

REVISED

City of Oakland
COUNCIL

09 MAR 13 PM 1:28

APPROVED AS TO FORM AND LEGALITY


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. 79772 C.M.S.

A RESOLUTION ENCOURAGING FAIR BARGAINING AND EMPLOYEE
RECOGNITION FOR OAKLAND'S TAXI DRIVERS

WHEREAS, Friendly Cab Company, Inc., Metro-Taxicab Company, Inc., California Cab Company, Grkwss Enterprise, Inc., Metro-Yellow Taxicab Company and Greyline Cab Co. employ numerous taxi drivers in the City of Oakland, including at the Oakland International Airport; and

WHEREAS, in 2002, the drivers began seeking the assistance of a union to represent them with respect to their employers; and

WHEREAS, the drivers filed a Petition for Representation with the National Labor Relations Board in 2002, and the Regional Director of Region 32 ordered an election be held; and

WHEREAS, the employer appealed to the National Labor Relations Board, which, in April of 2004, affirmed the Regional Director's decision directing an election; and

WHEREAS, the election was thereafter conducted and the taxi drivers voted overwhelmingly to be represented by the East Bay Taxi Drivers Association; and

WHEREAS, the employer then refused to bargain with the Association, after which Teamsters Local 70 of Oakland intervened and has assisted the East Bay Taxi Drivers Association in its request for representation; and

WHEREAS, the National Labor Relations Board issued a decision on April 20, 2005 ordering the employers to bargain with the East Bay Taxi Drivers Association and Brotherhood of Teamsters Local 70; and

WHEREAS, the employer has not earnestly bargained with the union chosen by the taxi drivers and has appealed the National Labor Relations Board decision to the US Ninth Circuit Court of Appeals; and

WHEREAS, the taxi drivers are sometimes subject to working on days-off in excess of 12 to 14 hours, and are not provided rest breaks, meal periods and overtime as required by State law; and

WHEREAS, the above conditions violate State law with respect to wages and hours, and Federal law with respect to the rights of employees to be represented by a union; now, therefore be it

RESOLVED: that the City of Oakland hereby issues this resolution requesting that Friendly Cab Company, Inc., Metro-Taxicab Company, Inc., California Cab Company, Grkwss Enterprise, Inc., Metro-Yellow Taxicab Company and Greyline Cab Co. comply with the NLRB ruling; and be it

FURTHER RESOLVED: that the taxi companies provide any legally required benefits, such as rest periods and meal breaks.

MAR - 7 2006

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

AYES

**BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL,
REID, QUAN, AND PRESIDENT DE LA FUENTE - 6**

NOES- 0

ABSENT- 0

ABSTENTION- 0

Excused - Reid, DeLaFuente - 2

ATTEST: *Tatonda Simmons*
City Clerk and Clerk of the Council
of the City of Oakland, California