

# ENGINEERS NEWS REPORT



February/March 2024

WWW.IUOE428.COM

Volume 86, Issue 1



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

**MICHAEL P. LEE**

Dear Brothers and Sisters,

2024 has started with the continued need of the skills of our Operators. While we are seeing an increase of new applicants, we are also seeing a lot of out of State contractors bidding on work and inquiring about being signatory with Local 428. The forecast of construction projects in 2024 looks strong through the year and through most of 2025. The continuation and new projects in Arizona will also increase the demand for our skills as Operating Engineers. 2024 is also bringing us into contract negotiations for many of our members who work under the terms and conditions of our master construction labor and crane rental agreements, which by the time this article is out should be well under way. We are hopeful that our contractors will step up and realize the importance of what we, the Operating Engineers bring to the table when it comes to skills, and hard-working employees needed for them to be profitable and for us to earn a livable wage with good benefits that provide for our families. Now more than ever, our operators need to be at our best and show our contractors, we are the best and our abilities far exceed what the non-Union employee can do, we are better trained, we know how to work together to get the job done safely and on time and we do it the right way. While we go through the negotiation process, please do your best to attend your district and our semi-annual meetings and any planned informational meetings. At these meetings we will be discussing the latest and most up to date information regarding contract negotiations.

Just a reminder, there will be no district meetings in March. In April we will have district meetings as scheduled, and our Typical March semi-annual is moved to Sunday April 7<sup>th</sup> due to the Easter holiday, per our by-laws. I hope to see you all in attendance, doors open at 9am, meeting will start promptly at 10am at our Phoenix Union hall.

Stay United, Stay Strong

Work Union, Live Better.



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

**TIM DAVIES**

Brothers and Sisters,

As many of you know, negotiations for both the Master Agreement and the Independent Contractors Agreement are approaching us in the very near future. We have received many contract modifications from our members and have been reviewing them for the upcoming meetings this spring. We also have contract negotiations coming up with Contractors West and Hydro. As a Union member (IN GOOD STANDING) it gives us a voice and a vote on our working conditions and wages. Most of us have seen the slogan "United we Bargain, Divided we Beg." This is so relevant during our contract negotiations. We all need to ask our co-workers, are they paid up on their dues, have they made membership and explain to those who have not done so, that they will not have a voice or a vote on these upcoming contracts and riding on the shirt tails of those that are proactive in acquiring better work conditions and better wages is not acceptable, we all need to participate.

At the 40<sup>th</sup> IUOE General Convention last year, the theme was "Seize the Moment," this is our moment for Local 428. A new contract, a growing Union, a local with strong membership. Our Apprenticeship has over 100 apprentices and is growing. In addition, more members are increasingly taking advantage of improving their skills by signing up for classes provided by our International Training Facility in Crosby, Texas. By improving their skills, they in turn become more marketable, are able to teach, lead and educate our new applicants as to what it means to be a Union member. In the last year we have had an increase of contractors seeking to be signatory to our Local 428 Union. They realize they can attain skilled workers when they go Union. This should give you pride in saying, yes, I am a skilled Union member of the Operating Engineers Local 428.

In closing, I hope to see you at the upcoming Semi-Annual Membership meeting on April 7, 2024.

Work Safe – Be Union Strong

## NOTICE

**SEMI-ANNUAL MEMBERSHIP MEETING**  
**Sunday, April 7, 2024**



**At: 10:00 a.m. \*Doors Open at 9:00 a.m.\***

**Location:**

**Operating Engineers - Union Local 428 Meeting Hall - 6601 N. Black Canyon Highway, Phoenix.**



**REPORT FROM  
BUSINESS REPRESENTATIVE  
RUBEN GONZALES**

Hello Brothers and Sisters,

Last quarter of 2023, the Department of Labor (DOL) tasked us with a Heavy and Highway wage determination survey. A survey has not been done in over ten years and Arizona will be the first state to input data under the new DOL rulings. Wage surveys are done to set the prevailing wages for different construction projects in every county. We gathered information for the past three years and went to work. Data was inputted for every project, every operators, and every piece of equipment, wages and benefits throughout the entire state. This took a lot of work to meet the deadline by January 15<sup>th</sup> and we feel confident of a positive outcome. We would like to thank all our signatory contractors who participated in this survey by providing us the information needed and to our International Representatives who came to help us put it together and submitted the data.

On November 14, 2023, we had an arbitration hearing against Encon aka Tpac for having a Company supervisor conducting work which falls under the Operating Engineers collective bargaining agreement (CBA). During the hearing, the Company made a point to criticize the Union credibility as a hiring hall and claimed we were only fighting them because we did not receive our share of Union dues. Their arguments were far from the truth, let alone their behavior under oath was difficult to endure. Needless to say, in late December, the arbitrator awarded his decision in favor of the Union. He stated the Company conducted unfair labor practices and made unilateral changes that go against the NLRB Act and our CBA. The arbitrator left it up to the Union and the Company to settle on any monetary damages. We proposed a settlement for what we believed is fair for the OE member who is currently operating the position. The Company has since gone against the arbitrator decision and denying any settlement. We will keep you informed on the result.

See you all at the Semi Annual.

**\*HOLIDAY OFFICE CLOSURE\***  
Please note that the Phoenix Office  
will be closed on  
**Monday, May 27, 2024**  
**In observance of Memorial Day**



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**EXECUTIVE BOARD**

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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 ..... Dakota Pribble

**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

# Retiring?

What you need to know

As a member of Local 428 you have options upon retirement. You can either maintain your membership or take an honorable withdrawal. Pensioner dues are \$12.00 monthly and can provide your beneficiary with a death benefit. Also, you are welcome to attend meetings, vote on current issues and upcoming elections. Your name can be retained on the out of work list for part time employment opportunities. Your membership continues to get recognition for your years of service as an Operating Engineer.

To take a withdrawal your dues need to be current through that month. The cost is \$5.00 and a form needs to be completed for your membership to be sustained. If you decide to return to the industry the card can be deposited after a period of 13 months.

Please take the time to consider these options and any further questions can be answered by calling the office @ (602) 254-5266 during business hours. From the staff and officers of Local 428 we thank you for your years of support and dedication.

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## 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](http://www.ssatpa)

### 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)

## CONGRATULATIONS AND WELCOME TO OUR NEWLY INITIATED 428 MEMBERS

### OCTOBER 2023

Robert Anderson – Doroteo Arcila – Ever Batrez – Bryce Bulters  
Ammon Burnham – Adam Console – Jacob Crowe – Cody Dickens  
Miguel Equihua – Vincent Felix – Cody Gerrad – William Hern  
Frank Howland – Joseph Kutches – Roderick Limb – Jose Lopez  
Hermilo Madera – Jorge Madrid – Allen Martin – Carlos Mendizabal  
Erick Migueles – Kyle Millsap – Rigoberto Montoya Medina  
Arvin Moreno – Rudolfo Nino – Jake Redman – Cristian Reyes  
Timothy Ribelin – Shepard Richards – Ryan Roberts – Christopher  
Robertson – Humberto Saligan Valdez – Timothy Spielbusch  
Cameron Temple – Alexander Webber – David Yurkovich

### NOVEMBER 2023

Luis Alcaraz – Brandon Behrens – Daniel Fernandez Moreno  
Trent Garcia – Tyler Glenn – Bobby Griffith – Joseph Kinser  
Jonathan Martin – Ruben Martinez – Heather McGough  
Albino Perez – Arthur Reyna – Billy Smith – Michael Thomas  
Chase Wagner

### DECEMBER 2023

Tyler Allen – Ricardo Araiza – Holt Babich – Jason Bia – Diego Chavez  
Tony Delgarito – Jared Fogarty – Cassandra Harmon  
Justin Mcclenaghan – Jasmine Peterson – Hernan Polanco  
Luis Rodriguez – Sigifredo Salas – Joshua Smith Potter

### JANUARY 2024

Frank Arroyo – Jared Bendle – Seth Boyer – Devin Chapman  
Caleb Cowell – Jacob Darby – Gabriel Dominguez – Ian Dreesen  
Shane Galloway – Alejandro Garcia – Gavin Hazen – Benito Hernandez  
Devon Matkovich – Blake Mcrae – John Miller – Rachel Miller  
Albert Motola – Kevin Pacheco – Francisco Pastor – Joseph Perez Jr.  
Michael Peterson – Brendan Pettit – James Sander – William Seligman  
Victor Skinner – Jared Smith – Meral Smith – Steve Voelker  
Justin Walker – Jeffery Warrick



## 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

**\*NOTE: NO DISTRICT MEMBERSHIP MEETINGS  
WILL BE HELD IN THE MONTH OF MARCH**

### \*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.**



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.

Stephen Adamson	Passed On: 08/23/2023
Timothy Richards, Jr.	Passed On: 12/08/2023
Henry G. Colvin, Jr.	Passed On: 12/12/2023

LOCAL 428 WEBSITE ADDRESS: [www.iuoe428.com](http://www.iuoe428.com)