

Communications Workers of America



Local 4501 Communicator

May/June 2009

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www.cwa4501.org

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Local 4501 Communicator

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Lookin for contributors for the Newsletter, y'all!

COOKOUT IN SEPTEMBER

Union Brothers and Sisters, as we promised in the November/December, 2008 issue of your newsletter, there will be a Cookout this September. The dust has finally settled on the national and state elections, your CWA/OSU union contract. The mobilization plan is on its feet and running, and our communications efforts are in full swing. Bob Jones and Patrice Myers, who was spearheading much of last year's efforts, has now been given the Herculean task of organizing the cookout in the next month and a half. Some details are on page 6.

To us here at the hall the cookout means a lot more the just a great day of eating, entertainment and fun. It is our way of thanking all union members for their continued support through membership.

When you signed your union membership form to become a card carrying member, you made a statement that we, CWA Local 4501, as a united force, will deal with The Ohio State University to get what we deserve.

Conversely, those Collective Bargaining Unit members who are mandated by the state to pay a fair share for raises and benefits but choose not to become card carrying members, for whatever personal excuses they might have, send the message that we will take whatever contract and treatment management chooses to give us.

*"For signing a card and pledging support, we thank you.
This Cookout is a tribute to you!"*

And that goes double for our "Members Only" people. You are not mandated by the state to pay a fair share. Some of you choose to belong because your own personal ideology conflicts with the needs of the University and you need our help to ameliorate the situation and keep you out of as much trouble as we can.

Some of you join because you want the leverage to make The University live up to it's own rules. And some of you join because you believe in unionism.

You realize that such a line of communication is imperative for getting what working people deserve, and that only through sticking together can working people, and the middle class as an entity, get proper enough treatment to survive and thrive. You also realize that the only way to form a bargaining unit in your title is for a majority of people holding your title to become members, and that you have the strength to lead the way. Thank you. Eat up.

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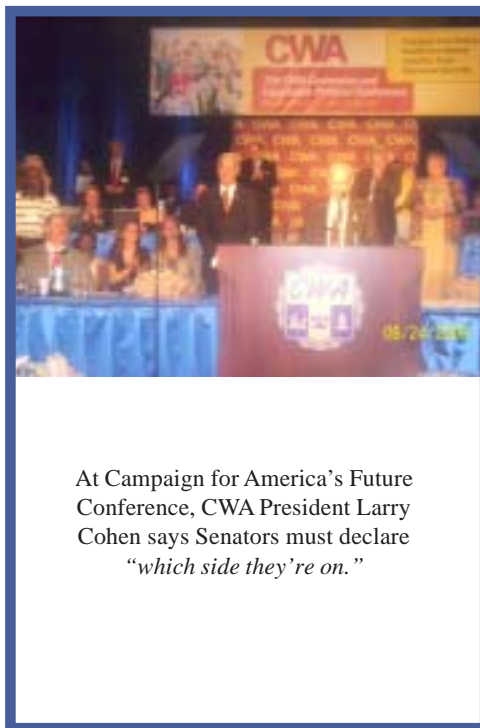
Cohen: 'This is Exactly the Time for Employee Free Choice'

June 4, 2009

Speaking to more than 3,000 progressive activists at the Campaign for America's Future conference, CWA International President Larry Cohen reminded participants just how tough the Senate vote on the Employee Free Choice Act will be.

The Chamber of Commerce has spent \$200 million against the Employee Free Choice Act and is lobbying hard to block the vote for cloture, Cohen said. "We need to demand that senators choose 'which side they're on,' when it comes to Employee Free Choice."

"We won't accept excuses that 'this isn't the time because of the economy.' You cannot fix the economy without Employee Free Choice. This is exactly the time," he said.



Senator Tom Harkin (D-Iowa), who is taking the lead in getting Senate approval of the Employee Free Choice Act, called the measure "the civil rights battle of today." And if senators refuse to work together for a bill that preserves the top priorities of Employee Free Choice, "I will take the original Employee Free Choice Act bill to the floor and demand an up or down vote on it," he pledged.

Joining the session was David Bonior, chair of American Rights at Work, and Wade Henderson of the Leadership Conference on Civil Rights.

Report Bolsters Case for Majority Sign-Up

A new report by four leading universities provides more definitive proof that majority sign up does not cause union or employer intimidation. In fact, the findings indicate that a lack of intimidation by either side – as well as a clear path to forming a union — allows workplaces to function more smoothly with no friction. Data from 34,000 people who joined unions through majority sign-up over a six-year period showed no trace of intimidation by unions or employers, the report from labor studies departments at Rutgers, Cornell, the University of Illinois and the University of Oregon found. Researchers looked at public sector organizing, which is often done by majority sign-up, from 2003 to the

present. "Contrary to business claims, in 1,073 cases of union certification and in at least 1,359 majority-authorization campaigns, there was not a single confirmed incidence of union misconduct," they said. The findings shatter the claims of Employee Free Choice Act opponents who charge that majority sign-up would cause unions to intimidate workers to get them to join. This week, workers at two companies joined CWA through majority sign-up. In Arlington, Wash., workers at Roads West Inc., a telecom company, won union recognition with Local 7803 with 100 percent support for CWA representation.



In Lebanon Communications in Lebanon, Ohio, technicians won representation with Local 4400 also through majority sign-up. The study is available from the AFL-CIO at http://www.aflcio.org/joinaunion/voiceatwork/efca/upload/multistate_efca051409.pdf.

New Research: Workers Seeking to Organize Face More Intimidation Than Ever

May 21, 2009

A new study by labor expert Kate Bronfenbrenner shows that private sector employers are more likely than ever to interrogate, threaten and even fire workers who try to form unions.

Cornell University Professor Kate Bronfenbrenner, right, listens as Angel Warner describes how she and her coworkers have been harassed while trying to form a union and bargain a contract with Rite Aid in California. Bronfenbrenner released her new report on employers' increasing use of anti-union tactics at a briefing on Capitol Hill.

The findings in “No Holds Barred: The Intensification of Employer Opposition to Organizing,” are more evidence of how badly the Employee Free Choice Act is needed, said Bronfenbrenner, a Cornell University professor.

The bill “would provide a means to streamline the burdensome and terrifying obstacle course that the organizing and first contract process has become, while also offering more substantive penalties for the most egregious employer violations,” the report states.

The report looks at data from 1999 to 2003 and compares it with previous studies of employer behavior toward worker organizing over the last 20 years. The most recent data show that:

- In 63 percent of private sector organizing drives, workers are interrogated about their support for the union in one-on-one meetings with supervisors.
- 57 percent of employers threaten to close the worksite.
- 47 percent threaten to cut wages and benefits.
- 34 percent fire workers who support the union.



The report finds that employers use 10 or more tactics in their campaigns to thwart organizing efforts. Even when workers overcome those hurdles and win an election, 52 percent are still without a first contract one year later and 37 percent don't have a contract within two years.

CWA Local 13000 member John Pezzana, a Comcast technician who fought for years to organize and gain a contract in Pennsylvania, said after reading Bronfenbrenner's study, “It is like she was right there with us in Pittsburgh.”

“It's no secret that Comcast uses these types of anti-union tactics,” he said. “This is how it keeps the percentage of organized work locations very low, about 2 percent of the 100,000 employees. Comcast has been charged with so many NLRB violations, I couldn't even begin to count them all.”

It doesn't have to be that way, Bronfenbrenner said, noting that the United States' public sector models for organizing – which include majority sign-up – prove that workers and employers can cooperate in ways that benefit both parties.

“In 48 percent of the public-sector campaigns, the employer did not campaign at all – no letters, no leaflets, no meetings,” she said. “The entire decision was left up to the workers. The remaining 52 percent of public employers did use some of the same tactics as private employers, but on an entirely different scale.

About 40 percent of the time, workers filed unfair labor practice charges with the National Labor Relations Board, describing threats, firings, interrogation, surveillance and wage and benefit cuts for supporting the union.

Research indicates that workers could file ULPs in many more elections but they fear that doing so will delay an election for months if not years along with retaliation for filing charges. Workers know that the resolution to a case can take years and that the remedies today are weak, the report says.

Bronfenbrenner found that 23 percent of all ULP charges and 24 percent of all serious charges – such as firings, interrogation and surveillance – are filed before a petition for an election, confirming that employers' anti-union campaigns are unrelenting from the first days of an organizing effort.

In about 45 percent of cases, workers win, through a settlement with the employer or an NLRB victory. In those cases, however, employers routinely appeal and can drag out the process for three to five years, sometimes longer.

Even when workers ultimately prevail, “in all the cases in our sample, the worst penalty an employer had to pay was back pay averaging a few thousand dollars per employee,” Bronfenbrenner said.

The study is available at www.araw.org.

“It's no secret that Comcast uses these types of anti-union tactics,” he said.

Communicator

CALLING ALL STEWARDS

From now forward, we will be revitalizing our **O.U.C.H.** (Our Union Can Help) column. We want it to be at least two pages long, and we expect help from **ALL OF YOU**. It has become clear to us that our grievance roster, though minimally informative, is grossly insufficient as an indicator of what we as an organization and you as individuals do for our members. When you help our members in any way that is not reflected in our second level grievance roster, or have a second level victory where the details have ramifications or educational value for our members in the bargaining units, we must know so we can let others know through our **O.U.C.H.** columns what we can do for them. If you are not helping our members, there are people waiting for your stewardship, so please step down and let others have a chance.

SECOND LEVEL GRIEVANCE/RESOLUTION OF DISPUTES ROSTER					
DEPT	STEWARD	ARTICLE/ISSUE	HRN	DECISION	CWA ACTION
OSUMC	Hardgrove	Articles 8, 13, 29 and 37	2/12/09	Denied	NFA**
FOD	Davis	Articles 7, 8 and 29	4/22/09	AFFIRMED	NFA**
OSUHP	Long	Articles 1, 2, 8, and 14.8. Non sel	5/15/09	Denied	Arbe*
T&P	Taylor	Article 25, damaged foul weather gear	5/27/09	Denied	Arbed*
FOD	Taylor/Davis	8, 14 promotion/sick leave usage	6/3/09	Denied	Arbed*

*CONSIDERING FOR ARBITRATION

NO FURTHER ACTION *RESOLUTION OF DISPUTES #SEE O.U.C.H.

& SEE NEXT O.U.C.H.

'Adopt an Overpass' for Employee Free Choice

May 21, 2009

Congressional action on the Employee Free Choice Act is heating up, so now's the time to turn up the heat on our actions. CWA locals have been leading the labor movement in getting out the word on Employee Free Choice.

When members of Congress go back home for the Memorial Day recess, we want them to see how

determined we are to pass the Employee Free Choice Act. During this recess, CWA is encouraging locals to "adopt an overpass" and hold a banner in support of Employee Free Choice. Banners will be displayed at the CWA Convention/Legislative-Political Conference in June, so plan your action now.

District 1 and District 13 are out in front so far, but more locals have plans in the works. District 1 has supplied some very helpful advice for creating and getting attention for the banners:

1. Find a good location. The best overpasses have:

•**Long, Straight run-up** – this gives drivers on the highway plenty of time to read the banner and see you.

•**Small, Straight Fence (or No Fence)** – Sometimes overpasses have a curved-in fence. If that's the best you have, you could put the banner on the inside of the fence – as long as it's securely attached (even with a strong gust of wind). Keep hold of it at all times.

•**Sidewalk** – if there is no sidewalk, there is often a shoulder or a pull-over lane.

•**Lots of cars and trucks passing underneath them** – the more people see the banners, the better.



2. Paint a big, easy-to-read banner, or two.

- Use a big white sheet.
- Use paint for the letters, not marker.
- Make the lettering really thick and easy to read.
- Use a pencil to draw the letters before painting the banner.
- If it's a windy area, think about where you might want to cut wind-holes so that it's easier to hold against the fence on the overpass.
- Don't misspell anything.
- Don't leave the banner behind.

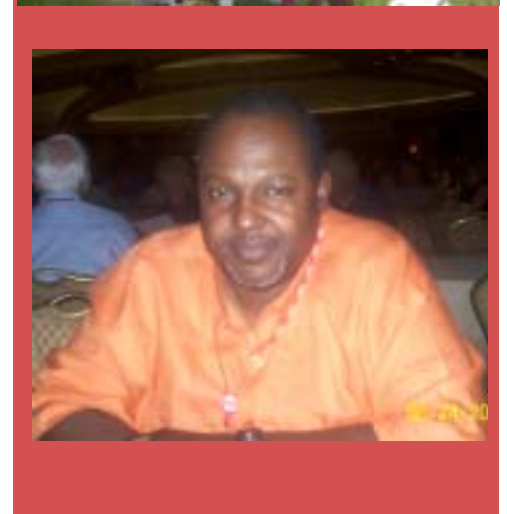
3. Get two or three people to hold the banner. Keep people holding the banner at all times.

4. Get someone to take pictures of the banner – ideally, hi-resolution digital photos.

5. Have someone available to talk to police and media, if needed.

6. And the Most Important Rule: don't drop the banner and don't leave it behind.

For questions and more information, email news@cwa-union.org.



CWA 4501 FAMILY COOKOUT

Saturday, September 12, 2009 1:00 to 6:00pm Whitehall Community Park

Menu

Main:

Polish Sausages

Kosher hot dogs

Hamburgers

Vegetarian Selections

Sides:

Baked Beans

Potato Salad

Cole slaw

Entertainment will be provided by

D.J. Vearn Winbush

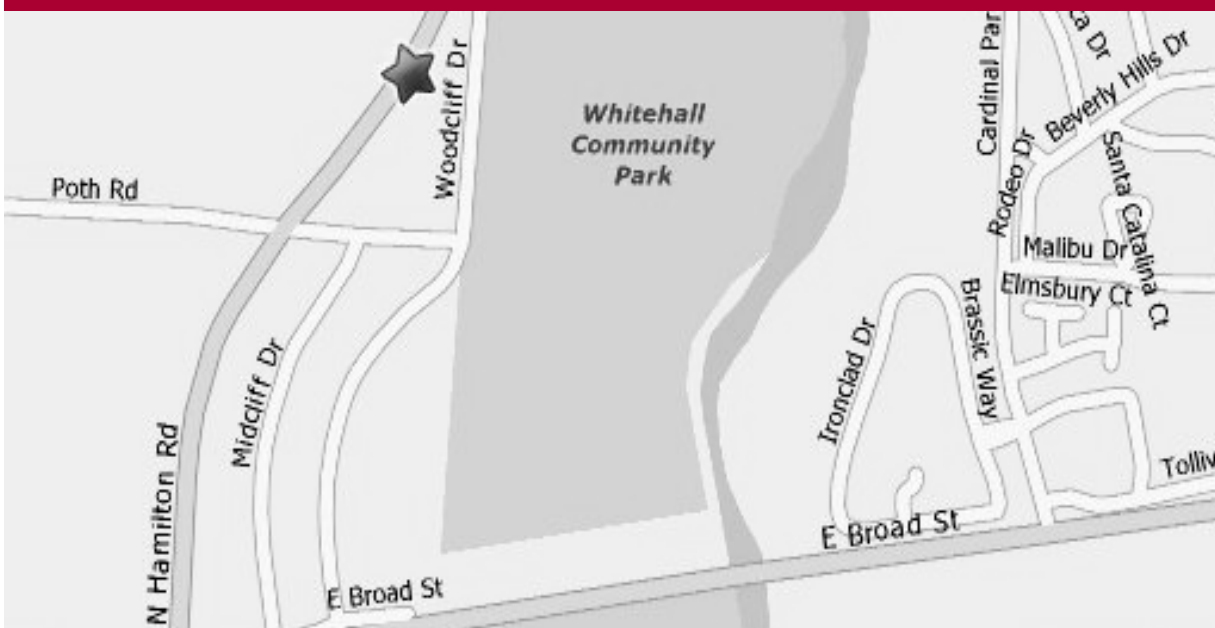
Who will provide Karaoke and great discs.

Desserts To be announced

And for the children, a playground and
inflatable outdoor
jumpers and slides and such.

And rumor has it there will be **Bingo**,
with fun and screaming and prizes.

Drinks: Soda Pops and Bottled Water



402 North Hamilton Road
Whitehall is East of Columbus Take I-70
to Hamilton Road. Go north on
Hamilton for 3.26 miles, about 7 min-
utes: just north of Broad.



In Memory

Give them rest with the devout and the just, in the place of the pasture of rest and refreshment, of waters in the paradise of delight; whence grief and pain and sighing have fled away.

In early February, *John H. Scott, retiree from OSUMC Dietary*, passed away.

In March, **Cassandra Blake**, from **OSUMC Dietary**, lost her father, *Richard Samuel Blake* and **OSUMC's sterile supply worker Barbara Jean Halloway** lost her twin sister *Brenda Cooper*.

May saw the loss of *Melba Jean McClain*, the mother of **FOD's Stanley Johnson**. I used to work with Stanley, and I know everyone in FOD knows Stanley and shares his pain.

In June, the union lost **Board member and union activist Linda Ruffin Peterson**. **Linda** was a **booth attendant in Traffic and Parking**. Also, **Sharon Washington, Environmental Services** at **OSUHP**, lost her husband *Timothy Washington*.

Prayer for the grieved: "May the LORD bless you and keep you; May the LORD make His face shine upon you, and be gracious to you; may the LORD lift up His countenance upon you, and give you peace." **Numbers 6:24-26**

GOOD AND WELFARE Documenting Volunteerism

We received a letter from June Fluharty, Labor Liaison for Central Ohio United Way that reads:

"We all know that organized labor has always given back to our communities. Our new President, Barak Obama, has called on everyone to give back to their communities in these current times. Members of organized labor donate both time and resources to make our communities better places to live.

I want to start documenting the volunteer hours donated by the generous members of organized labor. Many people do not know the value organized labor adds to our communities and it's time we get credit for all the hard work."

She has asked us as an organization to keep track of our community projects, but she also wants individual members to please help by documenting "any personal volunteer activities – this includes any non-profit group, be it secular or religious." There are community project forms at your local. Keep up the great work, and please help us document your efforts.

GOT AN O.U.C.H.? Remember to think “Our Union Can Help”

Employee Mistreatment By Management - FOD

Terryl Davis, CWA 4501 Lead Chief Steward in FOD, was approached by a member who had been verbally reprimanded by his zone leader, Mark Soliday, during the member’s lunch break. The zone leader had reprimanded the member in a “very demeaning, hostile and disrespectful fashion”.

And our employee was verbally abused in front of two witnesses. Without saying a word, the employee got up and walked away, as we are told to do when a situation like this occurs. The zone leader followed our member asking him over and over where he was going. Our employee then contacted Kenny King to report the incident.

The member and Terryl asked that the employee receive a letter of apology, that the zone leader attend a communication and practice of diplomacy course, and that the incident be documented and put in the leader’s file as conduct unbecoming a manager.

At the first level hearing, it was discovered that the grievant and Mr. Soliday had discussed the incident and Mr. Soliday had apologized and the grievant had accepted the apology.

It was also stated that neither Mr. King nor Mr. Soliday were opposed to Mr. Soliday attending the above mentioned training. Mr. King said he would contact Jed Dertinger to have him assist in finding a training class to attend. The grievance was resolved on first level.

With good communication between all parties, many problems can be worked out, not just to the benefit of the parties involved, but to the benefit of all members.

Our employee and Lead Chief Steward Terryl Davis recognized the need for better communications on the part of the zone leader that would help all members involved in situations in the future.

Mr. King, in agreeing with the union that more skill in handling people was needed for his zone leader, added to the voices calling for more tact and better communications.

And Mr Soliday, recognizing this need in himself and having the courage to admit it in order to make himself a better leader, accepted the training, and everyone involved and many not involved, will benefit from these cool heads and these positive results.

Communication is the key element in keeping a potentially adversarial situation civil and productive. How well are you communicating? If you are having trouble getting your message heard, contact a steward in your area..

DENIAL OF PROMOTION DUE TO CORRECTIVE ACTION - OSU MEDICAL CENTER

A member from OSU Medical Center was denied a promotion from a Food Service Worker to a Food Prep Worker because she had been issued a written reprimand. **Theresa Hardgrove, CWA 4501 Lead Chief Steward in the Medical Center**, came to the first level hearing armed with a list of employees who had received promotions while they were further along in the corrective action process.

The Union alleged violations of Articles 1, 8, and 14, and all applicable laws.

On 01/14/09 the department met with the grievant and Lead Union Steward Hardgrove to hear their statements. As a result of their meeting the department has decided to agree to the grievant’s request allowing her to promote up once

she is six months past the date of her initial written reprimand assuming there is an available opening for which she can apply. During this time it is expected the grievant remain in good standing with her attendance and continue to be a leader within the department, as she always has.

In this grievance, Ms Hardgrove investigated and found examples of similar situations where the employee involved had been treated differently from the grievant. With our fair and equitable contract article, OSUMC management had very little option but to graciously recognize the logic of Steward Hardgrove’s argument and agree with the union.

But much credit goes to the employee herself. If she had a record of missing work every Friday, or of slacking in her duties or of being consistently antagonistic, the result might have been very different at this level.

And remember, if you need help getting what you deserve, contact your union hall (find the information on the front of this newsletter)

Your stewards are professionally trained in many aspects of union representation.