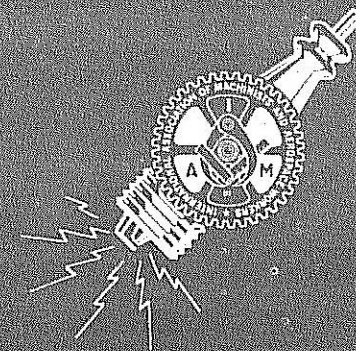


The IAM District 190 Sparkplug



VOL. 6, NO. 6



OCTOBER/NOVEMBER 2004

Serving the Active and Retired Members of IAM District Lodge 190

As Rexam closes, members win \$610,000 arbitration ruling



Herman Howell (L) and Jim Beno (R) look on as Lawyer Jonathan Siegel shares \$620,000 ruling with former Rexam shop stewards Jim Duran and Bernice Taylor.

First Rexam announced, just before Christmas, 2003 that they were closing their San Leandro facility. Then they said that if workers were eligible to start collecting a pension then they would not be eligible to receive the severance package.

The union disagreed, took the case to arbitration, and won the decision in September. The result is that 46 IAM members will share close to \$610,000 in severance.

"It did say in the contract that if you were eligible for immediate pension, you don't get the severance," says attorney Jonathan Siegel, who's with the firm of Siegel & LeWitter. "But we claimed that this is age discrimination against those who are over 50, because they would be the

only employees this clause would apply to."

"It's a good win," says Administrative Assistant Herman Howell. "Closing this facility was really sad, but at least getting this decision was a great feeling. It felt good to be able to call the company's attorney and tell him 'You lost!'"

Former shop steward Jim Duran says he started calling the members as soon as he heard the news. "Those were happy calls. I can say with confidence that this is the benefit you get from being in a union. Thank goodness for the union."

Former steward Bernice Taylor agrees. "I think it's wonderful. The hard work that the union, the attorney and Herman did was tremendous. The fight was hard, but they were determined to win."