



## **CREW TRANSPORTERS UNITED**

**USW-UPSEU Service Agreement for PTI Workers**

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*Text Signup in Cell Phone Messenger - To: 47486 – Message: uswupseu - Send*

### **Union Update: June 28, 2017**

#### **2016 PTI Failure to Pay Contract Wage Increase Case:**

A quick update on where we are with the Wage Arbitration case.

**Arbitration Hearing:** The case is scheduled to be heard by an impartial Arbitrator on July 19th and 20th, 2017. The hearing will be held in Indianapolis, IN.

**Arbitrator:** The Arbitrator is Joseph Simeri. He was selected from a list of qualified Arbitrators supplied by the Federal Mediation Service. The selection process is that both parties get a list of seven potential arbitrators and can each strike one until you have a final selection. If the parties don't want anyone on the list, each party has the opportunity to ask for a second list. In this case, the Union asked for a second list and Mr. Simeri was selected. The Union makes its selections or objections based on its experience with FMCS Arbitrators.

**Union Presenter:** The Union's case will be presented by Robert A. Hicks, Esq. from the law firm of Macey Swanson LLP. Macey Swanson is one of the most highly regarded labor law firms in the country and the USW has hired them regularly to handle high-profile cases like this one.

**Company Representative:** After the Union had prepared a Federal lawsuit to compel PTI to arbitrate this case; they hired Jon Goldman from the firm of Kahn, Dees, Donovan & Kahn LLP to represent them in this case.

**How Long Until We Get a Decision?:** This is a full arbitration process. Under our labor agreement, the Arbitrator has up to thirty (30) days after he gets the transcript of the hearing from the court reporter and final written briefs from the attorneys, to make a decision. That means a decision will likely come in August or September.

**Only with a Union:** It should go without saying that this entire effort to get PTI drivers their pay raise would not be happening if you did not have a Union. Yet we still get calls, text's and emails that show drivers think this is about a "cost of living" increase, or something that they are entitled to by law. It is a negotiated wage increase that is part of the Union contract and would not be due drivers any other way.

**Shared Frustration:** We also get lots of drivers expressing frustration on how long it has taken to get this issue in front of an Impartial Umpire for resolution. We share that frustration. PTI has done everything in its power to delay and derail this issue from ever being resolved.

**Are You Carrying Your Weight?:** As you can see, this has been an expensive effort to get drivers justice. It has also taken a great deal of persistence and hard work to keep it on track. Lots of union resources have been called into service to make sure this gets to a resolution. It is the dues money you provide the Union, along with additional Union resources that the USW has committed to the fight for Rail Crew Hauling Drivers that makes this possible. We applaud the sensible decision of all those who have joined the Union, for their collective contributions to this fight. Each member should have a conversation with non-members at their location about union membership. The value of it should be apparent. The need for a Union should be apparent. Those who do not belong are taking a free ride on the wallets of members. It's time they do the right thing and join up, shoulder their part of the cost, and participate in growing the unity and strength of this effort. It is only with the unity and resources of all drivers, that we can use the Union's opportunity to substantially improve drivers pay and worklife.

**Three Ways to Join:** Non-Members can join the Union by:

**Text:** Send to 47486, Message: jointpti and answer the questions that come up.

**Online:** Go to <http://local1222.org/> then click "Online Membership Application" in the lower left column of the webpage. Fill out the form and submit.

**Paper Application:** See your Steward for a paper form, fill out and mail to the Union.

**There is an old union saying that "if it is to be, it's up to me".**

In solidarity,

Ike Gittlen, Coordinator  
UPSEU/USW Railroad Crew Hauling Project

CONTACT USW/UPSEU

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