





*Manning the picket lines: from left to right are **Bob Jones, Roderick Watts** and Council 20 vice president **Chad Maness**.*

community about their circumstances. One of the many picket signs made to get the message across to inform the community read “My Boss = \$100,000; Me = 0%”, highlighting the fact that the director of the agency earns well over \$100,000 but bus drivers and bus aides, who start at \$14.59 and \$9.47, respectively, were given no general increase in the most recent reopener negotiations.

As more and more of the members in the agencies we represent feel the pressure from management to accept wage freezes, it is important to remember that as a union, we have the power to stand strong together to fight those demands. Staying united is the only way we will win.

### **Henry Children Services Settles Contract Negotiations**

Henry County DJFS and PGO recently agreed to a new three-year contract. PGO represents the children services caseworkers in Henry County.

The Union fought hard to retain the benefits for members, especially the 95 percent employer paid health insurance. Council 18 members will receive an extra \$250 a year plus the \$1000 they currently receive if they take advantage of the health insurance waiver

incentive. In exchange, the members agreed to a wage schedule freeze with a “me-too” clause with other non-bargaining unit employees.

Thanks goes out to **Ruth Hershberger**, Council 18 President and PGO field representative **Amelia Woodward** for their representation during these difficult negotiations.

### **Personal Matters: Personnel Policies and You**

*By John Campbell-Orde, Esq., PGO General Counsel*

Every employer issues personnel policies to its employees. Many times the policies are extensive and cover many different topics. Over time personnel policies frequently are updated and altered by employers.

Under the collective bargaining law and other authority, employers have the authority to issue personnel policies. However, some limitations exist on this employer right. First, employers may not apply policies that conflict with contractual provisions contained in your collective bargaining agreement. A personnel policy that directly conflicts with your collective bargaining agreement effectively is nullified by your agreement. That being said, if you believe that something in your personnel policies conflicts with your collective bargaining agreement you should not cease following the personnel policy. You should let PGO or your local union representative know which personnel policy conflicts with the collective bargaining agreement. Once PGO knows about the potential conflict we will analyze the situation in order to determine whether the personnel policy and the collective bargaining agreement truly are in conflict. In the meantime you should continue to follow the policy unless instructed otherwise by PGO. If PGO determines that the personnel policy conflicts with the collective bargaining agreement then we will file a grievance under the appropriate circumstances

In addition, if you currently have a collective bargaining agreement, employers sometimes are not permitted to make changes (which may come in the form of policies, rules, or other communications) that fundamentally change your workplace rights or conditions. So if you believe that your employer is planning on doing something that could significantly affect your wages, hours, or the conditions of your employment, you should promptly contact PGO or your local union

representative so that the situation can be analyzed and any rights you have can be protected.

One final note. Employers frequently “expect” employees to be familiar with all relevant personnel policies, procedures, and rules. However most employees represented by PGO are paid on an hourly basis and entitled to over time under certain circumstances—the exact circumstances may vary between collective bargaining agreements. Also many PGO represented employees have a work week that is limited to a specified number of hours. If your employer presents you with new personnel policies you may have time to read them. However, if personnel policies are changed significantly, you should contact PGO or your local union representative so that we can ensure that your employer gives you sufficient time to read the policies and that your employer provides proper training or explanation on the policies during work time, if the policies are unclear.

**The Grievance Procedure: The Best Tool Labor has to Enforce the Contract**

*By Amelia Woodward, Esq., PGO Field Representative*

Every contract in every council contains a provision for filing a grievance over a violation of the contract. This process is essential to reconciling the violation, whether that is settling the dispute with management, or bringing the issue before a neutral third party in an arbitration. An arbitrator will decide whether there has been a violation of the contract and he or she will issue a remedy if there has been a violation.

Before filing a grievance, you should consult your union steward or a PGO representative as soon as possible. The union steward is trained in drafting, filing and processing grievances in your council and can help you fill out the grievance form and process the grievance.

There are some essential steps of the grievance procedure that you must follow if you believe the contract has been violated. The first is the timing of a grievance. Each contract has a deadline for filing a grievance. Once a violation has occurred, a grievant (the person whose rights under the contract have been violated) has only a specified number of days to file the grievance with management. For example, if a bargaining unit member has been disciplined, and the discipline is not for just cause, the employee has a certain

number of days from the issuance of the discipline to draft and file a grievance challenging the discipline.

There are also violations of the contract that may be continuing violations. Continuing violations are not subject to the filing deadlines because they are recurring violations. An example of a continuing violation of a contract would be if your pay rate is inaccurate or if you are receiving the wrong vacation accrual rate. In any event, the best practice is to file a grievance over a violation of the contract as soon as you become aware of it.

A member must also be sure to submit the grievance to the proper individual in management who handles grievances. The contract should indicate who a grievance should be submitted to at Step 1 of the procedure.

Also, there may be provisions of the grievance procedure allowing a member to “skip steps” of the procedure for grievances that involve terminations of bargaining unit members or other matters beyond the control of the immediate supervisor. Under these circumstances, some contracts permit the parties to mutually agree to waive steps of the grievance procedure.

Finally, always be sure to read the provisions of your grievance procedure very carefully and adhere to these provisions in drafting, filing and processing grievances.



**"To stimulate the economy, people need to start spending more. Raise our prices!"**



**Remember to Buy Union During the Busy Holiday Season**

*By: Amelia Woodward, Esq., PGO Field Representative*

When you are thinking of that perfect gift for someone on your holiday list, or the perfect meal, or those yummy treats for the stocking, please be sure to remember to purchase it at your local union shop or from shops that sell goods made by union members.

If you are thinking that someone special on your lists deserves a new wireless service, you may want to consider unionized AT&T wireless service. If you are shopping for food or beverages for that holiday party or the big holiday meal, Kroger and Meijer are good options and you'll be supporting other union members in your area.

Filling stockings this holiday? Be sure to fill those stockings with items from the following confectioneries: Hershey's, Nestle, Kraft and Necco, whose employees are members of the Bakery union.

If you are traveling this holiday season, don't forget to check whether the hotel you are staying in is unionized by going to <http://www.hotelworkers-rising.org/HotelGuide/>. We hope you have a joyous and festive holiday season this year.

**Boycotts: Don't Buy or Patronize Anti-Union Companies**

*By: Amelia Woodward, Esq., PGO Field Representative*

Unions across the country are calling for boycotts of businesses that continue to refuse to negotiate or are pushing for unnecessary concessions from members while simultaneously realizing continued strong prof-

its. The largest group of corporations with current boycott campaigns against them involves the hospitality industry. Hyatt, Sheraton, Hilton and many other hotels across the country are on the boycott list because they have used the bad economy as an excuse to cut wages and benefits despite the industry's strong recovery from the meltdown of 2008.

If you live in the Dayton area, WKEF and WGRT are on the boycott list, because the International Brotherhood of Electrical Workers (IBEW) is currently in dispute with the Sinclair Broadcasting Network which owns those stations. The dispute involves a IBEW local in Maine being asked to take massive wage concessions, not because the company is facing any economic crisis, but because the company believes the employees are being "overpaid." Surely you can sacrifice a couple of episodes of Glee in solidarity with these brothers and sisters! These IBEW members will appreciate it.

Echostar Dishnetwork, a satellite company, is also on the list. If you are a fan of the "Biggest Loser," but you want to support your fellow union members in California, you might want to consider watching something else during the time the show is on. The production crew of the "Biggest Loser" is currently on strike because the producers refuse to recognize the union as the crew's exclusive representative.

If you are thinking of purchasing a new instrument for yourself or someone in your family, avoid purchasing instruments from Vincent Bach Division Conn Selmer, Inc. Also on the boycott list are a number of tobacco companies, including Camel, Doral and Salem. To see the complete list of current boycotts, please go to [http://www.unionlabel.org/?zone=/unionactive/view\\_page.cfm&page=Boycott](http://www.unionlabel.org/?zone=/unionactive/view_page.cfm&page=Boycott)

