

# Union Drivers' Journal

Organizing Crew Transporters for a Better Life On and Off the Job

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## Will PTI Drivers Receive the Upcoming April 1, 2017 Wage Increase called for in the Contract?

The Company has been unclear about its intentions. As this is written, the Company has promised to provide the Union the changes to the April 1st, 2017 wage scales PTI feels are appropriate, in advance. However, won't know for sure what PTI is paying until the paycheck that contains the April 1, 2017 payroll week. Therefore the first paycheck for new rates will be on April 20th and 21st

Unless PTI is going to fully pay the 2016 wage increase as the Union Arbitration case claims they are required to under the Contract, and then apply the April 1, 2017 increase to that, the Union position is that drivers are being shorted. This is because each wage increase is built upon the prior rate. If 2016 wasn't right, then 2017 on top of that shortage won't be right.

Predicting what PTI management will do is a foolish effort. But believing that PTI will meet their wage obligations to their drivers would probably be even more foolish. Be prepared to add the 2017 wage payout to the ongoing fight over the 2016 wage payout.

## What's happening with last year's 2016 Wage Arbitration Case?

NLRB Information Charges Succeed: The Union scored a major victory when the Company was forced to turn over employee-by-employee accounting of how they paid the April 1, 2016 wage increase. We were able to get all the information we needed to understand who got what, and how much is due back to drivers. This information is now being analyzed by our data resource people for use in Arbitration. You will see National Labor Relations Board postings in your location that notify you of that settlement.

Sue to Compel: The Union gave the Company until the close of business on March 30th to enter into the process of selecting an Arbitrator (from a list supplied by the Federal Mediation and Conciliation Service) and setting an Arbitration date. If they had failed to do this, our Legal Department had prepared a Federal lawsuit to compel PTI to arbitrate this dispute. The Company suddenly hired a new lawyer to handle the case and the selection process will happen on April 10th. Now that the papers are prepared, any more stalling and it will be "hello Judge" for PTI.

## So When Does This Get Resolved?

**There are two tracks for resolution.**

TRACK ONE is a negotiated grievance settlement where the Union and Company mutually reach an agreement. The Company has made sporadic efforts to discuss a settlement, but the PTI Management's view of a resolution doesn't even come close to the union or our driver's view of a fair or just solution.

TRACK TWO is going to Arbitration and getting a decision. We will select an Arbitrator on April 10th, then we need to set a date when that Arbitrator is available, next we present testimony and facts at a formal hearing (much like a courtroom proceeding), and then waiting on the Arbitrator to issue a decision. This is where we are headed.

### **What Happens if PTI Doesn't Pay the Upcoming April 1, 2017 Increase Properly?**

This would be a new violation that would become a distinct case. However, since we've won the NLRB Information charge, and have a clear history of avoidance of Arbitration, the stalling around that we had to endure with this first case will be much reduced if they violate the 2017 payout requirements. As we are with the 2016 case, the Union will pursue our driver's rights doggedly and to the end.

### **Should I believe any PTI Communications on the April 1, 2017 Wage Increase?**

Everyone is free to believe what they want. However, the record is clear. PTI management has denied a wage increase from a huge number of employees for a year. PTI continues to refuse to settle this issue and essentially has taken the position it can pay its employees anything, above the contractual minimum that it wants to. That includes the 2017 wage increase. PTI management also has a habit of blaming the Union when it gets backed into a corner. We would urge you to check with the Union before you buy into what PTI says. Particularly if they claim the union agreed to anything. Because we have not.

### **Do We Have the Solidarity and Patience that is required?**

When a Company goes "rogue", as PTI has done on the wage issue, it counts on frustration and anger to split people apart. As long as drivers are angry with each other and our Union, the Company avoids the full reaction to its actions. This Company doesn't like the UPSEU/United Steelworkers defense of our drivers. It wants to operate as if it were a non-union company. And it's trying to do that. But as the NLRB Information Charge has shown, and the Federal Lawsuit to compel Arbitration would have shown, PTI is not above its contract and not above the law. Apparently it needs the government, Judges and Arbitrators to make them understand this. Ultimately it may take its employees to make that point. But if we don't fight, the future is clear. PTI wants to drive wages back down to the minimum allowed by law. No wages, no justice, and no ability to get a fair day's pay for a fair day's work. Each PTI driver needs to make a decision. Do you stand behind your Union and see this fight through? Or do you accept the greed and disrespect that PIT is now demonstrating. The UPSEU/United Steelworkers have offered to help this company become more efficient and help reduce costs. This doesn't need to be done out of your pocketbook. We need the solidarity and patience to fight this out until PTI realizes that is their only option.

### **What about the other Grievances that are headed for Arbitration?**

Because it involves contract language, the wage case has to go through the regular arbitration process. However we have close to 40 non-language cases waiting for the Internet Expedited Arbitration Process to be implemented. In a piece of good news, we have three Arbitrators now under contract for these cases and will begin to arbitrate these cases on May 10th, 11th and 12th. Since this is a new way to resolve disputes, we will see how these cases move through the process and get drivers justice. This process promises much faster results. Once a case is heard, the Arbitrator in these cases must rule within 48 hours of the hearing. We will be contacting grievants as their cases are prepared for these arbitration hearings.

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