



## **Note: To all Stewards and their Alternates**

Much of the information contained in this document has not been shared with our entire membership. This "Shop Steward Newsletter" is only mailed to our Local Union's Shop Stewards and Alternate Shop Stewards. I would ask you to share any information contained herein with your coworkers if it is something you feel your coworkers need to know.

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*"For history you need a camera with two lenses - the telephoto and the kind of close-up with a fine, penetrating focus. You can forget the wide-angle lens; there is no angle wide enough."*

*-- John Irving --*

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## **Teamsters: Uribe, Go Home**

### **Union Protests Colombian President's U.S. Visit to Lobby for Bad Trade Deal**

(Washington) - Rank-and-file Teamsters on Friday protested Colombian President Alvaro Uribe's visit to the United States to promote a job-killing trade deal. Teamsters, with members of other unions and Public Citizen's Global Trade Watch, held signs and passed out fliers in front of the National Press Building. Uribe spoke at the National Press Club to a luncheon gathering.

"We join with our brothers and sisters in Colombia in strongly opposing the Colombia Free Trade Agreement," said Teamsters General President Hoffa. "It's a disgrace to even consider an agreement with the most dangerous country in the world for trade unionists."

Colombia is getting even more dangerous. This year, 40 unionists were murdered with impunity, already more than last year's total of 38.

Earlier this year, the Colombia Free Trade agreement was sidelined when Congress removed it from Fast Track rules.

Uribe came to the U.S. along with a small army of lobbyists, to persuade Congress to pass the trade deal. He didn't bring any trade unionists or indigenous people - the people who have suffered most under Uribe and will continue to suffer should such a trade deal be approved.

"Uribe ignores the well-being of the majority of his people, just as George Bush and John McCain ignore theirs," Hoffa said. "If George Bush and John McCain think trade deals have helped the American economy, then I have a bridge in Alaska I can sell them."

Last Friday, House Education and Labor Committee Chairman George Miller, D-Calif., sent a scathing letter to Uribe describing Colombia's failure to prosecute killers of unionists.

"Our two ally nations should work together to help Colombia improve its labor laws, decrease the ongoing violence, and finally put an end to the impunity enjoyed by those who have perpetrated thousands of anti-labor killings," Miller wrote. "These challenges have taken on heightened significance this year as the violence in Colombia has escalated over 2007 levels."

Joining the Teamsters were other members of the Change to Win federation as well as members of unions affiliated with the AFL-CIO.

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*"Temptation, unlike opportunities, will always give you many second chances."*

*-- O.A. Battista --*

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## Secretary-Treasurer's Report, by Mike Magnani

The Labor Agreements for our membership employed at Bally's Hotel, Caesars Palace (Back End unit), the Flamingo Hotel, Circus Circus, Excalibur and Luxor Hotels have been ratified by our members impacted by those Agreements. Contract negotiations with Harrah's Hotel, Las Vegas Hilton, Planet Hollywood, the Riviera Hotel, the Sahara Hotel, Stratosphere Tower, Tropicana Hotel and the Teachers Health Trust administrator's office have begun. I am optimistic that our Local Union will obtain successor Labor Agreements with those employers we are still in negotiations with.

With respect to those Labor Agreements that have already been ratified by our members, our Local Union has prepared and proofed the Harrah's Entertainment Labor Agreements for review and execution by those employers. The Flamingo Hotel Labor Agreements have been returned to our offices fully executed and we have begun circulating copies to our members in that facility. The Local Union is awaiting the return of the executed Caesars Palace Back End and Bally's Hotel Labor Agreements. I have prepared a cut and paste version of the Circus Circus, Excalibur and Luxor Hotel Labor Agreements for typing and proofing. As of the writing of this document, four of the six Labor Agreements have been typed for proofing by our office staff before they are forwarded to our employers for execution. It's a work in progress. We will keep you informed.

I know we are all getting tired of politics, but, believe me, we must do our share to change the direction of our Country. That means we must get registered to vote, then get to our polling places to vote during early voting (from October 18 through October 31, 2008) or on Election Day (November 4, 2008). Remember this --- Presidential candidate John McCain boasts that he has supported the George Bush agenda 90% of the time. Now I don't know about you, but that does not spell change to me. Be greedy; vote your pocket book while you still have one.

A list of candidates that are endorsed unanimously by the Executive Board of the International Brotherhood of Teamsters, the Nevada State AFL-CIO and the Southern Nevada Central Labor Council is enclosed in this newsletter. The decision as to who will be endorsed is a time-consuming process in which incumbent records are researched to determine whether in fact these candidates understand and support pro-worker legislation. In the case of first-time candidates, extensive interviews are conducted by an endorsement committee made up of members representing twenty or more Nevada Unions. That committee's recommendation is carried to the Southern Nevada Central Labor Council which represents over fifty Southern Nevada Unions. That candidate will only be endorsed if the endorsement committee's recommendations are approved by a two-thirds majority vote of those present. Candidates for elective offices are not given any free passes. They must earn our endorsements then be prepared to have their voting records scrutinized once they are elected to public office every election cycle.

Nevada State Senator Dina Titus, who is also a candidate for United States Congress District 3, when addressing the Nevada State AFL-CIO convention on August 20, 2008 said, "My opponent John Porter brags about playing in a band in Washington, D.C. Reminds me of the movie Titanic. As the ship was sinking the band kept playing. Our country is in a recession and the band keeps playing. We have more foreclosures today than at anytime in our Country's history and the band keeps playing."

Jill Derby, candidate for United States Congress District 2, when addressing the Nevada State AFL-CIO convention said, "If you want to change what happens in Washington, D.C., we need to change the people we send there to represent us."

As I was writing this article, Fox News announced that it would cost the Federal Government about 800 billion dollars to bail out these financial institutions that are in trouble. That would cost every man, woman and child \$8,591.61. The more money the United States prints, the more it devalues the dollar we rely on at home and abroad. -- An \$800,000,000.00 major lending institution bail-out.

Imagine if we had agreed to privatize your Social Security. These same money managers who have crashed these major institutions would have been managing your Social Security monies. Yesterday, the news channels announced that they estimated that Bill Gates lost 16 billion dollars in this economic market. That kind of news does not give working men and women a lot of hope.

Don't be fooled by pretty faces and fancy speeches. Look at what's happening around you. Vote for what's good for your pocket book and your children's future. **Most important -- please vote.**

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*"Take the Challenge - Anyone can be happy when times are good; the richer experience is to be happy when times are not."*

-- Susan Harris --

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## **Thank You Shop Stewards**

By Helen Green, President / Business Representative, 385-0995 (ext. 210)

I would like to take this opportunity to thank all of our Shop Stewards who took the time to represent the members in their departments during Strip contract negotiations this year. Your participation and assistance during negotiations was instrumental in helping Local 995's leadership better understand some of the possible motives behind management's proposals.

I would like to give a special thanks to recently retired Excalibur Front Desk Shop Steward, Brent Coates, for his contributions during Strip negotiations. Brent had been a hands-on, outstanding member and Shop Steward at the Excalibur Front Desk for 12 years. And, although Brent had retired right after the start of negotiations, he continued to participate in, and keep all of our members at the Excalibur Front Desk up to speed on the status of those talks. Thanks to Brent's knowledge of the Labor Agreement and understanding of the psychology behind what appeared to be a proposal made by the Excalibur Front Desk management group, Local 995's leadership was better situated to thwart off a critical proposal made by the MGM/Mirage during those negotiations.

So, on behalf of myself, the staff, and the Executive Board of Local 995, kudos to all of you for your participation in, and representation of the members in your departments during the 2008 Strip negotiations. And, I present a very special kudos to you Mr. Brent Coates for all of your assistance during those negotiations. Thank you all!

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*"Rather the bite of a friend than the kiss of an enemy."*

-- Shalom Aleichem [Sholem Rabinowitz] --

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## **Your Role in Organizing**

By Bill Burgos, Business Representative - 385-0995, ext. 209

There are two reasons for you to become personally involved in organizing activity outside of your workplace. First, a healthy, effective union is one in which the members pitch in to do the work, greatly increasing the people-resources of the union. Second, no matter how skilled professional union staff may be, there is an extra measure of credibility when an already-organized employee speaks directly to an unorganized worker about day-to-day experiences. The successes of member-to-member organizing are clear: one study issued by the AFL-CIO, for example, documents that unions win representation elections in 73 percent of the organizing drives conducted by ordinary members but in only 17 percent of those conducted by professional staff.

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*"A conclusion is the place where you got tired of thinking."*

-- Arthur M. Bloch --

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## **Seven Key Tests to Just Cause**

By Debra Miller, Business Representative - 385-0995, ext. 208

The basic elements of just cause, which different arbitrators have emphasized, have been reduced by Arbitrator Carroll R. Daugherty to seven tests. These tests, in the form of questions represent the most specifically articulated analysis of the just cause standard as well as an extremely practical approach.

- Notice: "Did the Employer give to the employee forewarning or foreknowledge of the possible consequences of the employee's disciplinary conduct?"
- Reasonable Rule or Order: "Was the employer's rules or managerial order reasonably related to (a) the orderly, efficient, and safe operation of the employer's business, and (b) the performance that the employer might properly expect of the employee?"
- Investigation: "Did the employer, before administering the discipline to an employee, make an effort to discover whether the employee did in fact violate or disobey a rule or order of management?"
- Fair Investigation: "Was the employer's investigation conducted fairly and objectively?"
- Proof: "At the investigation, did the employer obtain substantial evidence or proof that the employee was guilty as charged?"
- Equal Treatment: "Has the employer applied its rules, orders and penalties even-handedly and without discrimination to all employees?"
- Penalty: "Was the degree of discipline administered by the employer in a particular case reasonably related to (a) the seriousness of the employee's proven offense, and (b) the record of the employee in his service with the employer?"

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*"There are so many noises and pulls and competing demands in our lives that many of us never find out who we are. Learn to be quiet enough to hear the sound of the genuine within yourself so that you can hear it in other people."*

-- Marian Wright Edelman --

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## **The National Labor Relations Act (Part Three)**

### **Filing in Charge Form**

Q. One part of the NLRB charge form is confusing. Question 1h asks for the subsections of Section 8(a) that the employer has violated. What if we are not sure of the correct numbers?

A. Type "all," or call the Regional office for assistance.

### **Describing Violation**

Q. When completing the "Basis of Charge" section of the ULP form, should we describe the violation in detail?

A. No. A sentence or two is usually sufficient. Do not list your witnesses.

### **Catch-All**

Q. Why does the second paragraph of the sample charge on page 17 allege other violations "over the past six months?"

A. During its investigation, the Region may discover violations beyond those listed on the face of the charge. By including a catch-all claim going back the maximum period, you enable the NLRB to prosecute these infractions.

**Union Pointer** - - If the Region decides to dismiss your charge, the Board agent will probably ask you to accept a "short form" dismissal letter. If you intend to appeal, ask for the "long form" instead. Forcing the Region to state its reasons for dismissal will help you in framing the appeal. But be warned: A copy of the letter will be sent to your employer, who may introduce it at an arbitration proceeding.

### **Six-Month Rule**

Q. A year ago the employer ended employee discounts without prior notice to the union. For several months after, they gave conflicting signals about their plans. Is it too late to file a ULP charge?

A. Not necessarily. The NLRB strictly enforces its six-month filing deadline, but it does not start the period until the union has "clear and unequivocal notice" that the Act has been violated. If your employer was ambiguous about its intentions - for example, making promises to reconsider its decision - the filing period may still be in open.

### **Board Action**

Q. If we win before the ALJ and the employer appeals, how long could it take before the Board issues a ruling?

A. Two years, or even longer.

### **Unsympathetic Director**

Q. The NLRB Director in our region does not take complaints seriously. She dismisses union ULP charges on nit-picking grounds yet when an employer files a charge, she rushes to court for an injunction. What can we do about her?

A. One recourse is to appeal dismissals to the NLRB General Counsel. Other measures include meeting with the Director, complaining to a congressperson or senator, and picketing the Regional office.

### **Territories**

Q. Does the NLRA apply to private sector workers in Puerto Rico and the Virgin Islands?

A. Yes.

**Union Pointer** - - Several techniques can help to persuade a Regional Director to issue a complaint:

- Telephone the Board agent assigned to the charge; offer to come in for a face-to-face interview.
- Inform the agent of ULPs by the employer in previous years.
- Volunteer to bring in witnesses.
- Call periodically to ask how the investigation is going and to find out if you can do anything to help. Inform the agent of Board decisions that support your position.
- If you have trouble with the agent, or if the agent seems indifferent, speak to the agent's supervisor.
- If the agent asks you to withdraw your charge, ask if the Regional Director has reviewed the matter. If not, tell the agent that you want the Director to decide the case.
- Ask the Regional Director to meet in person.

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*"You are not very good if you are not better than your best friends imagine you to be."*

-- Jonathan Kaspar Lavater (1741-1801) --

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## **Get to Work on Time**

By Beverly Williams, Business Representative - 385-0995, ext. 207

It's only human to be late for work on occasion, but when those occasions become too numerous, people get into trouble and then it becomes trouble for the Shop Stewards. Shop Stewards find themselves defending co-workers being disciplined and warning them that they are close to the edge of the infamous cliff of doom!

The Business Representative and Shop Steward then have to sift through fair and unfair discipline and that is a tough job! Shop Stewards please communicate to your co-workers whom you are aware of that they are treading on thin ice. The employee already knows that they are in trouble, but when you bring the matter to their attention it let's them know that you are concerned and are aware of the problem that they are facing.

Termination for attendance is one of the hardest to win in arbitration if it gets to arbitration because it is all in black and white that the individual hasn't been on time or not coming to work. So, in this economic meltdown and times of uncertainty, please get to work and get to work on time unless you want to go to work in China!!!

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*"Satisfaction will come to those who please themselves."*

-- Arnold Lobel --

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## **It's Election Time Again**

We need your help. We are calling on our Shop Stewards and their alternates to help us to get our members registered to vote then to get them to the polling place to vote.

What is certain is that our Country is in a recession. For those hard-working men and women that are being laid off by our employers, jobs are very difficult to find. Those that are laid off will tell you that we are in a depression. Las Vegas residents are facing home foreclosures at the rate of forty-one (41) per day. Our Local Union's major employers are seeing their profit margins shrink. The cost of gasoline is outrageous, food and clothing costs are soaring, major lending institutions and insurance providers are defaulting. Our good-paying middle class jobs are going overseas or across our borders where workers are paid pennies to the dollar and the product produced is imported to the United States and costing the U.S. consumer the same dollars and cents that they were marketed for when produced by American workers in the United States. The United States of America lost 1.3 million (1,300,000) good-paying middle-class jobs to foreign countries in 2007 alone.

What is clear is that our economy is in the toilet and there does not appear to be a remedy to fix it by this administration. This will probably be the most important election American workers will face since the great depression.

The endorsed candidate list, as recommended by the International Brotherhood of Teamsters General Executive Board, Nevada State AFL-CIO and the Southern Nevada Central Labor Council, has been enclosed for your convenience. Please follow those recommendations where you can. Feel free to share those endorsements with your co-workers, friends and family members.

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*"As long as you live, keep learning how to live."*  
-- Lucius Annaeus Seneca (c. 4 B.C.-A.D. 65) --

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## **General Election Schedule**

### October 4, 2008

The last day to register to vote or update your voter registration information (address or name change) without appearing in person (by mail) at the Election Department offices in time to vote in the General Election.

### October 5 through 14

Ten-day period in which people wishing to register to vote or to update their voter registration information may do so by going to the Election Department office in time to vote in the November 4th General Election.

### October 18 through 31

Early voting period in many county locations. Call your Local Union offices for early voting locations and times at 385-0995, ext. 7.

### October 28, until 5:00 p.m.

The last day that the Election Department will accept written mail-in ballot requests for the 2008 General Election. (This option is usually exercised by those Nevada residents that may be out of state on Election Day yet would like to exercise their voting rights.)

### November 4 - Election Day

Polls open at 7:00 a.m. and close at 7:00 p.m.

Once again, I would like to call on our Local Union's Shop Stewards and alternate Shop Stewards to assist the Local Union in getting every member of our Local Union and all of their eligible relatives and friends registered to vote as soon as possible. Then I will be calling on you to help us by getting every registered voter out to vote. Dive on in; the water's fine. Your members will thank you for your efforts at a later date.

**VOTE --- VOTE --- VOTE!**

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*"It's easier to hide your light under a bushel than to keep your shady side dark."*  
-- Helen Rowland --

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# 2008 Endorsements List

## U.S. PRESIDENT

BARACK OBAMA (D)

## REPRESENTATIVE IN CONGRESS

DISTRICT 1 SHELLEY BERKLEY (D)  
DISTRICT 2 JILL DERBY (D)

DISTRICT 3 DINA TITUS (D)

## STATE SENATE

DISTRICT 1 JOHN LEE (D)  
DISTRICT 3 VALERIE WIENER (D)  
DISTRICT 3 (WASHOE) BILL RAGGIO (R)  
DISTRICT 4 STEVEN HORSFORD (D)  
DISTRICT 5 (SEAT A) SHIRLEY  
BREEDEN (D)

DISTRICT 6 ALLISON COPENING (D)  
DISTRICT 7 (SEAT A) DAVID PARKS  
(D)  
DISTRICT 11 MIKE SCHNEIDER (D)

## NORTHERN NEVADA SENATORIAL DISTRICT

DEAN A. RHOADS (R)

## CENTRAL NEVADA SENATORIAL DISTRICT

No Endorsement

## STATE ASSEMBLY

DISTRICT 1 MARILYN KIRKPATRICK (D)  
DISTRICT 2 CARLOS BLUMBERG (D)  
DISTRICT 3 PEGGY PIERCE (D)  
DISTRICT 4 No Endorsement  
DISTRICT 5 MARILYN DONDERO LOOP (D)  
DISTRICT 6 HARVEY J. MUNFORD (D)  
DISTRICT 7 MORSE ARBERRY JR. (D)  
DISTRICT 8 BARBARA BUCKLEY (D)  
DISTRICT 9 "TICK" SEGERBLOM  
(D)  
DISTRICT 10 JOE HOGAN (D)  
DISTRICT 11 RUBEN KIHUEN (D)  
DISTRICT 12 JAMES OHRENSCHALL (D)  
DISTRICT 13 ANDREW MARTIN (D)  
DISTRICT 14 ELLEN M. KOIVISTO  
(D)  
DISTRICT 15 KATHY MCCLAIN (D)  
DISTRICT 16 JOHN OCEGUERA (D)  
DISTRICT 17 KELVIN ATKINSON (D)  
DISTRICT 18 MARK MANENDO (D)  
DISTRICT 19 JERRY D. CLABORN  
(D)  
DISTRICT 20 No Endorsement  
DISTRICT 21 ELLEN SPIEGEL (D)

DISTRICT 22 No Endorsement  
DISTRICT 23 ALLISON  
HERR (D)  
DISTRICT 24 DAVID BOBZIEN (D)  
DISTRICT 25 ROBERT TOWNSEND (D)  
DISTRICT 26 DAELA GIBSON (D)  
DISTRICT 27 SHEILA LESLIE (D)  
DISTRICT 28 MO DENIS (D)  
DISTRICT 29 APRIL MASTROLUCA (D)  
DISTRICT 30 DEBBIE SMITH (D)  
DISTRICT 31 BERNIE ANDER-  
SON (D)  
DISTRICT 32 MARC DEAL (D)  
DISTRICT 33 JOHN CARPENTER (R)  
DISTRICT 34 WILLIAM HORNE (D)  
DISTRICT 35 RACHEL MARIE KING (D)  
DISTRICT 36 No Endorsement  
DISTRICT 37 MARCUS CONKLIN (D)  
DISTRICT 38 STEVEN DALTON (D)  
DISTRICT 39 JOETTA BROWN (D)  
DISTRICT 40 BONNIE PARNELL (D)  
DISTRICT 41 PAUL AIZLEY (D)  
DISTRICT 42 HARRY MORTENSON (D)

## JUSTICE OF THE SUPREME COURT

SEAT B DEBORAH SCHUMACHER (N-P)

SEAT D MARK GIBBONS (N-P)

## CLARK COUNTY COMMISSIONER

DISTRICT A STEVE SISOLAK (D)  
DISTRICT B TOM COLLINS (D)

DISTRICT C LARRY BROWN (D)  
DISTRICT D LAWRENCE WEEKLY (D)

## DISTRICT COURT JUDGE

DEPARTMENT 1 KEN CORY (N-P)  
DEPARTMENT 2 VALORIE J. VEGA (N-P)  
DEPARTMENT 3 DOUGLAS HERNDON (N-P)  
DEPARTMENT 4 KATHY HARDCASTLE (N-P)  
DEPARTMENT 5 JACKIE GLASS (N-P)  
DEPARTMENT 6 ELISSA CADISH (N-P)  
DEPARTMENT 7 LINDA MARIE BELL (N-P)  
DEPARTMENT 8 DOUG SMITH (N-P)  
DEPARTMENT 9 JENNIFER P. TOGLIATTI (N-P)  
DEPARTMENT 10 No Endorsement  
DEPARTMENT 11 BETSY GONZALEZ (N-  
P)  
DEPARTMENT 12 MICHELLE LEAVITT (N-P)  
DEPARTMENT 13 MARK RALPH DENTON (N-P)

DEPARTMENT 14 DONALD M. MOSLEY (N-P)  
DEPARTMENT 15 ABBI SILVER (N-P)  
DEPARTMENT 16 TIM WILLIAMS (N-P)  
DEPARTMENT 17 MICHAEL VILLANI (N-P)  
DEPARTMENT 18 DAVID BARKER (N-P)  
DEPARTMENT 19 ALLAN R. EARL (N-P)  
DEPARTMENT 20 DAVID T. WALL (N-P)  
DEPARTMENT 21 VALERIE ADAIR (N-P)  
DEPARTMENT 22 SUSAN JOHNSON (N-P)  
DEPARTMENT 23 STEFANY MILEY (N-P)  
DEPARTMENT 24 JAMES M. BIXLER (N-  
P)  
DEPARTMENT 25 SUZAN SCANN (N-P)

DISTRICT COURT JUDGE FAMILY DIV

DEPARTMENT G C. 'DIANNE' STEEL (N-P)  
DIV DEPARTMENT H ART RITCHIE (N-P)  
DEPARTMENT I CHERYL MOSS (N-P)  
DEPARTMENT J KENNETH POLLOCK (N-P)  
DEPARTMENT K CYNTHIA GIULIANI (N-P)  
DEPARTMENT L JENNIFER ELLIOTT (N-P)

DEPARTMENT M WILLIAM POTTER (N-P)  
DEPARTMENT N GAYLE BECK NATHAN (N-P)  
DEPARTMENT O FRANK SULLIVAN (N-P)  
DEPARTMENT P SANDRA POMRENZE (N-P)  
DEPARTMENT Q BRYCE DUCKWORTH (N-P)  
DEPARTMENT R BILL HENDERSON (N-P)

JUSTICE OF THE PEACE, HENDERSON TOWNSHIP

DEPARTMENT 2 No Endorsement

DEPARTMENT 3 DAVID GIBSON, SR. (N-P)

JUSTICE OF THE PEACE, LAS VEGAS TOWNSHIP

DEPARTMENT 4 MELISSA SARAGOSA (N-P)  
DEPARTMENT 11 No Endorsement

DEPARTMENT 12 DIANA L. SULLIVAN (N-P)

JUSTICE OF THE PEACE, NORTH LAS VEGAS TOWNSHIP

DEPARTMENT 3 CHRIS LEE (N-P)

DISTRICT COURT JUDGE, DISTRICT 5

DEPARTMENT 1 (TONOPAH) JOHN P. DAVIS (N-P)  
DEPARTMENT 2 (PAHRUMP) ROBERT W. LANE (N-P)

MEMBER, STATE BOARD OF EDUCATION

DISTRICT 1 SHARON FREDERICK (N-P)  
DISTRICT 3 No Endorsement

DISTRICT 4 No Endorsement  
DISTRICT 7 CHRIS WALLACE (N-P)

REGENT, STATE UNIVERSITY

DISTRICT 2 ROBERT BLAKELY (N-P)  
DISTRICT 3 No Endorsement

DISTRICT 5 JACK SCHOFIELD (N-P)

TRUSTEE, CLARK COUNTY SCHOOL

DISTRICT A EDWARD E. GOLDMAN (N-P)  
DISTRICT B CHRIS GARVEY (N-P)

DISTRICT C RONAN MATTHEW (N-P)  
DISTRICT E TERRI JANISON (N-P)

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*"A thankless job - Who would please everybody must rise early."*

*-- French Proverb --*

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