

**From:** Doug Bloch []

**Sent:** Tuesday, January 15, 2019 10:15 AM

**To:** District3 <district3@sanjoseca.gov>

**Cc:** Ramos, Christina M <christina.m.ramos@sanjoseca.gov>; John Bouchard < >

**Subject:** Correspondence from Teamsters Local 350 on Items 7.1 and 7.3

Dear Councilmember Peralez,

Thank you for your leadership on these issues and your advocacy on behalf of our members. Attached please find correspondence from Teamsters Local 350 concerning the City's Recycle Plus Agreements.

In short, On Item 7.1 we encourage the Mayor and Council to:

- 1) Recommend staff continue negotiating with California Waste Solutions for 30 days.
- 2) Support Councilmember Arenas 1/15/2018 memo to:
  - a. Include in the RFP language that the labor peace and employee retention provisions of the City's Living Wage Policy will apply.
  - b. Include in RFP language that would add points based on whether proposals sustain or improve upon the current wages and benefits paid to the employee by the predecessor contractor. Points should be sufficient to support a level playing field for companies that pay living wage versus any "modified" living wage to their workers.

On 7.3 we encourage Mayor and Council to:

- 1) Accept the staff report with one addition:
  - a. If an existing San Jose residential or commercial recycling contractors responds to a future San Jose residential RFPs, staff should re-evaluate whether San Jose material would make up 50% or more of the material handled at their facility. If so, the Living Wage should be applied across their recycling contracts.
  - b. Accept staff recommendation to negotiate the inclusion of a Modified Living Wage requirement, as approved by Council, in future residential garbage and recycling agreements for the Recycle Plus program for any workers not covered by Prevailing Wage or Living Wage.

We will see you at today's Council meeting.

Respectfully yours,

Doug Bloch  
Political Director  
Teamsters Joint Council 7



JOHN BOUCHARD  
Secretary-Treasurer

# SANITARY TRUCK DRIVERS AND HELPERS

## Local NO. 350

— AFFILIATED WITH THE —  
INTERNATIONAL BROTHERHOOD OF TEAMSTERS



Office: CEDAR HILL OFFICE BUILDING

AFFILIATED WITH  
Joint Council of Teamsters No. 7

January 15, 2019

Honorable Mayor Sam Liccardo and City Council  
200 E. Santa Clara St.  
San José, CA 95113

### **Re: Recycle Plus Agreements**

Dear Mayor and Councilmembers,

On behalf of more than 100,000 Teamsters in Northern California, the Central Valley, and Nevada, we are writing concerning discussions of the Recycle Plus agreements at today's Council meeting. Our goal is to maintain the good wages and benefits negotiated by workers covered under these contracts while delivering quality services to San Jose's residents and successfully implementing the City's Zero Waste Plan. That is true for Teamsters employed in this industry throughout our territory and the entire country.

Teamsters Local 350 has proudly represented San Jose's contracted waste and recycling workers for decades. Currently we have collective bargaining agreements covering workers at Garden City Sanitation, California Waste Solutions, Green Team of San Jose, and Republic Services (with the exception of sorters). GreenWaste Recovery operates entirely non-union in San Jose.

Throughout the length of the City's current Recycle Plus negotiations we have advocated for contract extensions for all of the companies including GreenWaste. In the case of California Waste Solutions, let us say that first and foremost the company is a good employer for the 117 Teamsters employed at CWS including drivers, sorters, customer service representatives, and mechanics. In fact, CWS is the only company where many of those workers have representation and enjoy wages on par or slightly better than the San Jose Living Wage. For these reasons, we support the proposal to extend negotiations for another 30 days.

However, it would be disingenuous to not acknowledge the serious issues around the industry and CWS in particular. Our drivers and sorters witness the contamination of recyclables every day. This is an issue in every city where we collect recyclables, and only San Francisco and Recology seem to have made a dent in this area through a concerted investment in public education. Furthermore, as ESD staff have so expertly described, China's National Sword policy

is putting tremendous pressures on this entire industry to meet diversion goals. That being said, we have continuously pushed CWS to invest in more staff, newer equipment, and upgrades to their facility to meet the issues documented in multiple staff reports. In our opinion, they bear some responsibility for their problems.

At the end of the day, our allegiance lies not with any company but with our members and the non-union workers employed under these contracts. To that end, we appreciate San Jose's long-term commitment to protecting wages and benefits through successive RFPs and contracts. Your predecessors have always supported Living and Prevailing Wage as the standard.

On Item 7.3, understanding the legal issues involved, we support staff's proposal to implement a Modified Living Wage for Recycle Plus Customer Service Representatives, Mechanics, and Materials Recovery Facility workers. However, we believe that should workers at any Recycle Plus contractor's facility spend more than 50% of their time processing San Jose materials then the City's full Living Wage should apply.

As staff note, the 50 sorters who work at CWS receive Prevailing Wage under the 2002 Recycle Plus agreements. This was done to ensure that no workers received any reduction in wages and benefits as a result of the contract changing hands. As we have communicated to several of you, our preference would be to follow the pattern set in 2002 if CWS' agreement goes out to bid again by including the Prevailing Wage requirement (subject to a new determination). We understand that staff and some of you have concerns with that approach. Therefore, we also support the proposals of Councilmember Arenas, with the support of Councilmember Jones, in paragraph 2 of her memorandum. We would also suggest inclusion of language in the RFP to "grandfather" in the wage and benefit package for any CWS workers who are retained by new contractor after 90 days if there is a change.

These issues are very complicated but strike to the core of one of the City's most basic and fundamental services to the residents. We thank you for your serious attention to these matters.

~~Respectfully~~ yours,

~~John~~ Bouchard  
Secretary-Treasurer

Cc: Doug Bloch, Teamsters Joint Council 7  
Ben Field, South Bay Labor Council AFL-CIO  
Derecka Mehrens, Working Partnerships USA