues important to all of us. Tell the company to do the right thing on these issues.

**Q: How much influence does the IAM Grand Lodge have on the outcome of our contract?**

A: Your Negotiating Committee gets advice and any help they need from the top leaders of the IAM during negotiations. We get help from Midwest Territory Office, Headquarters’ Departments such as; Strategic Resources, Legal, Communications, and Community Services. Our local leadership relays to them our membership's needs and concerns. Only your elected negotiating team votes on whether or not to recommend the company’s offer and/or to recommend
a strike, and only the membership votes at the ratification meeting.

Q: When will we be able to get details on the Company’s last best and final offer?

A: When negotiations have been completed the Union will have available for members a copy of the contract and a summary of the contents highlighting important issues.

Q: When the Company delivers their Last, Best and Final offer to the Bargaining Committee, what happens next?

A: The Union negotiating team has to review the proposal, make a synopsis of key issues, and then get copies printed so that the membership can start to review the contract as soon as possible. The negotiating team will also inform you about its recommendation on whether or not to accept the company’s proposals and if it recommends a vote to strike for a better agreement.

At the same time, the Company will launch their own campaign to sell the contract immediately following its delivery to the Union negotiators. They will include their reasoning and rationale of why it is a fair offer from their perspective.

Q: How and where do I vote on the contract offer?

A: A ratification meeting will be held, at which the proposed contract will be presented and discussed and voted upon. There will be an announcement for when and where the meeting will take place.

Q: How long will we get to look at the offer?

A: The information will be passed out to the members at the beginning of the contract ratification meeting and we will go
over the information line by line and then have a question and answer session immediately after. Then we will vote on the offer.

**Q: How does the contract vote work?**

A: There are two separate ballots. The first one is to accept or reject the contract offer. The second ballot is a yes or no to authorize a strike. If a majority votes to accept the contract, negotiations end and the contract goes into effect after signing between the two parties. If more than 50% vote to reject the proposed contract, but less than two-thirds of the votes cast are in favor of a strike, the contract offer is accepted by default. The only way there can be a strike is to have a majority reject the proposal AND have two-thirds vote for strike action.

**Q: Who is eligible to vote?**

A: Members in good standing only.

**Q: How are the ballots counted?**

A: The Ballots will be counted immediately after the vote in the presence of the membership and the results will be announced as soon as the count is completed at the ratification meeting. We will also post the results on our website, and the media is likely to publicize the results as well.

**Q: Why does it take two-thirds vote to call a strike?**

A: Anytime you go into a possible strike situation, you want to be sure that a 2/3 majority of your membership support calling a strike. Going on strike with less than 2/3 results in a possible weak picket line. This is why the IAM Constitution requires 2/3 majority to call a strike. If the majority of the membership - 50% + 1 - was all that was required to call a strike, our chances of winning a good contract through a strike would decrease dramatically.
The bottom line is: Calling a strike is serious business. The leadership needs to be sure that 2/3 of the membership is willing to walk the line before taking that type of action.

Q: Can the Company fire me if I go on strike?

A: No! The National Labor Relations Act protects you.

Q: Can the Company hire replacement workers if I’m on strike?

A: Yes. And they may threaten to do so. But in reality hiring 600 highly skilled and certified hourly workers would be a huge and extremely costly task.

Q: Can a non-member stay out and support the Union?

A: Yes, if you are a bargaining unit worker covered by the collective bargaining agreement you can stay out and support the strike, and your action will be protected by law to same extent as union members.

Q: How much money a week will I get for strike benefits?

A: Strike Benefits shall be paid to members of Lodge 737 that are on strike that has been sanctioned by the Grand Lodge and the Local Lodge, beginning the eighth day of the strike. Benefits shall cease on the day the strike has been voted on by the membership to cease. Members on strike not working elsewhere, doing their allocated picketing as required by the Union, and verified by the Strike Committee, shall receive benefits from the Local Lodge Strike Fund, an amount equivalent to the Grand Lodge strike benefits, until such time as the member qualifies for the Grand Lodge strike benefit. Grand Lodge Strike pay is **$150.00 a week**. Should the strike end before a full week has been completed, there shall be a daily allowance of 1/7 of the weekly rate for each day, Saturday and Sunday included, if picket lines are maintained.
Q: How much time is required of me each week to qualify for strike benefits?

A: At least 6 hours of time to a committee i.e., picket, kitchen etc.

Q: Will I still have medical coverage if I go on strike?

A: You will be able to continue your medical coverage through COBRA.

Q: What are strike committees?

A: Strike committees are used to help organize and lead an effective strike and to help our members.

Q: What are the different strike committees?

A: The first and foremost is the Strike Committee itself. This committee serves as your overall coordinating center and works directly and closely with the Directing Business Representative, Business Representative and the Grand Lodge Representative (GLR) to provide leadership and direction to the other committees and to the members on the picket line. Other committees that have responsibility for particular areas are:

**Picket Committee** - responsible for overall administration of the picket line, including organizing and scheduling picket teams, arranging for the equipment and supplies that will be needed and maintaining order on the lines.

**Strike Finance Committee** - makes up an overall budget, solicits donations from whatever sources possible, audits expenditures and helps keep financial records during the course of the strike.

**Community Services Committee** - works to make sure that members get the full benefit of all of services they are eligible
for from the public and private agencies in the community during the strike.

*Kitchen Committee* - helps to strengthen morale by preparing or arranging for hot coffee and other refreshments to be available to pickets and others carrying out strike duties.

*Public Relations Committee* - gets information about the Union’s message and its goals to the media, the public and above all the members and their families. This committee contributes to morale by keeping members informed and presenting the union and the issues in the best possible light. This committee plays an important role in counteracting company propaganda.

**Q: How can I participate on one of these committees?**

**A:** Your shop committee representative will have forms for you to fill out to volunteer for the different committees.

**Q: What if I physically can't do picket duty if we go out on strike?**

**A:** There are many jobs that don't require much physical strength which need to be done (i.e. clerical, phone, kitchen duties, etc.) The Union will work with our members with special needs.

**Q: What happens with my 401K loans if I go on strike?**

**A:** The Employee Retirement Income Security Act (“ERISA”) will protect what is in the 401k plan. What you should first try to get is a copy of the “Summary Plan Description” (SPD) to the 401k. You should be able to get that from either the Company or the Provider. You are entitled to a copy of the SPD, and refusing to give it to you may, by itself, be a violation of law. In any effort to get your money, the SPD will contain vital information.
Q: If I have Vacation time on the books can I use it while on strike?

A: No.

Q: Will the Union continue to negotiate if we’re on strike?

A: Yes. Since the ultimate goal is to get a good contract, the Negotiating Committee will continue to meet with the company to try and reach agreement.
MEMBER RESOURCES

_Cobra_

Often in the event of a strike the company will cut off employer provided healthcare coverage for the striking employees. However, thanks to COBRA, there is no need to panic. COBRA is a federal law which requires continuation of healthcare coverage for employees, their spouses, and dependent children when coverage otherwise would be lost due to certain “specific events”. One such “specific events” which triggers COBRA Continuation Health Coverage is when healthcare coverage is lost in the event of a strike.

Depending on the situation, the employer may terminate employer provided healthcare coverage shortly after the strike begins. If this happens, the insurance company has up to 14 days to inform you of your COBRA rights via an Election Notice Letter. This letter will inform you of your right to continue coverage for you, your spouse, and your dependents for up to 18 months.

The letter will also provide the cost to the employee of continuing their coverage during the strike. This cost is typically far more than the cost of coverage for active employees, because the employer is typically no longer paying the employer portion of the premium. The maximum cost to the employee of COBRA continued coverage is 102% of the total premium.

The letter will also provide an address to which you may send your response as to whether you would like to elect to continue healthcare coverage or not. You have up to 60 days (starting from the day you received the Election Notice Letter) to respond. You can wait until the 59th day to respond, and as long as you respond that you do want to elect COBRA coverage within 60 days, your coverage will be retroactive back to day 1. For example: If you have not yet responded, and then you break your leg on day 50; you can get treatment on day 50, respond that you would like to elect COBRA coverage on day 55, and your medical bills will be covered despite the fact that you had not yet responded before you were treated. Therefore, it makes sense for many people to wait until the 59th day to respond with the hope that the strike may have been settled by
then. (Note: We recommend that this response be sent via certified mail so that you can verify the date the response was sent.)

In addition, payment for COBRA continuing coverage is not due until the 45th day after you elect coverage. This gives you an additional 45 days (in addition to the 59 days) before you must make any payments. However, the payment must be made by that 45th day or COBRA coverage may be cancelled. Additionally, in the strike settlement between the union and the company there are often (but not always) provisions which retroactively pay for any COBRA premiums or uncovered eligible medical expenses that were incurred while on strike.

Finally, it is always a good idea to fill prescriptions and obtain all planned medical treatment before your ratification vote. This way, if you and your brothers and sisters do vote to strike, you will have all of your planned medical needs taken care of and you will be better prepared to weather the strike.