



Teamsters Local Union No. 848

Chartered in 1937

December 12, 2017

ERIC TATE
SECRETARY-TREASURER

Councilmember Joe Buscaino, Chair, Trade, Travel, and Tourism Committee
Councilmember Curren Price, Chair, Economic Development Committee
City of Los Angeles
200 North Spring Street,
Los Angeles, CA 90012

RE: File No. 17-0725-S1

Dear Councilmembers Buscaino and Price:

As the principal officer of Teamsters Local 848, we represent more than 500 truck drivers at LA's port; but our members' jobs are at risk because their employers compete against hundreds of port trucking companies that continue to flagrantly violate labor laws. As a result, over 12,000 port drivers are exploited every day.

For this, I would like to thank you for your leadership in ending the illegal "independent contractor" business model that has impoverished thousands of hard working truck drivers and undercut the business of those companies that are following local, state, and federal labor laws. These illegal employment practices, and the poor working conditions faced by tens of thousands of warehouse workers who are the next link in the supply chain, has gone on for far too long. These drivers and warehouse workers have been suffering mistreatment for years and the Ports have done little to address it.

Drivers and warehouse workers, together with labor leaders like myself, have demanded change from the Port of LA's Executive Director and Harbor Commissioners for years – with little action to show for it. Drivers have filed more than a thousand claims for wage theft, struck their employers 15 times in the last four years, and filed thousands of lawsuits. Nevertheless, LA's port has failed to take action.

Meanwhile, the companies that are following the law – drayage companies like Shippers Transport Express, Toll Group, TTSI, and Pacific 9 Transportation – are struggling to compete in a lawless market right under the nose of the Port of Los Angeles.

Teamsters Local 848 strongly supports File No. 17-0725-S1 and urge you to demand an expeditious report and immediate action from the City Attorney.

Thank you in advance,

Eric Tate
Secretary Treasurer
Teamsters Local 848

cc: Randy Cammack, President, Joint Council 42
Our Members Are Our Strength. . . Our Children Are Our Future. . . Our Retirees Are Our Foundation



Carolina Peters <carolina.peters@lacity.org>

Fwd: Letter

1 message

John White <john.white@lacity.org>
To: Carolina Peters <carolina.peters@lacity.org>

Tue, Dec 12, 2017 at 12:02 PM

Please attach the accompanying letter to CF 17-0725-s1 as a communication from the public

----- Forwarded message -----

From: **Patti** <patti@jc42.net>

Date: Tue, Dec 12, 2017 at 11:48 AM

Subject: Letter

To: councilmember.buscaino@lacity.org, councilmember.price@lacity.org, councilmember.bonin@lacity.org, councilmember.krekorian@lacity.org, councilmember.huizar@lacity.org, john.white@lacity.org, adam.lid@lacity.org, mayor.garcetti@lacity.org, r.hicks@launionafclcio.org

Please see attached from Randy Cammack

Patti Frothingham, Executive Secretary
Teamsters Joint Council 42
981 Corporate Center Drive, Suite 200
Pomona, CA 91768
tel: 626-974-4212
fax: 909-766-7208

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John A. White
Legislative Assistant
Information, Technology, and General Services Committee
Trade, Travel, and Tourism Committee
Rules, Elections, and Intergovernmental Relations
(213) 978-1072



 **File.pdf**
42K



TEAMSTERS JOINT COUNCIL 42

INTERNATIONAL BROTHERHOOD OF TEAMSTERS

"TO PROTECT AND SERVE AMERICA'S WORKFORCE"

December 12, 2017

Councilmember Joe Buscaino, Chair, Trade, Travel, and Tourism Committee
Councilmember Curren Price, Chair, Economic Development Committee
City of Los Angeles
Los Angeles, CA

EXECUTIVE BOARD

Randy Cammack
President

RE: File No. 17-0725-S1

Robert M. Lennox
Vice President

Dear Councilmembers Buscaino and Price:

Mike Bergen
Secretary-Treasurer

On behalf of 23 Teamsters Union Locals located in Southern California, Southern Nevada, Guam, Saipan, and Hawaii affiliated with Teamsters Joint Council 42, representing nearly 250,000 working Teamsters and retirees, thank you for your support for ending indentured servitude through wage theft and employee misclassification at the Port of Los Angeles. Your leadership through the Trade, Travel, and Tourism and Economic Development Committees is a step in achieving justice for port truck drivers and warehouse workers.

Ron Herrera
Recording Secretary

The illegal employment practices endured by 12,000 port truck drivers, and the poor working conditions faced by tens of thousands of warehouse workers who are the next link in the supply chain, have gone on for far too long. These drivers and warehouse workers have been suffering mistreatment for years and the Ports have done little to address it.

Patrick D. Kelly
Trustee

More than a thousand claims for wage theft, 15 strikes in the last four years, and 3,500 drivers involved in lawsuits have yet to spur the change needed for these workers. It is past time for the City of Los Angeles to stand up to greedy corporations that are breaking the law and exploiting workers on City property.

Chris Griswold
Trustee

The Port of Los Angeles – in concert with the Port of Long Beach – is the entry point for more than 40 percent of U.S. imports and a major economic engine for the region. With such economic activity, every job at the port should be a good job, and there is no excuse for the City of Los Angeles to allow anyone doing business at the port to illegally exploit warehouse workers and truck drivers.

Rick Middleton
Trustee

On behalf of 250,000 working and retiree Teamsters represented by the Teamsters in our region, we strongly support File No. 17-0725-S1 and urge you to demand an expeditious report and immediate action from the City Attorney.

ADVISORY BOARD

Jaime Vasquez
Ron Kozuma
Todd Mendez
Larry Griffith

Sincerely,

Randy Cammack
President, Joint Council 42



Carolina Peters <carolina.peters@lacity.org>

Fwd: File No. 17-0725-S1

2 messages

John White <john.white@lacity.org>
To: Carolina Peters <carolina.peters@lacity.org>

Tue, Dec 12, 2017 at 10:10 AM

please attach the accompanying letter to CF 17-0725-s1 as a communication from the public

----- Forwarded message -----

From: **Rusty Hicks** <r.hicks@launionafclcio.org>
Date: Tue, Dec 12, 2017 at 10:07 AM
Subject: File No. 17-0725-S1
To: councilmember.buscaino@lacity.org, councilmember.price@lacity.org
Cc: councilmember.krekorian@lacity.org, councilmember.bonin@lacity.org, councilmember.huizar@lacity.org, john.white@lacity.org, adam.lid@lacity.org, mayor.garcetti@lacity.org

Dear Councilmembers Buscaino and Price,

I hope this email finds you well.

Please find attached a support letter in reference to File No. 17-0725-S1.

Thank you in advance for your consideration.

--
Rusty Hicks
Executive Secretary-Treasurer
Los Angeles County Federation of Labor, AFL-CIO

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John A. White
Legislative Assistant
Information, Technology, and General Services Committee
Trade, Travel, and Tourism Committee
Rules, Elections, and Intergovernmental Relations
(213) 978-1072



20171212_File No. 17-0725-S1_RH.pdf
469K

John White <john.white@lacity.org>
To: Carolina Peters <carolina.peters@lacity.org>

Tue, Dec 12, 2017 at 2:52 PM

C:

Please attach the accompanying letters to CF 17-0725-s1 as communications from the public

----- Forwarded message -----

From: **Barbara Maynard** <barb@actnowstrategies.com>

Date: Tue, Dec 12, 2017 at 2:49 PM

Subject: File No. 17-0725-S1

To: "councilmember.buscaino@lacity.org" <councilmember.buscaino@lacity.org>, "councilmember.price@lacity.org" <councilmember.price@lacity.org>

Cc: "councilmember.krekorian@lacity.org" <councilmember.krekorian@lacity.org>, "councilmember.bonin@lacity.org" <councilmember.bonin@lacity.org>, "councilmember.huizar@lacity.org" <councilmember.huizar@lacity.org>

"john.white@lacity.org" <john.white@lacity.org>, "adam.lid@lacity.org" <adam.lid@lacity.org>, "mayor.garcetti@lacity.org" <mayor.garcetti@lacity.org>

On behalf of Rene Flores and Seko Uaiana, attached are letters related to File No. 17-0725-S1. Thank you.

Barbara Maynard

Justice for Port Drivers

John A. White
Legislative Assistant
Information, Technology, and General Services Committee
Trade, Travel, and Tourism Committee
Rules, Elections, and Intergovernmental Relations
(213) 978-1072



2 attachments

Seko.pdf
34K

Flores.pdf
27K

Daniel Aneseko "Seko" Uaina

17203 S. Hoover St., Gardena, CA 90247
(310) 462-0431

December 12, 2017

Councilmember Joe Buscaino, Chair, Trade, Travel, and Tourism Committee
Councilmember Curren Price, Chair, Economic Development Committee
City of Los Angeles
200 North Spring Street
Los Angeles, CA 90012

RE: File No. 17-0725-S1

Dear Councilmembers Buscaino and Price:

I drive a truck for Intermodal Bridge Transport – known commonly as IBT – at LA's port. Like so many others at the ports, IBT claims I'm an independent businessman but that's a lie. In late November, an Administrative Law Judge with the National Labor Relations Board (NLRB) ruled that my co-workers and I are misclassified as "independent contractors" and that one of the reasons they misclassify us drivers is to keep us from forming a union. That's illegal and the company has been told to change its ways.

Make no mistake about it: I have to show up every day at my company's yard to work. The company tells me where to go, what load to pick up, and where to take it. The company decides how many hours I drive, and how much I am paid. And my company forces me to pay to work:

- I pay to lease the truck.
- I pay to fuel and maintain the truck.
- I pay all the fees on the truck.
- Often there are "mystery" deductions on my paycheck and I don't even know what they are for!

My working conditions at LA's port are a constant struggle. All we do is pull loads – the drivers make LA's port successful – yet they treat us bad. It's fine that they make all the big money; we just want enough to survive. We're the blood arteries who make the company survive. Without us, there is no them. But I also know that without them, there is no us. They own the customers. They dispatch us. They are the boss. I ask you, "When does capitalism become greed? When does greed turn into abusing people?"

It doesn't have to be this way. I move valuable merchandise for IBT's customers, like Michael Kors, Target, General Electric, Trek Bicycle, and Sony, and the company has deep pockets – they're owned by COSCO Shipping Lines North America, Inc., which is owned by the Chinese government. The ports generate billions of dollars a year in taxes and economic activity. Every job at LA's port should be a good job – you should DEMAND this.

My co-workers and I have been on strike five times, and we will continue to do whatever it takes to win, including filing legal claims and going on strike. It's the only way we have to impact the company so they'll pay attention. They lose money when we aren't working, and it's the only way to get them to listen. It's the only way we can get a seat at the table. We never even get a real chance to ask them to change anything – we're just asking them to listen!

We are grateful that you are looking into ways to use your authority to help us fix this broken system by banning companies that are breaking the law. It's the only way to hold the retailers who are exploiting this broken system accountable.

We urge you to move quickly – every week drivers like me at LA's port are losing millions of dollars from wage theft due to misclassification. That's hundreds of millions of dollars in wages that are going into the pockets of trucking company owners and retail giant CEOs, and not into our communities.

Sincerely,

Daniel Aneseko Uaina, Port Driver
Intermodal Bridge Transport

Rene Flores

1314 W 87th Street, Los Angeles, CA 90044
rf41939@gmail.com (323) 430-3121

December 12, 2017

Councilmember Joe Buscaino, Chair, Trade, Travel, and Tourism Committee
Councilmember Curren Price, Chair, Economic Development Committee
City of Los Angeles
200 North Spring Street,
Los Angeles, CA 90012

RE: File No. 17-0725-S1

Dear Councilmembers Buscaino and Price:

Thank you for hearing our demands for justice and supporting our fight to end wage theft and employee misclassification at LA's port.

My name is Rene Flores and I am one of the more than 1,000 truck drivers at LA's port who has filed a claim for wage theft with the California Labor Commissioner. Because my claim is public information, a *USA Today* investigator contacted me and included my story in their article "Rigged," which ran on the front page of the paper in June. My employer, Morgan Southern – a division of multi-billion dollar division of Roadrunner Transportation Systems – fired me the next day and admitted it retaliated against me because I was in the article.

My wife and I came to America from El Salvador in 1998 for the American Dream, to build a better life for our four children, who are now 12, 14, 16, and 18. We had no idea that the dream was really the American nightmare and that good jobs at the ports were only for some – but not for us. We never imagined that LA would allow its port to do business with companies like Morgan Southern that are openly stealing from us.

And we certainly don't understand why, after the *USA Today* and a number of other media outlets have publicized these companies' illegal activity, they're still doing business at the ports! We get kicked out of the ports if we even run a stop sign, yet these companies are breaking the law and are still allowed by LA's port to do business there. Why the double standard? Why do the laws apply to people like me and not to these corporations?

Before Morgan Southern fired me, I often worked 20-hour days. Some weeks I earned nothing – I worked for free because I only earned enough to cover the cost of using the company's truck (the lease, fuel, insurance, repairs, and maintenance). This isn't just my story; it's the story of virtually every driver hauling containers on and off of LA's port.

Now there's talk of requiring new trucks as a part of the Clean Air Action Plan. My wife and I agree that we need clean air, but families like mine shouldn't have to pay for the program. The trucking companies and their big retail customers like Amazon, Target, and Home Depot must pay for these new trucks. And you must kick out any trucking company that breaks the law by making us pay for their equipment.

With billions in cargo coming in and out of the ports every year, there is just no excuse. Every job at the ports can and must be a good job.

Sincerely,

Rene Flores, Port Driver
(formerly Morgan Southern)