

# DISTRICT LODGE 15

International Association of Machinists and Aerospace Workers, AFL-CIO

## 2015 YEAR IN REVIEW



A SUMMARY OF NEWS EVENTS, EDUCATIONAL  
ARTICLES, MEMBERSHIP INFORMATION, AND FREE  
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DISTRICT 15 MEMBERS

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# A MESSAGE FROM OUR NEWLY APPOINTED DIRECTING BUSINESS REPRESENTATIVE OF DISTRICT 15: JUAN NEGRON

Brothers and Sisters,

It is an honor to be leading District Lodge 15 into the next generation. We have established a great group of business leaders and staff that are trained and prepared to provide the highest level of service to the members we represent. Our goal is and always has been, since 1888, to better the lives of working families by negotiating better wages, sick days, paid time-off and better health care through collective action. It is also important that we continuously fight to raise the floor by organizing those workers that don't have a voice and the respect they deserve in their workplace. With these principles in mind, I am excited and confident that the District and Locals of the Machinists Union will bring great success and achievements to the members it represents and those that are in need of a protected voice.

In Solidarity,

A handwritten signature in black ink that reads "Juan L. Negrón". The signature is written in a cursive, flowing style.





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# EASTERN TERRITORY SCORES ORGANIZING WIN AT PENSKE TRUCK

IAM District 15 in New York overcame an aggressive anti-union campaign by managers at Penske Truck Leasing's Bridgeport, NJ facility, and won collective bargaining rights for more than two dozen Technicians and Customer Service Representatives.

"These workers overcame an aggressive anti-union campaign carried out by Penske's corporate labor relations representative who camped out in Bridgeport for a month hammering the guys right up until the opening of the polls," said District 15 Organizing Director Vincent Addeo. "Some organizing victories are sweeter than others because of the circumstances and this is one of them."

"This win is one more example of what survey after survey has shown: that when U.S. workers are given the choice, they will choose union

representations and collective bargaining as the best way to improve their careers and the economic security of their families," said Eastern Territory GVP Lynn Tucker, Jr. "I extend my congratulations to the entire organizing team and welcome the new members from Penske."

**UPDATE:** District 15 is happy to extend our congratulations to the new group of members at the Bridgeport facility. In October of 2015, the members successfully negotiated and ratified their first collective bargaining agreement, improving their wages and working conditions while paving the road to more secure future.

## DISTRICT 15 TRUCK LEASING MECHANICS WIN INCREASES AND PROTECT STRONG BENEFITS



District 15 has a long history of representing the highly skilled mechanics employed in the trucking industry throughout the New York City Metropolitan area. These members provide an essential skill that keeps our regional economy strong but as negotiations heated up earlier this year, the industry mounted an effort to weaken our members' hard fought benefits package. Specifically, our members excellent

medical coverage provided by the District 15 Health & Welfare Fund came under attack. The trucking companies promised similar benefits, but our members would not budge and even authorized a strike over the issue. Their resolve was easy to understand; as a union plan, the District 15 Fund is managed by and for our members and has a long history of providing excellent benefits and steady predictable rates. With a conservative strategy lead by a board of trustees made up equally of union and management representatives, the District 15 Health Fund has strong reserves and doesn't attempt to profit on the premiums paid by our members and their employers. Due to the patient solidarity of our 325 plus truck leasing brothers and sisters, management finally realized how

important quality health care is to our members. On February 4th, a new 3 year agreement was signed and it not only protected our members strong health care benefits, but also included annual 3% increases in wages and pension contributions.

Congratulations for this excellent agreement go out to all involved, with special recognition to our members and stewards whose unity allowed us to complete a progressive and successful agreement with our truck leasing industry employers. Thanks and credit also go to the tireless work of the entire negotiating team: District 15 DBR Juan Negron, Lodge 447 BM Robert Motisi, ADBR/General Counsel James Conigliaro, Jr. and BR's Dominic Taibbi, Norman Brown and Dave Isabel.





**MACHINISTS UNION  
DISTRICT 15**  
INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS



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# ORGANIZING UBER? IT COULD HAPPEN

July 24, 2015

By Joe Maniscalco for **Labor Press**

[Laborpress.org](http://Laborpress.org)

New York, NY - A controversial cap on the amount of additional cars Uber can continue pumping onto New York City streets may have been left on the side of the road for now, but that doesn't mean that the welfare of all those drivers is being ignored.



According to James Conigliaro, Jr., general counsel for the Machinists Union District 15 — the union representing for-hire black car drivers in New York City — the labor group is actively pursuing ways Uber drivers might one day be unionized.

"We don't believe that anybody should have 20,000 independent contractors doing the same job - these guys are employees," Conigliaro, Jr. told LaborPress at a City Hall rally on Monday. "The company benefits from these drivers alone, and that shows that these guys are employees. They should be able to unionize and have all the rights under the National Labor Relations Act, as well any other rights that employees are granted under New York State Law."

Uber's critics argue that drivers working for the \$50 billion international conglomerate take home far less than 50 percent of the fares they earn, while foregoing even the most basic worker protections.

"Uber drivers are coming to the New York Taxi Workers Alliance [for help], but they say they are afraid to protest because they're invested in the car, and what if Uber takes them away from the app in retaliation," New York Taxi Workers Alliance organizer Victor Salazar told LaborPress.

Uber cars now outnumber yellow taxis on New York City streets, although traditional cabbies still pick up far more passengers than their app-based counterparts who work part-time hours.

Taxi Workers Alliance Executive Director Bhairavi Desa, says that Uber has successfully suppressed drivers' grievances, and is actually attempting to take what is a full-time occupation for thousands, and reduce it to a part-time gig through a "backward economic model."

"Everybody does not just work part-time," Desa said on Monday. "Uber has drowned out the voices of workers and they will go after the right of any workers to earn a full-time living in this job."

A number of important factors conspire to make the road to unionizing Uber drivers very challenging, however.

"It would be a big campaign and huge undertaking, but at the end of the day, we want to fight for people that need help, and if we can help these drivers — and I think we can — we're going to do that," Conigliaro, Jr. continued. "We're thinking about it. We're trying to think of a strategy, but the amount of drivers and independent contractor status makes it difficult."

The outcome of a class action lawsuit filed earlier this month in San Francisco which seeks to classify Uber drivers as company employees rather than independent contractors, will have a huge impact on organizing efforts in New York City.

Uber's incredibly high turnover rate, paralleled in the equally difficult to organize retail industry, also presents serious challenges to successful organizing.

Conigliaro's group is one of the largest districts in the International Association of Machinists and Aerospace Workers, representing some 19,000 active and retired members, including drivers in New York City's for-hire black car industry.

Uber has not responded to requests for comment.





# MEET THE STAFF



Juan Negrón  
Directing Business  
Representative



James Conigliaro, Jr.  
Assistant DBR,  
General Counsel



Robert Motisi  
Local 447,  
Business Manager



Russell Gittlen  
New England Area Dir.,  
Asst. Business Manager



Vincent Addeo  
Director of Organizing



Perry Esposito  
Business Representative



James Foley  
Business Representative



Mark Hammond  
Business Representative



Bruce Hodges  
Business Representative



David Isabel  
Business Representative



Norman Shreve  
Business Representative



David Stewart  
Business Representative



Dominic Taibbi  
Business Representative



Edward Vartabedian  
Business Representative



Cristino Vilorio  
Business Representative



Christopher Walsh  
Business Representative

# HOW TO BUDGET AND SAVE AFTER THE HOLIDAY SEASON

Whether you celebrate Christmas, Hanukkah, Kwanza or the general holiday season, chances are you've been spending money on things that are outside of your regular budget over the last month. The holiday season can be challenging for your finances. Here are some tips to help you recover from all the holiday spending and better prepare for next year.

1. **Look back.** Now is a great time to review how much you've spent on holiday-related items and how you spent it. Analyze what you spent money on, over what period of time, and how you paid for it. If you used credit cards, be sure to make a plan for how you will pay them off. Since you don't want to be still carrying Christmas debt on your credit card while on summer vacation, budget accordingly to pay things off as quickly as possible.

2. **Track expenses to stay disciplined.** Reduce excess spending after the holidays to help your bank account recover faster. It may also be helpful to build a budget which outlines your income and expenses. You can use money management software, a spreadsheet or pencil and paper, but be sure to record how you spend. Take a closer look at what you're doing with any extra money you have after your normal expenses. Rather than going out to dinner, consider putting a little extra toward any outstanding holiday bills. Not only will this keep you on track, but it will also help with returns and with planning for next year.

3. **Make a list for next year.** While it's all still fresh in your mind, make a list of everything you spent a little extra on over the holidays. Include not only gifts, but decorations, cards & postage, food & drink, and travel. This will help you save throughout the year and be prepared.

4. **Shop early and start now.** Buy next year's holiday decorations on clearance as soon as the holidays are over. Keep your eyes open for bargains throughout the year and stash them away. Beware though: track that spending and don't lose track of what you've bought.

5. **Use cash next year if possible.** Shopping with cash forces you to think about an impulse purchase, perhaps thinking it through to the point of realizing it really isn't worth it. If you do choose to use credit cards, be sure to exercise discipline to stay within your budget.

6. **Save all year.** Make holiday saving a year round commitment. Consider setting up an account that earns a premium interest to help your holiday savings grow throughout the year. Have a set amount of money direct deposited into this account from every pay check.

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Radius Bank has been proudly serving the banking needs of union organizations, funds and members for over 28 years. To learn more about Radius Bank's financial products and services, contact Michael Fina, Vice President / Union Relationship Manager at [mfina@radiusbank.com](mailto:mfina@radiusbank.com) or 631.624.1132.





Amphenol Aerospace, a Division of Amphenol Corporation and nestled at the foothills of the Catskill Mountains in Sidney, New York, is one of the largest manufacturers of interconnect products in the world for the Military, Commercial Aerospace and Industrial markets. Amphenol designs, manufactures and markets cylindrical and rectangular, electronic, fiber optic, EMI/EMP filter, and a variety of special applications connectors and interconnect systems. Best of all, the complex has for many years housed approximately 1,000 employees/District 15, Local Lodge 1529 members. However, in 2006, the facility suffered from a massive flood in the Sidney area. The flood threatened to close the facility and put many of our members out of work. At that point, Local 1529 members showed enormous dedication and immediately returned to the facility in canoes and rowboats to work non-stop to clean up and get the plant back in business. Speaking in reaction to those events, Eastern Territory GVP Lynn Tucker then stated: "Our members working for Amphenol in New York have shown the courage and spirit that exemplifies a 'Fighting Machinist,' they worked day and night to get both the plant and this community back on its feet."



*After massive flooding inundated the community, IAM Local 1529 members in Sidney, NY worked around the clock to get Amphenol Aerospace back in operation.*

As years past, Amphenol and the Machinists resumed manufacturing the great American-made products they had always been known for. However, in 2011, massive flooding once again overwhelmed the community and the facility. The flood of 2011 inundated the Amphenol facilities for the second time in the company's history, making the County's largest employer looking to move elsewhere. "If Amphenol had left, there'd be nothing to replace it," said Kenneth Adams, Commissioner of the NYS Department of Economic Development. "There was an issue here, a threat of them leaving. Gov. Cuomo said, 'Figure this out, there's no way we can let Amphenol leave.'"

As a result of a team effort between the company, the union, legislators, and the community, Amphenol was able to continue to call Sidney home. New York State rose to the challenge and awarded more than

\$30 million from New York State's Economic Development Agency and more than \$3.5 million in disaster aid. The move to higher ground maintained approximately 1,000 jobs in the area and alleviated any worries over future flooding. On October 3, 2015, District 15 Officials were proud to attend the open house of the brand new 300,000 square foot facility. The new facility continues incorporating state-of-the-art manufacturing technologies including CNC machining, die-casting, molding, impact and extruding, plating, screw machining and process controls. The fully equipped material evaluation lab and engineering support organization utilize the latest in computer aided design software and analysis tools, which allows them to design, test and qualify interconnect systems. Working at Amphenol is often a family affair, officials said. According to the village of Sidney mayor, 70 percent of children in Sidney have one or both parents working at Amphenol.



*Amphenol's new facility located in Sidney, NY*

# College Prep



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## JOHN SCARFI SCHOLARSHIP FUND CREATED BENEFIT THE DISTRICT'S MEMBERS EXCLUSIVELY

### **Time Is Running Out!**

For many years the Grand Lodge of the IAMAW has granted scholarships to a select number of applicants across the United States and Canada. These scholarships have and continue to be a great help to those entering higher education. However, in an effort to provide more for our members locally, District 15 created the John Scarfi Scholarship Fund to benefit children and grandchildren of District 15's members exclusively.

In order to make the process as easy as possible, members, their children, or their grandchildren attending college may follow the same application process and guidelines for the Grand Lodge Scholarship Contest and simply send a duplicate copy to the District 15 office.

John Scarfi served as Directing Business Representative from 1991 to 2003 and was an outstanding visionary and leader throughout his time - negotiating high wages and well deserved benefits for District 15's members. John truly bettered the lives of thousands of working families across the northeast.

**YOU MAY CALL ANY DISTRICT 15 OFFICE OR FIND THE APPLICATION AND INSTRUCTIONS HERE:**

[www.iamdistrict15.org](http://www.iamdistrict15.org)

Once completed send your District 15 application to:

**John Scarfi Scholarship Fund**

**652 4th Avenue**

**Brooklyn, New York 11232**



# DISTRICT 15 LEGAL SERVICES PLAN

**(800) 576 - 7806**

The District 15 Legal Services Fund was created to assist members with their everyday legal needs without breaking the bank. Too often people are faced with legal situations that leave them confused and spending unnecessary money. The goal of the Legal Services Plan was to provide union members with a network of pre-screened attorneys at reduced fees. In addition, many benefits are included at NO COST TO THE MEMBER. For instance, participants are entitled to a Free Basic Will. We urge participants to take advantage of these services.

Since inception, thousands of members reached out to the Legal Services Fund for assistance and the Fund was proud to provide those services in the members' time of need. Many members had phone calls made on their behalf, received discounted real estate closings, assistance with family matters, and much more.

Currently, only some of District 15's members receive this nationwide benefit. In order to receive this benefit, the member must be enrolled in the District 15 Health Fund via their collective bargaining agreement or it must be negotiated into the collective bargaining agreement as a supplemental benefit. If you are unsure if you are participating in the plan, feel free to call the helpline or ask your Business Representative.



## **FREQUENTLY ASKED QUESTIONS**

### **WHO IS COVERED BY THE PLAN? WHO IS ENTITLED TO THE BENEFITS LISTED ABOVE?**

Participants in the District 15 Health Fund are automatically in the District 15 Legal Services Plan and receive the above benefits. Members may also become participants in the plan by negotiating this benefit into their collective bargaining agreement. In that case, your Employer will pay approximately \$12/month for each employee, which covers that employee and his or her family.

### **HOW DO I JOIN THE PLAN?**

If you are not enrolled in the D15 Health Fund and your employer is not currently providing the benefit through your collective bargaining agreement, you may list the plan as one of the Union's proposals during the next round of negotiations. If this is the case, contact your Business Representative immediately and let him know.

### **HOW MUCH DOES THE PLAN COST?**

Again, if you are enrolled in the District 15 Health Fund, there is no cost to you. However, the cost of the plan is \$12.00 per month, which includes an administrative fee (\$1.00 to \$2.00/month). If this benefit is negotiated into your collective bargaining agreement, then your Employer will pay on behalf of each employee.

### **WHO ADMINISTERS THE PLAN?**

The Machinists Union Legal Services Plan is administered by Bamundo, Zwal & Schermerhorm, a well established firm with a long history of providing quality legal services. The firm successfully represents clients in all areas of the law including personal injury, real estate, and domestic relations. The partners and associates of the firm, assisted by full support staff, prepare and try cases in all state and federal courts. No matter what state you reside in, the Machinists Union Legal Services Plan will ensure that you are provided quality legal representation anywhere in the United States.



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# CONIGLIARO TAPPED FOR GENERAL VICE PRESIDENT POST

**March 17, 2015**

IAM International President Tom Buffenbarger made a further announcement at the MNPL Planning Committee meeting in Houston, TX that District 15 President and Directing Business Representative James Conigliaro will fill the post of General Vice President (GVP) in the General Secretary-Treasurer's (GST) Department when current GVP Dora Cervantes becomes the new General Secretary-Treasurer.

"With the addition of James Conigliaro, the General Secretary-Treasurer's Department will have the best of the best to carry out the many tasks necessary to ensure the IAM remains one of the most financially sound unions in the labor movement," said Buffenbarger.

Buffenbarger cited the changing and more complex financial environment that the GST Department must operate under. "We had the financial meltdown in 2008 and that put more pressure on pension regulation and funding. We have to comply with regulatory oversight rules on unions that are getting more complex every day. And then there's the challenge of managing health plans amid rising costs and even more regulations. But we have met every challenge.



"Our pension plan that serves thousands of IAM members is fully funded, our finances are sound and our health and welfare plans are in good shape," said Buffenbarger. "That's because of the efforts of General Secretary-Treasurer Robert Roach, Jr., General Vice President Dora Cervantes and

the GST Department staff. With the addition of James Conigliaro, we will be able to keep our union financially strong in the years ahead."

District 15 is one of the IAM's largest Districts with members in diverse industries including a large presence in the automotive and trucking industries. Conigliaro joined Local 447, one of District 15's largest and most active Locals, in 1977 as a maintenance mechanic for United Parcel Service. He was active in his Local and District and has been the President and Directing Business Representative since 2003.

"This is a great honor and I thank the Executive Council for the opportunity," said Conigliaro in remarks to the conference. "My father was a longshoreman and I grew up around union halls. I learned early that working people built this country. Working families deserve their fair share of the prosperity they help create and I won't rest until we get it."

# OVER SEVEN MILLION PAID TO MEMBERS AND THEIR FAMILIES



National Group Protection, Inc. (NGP) has worked with District 15 for more than twenty years to offer customized supplemental benefit plans to its members. These benefit plans include life, accident, disability, and critical illness insurance. As a result, over \$7 million in benefits have been paid to District 15 members and their families.

These supplemental benefit plans are highly customized, and National Group Protection acts as an advocate on behalf of our members.

In today's economy where workers are more frequently moving to different employers, portability is very important. At NGP, coverage for members and their families can be continued upon leave, retirement or termination (except disability). Benefits are paid in addition to any other coverage members have, and are tax-free.

Not only does NGP have a long standing and effective relationship with the machinists, NGP is a IAMAW union shop and thus employs your brother and sister members. NGP is based in Charlottesville, Virginia. Look out for their new online open enrollment on the District 15 website or contact them at 800-344-9016 with any questions regarding the supplemental benefits program.



## DISTRICT 15 UNION INJURY HELPLINE

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## DISTRICT 15 APPRENTICE PROGRAM: OPPORTUNITY AND SUCCESS FOR YOUNG MACHINISTS



**District 15 Member and Apprentice Ruddy Lucero at work in Penske's state-of-the-art diesel repair shop in South Plainfield**

LYNDHURST, NJ - At 21 years of age, Ruddy Lucero is approaching his fourth anniversary as a mechanic for Penske in their South Plainfield diesel repair shop. As a TECH 4, he earns nearly \$25 an hour with great benefits including an excellent pension. Four years ago, Ruddy was graduating high school and made a fateful decision. As an honors student at Passaic County Technical Institute, he had several options including scholarship offers from some private schools. For Ruddy, the decision was easy. "I chose the District 15 apprenticeship program because it

offered free training and real pay from day one. Three and a half years later, I have a rewarding job and the program has helped me advance at a great company like Penske. It was an excellent decision!"

For years, many District 15 auto and diesel truck repair shops had expressed frustration at their inability to find skilled mechanics. Even though they offer continuous training due to the extremely dynamic nature of modern automotive and diesel technology, many shops could not find young people with the skills and motivation to take on these challenging yet rewarding positions.

Where others saw a problem, District 15 Directing Business Representative Jim Conigliaro saw an opportunity. ADBR Juan Negron had worked with an existing apprenticeship program in New Jersey that was losing it's funding. After meeting with the existing director of that apprenticeship, District 15 began to build a comprehensive program that would not only train new mechanics but would allow these young apprentices

to make a real living while learning. "We knew the opportunities were there, but the key was reaching out to our employers to secure good jobs for these apprentices while they were in the program," Conigliaro explained. "We brought in Mike Flynn from IAM CREST, our training and safety affiliate, to work with existing director Ira Stern and it really took off from there." Four years later, it's safe to say that the program is an unqualified success. Additional credit goes to the District 15 staff who work hard to place each of the students with good jobs, our supportive employer partners and an annual funding grant from the New Jersey Department of Labor.

Project Director Ira Stern runs the program out of an office in the District 15 New Jersey headquarters in Lyndhurst.

**If you are a current District 15 member with a son, daughter or other family member interested in this excellent program please visit the apprenticeship website at <http://iamcrestapprentice.org/> or reach out to Ira directly at (973) 798-8001.**

# DISTRICT 15 REWARDS PROGRAM



District 15 is constantly searching and finding ways to assist our members in every aspect of their lives. Recently, District 15 partnered with Individual Digital, Inc. and launched the District 15 Rewards Program. District 15 Rewards is a new website for District 15 members, their friends and family. We have used our collective power to create new opportunities for our members to save money and enjoy great deals, prizes, and discounts from trusted partners. Most of these offers would not be available to an individual, however, because we can act together, they are available to us, the members of District 15.



Through the Rewards program, you will be able to get incredible savings from national brands and local shops, including great savings on sporting and entertainment events. You can also look to District15 Rewards for chances to win awesome prizes, such as gift cards, tickets, spa packages, electronics, and MORE!



Over the past year, members have had access to great deals such as:

- **Free passes to 24 Hour Fitness**
- **Broadway discount tickets**
- **Super discounts for Six Flags Great Adventure**
  - **Discounted NY Islanders tickets**
  - **Discounted NY Yankees tickets**
  - **Discounted tickets for AMC theaters**

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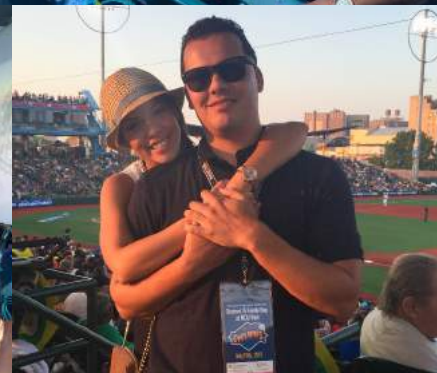
A large green tent at an outdoor event. A white banner with blue and red accents hangs across the front. The banner features the District 15 IAMAW logo on the left, the text "District 15 IAMAW welcomes you to our annual FAMILY DAY" in the center, and a graphic of crossed tools on the right. People are visible around the tent.

# DISTRICT 15 HOSTS ITS 2ND ANNUAL FAMILY DAY

BROOKLYN, NY - For the last two years, the Union has held Family Day events for members and their families. These events have included a New York Mets' game and a Brooklyn Cyclone minor league baseball game in the famous Coney Island, New York.

In 2015, thanks to sponsorships from Investors Bank and Bangel, Cohen & Falconetti, LLP, we doubled our attendance from the prior year and many members and their families enjoyed free tickets to the game along with a tailgate party that included free food, beer, soda and giveaways. As we continue to work towards the same goals, these events are important to maintain solidarity among your union brothers and sisters.

We sincerely hope all of our members join our mailing list and stay up-to-date with information on our website for 2016's District 15 Family Day. Hope to see you and your families this year!



VISIT OUR WEBSITE: [IAMDISTRICT15.ORG](http://IAMDISTRICT15.ORG) for more info



# OUR CHARITABLE WORK

District Lodge 15 would like to highlight some of the charitable and community work that the Union has completed throughout the year.

## GUIDE DOGS OF AMERICA



Throughout this last year, District Lodge 15, through its local lodges, held many fundraiser

events for the Guide Dogs of America charity. Guide Dogs of America is dedicated to its mission to provide guide dogs and instruction in their use, free of charge, to blind and visually

impaired men and women from the United States and Canada so that they may continue to pursue their goals with increased mobility and independence.

In 2015, the Union held three golf outings (New York, New Jersey, and Massachusetts), a dinner event, sold raffles, held a motorcycle ride and a t-shirt selling drive. These events led to the biggest fundraising year to date, raising just over \$315,000. Not only was this the largest fundraising event for the District, District 15 led all fundraising amongst the entire IAM! We urge everyone to donate to this great foundation and join us for any events throughout the year!

## DISTRICT 15 WINTER COAT DRIVE

Joining together with NY Cares, a community based group, District Lodge 15 held its first annual coat drive.



Every year, thousands of New Yorkers rely on donated coats and community assistance to help keep them warm during the harsh winter months. Thank you to all that assisted with the drive and brought their coats to the local lodge meetings in December.

## BIG NEWS FOR UNION MEMBERS



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or call 1-800-522-4000

\*Certain restrictions, limitations, and qualifications apply to these grants. Additional information and eligibility criteria can be obtained at UnionPlus.org/Assistance. Another card option is available. Credit approval required. Terms & Conditions apply. Union Plus Credit Cards issued by Capital One, N.A. The MasterCard Brand Mark is a registered trademark of MasterCard International Incorporated.



# WHAT TO DO IN THE EVENT OF A WORKPLACE ACCIDENT\*



**BANGEL,  
COHEN &  
FALCONETTI, LLP**



*Fighting for the rights of injured  
workers since 1997*

*By: Christopher M. Falconetti, Esq.*

*Bangel, Cohen & Falconetti, LLP*

In 1914 the Legislature passed the New York State Workers' Compensation Law which still governs what rights and entitlements are available to workers' in the event of a workplace accident. Every time a worker is involved in any type of accident while in the course of their employment, whether a serious injury or a seemingly minor incident, there are a few steps that should always be taken.

## **(1). Report the injury to your boss or supervisor.**

The Law requires that an injured worker provide notice of work related accident within 30 days. While written notice is not required it is strongly recommended that an incident report be completed or the notice be documented.

## **(2). Seek medical attention immediately.**

All too often seemingly minor injuries turn out to be much more serious than initially anticipated. So if you are injured see a medical professional for an evaluation and treatment right away. The full cost of any medical treatment will be the responsibility of the workers' compensation insurance carrier. Be sure to tell the health care provider that the injury happened at work so the records will reflect an accurate history and further document the accident.

## **(3). File a Claim for Compensation (C-3 Form) with the Workers' Compensation Board.**

An injured employee has two years to file a claim with the Workers' Compensation Board. If a claim is not filed within that time threshold then the injured worker will be barred from pursuing a claim and lose any rights to benefits.

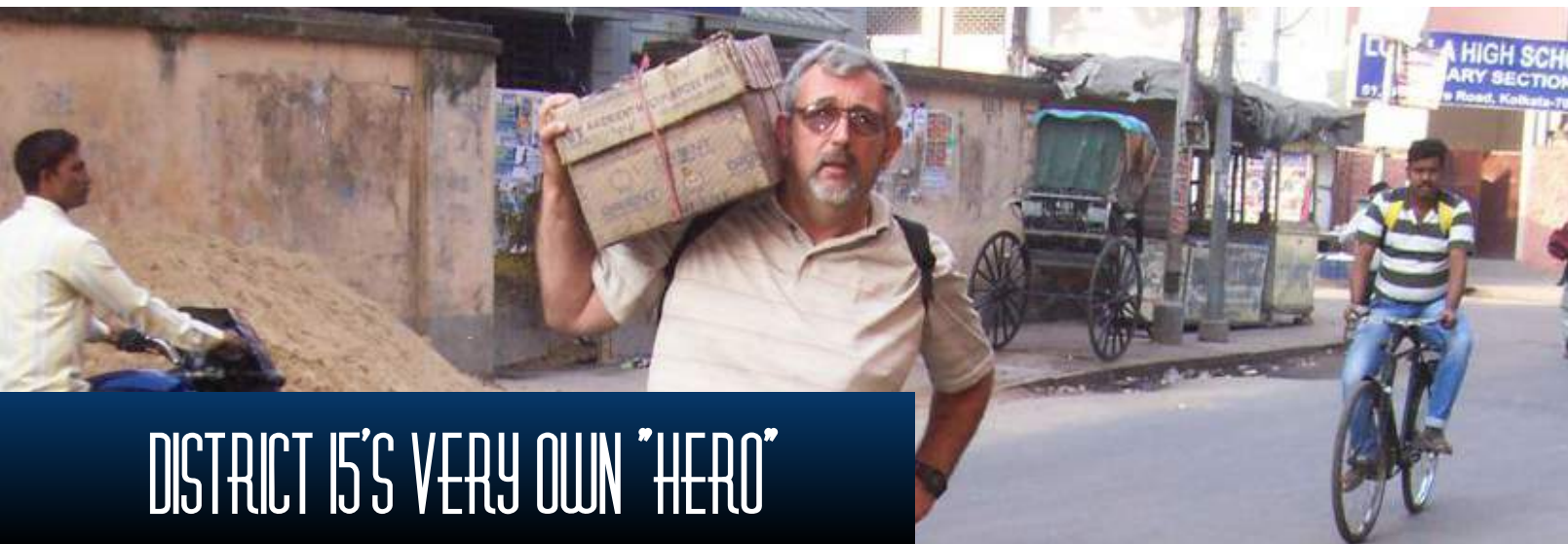
## **(4). Contact an experienced attorney.**

Unfortunately, the workers' compensation system is adversarial in nature. An attorney or licensed representative may not charge you directly for representing you in a workers' compensation case. If there is a monetary award in your case, your attorney or licensed representative may ask for a legal fee, which must be approved by the Board. Any legal fee will be deducted from your award and paid directly to your attorney or licensed representative by the insurance carrier. If you are not happy with your current representation you can obtain alternate counsel without any delay or added cost.

## **(5). What to do thereafter.**

Continue following your doctors instructions in order to ensure a speedy recovery. The treating health care provider must be coded and authorized by the Workers' Compensation Board, except in an emergency situation. If you are out of work as a result of the incident you must see a doctor regularly. The doctor is required to submit various forms certifying that you remain disabled. If there is a lapse in your treatment that will ultimately result in a lapse in benefits.

\*The preceding advice is based on New York's Workers Compensation laws and regulations. Members outside of NY should call their local representatives for state specific instructions.



## DISTRICT 15'S VERY OWN "HERO"



In the current culture of celebrity worship and sensationalism, it is easy to forget that there are true heroes in our workplaces and communities. Within the District 15 family, every shop is full of the real role models that deserve our attention. Holding down a good union job and supporting a family itself is certainly worthy of healthy respect. Beyond that, our members are some of the most dedicated contributors in their communities; they coach their kids' teams, volunteer in their local fire/ambulance corps, lead in their places of worship and serve in the military reserves. Look around any of our District 15 shops, and you will see the real role models that should be celebrated in our culture.

For more than 20 years, one District 15 member has been leading the way in quietly demonstrating how one person can make the world a better place in an extraordinary way. Ray O'Brien has been a dedicated Ryder truck mechanic and District 15

member for 32 years in Stoneham, Massachusetts. In 1990, Ray and his wife Patty adopted a child from Calcutta, India named Joanna. They later adopted another child from the same orphanage, Melissa. As a 6 year old, Joanna became curious about her birthplace, so Ray and Patty took her to visit Calcutta. That visit changed many lives. After seeing the devastating poverty of Calcutta, Ray decided that he wanted to help which led him to found the non-profit group **Children Are Angels From Heaven**. Every year, Ray dedicates 3 weeks of vacation time to visit India and personally deliver desperately needed supplies to orphanages and schools in India. In addition to these hundreds of boxes of donated supplies, Children Are Angels has paid for cleft lip and eye surgeries for disabled children that Ray has met on his travels. In fact, Ray and Patty have since adopted a third child from India; a severely handicapped boy that they have named Raymond.

For 32 years, Ray has quietly performed his duties at Ryder in exemplary fashion. Someone visiting the shop would have no way of knowing the amazing work that Ray did on his own time...but lately, the world has taken note! In the 2015 Fortune 500 issue, the

business magazine chose 55 people from the 27 million employees of the Fortune 500 companies in a feature called "The Heroes of the 500." Ray was one of those heroes and the magazine wrote a feature highlighting his amazing dedication to improving the lives of children in India and in his own home. In addition, Ryder Chairman and CEO Robert Sanchez has personally written Ray to congratulate him on his incredible journey and Ryder has now become a supporter of Children Are Angels From Heaven.

Ray, his family and his organization represent to best of all the everyday heroes in our amazing membership throughout District 15.



**For more on Children Are Angels From Heaven, visit :**

<http://childrenareangels.org/>



# UNIONS PARTNER TO UNIONIZE CASINO INDUSTRY

Last November, members of Machinists Union Local Lodge 264 and Local Lodge 447 employed at the Plainridge Park Casino in Massachusetts, ratified a three-year contract, which provides for wage increases from nine percent to eighteen percent over the three years. The ratification brought to an end an organizing effort that started almost two years ago. In early 2014, Penn National Gaming purchased Plainridge Racetrack with the intent of building a Casino to add to the racetrack. The District 15 New England staff, which includes Area Director Russell Gittlen, Business Representatives Jim Foley and Mike Vartabedian, partnered up with Local Lodge 264 Organizer Craig Hughes as well as the Seafarers Union to set up a meeting with Penn National. At that meeting Penn National agreed to remain neutral during the organizing drive and agreed to a voluntary recognition if the employees chose to be represented by the Union. The New England staff along with the Local Lodge 264 organizer started collecting authorization cards in April of 2014 from the employees of Plainridge Racetrack. The employees of the racetrack, who were frustrated with the lack of any pay increases for the last decade, were desperate for representation and every employee signed an authorization card to join the Union. As a result, Penn National agreed

to recognize the Machinists Union and the Seafarers Union. Shortly after the voluntary recognition, there was an effort to repeal the casino law. The repeal was put in the next election as a ballot question. The Massachusetts AFL-CIO along with the Machinists Union, started a campaign to defeat the ballot question, preserve the casino law and protect the many union jobs. The campaign was successful and the repeal effort was defeated.

Shortly after the repeal was defeated, the company agreed to a one-year contract with the Machinist Union Local Lodges 264 and Local Lodge 447. This agreement provided an average of two dollars an hour wage increase as well as earned vacation time and many other benefits that the racetrack employees never enjoyed. The members unanimously ratified the contract in April of 2015. About two months later the casino was completed and ready to open. The District 15 New England staff teamed up with the Local Lodge 264's organizer and began the second phase of organizing with the newly hired employees, which resulted in a new agreement with a three-year term that included guaranteed wage increases each year as well as bonuses and extra pay for licenses and skills. The Machinist Union now represents about 150 employees at the casino in many different

job classifications. These job classifications include security guards, slot attendants, slot technicians, racetrack maintenance, building maintenance, valets, landscapers, retail workers, and warehouse workers.

District 15 is proud to have brought much needed representation to the hard working employees of Plainridge Park Casino. It would not have been possible without the tireless effort of the New England team, along with the support of the District 15 leadership.



## UNION PAYS MORE...

**MONEY!** That's the bottom line in the world of work! U.S. government figures show union members make a lot more money than non-union employees.

Union members earn 28% more than non-union workers in wages alone, according to the U.S. Department of Labor. (If you include the value of benefits, it's 36% more!)

People in lower paying jobs gain even more from union bargaining power. Paychecks for women with a union contract are 30% higher than for women without a union. African-American union members make 37% more than their non-union counterparts. For Hispanic union members, wages are 55% higher!

So that's the bottom line – joining the IAM puts thousands of more dollars into your pocket, year after year.

It's a no-brainer! Joining the IAM is the smartest financial move you can make.



# HISTORIC BOSTON SNOWFALL LEADS TO POLITICAL OPPORTUNITY



The 2015 Boston “Snowmageddon” brought with it many unprecedented challenges, and arguably none of them greater than keeping public transportation running in the city. With the largest snowfall on record of more than 110 inches, most of which was condensed into a single month, the century old subway system collapsed. This collapse was the perfect political storm for Governor Charlie Baker who was barely in office a month, but whose campaign platform included in part cutting government spending and rolling back taxes.

Several times during this historic winter, MBTA service was suspended. The system also fell victim to serious delays and cancellations for commuters who count on the T to get to and from work on a daily basis. Snow along the rail lines was one of the main issues and it simply could not be removed as quickly as it fell. And that wasn’t all; there were times commuters on the subway trains endured even more, like a situation in February 2015 where a Red Line train was stuck for hours in Quincy, forcing passengers to be evacuated after heavy snow blocked the tracks. As a result, Governor Baker appointed a special panel to look into the unprecedented collapse of the system. The panel’s report publicly blamed manpower issues and employees not reporting to work to be a main reason for the situation the MBTA was in, not the historic snowfall.

## The Pioneer Institute

ALEC affiliate the Pioneer Institute, a conservative policy research center, has been a long time critic of the MBTA. Pioneer has released numerous scathing biased “reports” for more than a decade, and found this moment their opportunity. The winter of 2015 was the worst period of winter weather for the state since the Blizzard of 1978. In fact, it was the first time the MBTA shutdown services since Superstorm Sandy crashed into Massachusetts in the fall of 2012, bringing flooding conditions and high winds with it. Yet, in the middle of it all, on Feb. 5, 2015, the Pioneer Institute issued a report saying the MBTA was “broke and broken” and “structurally insolvent.” They called the breakdowns and late arrivals “unacceptable” and said “they are, in fact, the fault of multiple administrations and legislatures, as well as advocates who pushed the MBTA to expand faster than is reasonable – and without adequate funding to undertake, operate or maintain the projects.” Citing overexpansion, irresponsible oversight and management, and headcount growth at the T, they quickly recommended emergency legislation to fix the MBTA, including placing it in receivership and removing the power of the MBTA Board, as well as establishing a receivership board. Additionally, it broke down recommendations for combining receivership status with debt relief and strict controls on hiring. The legislature listened and as part of a budget deal the MBTA was put under the control of a Fiscal Management Control Board, which is in essence a quasi-receivership.

## Taxpayer Protection Act (Pacheco Law) MBTA Exemption

Baker’s quest to “fix” the T included “MBTA Reform” and his desire to remove the MBTA from the Pacheco Law, a statute in place for more than two decades that simply required proof of savings as part of the process of contracting, or “privatizing” work normally done by public workers. Again, in July, the Pioneer Institute issued a report saying the Pacheco Law was costing the T hundreds of millions. But that just isn’t the case. Any contract bids that prove a private contractor will provide any savings, as small as a single dollar, while providing equal or better quality services have been previously “privatized” under the Taxpayer Protection Act. The legislature listened and as part of a budget deal the MBTA was exempted from the “Taxpayer Protection Act” for a three-year period.

## Impact on Membership

Local 264 has more than 500 members employed at the MBTA, in good middle-class jobs. These are hard-working men and women who are, and always have been, a difference maker for bus transportation in the Greater Boston area. As an example despite being under-resourced the MBTA bus fleet “mean miles,” which is an industry measurement of quality, is consistently top in the nation against its peers. The MBTA does not have a bus maintenance problem; they just want it to cost less. The District 15/Local 264 leadership team, led by recently appointed Mass DOT board member Russell Gittlen, is working hard as a key stakeholder in the MBTA reform process. We are committed to improving the transportation system responsibly, while securing our membership for generations to come.





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\$2,400,000 Union Construction Worker  
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\$2,050,000 Medical Malpractice  
\$2,000,000 Union Construction Worker  
\$2,000,000 Trucking Accident  
\$1,375,000 Medical Malpractice

#### 2014 RESULTS

\$23,940,000 Consumer Class Action  
\$5,700,000 Medical Malpractice  
\$3,300,000 Medical Malpractice  
\$1,500,000 Medical Malpractice  
\$1,018,000 Brain Injury



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# MACHINISTS FAQS

## Who are the Machinists?

The IAM is a large and diverse organization, representing 720,000 members across North America and is the strongest and most democratic labor union in the world. For over 125 years the Machinists Union has been a leader in setting the standard for higher wages, better benefits and improved working conditions.

## What is collective bargaining?

Collective bargaining (also called contract negotiations) is the heart and soul of the labor movement and is the most powerful tool available to a union. It is when workers band together to negotiate workplace matters with their employer. The end result is a collective bargaining agreement or contract that spells out all of the terms both parties agree to, from pay rates and benefits, to a grievance procedure, time off and more. The employees, or bargaining unit, generally nominate a few of their coworkers to represent them, along with expert negotiators from the union.

## What is a shop steward?

The steward is the go-to union representative and your first line of defense on the job site. He or she has a number of responsibilities, from on-site contract enforcement and assisting in grievance procedures, to keeping members informed and motivated about their union.

## What is the grievance procedure?

The grievance procedure is a negotiated article within your contract that enables the union to enforce the terms of the contract and protect the rights of workers. If management violates the contract, the grievance procedure allows the member to follow a process that can provide relief or justice.

Machinists' contracts may define a grievance in several ways but it is generally "a dispute between the union and management over the application and/or interpretation of the agreement." Each grievance procedure has specific steps with time limits that eventually lead to a decision whether to proceed to arbitration. It is important that all of these steps are followed.

## What happens when our contract expires?

Sixty days prior to the contract expiration, the union must notify the company in writing of its intention to renegotiate the labor contract. The union then begins preparing for negotiations by selecting a bargaining committee, formulating proposals that will be given to management's negotiating team, doing research necessary to support the union's proposals, and developing a communications strategy for the members during the negotiations. If the union and management are still in negotiations when the contract expires, the union has three choices: (1) to accept management's proposals; (2) to extend the contract expiration date with the joint agreement of both the union and management (a common choice); or (3) agree with the employer that they cannot reach settlement and declare an impasse in which the employer is free to implement its final offer and the union is free to strike if the members vote in favor of that option. Nearly 100% percent of Machinists contracts are settled without workers having to strike.

## What is a strike?

A strike occurs when employees collectively agree to stop working in order to gain concessions from an employer, typically after contract negotiations break down. Although strikes tend to grab media attention, they are rare and typically a last resort. In addition, most employers insist that the union agree not to strike for the duration of a contract. Such an agreement is enforceable in court and makes such strikes illegal. No-strike clauses have been interpreted to ban almost all strikes during the life of the contract, except strikes in response to abnormally dangerous working conditions. Therefore, it is very important that you never strike without union approval.

## How will my dues money be used?

Dues provide the resources to stand up for good jobs and benefits, decent working conditions and a better future for our families. Dues payments go to rent, office supplies/equipment and regular administration expenses including clerical and representative salaries; attorneys to assist in negotiations, grievance and

arbitration fees; training to provide the highest level of service; research into companies and industries to gather information for negotiations; accountants to analyze the company's and union's books; organizing non-union groups to bring-up industry standards; and providing beneficial programs for our members and retirees. Members receive information about how dues money is spent by their local at regular monthly membership meetings.

## I know of some workers in another shop that want to join the Machinists. What should I do?

Organizing non-union members into a union is important to our economy and "lifting up the floor" so that we may all benefit from higher wages and benefits. Contact your local's office and ask to speak with a business agent. The business agent will assess the situation and keep you involved, if you choose.

## How can I support my union?

There are a number of things members can do to make the Machinists Union even stronger than it is today. Participating in your local union, sticking together, and educating potential members and the public about our union are simple, everyday ways we can support our union. Attend local union meetings regularly and attend union rallies and events when you can. You may not be able to make them all, but standing together shows strength in numbers. Stay informed via our website and the grand lodge's website ([goiam.org](http://goiam.org)). Visit [iamdistrict15.org](http://iamdistrict15.org) and your local union's web site to keep up with news that affects you and your union.

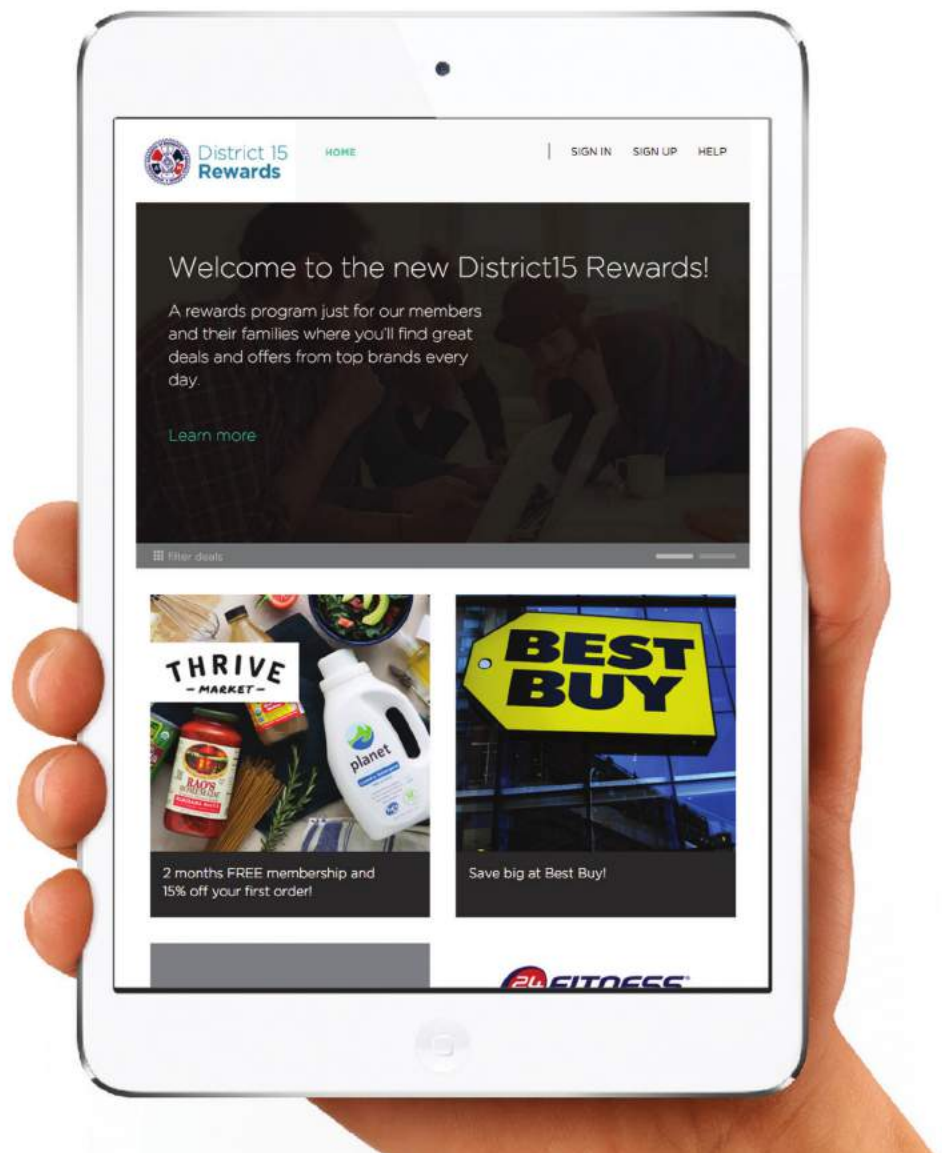




# Members save big at District 15 Rewards!

District 15 Rewards is an exclusive service for District 15 members and their families. Enjoy awesome benefits, huge savings and prizes from great brand names like **Modell's, Best Buy, Men's Wearhouse, Sprint** and many more. From discount tickets to sporting events to deals on electronics, look to District 15 Rewards for something special every day.

Sign up FREE at [www.District15Rewards.com](http://www.District15Rewards.com)



# DISTRICT 15 INFORMATION SHEET

## IAM Legal Services Plan

Designed to address the concerns of our members and their families with affordable, convenient legal counsel for their everyday personal needs.

1-800-576-7806

## District 15 Rewards Program

Members have access to thousands of retailers offering discounts directly through our website.  
[www.district15rewards.com](http://www.district15rewards.com)

## IAM Scholarships

This scholarship competition is open each year to members of the IAM and their children awarding up to \$4,000 per academic year

## Union Plus

Brought to you by Union Privilege, established by the AFL-CIO to provide consumer benefits to members and retirees of participating labor unions.

[Unionplus.org](http://Unionplus.org)

## Affinity Credit Union

Gives you access to a not-for-profit, full-service financial institution with fifteen branches throughout New Jersey.

[www.affinityfcu.com](http://www.affinityfcu.com)

## National Group Protection, Inc. Supplemental Benefits

National Group Protection offers District 15 members access to all types of insurance.

1-800-344-9016

## Member Assistance Program

Intended to help members with drug and/or alcohol problems that might adversely impact their job performance, health and well being.

To join our mailing list, receive updates on free events, or to get more details on any of these programs...

Visit our website at:  
**[www.iamdistrict15.org](http://www.iamdistrict15.org)**

## 📍 Contact Us ☎

### OUR OFFICE LOCATIONS:

154 Ridge Road  
Lyndhurst, NJ 07070  
Tel: 201-804-9700 Fax: 201-804-9706

37 Pierce Street, 2nd Floor  
Northborough, MA 01532  
Tel: (508) 351-6549 Fax: (508) 351-6931

### HEADQUARTERS

652 4th Ave.  
Brooklyn, NY 11232  
Tel: 718-422-0090 Fax: 718-422-0177

3460 N. Delaware Ave., Room 106  
Philadelphia, PA 19134  
Tel: 215-426-2205 Fax: 215-426-3044

1215 Military Road, Suite 5  
Kenmore, NY 14217  
Tel: 716-877-2510 Fax: 716-877-3145

### PENSION/HEALTH FUND OFFICES:

District 15 Health Fund  
Local 447 Vision & Optical  
140 Sylvan Avenue, Suite 303  
Englewood Cliffs, NJ 07632  
Tel: 201-947-8000

IAM National Pension Fund  
1300 Connecticut Ave, NW  
Suite 300  
Washington, DC 20036  
Tel: 1-800-424-9608 Fax: 202-463-8098

Machinists Money Purchase Pension Fund  
140 Sylvan Avenue  
Suite 303  
Englewood Cliffs, NJ 07632  
Tel: 201-592-6800