

## NTSB Says Driver Fatigue is Top Cause of Bus Fatalities

**ATU adds Labor's demand to national push for highway safety: Pay overworked intercity bus drivers overtime.**

A recent series of horrific bus accidents across the country has claimed 22 lives and injured hundreds, sparking bipartisan calls for highway safety. Some Republicans and Democrats are showing uncharacteristic agreement on legislation requiring seat belts, shatter-resistant windows and stronger roofs to reduce rollover fatalities. Others are calling on states to step up bus inspections.

Both approaches are well intentioned and overdue, but neither addresses the leading cause of bus accidents. According to the National Transportation Safety Board, driver fatigue was responsible for 36% of the fatalities in accidents the NTSB investigated from 1998 to 2008. That's nearly double the 20% attributed to vehicle condition, the second

leading cause.

Every one of these crashes was preventable. But future crashes won't be prevented without Congressional action to impose reasonable rules on the intercity bus industry.

The ATU International and Local 1700 have embarked on a national campaign against driver fatigue. Topping the list of the union's common sense proposals is getting rid of Section 13(b)(1) of the Fair Labor Standards Act (FLSA), which exempts intercity bus carriers from paying drivers overtime.

One result of Congress deregulating intercity bus travel in 1982 was the birth of fly-by-night operators paying minimal wages. The FLSA exemp-

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## Which Side Will You Be On in the 2012 Vote?

By President Bruce Hamilton

In 2008, candidate Barack Obama gave hope to working Americans that our concerns would top the national agenda. Republicans have since done everything possible to block President Obama from helping our families and communities cope with the worst economic crisis since the 1930s.



Hamilton

Now, three years later, we are facing Big Business assaults at the federal, state and local level. Budget cuts are stripping communities of vital services and throwing teachers, firefighters, transit workers and other hard-working public employees onto the unemployment lines.

Even our right to bargain collectively is under fire. Republican governors from Wisconsin to Arizona have made their top priority crippling Labor's ability to defend working Americans on the job, at the bargaining table, and in the voting booth. In New Jersey, some Democrats even voted for anti-union legislation.

Big Business and its political flunkies have declared a take-no-prisoners war, and when the stakes are win or die, there are no innocent bystanders. We must all stand on one side or the other. Either ATU Local 1700 members get active and help mobilize a massive outpouring next year to reelect President Obama and take back Congress, or we are screwed.

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## LESSONS FOR TODAY'S STRUGGLE

### Ray Phillips and the 1983 Strike

The world was a very violent place on Wednesday, Nov. 2, 1983: American troops were on the ground in Lebanon and Grenada, and U.S.-backed "contras" were fighting in Nicaragua. Al Pacino's *Scarface* and Clint Eastwood's *Sudden Impact* were filling movie theaters.

And that was the day that 12,700 drivers, mechanics and clerks walked off the job at Greyhound. This was a strike that Chairman John Teets believed the company could "win," and by the time it ended 47 days later, the union had been forced to accept an unprecedented pay cut along with health rollbacks and elimination of pensions.

But members of ATU's Amalgamated Council of 31 local Greyhound unions had also fought valiantly. About 90% of the strikers held the line, with thousands making extreme economic sacrifices and risking police clubs and jail. One Ohio driver,



*Bust of Phillips sits in ATU headquarters.*

*Photo by Shawn Perry*

Ray Phillips, lost his life on a Zanesville picket line.

Teets opened bargaining in 1983 by threatening to shut the bus division if ATU members didn't accept up to 30% in wage and benefit cuts. Greyhound workers weren't fazed. Union negotiators called for a "no" vote and 94% of the members agreed.

In fact, Greyhound had a very profitable 1983. The parent company racked up a \$103-million profit through mid-November, and the bus division netted an estimated \$5 million in the first nine months. Management was slated for a

10% increase in salary and benefits, and the head of the bus division, Frank Nagotte, pulled down a hefty \$447,000 compensation package.

That isn't to say the company didn't face serious problems: Bus deregulation had created a

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## Take the Survey

Clip, fill out and mail or fax back to ATU Local 1700, or hand it back to your union steward. Don't forget to include your name to avoid duplications.

Date \_\_\_\_\_ City \_\_\_\_\_  
 Driver \_\_\_\_\_  
 Employee Number \_\_\_\_\_ Phone \_\_\_\_\_

1. How strongly do you agree with the following statement: The Greyhound driver's uniform should reflect our professionalism, even if it costs more.  
 Very     Somewhat     Not much     Not at all

2. On a scale of 1 (lowest) to 10 (highest), how do you rate the current uniform?  
 1     2     3     4     5     6     7     8     9     10

On the same scale, how do you rate the following elements of the uniform:

3. Style  
 1     2     3     4     5     6     7     8     9     10

4. Fit  
 1     2     3     4     5     6     7     8     9     10

5. Material  
 1     2     3     4     5     6     7     8     9     10

6. Durability  
 1     2     3     4     5     6     7     8     9     10

7. How many uniforms do you own?  
 \_\_\_\_\_ Jackets    \_\_\_\_\_ Shirts    \_\_\_\_\_ Pants  
 \_\_\_\_\_ Vests    \_\_\_\_\_ Hats    \_\_\_\_\_ Ties

8. How much do you spend out-of-pocket on uniforms each year (above the uniform allowance)?  
 \$ \_\_\_\_\_ above the uniform allowance.

9. How important is it to you that Greyhound uniforms be American-made?  
 Very     Somewhat     Not much     Not at all

10. How important is it to you that uniforms be union-made?  
 Very     Somewhat     Not much     Not at all

L.A. drivers Sindy Godinez and Leonard Weaver model the current uniform. Above, bus drivers and garment workers demonstrate in Chicago against non-union uniforms.

## Drivers Demand a Uniform They Can Wear With Pride

Clothes, they say, make the man and woman. If true, what does the current Greyhound uniform say about ATU Local 1700 members behind the wheel? It isn't flattering, judging by random, but widely heard opinions.

Earlier this year, Local 1700 Executive V.P. Jimmie McCoy and stewards Sandra Frye, Leonard Weaver and Michael Pierce met with Greyhound V.P. Myron Watkins, other company officers and Pam Peale, a representative of supplier Lion Uniform.

McCoy and the newly formed Uniform Committee were holding Greyhound to a commitment it made during the last contract talks to discuss long-standing union dissatisfaction over the non-union, imported uniforms. The company, however, sang a different tune at the March 31 meeting.

"Greyhound insisted," McCoy said, "that the current and previous outfits are of equal quality, that no members have complained about quality except for some defective belts that have now been replaced, and that the global price of cotton and existing inventory make replacing them too expensive. We don't believe a word of it."

The committee has prepared a survey to find out which features Local 1700 members care about most, and how much priority they place on where and how the garments are made.

## High-Tech Challenges Under the Hood

### Mechanics are learning to service newest vehicles, but Greyhound again cuts maintenance department.

**W**hen Mark Clark began working in Greyhound garages during the 1980s, the job was almost all mechanical and basic electrical. And then things got interesting.

“During the early 1990s, DDEC and ECM technology changed the way we work, and now we must keep up with Multiplex, Cadec, Wi-fi and much, much more,” said Clark, who represents mechanics on the ATU Local 1700 Executive Board.

Greyhound is counting on new technology to help revive intercity bus travel. Servicing a fleet of new vehicles clearly requires fresh skills, but Clark said the company has been cutting back on mechanics and training.

“Just when I thought Greyhound couldn’t downsize Maintenance anymore,” he said, “they close the St. Louis and Louisville garages. It

makes me wonder what direction they’re taking our department.”

Local 1700 President Bruce Hamilton said companies downsize whenever they can save money.

“When deregulation allowed Greyhound to get rid of unprofitable routes, they reduced their rolling stock and were able to cut maintenance facilities,” Hamilton said. “And when we were on strike in 1990 and didn’t have a collective bargaining agreement in place to prevent subcontracting, they contracted out all cleaning and other maintenance work, leaving only drivers and mechanics on the payroll.”

Routes stabilized somewhat during the mid-1990s and early 2000s. Greyhound (then owned by Laidlaw) began downsizing even more aggressively in 2004, when the company emerged from

bankruptcy. Nearly 40% of drivers and a third of maintenance workers were eliminated.

Other factors behind reduced maintenance include improved tires and other bus components, and the resulting ability to stretch out oil changes, lubrication and other regularly scheduled work.

Hamilton said he isn’t sure if the company has reduced training because of tight budgets or because they don’t see an urgent need. In either case, he suspects, “failing to properly train mechanics will end up costing the company more in lost productivity and equipment failures.”

Local 1700 has negotiated paid training for maintenance workers, including a provision allowing employees in lower classifications to qualify for better jobs. Greyhound also expressed interest recently in a union proposal to establish a partnership under the auspices of the national Transportation Learning Center to provide subsidized training for mechanics.

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## Phillips and '83 Strike...

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swarm of low-fare, non-union carriers; airline deregulation had also led to unexpected competition; and Greyhound had lost focus on buses by expanding into a dozen unrelated industries, from packing meat and making soap to leasing computers.

After members rejected the company proposal, the union offered to extend the then-valid contract, but Greyhound was in no mood to preserve the status quo. Teets repeated his demands for concessions, which strikers again rejected.

On Thursday, Nov. 17, Teets provoked what Newsweek magazine called the worst outbreak of labor-related violence in a decade by ordering supervisors and strike-breakers behind the steering wheels of the idled buses.

“More than 100 striking Greyhound bus drivers and other demonstrators were arrested,” the magazine reported, “in a daisy chain of protests that stretched from Boston to San Francisco and involved well over 1,000 strikers.”

Contract negotiations continued and on Saturday, Dec. 3 the Federal Mediation and Conciliation Service announced that the company and union had reached a tentative agreement. But strikers continued to clash with strike-breakers, and the confrontations were especially intense at a driver-training camp in Ohio.

On Sunday, Dec. 4, Chuck Flanagan had dinner in Zanesville with Ray Phillips and other fellow strikers from Cleveland’s ATU Local 1043. At the time, Flanagan was a union steward, but 10 years later he was named to head ATU Local 1700, a national merger of the Greyhound Council that followed a second devastating strike in the early 1990s.

Flanagan remembers Phillips as always upbeat.

He said the 42-year-old striker played guitar in a country band, and was confident the union would prevail on the picket lines. “He was a class guy.”

The next morning there was a surge of activity as police tried to escort buses across the line. A Muskingum County Sheriff’s Lieutenant was nearly run over before a Cleveland striker pulled him to safety. Tragedy struck about 8:45 a.m. Lewis Harris reportedly ran a red light and drove through union pickets in a crosswalk at the intersection of U.S. 40 and Ohio 797. Ray Phillips was crushed.

On Thursday, Dec. 8, strikers and supporters from all over the country converged on the Lutheran Reformation Church in Eastlake, Ohio. The Rev. Delbert Keltto described Phillips as “a man who knew the meaning of suffering, a man who was compassionate, a man who was able to affect other people’s lives.”

Bob Campbell represented Philadelphia’s ATU Local 1210 that cold, somber day. “When you look around at thousands of people who, like you, have tears in their eyes, it becomes a life-defining moment,” Campbell said.

On Monday, Dec. 12, the Muskingum County grand jury decided against charging the strike-breaker who killed Phillips or the instructor who reportedly egged him on with a crime. Police who busted heads outside Greyhound stations across the country also went unpunished. The company, meanwhile, fired dozens of strikers it accused of causing personal injury or property damage.

Union locals across the country formed support groups to aid the Greyhound Council, but the national ATU and AFL-CIO leadership refused to demonstrate Labor solidarity or otherwise give the strike teeth. Greyhound workers were left to fight the struggle alone.

On Monday, Dec. 19, Greyhound employees – seeing no hope that a mass outpouring of Labor support would tip the scales in their favor – accepted a contract with a 15% overall cut in wages and

benefits. Workers took a direct 7.8% hit in pay and lost up to five paid vacation days. Also, the company was no longer obligated to cover the full cost of health insurance, and pensions disappeared for new employees. Drivers went back to work two days later.

“Ray Phillips lost his life in a most horrible turn of events,” Campbell said, “and the sad truth is that Greyhound never fully recovered from the strike of ‘83.”

The 1983 Greyhound strike, along with then-President Ronald Reagan’s busting of the Professional Air Traffic Controllers Union (PATCO) earlier that year, mark a turning point in U.S. labor rela-

tions. That was when employers went on the offensive against their workers to drive down the cost of labor and to increase profits.

“The best way we can commemorate Ray Phillips,” said Local 1700 President Bruce Hamilton, “is by keeping alive the lessons of the 1983 Greyhound strike. Today, when Big Business perceives unions as vulnerable, it is more important than ever to remember that all workers suffer when Labor fails to stand together.”



*Chuck Flanagan lays a wreath at Phillips’ grave.*

# S O L I D A R I T Y R O A D

## Driver Fatigue...

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tion on paying time and a half for service beyond 40 hours in a week gives unscrupulous employers a reason to overwork drivers. Paying overtime would eliminate that economic incentive.

"Drivers are falling asleep at the wheel because they are forced to work grueling hours to make ends meet," said Local 1700 President Bruce Hamilton. "It doesn't have to be that way. Raising base-pay for drivers by just 10% reduces the probability of a crash by 34%."

FLSA overtime provisions cover 85% of U.S. workers. There is no apparent connection between the industries that were granted the exemption, including boat salespeople, forestry employees, livestock auction workers and movie theater employees.

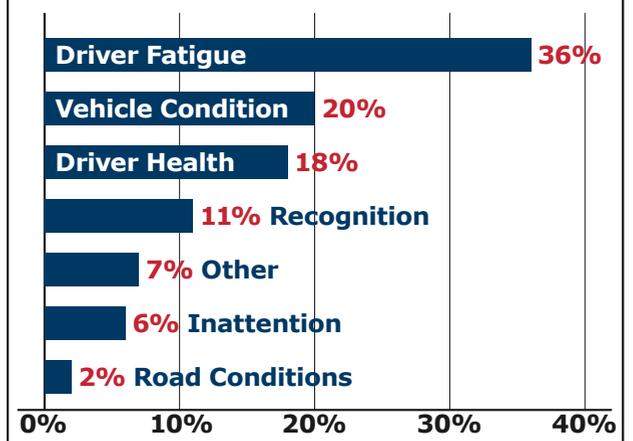
The ATU is calling on legislators to include lifting the FLSA exemption on overtime for intercity bus drivers in highway safety bills now before Congress. A union white paper on highway safety,



*Hamilton and Greyhound drivers joined Senator Sherrod Brown, left, at a Cleveland press conference for new safety legislation.*

*Sudden Death Overtime*, points out, "If the teenager who rips your ticket at the movies falls asleep on the job, the only consequence is that patrons get in for free. When bus drovers fall asleep at the wheel, people die."

### Causes of Motorcoach Fatalities



*Results of NTSB investigation show that fatigue is far ahead of all other causes of fatal bus accidents.*

Rep. John Lewis of Atlanta, sponsor of H.R. 873 in the House, agreed. "Low wages and exhaustion are the true hidden causes of these tragedies," Lewis wrote on July 20 to Transportation Secretary Ray LaHood. "This exemption forces bus drivers to often forego rest periods just to make ends meet. A simple update would significantly reduce the instances of extreme driver fatigue on our nation's interstate roads."

Democrat Sherrod Brown of Ohio and Republican Kay Bailey Hutchison of Texas are co-sponsors of S. 453 in the Senate. Hamilton and other Greyhound drivers appeared at a Cleveland press conference in June with Senator Brown and relatives of bus passengers killed in a tour bus accident.

The Senate and House bills are known as the Motorcoach Enhanced Safety Act of 2011.

## 2012 Vote...

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Our best chance at victory next November is ATU International's Committee On Political Education. ATU-COPE has traditionally focused on electing candidates who believe in the importance of a strong middle class. That will continue, of course, but this year ATU is also launching a program to help locals organize our own grassroots campaigns.

This year, ATU-COPE will return – and match – every dollar that locals give beyond their 2010 contribution level. The goal is to help us mobilize around broader political issues, including highway safety legislation and extending Fair Labor Standards Act coverage to intercity bus drivers.

We are building a movement for the long haul. Our opponents have chipped away at our working conditions, wages, benefits and legal rights for decades, regardless of whether a Republican or Democrat sat in the White House. They have

largely succeeded. Today, unions represent barely 7% of private-sector workers and our access to education, health care and pensions has been disastrously eroded. For the first time in our history, young Americans expect a lower living standard than recent generations.

Meanwhile, a relative handful of elite Americans continues to accumulate wealth at a faster and faster rate. Big Business has bought Congress, which has done everything its owners demand. Deregulate the financial system to benefit bankers? No problem. Enact regulations written by lobbyists for the industries to be regulated? No problem. Create tax loopholes that reward corporations for moving our jobs overseas? No problem.

We know, however, that there is a problem, and that these policies have caused tens of millions of working Americans to suffer needlessly. We are the majority of society and we should be able to win a fair election every time. If you're ready to turn things around, contact your shop steward or visit our website at [www.atu1700.org](http://www.atu1700.org) for more about ATU-COPE.

## High-Tech...

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"The company can begin by complying with training provisions in our contract," Clark said. "Management should consult with the union to make sure training opportunities are done fairly before rolling them out, and they should be offered to everyone so garage managers don't just pick and choose who they want to advance."

"Mechanics and drivers are in this fight together," Hamilton added. "We cannot achieve our overall goals for effectively representing Greyhound employees at work and at the bargaining table without strong participation by maintenance."

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