



GENERAL TEAMSTERS LOCAL UNION #174

Affiliated with the INTERNATIONAL BROTHERHOOD OF TEAMSTERS

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Rick Hicks
Secretary-Treasurer

January 6, 2022

David D'Hondt
AGC EVP
1200 Westlake Avenue N., Suite 301
Seattle, WA 98109

Via Email: ddhondt@agcwa.com

Dear Mr. D'Hondt:

We are in receipt of your letter titled "IBT's Failure to Accept Mediation". First, we deny that assertion. While we rejected mediation early in the bargaining process, there have not been "multiple offers from Management" to engage in meaningful mediation of our dispute.

In early December, Teamsters Local 174 was in contact with FMCS and has been throughout this dispute. We have stated and re-stated our willingness to engage in mediation if FMCS thought the process would be useful.

We began negotiations with these Employers in July of 2021, with hopes of reaching a mutually agreed to Successor Agreement at a record time in the construction industry in our Region. We believed it would be an easy task given the multitude of work that was scheduled for years to come. We were wrong.

We negotiated for months all the while trying everything we could to keep from disrupting construction in our County. These Employers did everything possible to provoke a Labor Dispute at the height of summer, the most important time for Construction in Seattle. We didn't bite. We kept modifying our proposals in an attempt to reach a deal that was fair for both sides.

The Employers, through Charlie Oliver, never moved on our key issues. This was during the time when the Operators, the Carpenters and the AGC construction employers ALL agreed to deals that were ultimately ratified by their members. The Sand & Gravel Employers never came close to the deals those Trades already agreed to.

On December 1st, when Charlie Oliver sent the Union a "Last, Best and Final" Offer with a December 31st deadline to accept the Union was left with no other option than to withhold our labor.

On December 27, Peter Rogoff (Sound Transit), Dow Constantine (King County), Jenny Durkan (City of Seattle) and Roger Miller (WSHDOT) wrote to the parties urging them to seek the assistance of a mediator to resolve our differences.

On December 30 Charlie Oliver on behalf of the employers responded to that letter stating *“The Companies requested mediation from the Federal Mediation & Conciliation Service (FMCS) early in the bargaining process because we believe that mediation is the best way to fully support good faith bargaining from both parties to reach a fair agreement. Union Leadership has turned down all our offers to mediate to date”*.

This statement is, at best, misleading. As stated earlier we have been in touch with the Mediator since early December. Nonetheless, we contacted the Federal Mediator again and forwarded Mr. Oliver’s January 3rd letter.

After talking to Mr. Oliver, the mediator has informed us the employers are showing no willingness to modify their position and that at this point mediation would not be fruitful. It is not the Union rejecting the mediation process, it is the intransigent position of the employers that has caused FMCS to feel the process won’t work.

We are disappointed that the employers’ willingness to go to mediation is only a surface offer and in our view is only being made for PR purposes in an effort to try to paint us as the problem. Your letter accepts that assertion at face value, does nothing to help resolve the dispute, and is in fact counterproductive.

We also categorically reject your assertion that our dispute in any way violates any PLA. The sand and gravel industry employers are not engaged in the contracting or subcontracting of work to be done at a construction site, as defined by Section 8(e) of the National Labor Relations Act, and their work is therefore not properly included within the scope of the PLA. They are material suppliers, as your letter points out. We are not striking nor are we picketing any PLA. Trying to extend the provisions of any PLA beyond our Heavy Highway / AGC construction industry membership is unacceptable to us. We will point out that our members in the sand and gravel industry are not paid under the terms of the AGC Agreement, which are significantly higher.

You ask how we plan to resolve this dispute. Your question is better directed to Charlie Oliver.

Sincerely,

General Teamsters Local Union No. 174



Rick Hicks
Secretary-Treasurer

RH:cm