

TEAMSTERS LOCAL UNION No. 435: DECREE of OATH v. TRUST & ADEQUATE REPRESENTATION REGARDING UPS EMPLOYEES

The teamsters and local union 435 institutes no formal policy or decree swearing to oath and promising to protect members and give them fair representation with unbiased results towards all those who enter there domain under the union bargaining agreement contract status quo v. UPS Master National Agreement Contract. Mr. Kalkhorst was a union member and paid union dues to be represented from binding agreements made with the company. The union did not enforce or abide to the contract protecting Mr. Kalkhorst and holding the company liable for unnecessary abuse he had endured. The company continued to commit criminal acts of violations towards Mr. Kalkhorst. (1.) Mr. Kalkhorst **filed continuous grievances** against the company relating to his on-going payroll problems and article 37. The business agent did not hold the company accountable from past grievances filed to insure the contract was upheld and enforced. Otherwise Mr. Kalkhorst would not have had to file grievances over the same issues again. (2.) **Note:** The teamsters inform there members to follow these simple procedures regarding **Pay Problems:** *“When pay problems occur follow the procedures listed below. Please contact your Steward first. Notify UPS with your Steward that there is a pay problem. Per the contract, give the company 2 working days to fix the pay issue. If the pay issue is not fixed, reduce it to writing in the form of a grievance, with your Steward. Make sure you ask for penalty pay in accordance with Article 17 of the Master National Agreement (1.75 hours for part-time employees and 4.0 hours for full-time employees). It is important that you file after the 2 working days to preserve all timeliness issues.”* Mr. Kalkhorst did follow these simple procedures with unsatisfactory results. His pay problems still occurred. His Center Manager retaliated against him because Mr. Kalkhorst went to the union after he informed the Manager he still had pay problems. **Note:** The teamsters inform there members to follow these simple procedures regarding **Harassment:** *“I have been hearing from the membership that supervisors are yelling or screaming at them during the performance of their jobs. Article 37 states, “the employer shall not in any way intimidate, harass, coerce, or overly supervise any employee in the performance of his or her duties”. It also states in part, “the employer will treat employees with dignity and respect at all times”. Management at UPS does not have the right to scream and yell at you. Company must treat you with dignity and respect at all times. If this harassment occurs this is a violation of Article 37 and you should address this with a steward for a possible grievance”.* **Note:** The union admits here supervisors yelling or screaming at the members during the

performance of their jobs. This is in strict violation of the Civil Rights Act of 1964. The union loves to state and quote violations regarding article 37 stating: *“The employer shall not in any way intimidate, harass, coerce, or overly supervise any employee in the performance of his or her duties”*. It also states in part, *“the employer will treat employees with dignity and respect at all times”*. *“Management at UPS does not have the right to scream and yell at you. Company must treat you with dignity and respect at all times”*. It is by far the company treats employees with dignity and respect at all times. Mr. Kalkhorst transcripts and audio tracks tell a different story! What did the union steward do to prevent this abusive behavior from occurring during the time Mr. Kalkhorst was being interrogated by the Center Manager, Human Resources Manager, and Labor Relations Personnel with the company? Local 435 never filed Labor Board charges against UPS. Why didn't local 435 file Labor Board charges on behalf of Mr. Kalkhorst? Here is evidence revealing forms of corruption: Transcripts and audio tracks involving the union steward from the Aurora Center, and business agent who were both present at Mr. Kalkhorst grievance hearings. Where are the results in holding the company accountable? Why didn't the union steward and business agent enforce the contract and prevent this abusive behavior from occurring again? Local Union 435, the Teamsters, and the Company are involved in criminal mischief's concerning cover-up, distortion of the truth, and deception of the facts. It appears the union and the company both sided with each other and an investigation needs to be warranted looking in to the union running a scam helping the company and covering up money laundering. Local 435 went along with the company and did not hold UPS liable relating to past grievances Mr. Kalkhorst filed because of repeated offences that occurred over the same issues again. Not to mention repeated acts of violations regarding retaliation and harassment concerns towards Mr. Kalkhorst. That is where the (NLRB) and (EEOC) come into play as agencies that did not regulate and enforce statues protecting Mr. Kalkhorst in violations of his civil rights.