



October/November 2023

WWW.IUOE428.COM

Volume 85, Issue 6



### REPORT FROM BUSINESS MANAGER/ RECORDING/ CORRESPONDING SECRETARY

**MICHAEL P. LEE**

Hello Brothers and Sisters:

I would like to start with a big thank you to past business managers, 428 executive board members, Apprentices, apprenticeship staff, instructors and those who received life membership status and other continuous years of membership pin awards with Local 428 and those who made the time to attend our September Semi-Annual membership meeting.

As reported, the state of our local Union is good. Our staff at the local and apprenticeship are continually working to meet the challenges faced with providing stability and growth within our Union through organizing, negotiations and education. Over the last few months, the local staff has negotiated contracts with Combs Construction, Tiffany, Nesbit, Vastco, Paveco, the Arizona Biltmore, and Cemex – Prescott Camp Verde. Negotiating these new agreements did not come easy and at times, got very close to our members having to put their solidarity to the test by going on strike. While we do not advocate for or against striking, we will tell you the good the bad and the ugly of going on strike and your Union will always stand by whichever direction our members wish to go during these times. The negotiating committee was given the tools needed to draw the line in the sand with the employers and with that, our Union was able to secure fair contracts without the need of striking. We recently finished negotiations with Superstition Crushing, Encon/Tpac, and are currently in negotiations with Underground Construction. This was all done while trying to defend against a third decertification from the few “unhappy” (to put it nicely) employees at Vulcan Materials, to which we were unsuccessful. Vulcan employees that stay, will now join the roller coaster ride of being a true “at will” employee and will independently beg for future raises and stable future working conditions. For those who leave and continue to work for a Union contractor, they will share in the benefits, wage increases and working conditions and the honor of being an Operating Engineer.

At our semi-annual meeting I also gave special thanks to our Business representatives Tim and Ruben and our newest addition Rich, our associate representative. These guys are committed to doing what it takes to get the job done and fight the fight when called on by myself and our members. The Business representatives have settled more than two dozen issues between our contractors and our members, many issues before they reached a written grievance and some utilizing the full weight of the National Labor Relations Board (NLRB). Your business representatives are continually working to provide our membership and contractors with the proper agreement interpretation and reverse most disciplinary actions, suspensions and in some cases win back wages for our members. But in all cases, doing what is right by our Union brothers and sisters.

Our apprenticeship is also stepping up doing their best to meet our contractors and membership training needs with the recent purchase of an M-series motor grader, GPS equipment for our dozer and utilizing equipment on loan from our international, bringing us training on a spider crane, increasing their class sessions and doing capital improvements to the training site, all while working with over 100 apprentices. This also includes, meeting the challenges of our instructor needs required to provide the right training to our Local 428 apprentices and teach apprentices the skills needed to advance their career as a local 428 Operating Engineer.

Our defined contribution Plan (“The DC Plan”), our members should be seeing the annual funding notices in the mail soon. It is my belief that the report will not be as positive as in past years because of the 4<sup>th</sup> qtr. 2022 decline in the financial market, however, as I understand it, we may currently be flush and in some cases be a little ahead of the 4<sup>th</sup> qtr. 2022 market losses.

As for the 1985 terminated Defined benefit plan, (“The DB Plan”). For those members who worked for a DB contributing contractor prior to 1985 and met the 10-year vesting, the annual funding notices already went out and we have had more than a few questions regarding it’s status, which suffered as well from the economic decline in 4<sup>th</sup> qtr. 2022 market. Unlike the current (DC) Defined contribution annuity plan, the (DB) plan does not receive employer contributions and is solely reliant on investment returns to continue benefit payments. That being said, recovery of this plan is much slower and at the current time is being monitored closely by the trustees and professionals. Based on current actuarial projections, this plan will reach insolvency a fancy word for demise, in 2029 and then possibly be subject to the Pension Benefit Guaranty Corporation (PBGC) a United States federally chartered corporation created by the Employee Retirement Income Security Act of 1974, which as I understand it from our professionals if turned over to the PBGC, will handle continuation and maintenance for those in this plan.

Ms. Rita Reyes from BCBSAZ our healthcare provider and Ms. Shai Duseath, Nestor Aranda from Southwest Service Administrators our Third-Party Administrator (TPA) were in attendance for membership benefit questions.

Our healthcare plan through BCBSAZ is doing well and as I have reported at our district meetings, the SSA and BCBSAZ staff are doing their very best to meet all the challenges after our transition of TPA’s. The trustees along with BCBSAZ, Southwest Service Administrators and our plan professionals are committed to working with our member’s and or their families’ when dealing with our Healthcare plan providers. To that end, thank all of you for your continued support of our staff, your local Union and the International Union of Operating Engineers

Stay United, Stay Strong

Work Union, Live Better.





**REPORT FROM  
BUSINESS REPRESENTATIVE/  
TREASURER/ORGANIZER**

**TIM DAVIES**

Hello Union Brothers and Sisters:

I want to start off by thanking everyone who attended the Fall Semi-Annual meeting last month, we had a good turnout. I want to thank our volunteers who assisted in getting members and guests signed in at the front door. As mentioned at the meeting, work is good and of course we are always looking for more operators.

There are still more projects coming into the state and signatory contractors from out of state are still calling for our rates to bid for the work. I believe we will continue to be busy for the next couple of years.

I'm sorry to report that the Vulcan decertification did not go our way and a majority of the employees there decided to vote to not be represented by the Union. Those of you that work for Vulcan and want to stay Union please give us a call and we will try to find you a new job with a signatory company.

On a happier note, we got a new three-year contract with Encon/TPAC, it was one of the largest pay increases for that group they have ever seen. New to this contract is the ITEC, members at Encon now have the opportunity to take classes at Crosby TX.

Superstition Crushing Contract will come up for a vote soon and we will be meeting with Underground soon to continue working on getting a new CBA with them.

One Day Longer  
One Day Stronger

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**CONGRATULATIONS  
AND WELCOME TO OUR  
NEWLY INITIATED  
428 MEMBERS**

**JULY 2023**

Jorge Arellano – Lewis Bennett – Fidel Castillo  
Christopher Chacon – Filip Chudziak – Colby Clafin  
Ron Clah – Bo Delgarito – Troy Dixon – Miguel Espiritu  
Jess Feichter – Erik Ginn – Josue Gutierrez  
Walter Hoskey Jr. – Tyler Knickerbocker  
Angel Martinez – Byron Noriega – Charissa Radel  
Curtis Rademacher – Kristian Romo – Adan Rosa  
Earlwin Thomas – Jeffrey Thompson  
Javier Trevizo - Jordan Watkins

**AUGUST 2023**

John V. Buksa – Joseph Chisler – Devin Clark  
Jeffrey Coyle – Carl Fowler III – Roberto Madrid  
Steve Minuskin – Concepcion Montano  
Jeffrey Phillips – Rhoda Spahan  
Johnny Trinta – David Way

**SEPTEMBER 2023**

Justin Bredvig – Robert Burton – Manuel Castillo  
Chaz Jenkins – David Kiernan – Lucas Mayo  
Ramon Ochoa – Frederick Rozier – Robert Sanchez Sr.  
Gabriel Thaler – Jason Vavrina

**ENGINEERS NEWS REPORT**

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**EXECUTIVE BOARD**

MICHAEL P. LEE      NICK DARTT

JAY STEVENS

TIM DAVIES      WILLIAM MUTH

Executive Board Member at Large .....Joshua Paine

Executive Board Member at Large.....Robert Williams

District 1 Executive Board Member .....John Jordan

District 2 Executive Board Member .....Ruben Gonzales

District 3 Executive Board Member .....Israel Reyes

District 4 Executive Board Member ..... Carl Boyd

**ADVISORY BOARD MEMBERS**

District No. 1: Heather Hagan, Melissa Quintero, Maxell Bentz

District No. 2: No Advisory Board

District No. 3: No Advisory Board

District No. 4: No Advisory Board

**OFFICES**

PHOENIX: (Headquarters) 6601 N Black Canyon Hwy

Phoenix, AZ 85015-1027

Phone: (602) 254-5266

TUCSON:

(By Appointment only)

1949 East Eastland

Tucson, AZ 85719

Phone: Calls taken by Phoenix office



**REPORT FROM  
BUSINESS REPRESENTATIVE**

**RUBEN GONZALES**

Hello Brothers and Sisters:

This past Labor Day Holiday, we spent it in Tucson with the Pima Area Labor Federation (PALF). PALF presented their annual Labor Day picnic and car show. It was a free event and open to the public. We had the opportunity to connect with many other craft Unions and interact with people from all walks of life. The IUOE 428 tent was highly visited and we were the only Union giving away cooling towels on that hot summer day provided by Blue Cross Blue Shield. The kids loved the mini hard hats and we handed out a lot of other freebies provided by OE Federal Credit Union. This is a great event to come out and see what Arizona Unions have to offer. Special thanks to the IBEW Local 570 who provided all the food for the public to enjoy and to PALF for keeping this tradition going.

We have been connecting with many companies who are inquiring and becoming signatory with our Local. Companies who provide stationary engineer work, to asphalt, dirt work and also cranes. Arizona is in high demand for skilled operators so if you haven't updated your skills abilities with dispatch, please come in or call the Hall to do so.

We would like to welcome a new company named R10D, LLC for becoming signatory with Local 428. R10D is a company that specializes in the ground work for major gas stations and truck stops. They have brought on a dozen of their current workers and also have requested some journeymen and apprentices to add to their workforce. We look forward to building a relationship and working together to fill their needs for skilled operators.

Recently, we have been a labor dispute with Encon which is also known as Tpac. The Company has made it their discretion to have salary personnel operating work covered under our collective bargaining agreement. We have made attempts to push the Company to correct this issue through the grievance procedure and also through federal mediation. The Company has now forced us to schedule an arbitration hearing where a judge will decide the case. We feel positive we have a strong case against the Company and anticipate the arbitration judge will rule in favor of the Union. We will keep you updated on the outcome of the hearing.

We wish you all the best through the holiday's season!



**REPORT FROM  
BUSINESS REPRESENTATIVE  
ASSOCIATE**

**RICH GARCIA**

Hello Brothers and Sisters:

Over the past four months, I have embarked on an exciting and rewarding endeavor, diving into the realm of non-union site's jobs and actively recruiting skilled professionals in the heavy equipment industry. Additionally, I have been diligently reaching out to signatory contractors associated with Local 428 fostering collaboration and exploring opportunities for growth within the Union.

Seeking out non-union jobs in the heavy equipment sector has allowed me to gain a broader perspective on the industry and understand the diverse range of roles available. These individuals play pivotal roles in ensuring the smooth operation of construction projects, and my goal has been to connect them with rewarding career opportunities within the Union signatory contractors. Emphasizing factors such as competitive salaries, career advancement opportunities, and a supportive work environment has been instrumental in attracting highly skilled professionals.

Collaboration with Signatory Contractors:

By establishing communication channels and fostering relationships, I have sought to bridge the gap between non-union employees and the union. This collaboration allows for a deeper understanding of the industry landscape and offers potential avenues for cooperation. By facilitating dialogue and exploring common goals, we can work towards creating a more inclusive and prosperous Union heavy equipment industry.

**\*HOLIDAY OFFICE CLOSURE\***  
Please note that the Phoenix Office  
will be closed on  
**November 23, 24, 2023**  
**In observance of Thanksgiving Day**  
**December 25, 2023**  
**In observance of Christmas Day**

**Pin Awards For Years of Continuous Service In Local 428**

**SEPTEMBER 24, 2023**

**10 YEARS:**

Greg Avery – Troy Dekruyter – John Hernandez  
Robert Mayo – Charles McDonald – James McNally  
Clifton Palmer - Martin Saldana – Jesus Salmon  
Jose Zepeda

**15 YEARS:**

Edison Bia – Matthew Hosmer – Bryan Korittky  
John Maltbie – Sehad Pinjagic – Clifford Rayfield - Leonard Reed  
Francisco Reyna – Guillermo Siqueiros - Lonnie Weissenberger  
Ingeniero Yanez

**20 YEARS:**

Gary Cannon – Rory Crozier  
Juan Mercado - Curt Poole

**25 YEARS:**

Ramon Daniels – William Howard  
Emilio Palacio Jr.

**30 YEARS:**

Jesus Verdugo

**35 YEARS:**

Robert Pierre – David Roberts – Arthur Vickers

**40 YEARS:**

Jeffrey Lennex – David Milburn

**45 YEARS:**

Robert Drouillard – Benjamin Palmer – Carol Sullivan

**\*50 YEARS:\***

Wayne Bowie – James Combs – Charles Reed – Bill Sullivan  
Bruce White – Ronald Wills



# OPERATING ENGINEERS LOCAL 428

6601 N Black Canyon Hwy  
Phoenix AZ 85015-1027



PERIODICALS  
POSTAGE  
PAID AT  
PHOENIX AZ

## CARRY YOUR DUES CARD

Business Manager, Recording-Corresponding Secretary Michael P. Lee wishes to remind all members to carry their paid Local 428 dues card. When attending a Semi-Annual, District or special called meeting of the Union, your paid up dues card is proof of your good standing status as a member of IUOE Local 428 and your right to vote in such meetings and/or participate in the business of the union.

## MEETING CALENDAR

### MEMBERSHIP

#### District No. 1

First Thursday of each month at 6:00 p.m.  
6601 N Black Canyon Hwy, Phoenix, AZ

#### District No. 2

Third Tuesday of each month at 5:00 p.m.  
1949 East Eastland, Tucson, AZ

#### District No. 3

Second Thursday of each month at 3:30 p.m.  
2544 WEST 16TH STREET, Yuma, AZ

#### District No. 4

Fourth Tuesday of each month at 5:00 p.m.  
DAY'S INN & SUITES  
1640 W. HIGHWAY 260, CAMP VERDE, AZ 86322

## \*REMINDER\*

IN ACCORDANCE WITH THE  
OPERATING ENGINEERS LOCAL 428 BY-LAWS:  
In order to be a "Member In Good Standing" your dues  
and working assessment must be current.

Please contact the Phoenix Office and Southwest  
Service Administrators  
to update any change of address, phone numbers,  
or to change your beneficiary.



MEMORIAM

Our sincere sympathies go out to the bereaved families as  
we share with them the loss of their loved ones and our  
Brother members of Local 428.

Charles E. Brooks  
Raymond Mays

Passed On: 11/02/2022  
Passed On: 06/30/2023



# **SOUTHWEST SERVICE ADMINISTRATORS, INC**

O.E. Local 428 Trust Funds  
Third Party Administrator-(tpa)

2550 W. Union Hills, #290  
Phoenix, AZ 85027  
Website: [www.ssatpa.com](http://www.ssatpa.com)

## **Contact Information**

Customer Service: 1-800-474-3485 or (602) 249-3582

Pension / Vacation: (602) 347-5187 - 1-800-474-3485

Enrollment & Eligibility: 1-800-474-3485 - (480) 302-2320

**\*Please email all updates and questions to: [OE428@ssatpa.net](mailto:OE428@ssatpa.net)**

**\*\*If issue is Dependent related, please include dependent name & date of birth. Include as much general information as you can.\***

## **Blue Cross/Blue Shield of Arizona Claims:**

Rita Reyes, Client Service Manager  
(602) 916-7985

[RitaM.Reyes@azblue.com](mailto:RitaM.Reyes@azblue.com)

## **Health Equity Account:**

Member Services: 1-866-346-5800

Email: [memberservice@healthequity.com](mailto:memberservice@healthequity.com)



Emanuel Arizmendi works with Bragg and has earned NCCCO hydraulic crane fixed cad, swing cab lattice boom truck and crawler. Class A CDL

