



REGULAR MEETING MINUTES

Via Zoom Platform

March 10, 2021

I. Call to Order:

Brother Greg Gonzales called the meeting to order at 5:30PM via Zoom Platform for UA Local 393, located at 6150 Cottle Rd., San Jose, CA 95123.

A. Pledge of Allegiance

B. One minute of Silence for our Deceased Members and memorial mention of our recently departed members.

Robert W. Moore D/O/D 03/02/2021
Life Member
Initiated 06/24/1959

II. Roll Call:

All Officers and Committee Members present, except for the following:

Peter A. Gonzalez	Eric Comstock	Conrad Pierce	Juan Gutierrez
Daryl Peterson	A.J. Ramirez	Jeff Bautista	Steve McEvoy
Richard Doherty	Jason Fletcher	Eric Wariner	David Budd
Lisa Long	Jean Cohen	Scott Swann	A. Mike Filiau
Jim Johnston	Phil Luna		

III. Finance Committee Report:

A. The Finance Report for the period of January 01, 2021 through January 31, 2021 is available for the perusal of the membership. Motion made, seconded and carried to approve the Finance Report as printed and posted.

B. Donation Requests:

Request for a donation to support **Pivotal** (formerly Silicon Valley Children's Fund). Pivotal is a local non-profit serving foster children aging out of the system that need affordable housing and job opportunities, such as access to apprenticeship programs. **Motion made to concur with the Finance Committee recommendation. Motion seconded and carried for the Local to donate \$10,000.**

Request for a donation to support **Democrat Activist for Women Now's** virtual brunch fundraiser in honor of Ruth Bader Ginsberg. **Motion seconded and carried for the Local to donate \$1,000.**

Request for a donation to support **Assemblyman Alex Lee** who represents District 25, which includes San Jose, Santa Clara, and Milpitas. Alex was the labor-endorsed candidate in 2020 and is seeking fundraising support. It's important to help Alex financially because he doesn't accept money from corporations. This means he must rely heavily on support from unions and other progressive allies. He will have a competitive re-election in 2022, which is why he needs to raise

early money. **Motion made to concur with the Finance Committee recommendation. Motion seconded and carried for the Local to donate \$3,400.**

Brother Scott Reese asked if there is availability to attend the “Women’s Now” virtual brunch fundraiser. Business Manager Steve Flores replies that he would inquire.

IV. Approval of Regular Meeting Minutes:

Motion made, seconded and carried, to approve the Regular Meeting Minutes dated February 13, 2021 as printed and posted.

V. Executive Board Meeting Minutes:

Motion made, seconded and carried, to approve the Executive Board Meeting Minutes dated March 03, 2021 as printed and posted.

Initiation(s): The following listed member/s if present will be administered the Pledge of Obligation (Oath).

President Greg Gonzales informed the membership that the “Pledge of Obligation” administered to new members will resume when in-person meetings are held again.

VI. Report of Officers:

A. Steve Flores, Business Manager

UA Local Union 393 Monthly Membership Meeting will Start at 5:30 pm
The Minutes of the February 2021 Union Meeting and the
March 2021 Executive Board Meeting are available for review on our website

<https://ualocal393.org/>

Thank You for Attending

Union Meeting Topics

- **Cottle Holdings**
- **New Union Hall**
- **2021 UA Convention**
- **2021 Contract Negotiations**

Cottle Holdings

- ☐ **Cement Masons Local 400 purchased Cottle Holdings:**
- **393 Union Hall – 6150 Cottle Rd, San Jose, Ca.**
- **Social Security Office – 6140 Cottle Rd, San Jose, Ca.**
- ☐ **Total sales price of Cottle Holdings: \$4,800,000**
- ☐ **Previous Rent to ourselves: \$18,500 per month**
- ☐ **Current Rent to Cement Masons: \$25,500 per month**

- ❑ **Why we are paying \$7,000 per month more to Cement Masons than we did to ourselves:**
- **\$25,500 per month is based on \$2.55 per square foot for 10,000 square feet which is market rate.**
- **Items included in rent to Cement Masons / not included in rent to ourselves:**
 - **Utilities**
 - **Janitorial**
 - **Common Area Expenses**
 - **Taxes**
 - **Insurance**
 - **Repairs and Modifications**

New Union Hall

- ❑ **Purchase Price of New Union Hall paid from Market Recovery funds: \$5,800,000**
- ❑ **Money transferred to Market Recover from sales of Cottle Holdings: \$4,800,0000**
- ❑ **Remaining amount owed to Market Recovery: \$1,000,000**
- ❑ **We are currently paying \$17,000 per month back to the Market Recovery.**
- ❑ **The remaining loan will be paid back in less than 5 years.**

➤ **\$690,000 – City Processing**

- ❖ **Planning Department Fees**
- ❖ **Legal Fees**
- ❖ **Architectural Design**
- ❖ **Structural Design**
- ❖ **Civil Design**
- ❖ **Landscape Design**
- ❖ **Soils/Geotechnical Engineering**
- ❖ **Environmental Review**
- ❖ **Traffic Review**

➤ **\$340,000 – Pre-Construction**

- ❖ **MEPS Permit Drawings**
- ❖ **Structural Permit Drawings**
- ❖ **Civil Permit Drawings**
- ❖ **Landscape Permit Drawings**
- ❖ **Legal Fees – Contracts**
- ❖ **Pre-con Management**

What has been Accomplished:

- ❖ **Completed Design**
- ❖ **Completed and passed Planning Review**
- ❖ **Completed and approved Permitting Process**

❑ **Next Steps:**

- ❖ **We are in the process of reviewing bids from General Contractors**
- ❖ **Once GC is awarded project approve Subs**
- ❖ **Discuss VE options**
- ❖ **Order long lead items**

2021 UA Convention

- The 40th Covention of the United Association will convene on Monday, August 23, 2021.
- The UA has decided on three (3) possible formats:
 1. A fully in-person Convention at the San Diego Convention Center.
 2. A Convention in which Locals are permitted to send a certain number of Delegates to participate in the Convention in-person while all other Delegates participate virtually.
 3. A fully virtual Convention.

2021 UA Convention - Delegates

1. **Steve Flores – Business Manager**
2. **Eric Mussynski – Business Agent**
3. **Al Gonzalez - Business Agent**
4. **Conrad Pierce – Business Agent**
5. **Scott Reese – Business Agent**
6. **Edmundo Escarcega – Business Agent**
7. **Frank Austin**
8. **Greg Gonzales**
9. **Karl Baumheckel**
10. **Scott Swann**
11. **Brian Murphy**
12. **Margarita Reese**
13. **Juan Gutierrez**
14. **Rudy Carrasco**
15. **Sarah Aguilar**
16. **Peter Gonzalez**
17. **Mo Salberg**
18. **Jimmy Ramirez**
19. **Alejandro Ramirez**
20. **Aster Tseng**
21. **Matthew Hajny**
22. **Greg Alexander**
23. **Russell Calderon**
24. **Eric Botts**
25. **Bill Bailey, Jr**
26. **Tom Alexander**
27. **Ryan Jones**
28. **Lisa Long**
29. **Wayd LaPearle**
30. **Edward Nichols**
31. **David Cruz**

2021 Contract Negotiations

- Our “Labor Only” Negotiating Committee has been meeting once a week since February 25th.
- Our existing MLA will be available for download from our website by the end of the week.
- If you have any suggestions for contract language changes or edits, please email them to:

election@local393.org

Thank you. This concludes my report.

B. Eric Mussynski, Assistant Business Manager

Tonight, my report will be on the following topics:

- Service Negotiations / Updates
- Dropping Contract Knowledge
- Mauricio Minute
- Reminders / Announcements

Service Negotiations / Updates



1/1/2019

The National Service and Maintenance Agreement expired on July 31, 2020. However, due to COVID it was determined on a national level that the best course of action was to extend the Agreement in lieu of negotiating until this July 31st of 2021.

Schedule A to the NATIONAL SERVICE AND MAINTENANCE AGREEMENT

Jurisdiction: Northern California (north of District Council 16)

In accordance with Article XX, Paragraph 72, this schedule is entered into on behalf of the signatories to the current National Service and Maintenance Agreement dated August 1, 2015.

Effective Date: January 1, 2019

In addition, we have a Schedule “A” to the National in this geographic region that is also set to expire.

This is what we are currently trying to negotiate.

Two of the main items are adding:

1. Title 24 language, so it is UA work and not Sheet Metals
2. Additional double-time language for overtime after 16 hours.

Currently we are negotiating this with the Contractors and this will be sent to the Joint UA/MSCA Labor Committee for approval.



I want to remind all members that hooking up rental chillers is UA covered work under our 50 Points of Jurisdiction.

For those not familiar with our 50 Points of Jurisdiction, it is located in our MLA under Exhibit A, page 122.

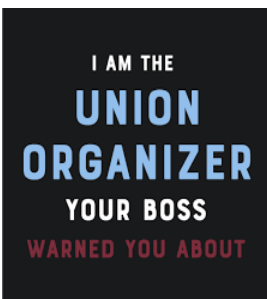
The rental chiller company can drop it off, however all piping connections is Local 393 work. This is assuming our Contractors are subcontracting the rental chiller. Unfortunately, if the owner of the building hires the rental chiller company our hands are tied.



The next point of covered work is Recovery of Refrigerant. This is also 100% UA covered work. If you are recovering refrigerant from the unit this is our work.

The purpose of companies like Rapid Recovery are for pulling the refrigerant from full bottles that are at your shop and NOT pulling refrigerant from the units themselves.

HVAC Service Techs Needed



With this being said, we do not have enough Service Techs to man the jobs for our Contractors. I have been getting weekly calls from Contractors looking for qualified journeymen.

However, next Friday the Refrigeration Exam Board will be testing five (5) new applicants for journeyman status.

If anyone knows of any non-union HVAC Service Techs looking for work or for a better opportunity with benefits and a pension, have them contact our Organizer Juan Gutierrez. Juan@local393.org

Dropping Contract Knowledge



The goal here is to inform members of the correct language AND intent of our Agreements, so workplace conditions are not broken down.

KNOW YOUR RIGHTS

Tonight, I'm going to shift away from the MLA per se and talk about something that is sometimes forgotten as your rights as a Union Member.

KNOW YOUR RIGHTS: WEINGARTEN RIGHTS

This is known as the Weingarten Rights

Weingarten Rights guarantee an employee the right to Union Representation during an investigatory interview.

These rights were established by a Supreme Court case dating back to 1975 AND must be claimed by the employee. The Supervisor has no obligation to inform an employee that they are entitled to Union Representation.

I want to clarify that these rights are for an Investigatory Interview only.

So, what is an Investigatory Interview?

This is one in which a Supervisor questions an employee to obtain information which could be used as a basis for discipline or asks an employee to defend their conduct. If an employee has a reasonable belief that discipline or discharge may result from what they say, the employee has the right to request Union representation.

Examples of such an interview are:

- (1) The interview is part of the employer's disciplinary procedure or is a component of the employer's procedure for determining whether discipline will be imposed.
- (2) The purpose of the interview is to investigate an employee's performance where discipline, demotion or other adverse consequences to the employee's job status or working conditions are a possible result.
- (3) The purpose of the interview is to elicit facts from the employee to support disciplinary action that is probable or that is being considered, or to obtain admissions of misconduct or other evidence to support a disciplinary decision already made.
- (4) The employee is required to explain their conduct, or defend it during the interview, or is compelled to answer questions or give evidence.



When an investigatory interview occurs, the following (3) rules apply:

Rule 1 - The employee **must** make a clear request for Union representation before or during the interview. The employee **cannot** be punished for making this request.

Rule 2 - After the employee makes the request, the supervisor has 3 options. They must either: Grant the request and delay the interview until the Union Representative arrives and has a chance to consult privately with the employee **or**

Deny the request and end the interview immediately; **or**

Give the employee a Choice of (1) having the interview without representation or (2) ending the interview.

Rule 3 - If the Supervisor denies the request and continues to ask questions, this is an unfair labor practice, and the employee has a right to refuse to answer. The employee **cannot** be disciplined for such refusal **but** is required to sit there until the supervisor terminates the interview. Leaving before this happens may constitute punishable insubordination.



Union Representative's Rights Under Weingarten

I am not required to merely be a 'silent witness'. I have the right to:

- Be informed by the Supervisor of the subject matter of the interview
- Take the member aside for a private conference before questioning begins
- Speak during the interview
- Request that the Supervisor clarify a question so that what is being asked is understood
- Give the member advice on how to answer a question
- Provide additional information to the Supervisor at the end of the questioning.
- I do not have the right to tell the member not to answer nor, obviously, to give false answers.

A standard statement I suggest to members is:

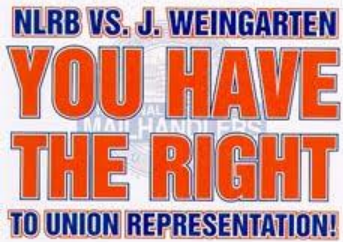
WEINGARTEN RIGHTS

If this discussion could in any way lead to my being disciplined or terminated or have any effect on my personal working conditions, I respectfully request my union representative, officer or steward to be present at this meeting. Without union representation, I choose not to participate in this discussion.

An employee has NO right to the presence of a Union Representative where:

- The meeting is merely for the purpose of conveying work instructions, training, or communicating needed corrections in the employee's work techniques.
- The employee is assured by the Employer prior to the interview that no discipline or employment consequences can result from the interview.

- The Employer has reached a final decision to impose certain discipline on the employee prior to the interview, and the purpose of the interview is to inform the employee of the discipline or to impose it.
- Any conversation or discussion about the previously determined discipline which is initiated by the employee and without employer encouragement or instigation after the employee is informed of the action.
- Even in the above four (4) circumstances, the employee can still ask for representation. Most employers will permit a Representative to attend even when not required to.



It is the obligation of the Union to educate members about their Weingarten rights **BEFORE** an occasion to use them arises. An employee must state to the Employer that they want a Union Representative present; the Employer has no obligation to ask the employee if they want a Representative.

Remember the goal is if the membership is informed and educated about the Contracts and Agreements, then we as Local 393 together can **police** it, and we the Business Agents can **enforce** it, and not let conditions continue to **get broken down** on the jobsite!

Mauricio Minute



Brother Mauricio Velarde, Local 393's Wage Compliance Officer has been working on Habitat for Humanity, which is a Homeless Housing Project in San Jose.

UA Local Union 393 has decided to file legal action on the Project.



Brother Mauricio and our Business Manager, Steve Flores are working on a news story to highlight the violations and to bring exposure to the City of San Jose's policy of not enforcing the Labor Code against cheating Contractors that undermine our Contractors and **cheat** our UA Local Union 393 members out of work.

The news story will highlight the violations listed below:



1. **Wage Theft**
2. **Cal-OSHA Violations**
3. **COVID-19 Health Order Violations**
4. **Un-Registered Contractors**
5. **Failure to Employ Apprentices**
6. **Breach of Contract**

Wage Theft: Contractors cheated workers out of wages, both straight and overtime.

Cal-OSHA Violations: Dangerous working conditions.

COVID-19 Health Order Violations: Santa Clara County Covid-19 Health Order Violations.

Un-Registered Contractors: Using un-registered Contractors, which is in direct violation of DIR Registration Guidelines.

Failure to Employ Apprentices: Failure to employ local apprentices as mandated by Law on Public Works Jobs.

Breach of Contract: By the City of San Jose, Project Labor Agreement.

Stay tuned for more to come.



Reminders / Announcements



I want to remind everyone that one of the most common reasons we have to dispatch Travelers is due to our members not having their med gas certifications.

I spoke with Cindy at the Training Center and they are offering new classes and re certs.

The Med Gas Installer Cert Class for members that have *never* had a previous cert will start on April 14, 2021. It will be a 40-hour class held on Mondays and Wednesdays.

If your card has been expired for more than one (1) year, there will be a 2-night refresher course March 15th and March 17th via Zoom, taught by Sarah Aguilar. If interested, please contact Kim Nakamoto at the Training Center.

Out of Work Phone Line

IMPORTANT UPDATES REGARDING COVID-19

In an effort to keep members and contractors as informed as possible, we will continue to post important developments and updates from the Business Manager on the home page. It is important to check this website often.

Out of Work List

Members can sign out of work by leaving a message on the Emergency Out-Of-Work line (408-755-5627). Please speak clearly and leave the following information:

1. First and last Name
2. The last four digits of your social security number
3. Specify the list pertaining to your craft

I want to clarify that since there is not a hard copy Out of Work List to sign due to COVID, you need to call this number 408-755-5627. This is the virtual OOWL Hotline. Make sure to leave your First and Last Name, Last four numbers of your SSN, and what list you would normally sign, for example, A Fitter, A Plumber, A Welder or A Refrigeration.

For those who haven't been on the OOWL for quite some time, you have two (2) options to gain employment.

One is to call the Job Hotline (408) 754-4875

Two is to log into Online Dispatch m.gotomyunion.com

Keep in mind if you do not do either one of these, you will not be getting a call from the Dispatcher and thus, will not be gaining employment.

Thank you. This concludes my report.

C. Al Gonzalez, Business Representative

- ▶ Permits Issued this Month
- ▶ Rigging / Single Person Training
- ▶ Meetings for this Month

Permits Issued

According to our Collective Bargaining Agreement, it is the responsibility of the Contractor and Employee to see that Permits are obtained and posted for Overtime, Early Start and when working a 2nd or 3rd Shift.

These past four (4) weeks, twelve (12) Permits were issued to Contractors for the following Permits:

Six (6) Early Start Permits
Five (5) Overtime Permits
One (1) Shift Permit

If you are on a job and they are starting early, working overtime or working a 2nd or 3rd shift, and you don't see any Permits posted, talk to your Foreman or Steward.

Have them reach out to permits@local393.org and we will get them the proper forms to fill out.

Rigging / Single Person Training

As we all know, a large percentage of our work involves giving crane signals, rigging of pipe and equipment.

It is critical that qualified UA members perform rigging operations and signaling safely.

According to OSHA, rigging workers have been injured or killed when loads have slipped or the rigging has failed.

That is why we must get trained!!!



It is very important that All Plumbers, Steamfitters, Welders, Refrigeration Techs and Apprentices are trained and qualified for Rigging and Crane Signals!

The Employer of the Single Person must ensure that each Single Person meets the Qualification Requirements prior to giving any signals.

The Employer must also make the documentation available that the Single Person is qualified at the site while the Single Person is employed by the Employer.

The documentation must specify each type of signaling (example: hand signals, radio signals, etc.) for which the Single Person meets the requirements.

OSHA requires that all Single Persons be qualified and further requires that the Crane Single Person pass an oral or written test and a practical test.

When and where can I get trained?

Spring 2021 Online / In-Person Training Call the Training Center 408 453-6330

SIGNAL PERSON CERTIFICATION

24 hours (Online and some In Person Training)

M/W 3/29/21 - 4/07/21

Final Exam 4/07/21

If you sign up for classes, please show up! 100% of your training depends on showing up!

If I can do it, anybody can do it!



Let's stay sharp, improve our skills and not get complacent.

Meetings for this Month

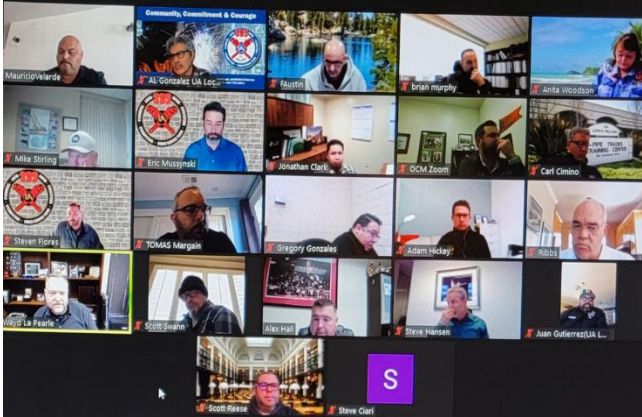
Meetings I attended this month are still via Zoom

1. Building Trades Council Executive Meeting
2. Steering Committee Meeting
3. Region 7 Meeting with County Chairs, Elected Officials, and fellow Delegates
4. San Benito County Central Committee Meeting
5. Weekly Manager/Agent Zoom Meeting
6. San Benito County Workforce Development Board Meeting

Building Trades Council Executive Meeting

The focus of the Building Trades Council Executive Board is winning new Project Labor Agreements to capture Union jobs in Santa Clara & San Benito Counties. Helping elect Labor-friendly candidates to Local and State office, and unifying the building trades unions.

Steering Committee Meeting



The Steering Committee met on March 8th.

This is a meeting of Local 393 Union Representatives and Union Contractors.

Participants receive updates from Committee Leaders, Local 393, Training Center and compliance updates.

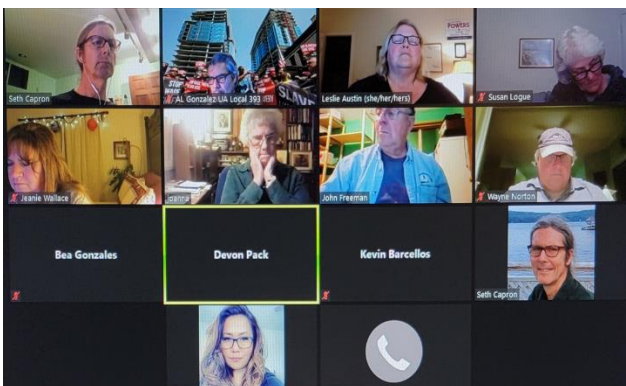
Region 7 Meeting with County Chairs, Elected Officials, and fellow Delegates

Region 7 meeting was called to order on March 1st by Director Omar Torres. The agenda consisted of statements from elected officials and candidates. Resolutions are presented here to help build a strong, united region for our State.

We heard statements from following elected officials:

- ◇ Eleni Kounalakis, Lieutenant Governor
- ◇ Tony Thurmand, Superintendent of Public Instruction
- ◇ Ash Kalra, Assemblymember
- ◇ Robert Rivas, Assemblymember
- ◇ Evan Low, Assemblymember

San Benito County Central Committee Meeting



This Committee met on March 8th to discuss vision and goal setting in San Benito County.

One particular goal we will be working on, is how we can build a better relationship with Labor Unions and expand the Union density in San Benito County.

Weekly Manager / Agent Zoom Meeting

We meet once per week with Local 393 Business Manager, Agents and Staff. Here we report on our weekly assignments.

San Benito County Workforce Development Board Meeting



I attended the San Benito Workforce Development Board Meeting on March 9th and 10th.

It is important a Union Representative is at the table to help oversee the delivery of workforce and advocate the importance of a Union workforce policy, and providing perspective about the need for trained and skilled workers in San Benito County.

There's still a lot of work to do here, especially electing Supervisor's and City Council Members who are willing to work on policy to expand Union density.

Thank you. This concludes my report.

D. Conrad Pierce, Business Representative *(not in attendance)*

E. Scott Reese, Business Representative

Welcome Local Union 393 Members.

Tonight's meeting topics are:

- Contract Negotiations / County Negotiations
- State of the Valley Conference
- San Jose Unified School District
- Fremont High School District
- Tamien Project

Contract Negotiations / County Negotiations

Contract Negotiation Team has started getting together via zoom meetings. I wanted to put that on the radar to the membership that things are getting going for a new contract.

County Contract

We have finally received word back from our fact finder and we will be taking the appropriate next steps in finalizing the County Contract. I will report back on this later.

State of the Valley Conference



I attended the 2021 State of the Valley Conference that was the focus of a lot of different aspects of what has been happening and the future of the Valley. Topics included Transportation. The battle for the planet (clean energy). Building a more inclusive Silicon Valley, Building back a better Silicon Valley, Commercial development and the future of the workplace, and the path back during- and-after Covid. In between these presentations and breaks in the Conference, we would get a 5-minute sample from

Local artists and musicians, all still struggling to make it through these Covid times. Among all of this information, one of the takeaways I really wanted to share was that, California after last year actually has an excess of funds instead of the deficit that was predicted because of the pandemic. This is part because of our tech industry. But don't forget who is keeping these tech companies going, We Are! More so with Data Center's than new buildings at this point, but this industry is always going to need these facilities and I believe the buildings that have been left behind will return back to life in the future when things get back under control or a familiar new normal.



I will soon be getting involved with the San Jose Unified School District contract negotiations. This was already in progress and then put on hold due to the Covid pandemic.

Brother and Business Agent Al Gonzalez was working on this project originally and I will be shadowing his lead on this contract and eventually take on this project as my own. I will keep you all up to date on progress.



In 2019, Fremont Union High School District renewed our long relationship by negotiating a new PLA for their 2018 Construction Bond. At the time, the District had a project list based on their best idea of what would be built with the bond money.

Now in 2021 the District has revised the project list to match what they will in fact construct. The District has given us a new and more accurate project list.

These projects will include Fremont Unified School District, Cupertino High School, Fremont High School, Homestead High School, Lynbrook High School, Monte Vista High School and a District Site for Adult –Education. All these are Multi-Million Dollar Projects.

(below are a few pics, but not all the projects)



Tamien Project



I have been working with the Building Trades to secure a PLA for several months now and I am happy to say we have finally come to an Agreement. The Tamien Project is moving forward.

This means approximately 569 attached residential units, including site preparation, demolition, and construction of new buildings and parking structure.

Construction proposed is to be approximately a 6.96-acre site located at 1197 Lick Avenue in San Jose. The General Contractor is very eager to get this project started and is already looking at more locations to build and use Union Crafts People.

Water Treatment Plant

We have a PLA in place at the Water Treatment Plant that is a San Jose City Wide Contract.

This is our way in to the Plant to gain work that would keep our members working for years to come. I have personally been having issues with the City of San Jose giving me access to the job site and breaking the Agreement set in the PLA.



We have enlisted the help of our 393 Attorney and were in the middle of filing a grievance when like magic, I was given 5 different contacts to gain unobstructed access to the Water Treatment Facilities.

Even with all of this going on, we currently have three (3) Contractors on site representing Local 393. The problem is with National Agreements as well as our City Wide PLA, if we cannot load up these jobs with our members, Travel Hands will fill these jobs. I repeat, if we do not fill these positions, there is a line of travel hands that want to work these jobs. That goes for the Treatment Plant, the Tamien Project I spoke of earlier, the multiple High Schools, and every other job in our jurisdiction. We cannot entertain the frustration by our own Local 393 members about travel hands if our own members won't take these jobs.

Quality Water Program

I attended the UA Quality Water Program and would like to report that this would be another great opportunity for our Local 393 members as well as our Contractors. This is not a new program, but will more than likely start being enforced within California.



This Program creates a Quality Water Representative as well as Quality Water Tech's. The point of the program (obviously) is to introduce clean and safe water while being monitored on a regular basis. With the toilets and urinals using less water, this can create legionnaires disease and all kinds of other health issues because the water is not moving the way it was originally designed.

With the current state of these buildings not being used now, you have water just sitting in pipes growing all kinds of bacteria, as well as fire sprinklers that might put your fire out, but could also make you very sick. An example was back in 2017 at Disneyland where at least 22 people got legionnaires disease that was linked back to a dirty cooling tower from the mist that came off that tower and then inhaled by visitors.

I will be working with the Training Center to see how we can implement these new procedures to get people Certified for Water Testing.

The UA has in place classes for this, as well as Train the Trainer Programs. The Training Center and/or myself will be providing updates on this programs availability.

This is another way to gain Market Share in uncharted territory before we give this away to another craft.



Hecker Pass Proposal



A couple of new parks will be proposed on March 15, 2021 in Gilroy next to the existing Gilroy Gardens.

The 536 acre's will be used for an outdoor recreational park with zip lines, bike trails, and hiking and on the other side; Gilroy Gardens would be a water park with a lagoon and a surf park.

We currently have some labor friendly members on the Gilroy City Council so I will be attending this meeting and asking the questions about using union labor on these projects. I will also keep the membership updated on this.



Lastly, we all know St. Patrick's Day is coming up and I ask that you all stay safe out there, or at home. Have fun!! Enjoy!! With no bad endings.



Thank you Brothers and Sisters. This concludes my report.

- Q. Brother Thomas Gonzales asked about the Tamien Project.
- A. Business Representative Scott Reese provided details.
- S. Brother Douglas Cajias made a statement in support of Travelers
- Q. Brother Navin Sahni asked if the JATC will be offering Clean Water Certifications Classes.
- A. Business Representative Scott Reese responded he is working on it.
- Q. Brother Brian Murphy asked about the impact of virtual work being addressed at the State of the Valley Meeting.
- A. Business Representative Scott Reese replied that there shouldn't be a large impact.
- Q. Brother Mo Salberg asked about the location of the Tamien Project.
- A. Business Representative Scott Reese clarified.
- Q. Brother Richard Torres asked about the Valley Water Project location and types of work.
- A. Business Representative Scott Reese provided the answer.

F. Edmundo Escarcega, Business Representative

Good Evening Brothers and Sisters

Tonight my report will include:

- Dispatch Report
- Face Coverings / PPE

UA Local 393 Joint Hiring Hall Dispatch Report

From February 17, 2021 to March 10, 2021

We had **108 Dispatches**

15 dispatching days

Averaging 7.2 Dispatches per day (*down from last month months average of 7.5*)

Some of the Contractors hiring last month:

- ◇ Southland – Stack Data Center, China Mobile, Vantage DC
- ◇ Kinetics – Intel and TDK Headway
- ◇ Qualtech Mechanical – Quantumscape
- ◇ Silicon Valley Mechanical
- ◇ Ciari – Various jobs in Santa Clara County
- ◇ ATS – Various jobs
- ◇ Thermal – Various jobs

“A” List and “B” List Dispatches

- 11 – A Fitters
- 21 – A Plumbers
- 01 – A Refrig Service Techs
- 03 – A Welders
- 07 – B Plumbers
- 01 – B Welder

“C” List Dispatches

- 08 – C Fitters
- 05 – C Plumbers
- 00 – C Welders
- 04 – Contractor Reps

Apprentice Dispatches

- 02 – Fitter Apprentices
- 07 – Plumber Apprentices
- 01 – Refrig Apprentices

Residential and Tradesmen Dispatches

- 01 – Residential Journeyman (David Cruz)
- 01 – Residential Apprentice Plumber (David Cruz)
- 03 – B Construction Tradesman
- 06 – Refrigeration (MEST) Tradesman

At end of day yesterday, March 09, 2021

We have a total of 399 members

On the Out of Work List

With 344 Available (+1 from last month and available)

“A” List Out of Work Totals

- 50 A List Steamfitters, 45 Available
- 73 A List Plumbers, 58 Available
- 36 A List Refrig Service Techs, 19 Available
- 05 A List Welders, 03 Available

Bldg Trades Apprentice Out of Work List

- 06-Steamfitter, Appr, 06 Available
- 06-Plumber Appr, 06 Available
- 00-Refrig Fitter Appr

Residential Out of Work List (David Cruz)

08-Res Appr, 08 Available
26-Res Jrnypersons, 26 Available
75-Res Prov Jrnypersons, 74 Available
03-Prov Jrnypersons, 03 Available

“B” List Out of Work Totals

07 Steamfitters, 6 Available
29 Plumbers, 23 Available
11 Refrig Service Techs, 9 Available
00 Welders

Tradesperson/Service Plumbers Out of Work List Total members “Available” on the Out of Work List

18 A Const Trades, 17 Available
17 B Const Trades, 16 Available
13 Refrig Service Trades, 13 Available
09 Service Plumbers, 8 Available

50 Fitters, 73 Plumbers, 36 Refrigeration Fitters
Dispatched: 38 Travelers, 6 Company Rep’s

We dispatched 13 Travelers and 04 Company Reps

Local 393 members that want to be called for jobs, need to call (408) 755-5627 to be placed on the Out of Work List, then go online or call in daily to (408) 754-4875 to be made available and be called for available work.

When a Contractor puts in a request for manpower, we have a responsibility to fill job calls within two days per the Hiring Hall Rules. If you want to see less Traveler dispatches, then we need more Local 393 A and B members making themselves available. When a member is available for work, they are called by order of craft as listed in our MLA and by the order of their place on the list. Members need to consider the skill set requested for a particular job so we are able to get the job done.

Face Coverings / PPE



Thank you. This concludes my report.



G. Juan Gutierrez, Organizer (not in attendance)

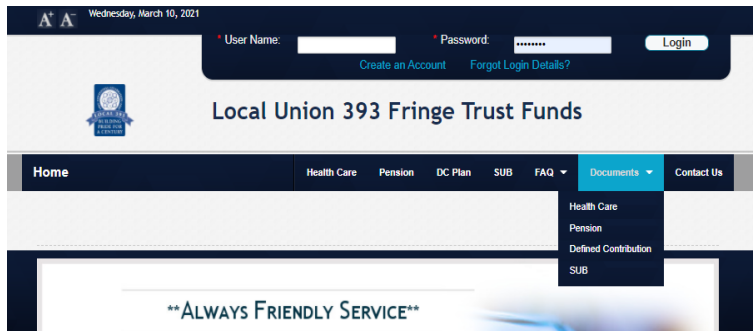
VIII. Health & Welfare Committee Report:

Member Advocate Report – Sister Nancy Ferguson

- Announcements
- Know your Benefits! Use your Resources
- View all Charges and Deposits to your Benny Card

Announcements

- ▶ Regarding COVID-19 affecting your jobsite or benefits? Send your questions to COVID-19@Local393.org
- ▶ The Master Labor Agreement will be opening soon and our Negotiating Team would like to hear your concern and suggestions. Contact the Negotiating Team here election@local393.org
- ▶ Get your COVID-19 Vaccination. Go this this website to sign up to receive your shot(s) <https://vax.sccgov.org/home>



- ▶ Retirement Planning and Self-February 2021 Webinar Invitation
- Webinar Welcome Page
- Retirement Planning Booklet 2021
- Webinar Presentation: Retirement Planning Feb. 2021
- Webinar Presentation: Self-Directed 401k Feb. 2021
- Raymond James 401k Presentation

Managing your Investments via Zoom

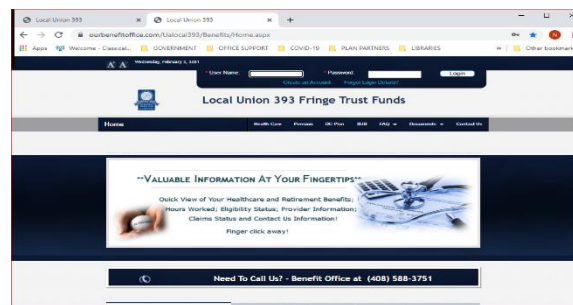
Would you like to have copies of the class handouts? Go to our Fringe Benefit Website www.ualocal393benefits.org Hover your mouse on the “Documents” tab. When the drop-down menu appears, Click on “Pension”

▶ Let’s Talk! Know your Benefits

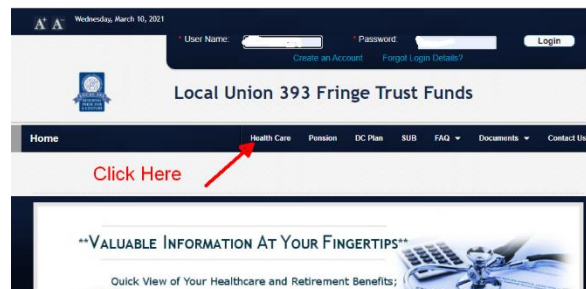
Make the Benny Card work for you.

Local 393’s Fringe Benefit Website www.ualocal393benefits.org (make sure you go to the correct website)

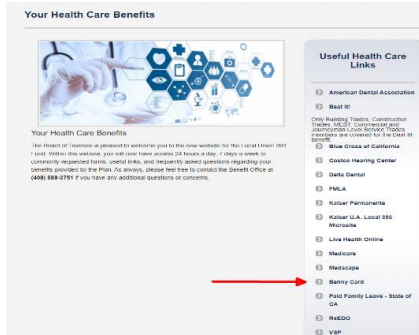
It looks like this



Click on the Health Care tab



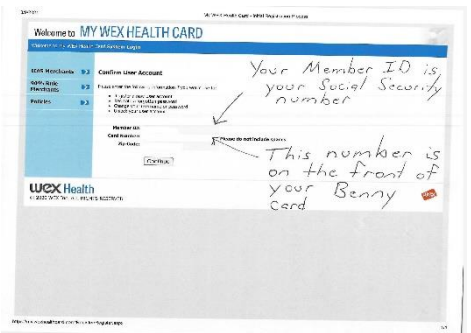
Open your Personal Account



Your Benny Card



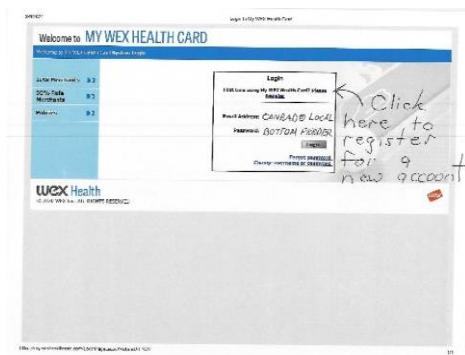
Create your Personal Account



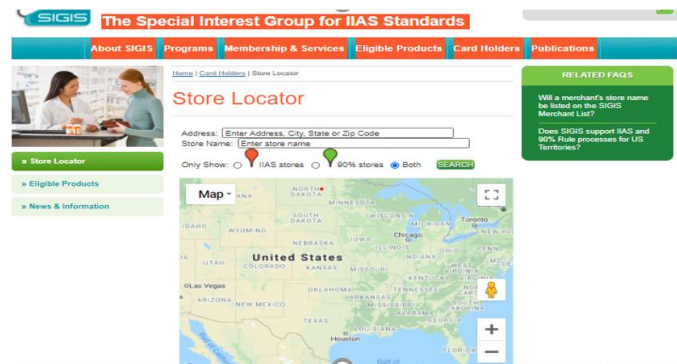
With a Personal Benny Card Account. You can

- ❖ View A Summary Of The Charges Against Your Benny Card
- ❖ View The Deposits Going Into Your Account
- ❖ Verify If Additional Receipts Are Needed Or
- ❖ Verify Your Documents Were Received And BeneSys Administrators No Longer Needs Paperwork From You

Learn about the 90% Rule



Find Stores that meet the 90% Rule



What makes a Product Eligible?



Track your Benny Card Usage

Activity Details

NOTE: To view a specific activity click on the Activity Type (Type) for that activity.

Page 1 of 10 << First < Previous | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | Next > Last >>

Trans Date	Settle Date	Type	Amount	Account	Description	MCC	Substantiation
3/2/2021 5:47:05PM	3/4/2021 12:03:23PM	Settlement	(\$10.00)	HRA2008	COSTCO ONLINE RX	5912	No Follow Up Required
3/2/2021 5:47:05PM		Pre Auth	(\$10.00)	HRA2008	Authorization	5912	N/A
2/26/2021 11:59:17AM	2/27/2021 3:40:18PM	Settlement	(\$222.08)	HRA2008	PALO ALTO CUSTOMER SRV	8099	Pending

Avoid Surprises



Look on this page to find out if a receipt will be required

See a Snapshot of your Usage

Activity Details

NOTE: To view a specific activity click on the Activity Type (Type) for that activity.

Page 1 of 10 << First < Previous | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | Next > Last >>

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Review

- ✓ How To Open Your Personal Benny Card Account
- ✓ To Assist You With Managing Your ERA Claims and Deposits
- ✓ To Verify If Additional Receipts Are Needed
- ✓ Gain Access To Your Benny Card Records

The Big Disclaimer

This presentation and supporting documents have not been read, vetted or approved by our Lawyers or the Board of Trustee's.

Trust but verify your individual benefits. Do your own research ... its fascinating!

Please know... Monday through Friday from 8 am to 5 pm, I am available to answer your questions via email, text or phone. (408) 464-3738. Currently I am working from my home office.

Email: 393@memberadvocate.org

Thank you Brothers and Sisters. This concludes my report for tonight.

IX. Correspondence & Resolutions: *Read by Recording Secretary*

Letter received from The Human Agenda in appreciation for the Local's recent contribution.

Thank you letter received from ACLU for the Local's generous gift and continued loyal support.

X. Citations:

None

XI. Good & Welfare:

Business Representative Scott Reese said to spread the word about Zoom Union Meetings.

Brother Douglas Cajias seconded Brother Scott's sentiment on getting members to meetings.

Brother Thomas Gonzales said we need an in-person process for our elections.

Business Manager Steve Flores replied he is working with the UA and the County to make that happen.

Brother Bill Bailey recommended using an appointment system for coming to the Union Hall.

Brother Richard Torres asked how to tell how many members are in the meeting. He was taught.

Brother Darly Peterson asked if we are still initiating apprentices.

Business Manager Steve Flores said that we are, but will double check.

Sister Sarah Aguilar asked for us to tell her how many members are on.

Business Manager Steve Flores said the Recording Secretary will give the amount every meeting.

XII. Unfinished Business:

Brother Thomas Gonzales asked what the highest number of Zoom attendees was.

President Greg Gonzales said about 100.

Brother Thomas Gonzales asked if Zoom was limiting us.

Assistant Business Manager Eric Mussynski said our limit is 500, so no.

XIII. New Business:

None

XIV. Committee Reports:

Joint Apprenticeship Committee *Read by Business Representative, Scott Reese*

We continue to hold hands-on classes at the Training Center and classroom instruction via Zoom utilizing the Canvas learning management software.

COVID-19 protocols continue to be observed at the Training Center as we navigate the pandemic to deliver hands-on apprentice and journeylevel instruction.

On that note the Training Center has provided restrooms in the parking lot to accommodate social distancing and limit physical contact between classroom cadres.

Instructors and staff members at the Training Center have been given the green light for vaccinations.

Several Instructors and staff members have already received their first injection.

The Training Center has and will continue electrostatic disinfection of all inhabited areas of the site each month as a means of providing the maximum amount of safety for staff and those that enter the site.

Applications for Apprenticeship is underway for Plumbing, Steamfitting and HVACR via our website until March 12, 2021. Entrance exams will occur over several weeks starting in April. For more updated information, please refer to the Training Center website.

Journey level Training has resumed, and the schedule has been sent to the members and posted on the Training Center website. Journey workers may contact the Training Center to med-gas brazing schedule welding and other recertification's as needed.

Brian Murphy has created a matterport virtual tour of the Training Center that we will now deploy as a means of continuing our ongoing partnership with the Trades Orientation Program aka TOPS as well as other schools and organizations interested in touring the facility.

Training Center staff continues its support of the NOVA Workforce Development Board as well as S4CA.

Training Center staff attended a UA Zoom Training Coordinators Meeting this month that was attended by over 270 Coordinators throughout the U.S. and Canada.

Q. Brother Ed Nicholas asked if the JATC Staff is refusing vaccinations.

A. Brother Brian Murphy replied that it is not required.

Q. Brother Dave Deacon asked for clarifications on the new Union Hall.

A. Business Manager Steve Flores provided them.

Building Trades

None

South Bay Labor Council

None

Pension:

None

Negotiating Committee:

None

No Jacket Drawing held tonight

Brother Brian Murphy suggested using a number generator to do the Jacket Drawing.

Adjournment:

There being no further business, motion made to adjourn. Motion seconded and carried.

The meeting adjourned at 7:24 PM

Respectfully submitted,

Ed Nichols
Recording Secretary

EN/mg/opeiu29/afl-cio

