

Talking Union

CWA PUBLIC, HEALTHCARE & EDUCATION WORKERS

SEA@CWA Is Largest CWA Local in New Mexico

Card Check Campaigns Bring Membership to 3000+

New Mexico has a long history of collective bargaining. Before 1993, public workers bargained with their agencies under Labor-Management Rules of State Personnel, which provided for dues deductions, a grievance procedure and arbitration for some issues, but not wages and benefits. Improvements in pay and benefits could only be won through legislative action. Even with a membership rate of only 20%, CWA was fairly successful, negotiating contracts at the Health and Environment Department (now two separate agencies), the Agency on Aging, the Commission on the Status of Women, the Office of Cultural Affairs (now the Department of Cultural Affairs) and Miners' Colfax Medical Center.

In 1992, Gov. Bruce King signed into law the first bill giving public employees the right to bargain for all terms and conditions of employment, including wages and benefits. In order to get the bill passed, the act carried a sunset clause, a fatal compromise which, if not legislatively removed before 1999, would kill the act. The bill passed by one tie-breaking vote.

In 1993, three unions representing state workers—CWA, AFSCME (American Federation of State, County and Municipal Employees), and WCIW (Western Council of Industrial Workers)—formed a coalition to bargain one master contract for all eligible state workers. It was not a walk in the park. Nine grueling months later, they were still at the table. In fact, the contract was signed at the eleventh hour—just as Gov. King left office and Gov. Gary Johnson (a rabidly anti-union Republican) stepped in.

Rough Going

From the beginning, enforcing the contract was difficult. Members became disillusioned as grievance after grievance was denied. Unions took Gov. Johnson to court

POLITICAL ACTION PAYS OFF: Union get-out-the-vote drives in 2002 helped elect Gov. Bill Richardson, who soon fulfilled a campaign promise to reinstate collective bargaining rights for public workers in New Mexico.

- ▶ Richardson celebrates with CWA@SEA members.
- ▼ State workers in Las Cruces proudly hold the banner of their new alliance.
- ▶ Bottom right, bargaining team member Mara Yarbrough brings SEA@CWA members up to date on contract negotiations.



over several issues and won—but still the workers were passive. There was a “fee-for-service” mentality among state employees.

And so, in 1999, despite four efforts in the legislature to lift the sunset clause (vetoed by Johnson in every case, and with not enough votes to override), New Mexico state workers lost collective bargaining.

“We spent the next four years like the proverbial frog in boiling water,” says Local 7037 Organizer Robin Gould. “We were frogs. Johnson let us swim around for awhile and then began to turn up the heat. Many didn’t realize they were being boiled



to death until it was too late.”

The ground that state employees lost was staggering. Turnover rates soared between 1999 and 2002. Overtime became nonexistent, replaced by forced flextime. FLSA-exempt employees were expected to work as many hours as it took to do the job; pay for performance was instituted based on a quota system; job classifications were restructured, causing several thousand state employees to lose ground. Most importantly, there was no fair way to complain. Individuals using agency internal complaint procedures were retaliated against swiftly.

“When the employees lost rights the last time, they saw almost instantly what it was like to work without a union contract,” says District 7 Rep. Lawrence Sandoval. “They realized they needed to mobilize to regain the benefits and conditions that they had under the previous collective bargaining agreement.”

◀ **WORKING FOR A NEW CONTRACT:** Members of the SEA@CWA bargaining team gather after a negotiating session.

State Workers Fight Back, Elect New Governor

CWA launched an intensive political action campaign in 2002 aimed at electing pro-labor representatives to the House and Senate and supporting Bill Richardson for governor. One of Richardson’s major campaign promises was to resurrect collective bargaining for state workers.

CWA sponsored rallies and get-out-the-vote campaigns throughout the state, especially in the areas with the largest number of voters—Santa Fe, Albuquerque, and Las Cruces. State workers knocked on doors the night before the election. Phone banks reached out beyond union members to everyone on voter registration lists.

Richardson won by a landslide, even winning a substantial number of Republican votes. One of his first acts upon taking office was to keep his promise to state workers. He signed a collective bargaining bill into law in March 2003.

The new law, while nearly identical to the previous one, included a challenging

(cont. on p. 4)



Diversity is Our Strength

by Brooks W. Sunkett, V.P., Public, Healthcare & Education Workers Department

At the CWA Public, Healthcare and Education Workers Conference last year, the theme was “Partners in Building CWA’s Future.” The truth is, this theme is more than just a slogan for the conference. It also underscores how important the growth of the public, healthcare and education sector is to the overall success of our union.



President Morton Bahr asked them why they joined CWA, because the union knew very little about healthcare workers. They replied, “We know healthcare, we need you to show us how to fight and be a union.” When Local 1168 negotiated its first contract, many telecom locals were there to support them and their strike, resulting in a contract victory.

As jobs are lost in the telecommunications industry because of the poor economy, downsizing, outsourcing, and just plain bad management by many of the telephone companies, the role of public, healthcare and education workers in keeping our union strong becomes more and more vital. That role is to struggle, fight, and support our brothers and sisters in their efforts to secure a better future for themselves.

Telecom helped us grow

Not too long ago, our brothers and sisters in the telecommunications industry supported our struggles and growth in the public sector. CWA’s first and oldest organized public sector local is Local 1180 in New York City, which joined CWA in 1965. Subsequently, Locals 1181, 1182 and 1183 were organized. These locals were all organized at a time when telecommunications was a thriving industry, when “Ma Bell” was a monopoly, and when telecom membership grew every year.

Our sector’s well-being was predicated on the resources and growth of the telecommunications sector of our union. Telecom members had long established clout in national and state politics. CWA telecom locals all over the country with this type of political influence and resources certainly paved the way for the growth of the public sector within CWA.

For example, take a look at the University of California campaign in 1998, where our members were attempting to negotiate a first contract for professional researchers. The University of California is one of the most powerful political and financial institutions in the country. Winning a contract was a challenge, given our low membership, scant resources, and lack of political clout. The support of many union sisters and brothers in California became the secret weapon that made a contract victory possible there. They lobbied, wrote letters of support, and participated in mobilization activities around the state on behalf of the researchers. The financial, political and membership strength of our CWA telecom members in California made the difference.

I can recall early in the 1980s when Local 1168 Nurses United joined CWA.

Members of the Public, Healthcare and Education sector have been able to rely on the assistance of telecom members in other mobilization activities as well. A few years ago in an organizing campaign at Community College of Baltimore County (CCBC), management refused to allow employees to organize even though we had met all of the conditions set in a long-standing resolution outlining the guidelines for union elections. Because it was only a university resolution, the union had no legal recourse. However, many CWA members and members of other unions were students and CCBC customers. The threat of losing these students and revenues helped to force the university to give the union card-check recognition.

Support flows both ways

The public, healthcare and education sector has always been ready to stand up and reciprocate the support we have received in the past. Well over 22 years ago, I was a local president marching and sup-

porting telecom workers on the picket lines. My local didn’t need to know all the details, we just needed to know that our fellow unionists needed help. When the state of New Jersey decided on a new phone system, it was the state worker locals that insisted on having union phones in our offices.

More recently, when telecom workers were struggling to get a contract, they asked customers to switch telephone services. To be successful, they needed many customers to participate. The public sector helped by providing a large number of members who threatened to switch services. It is this spirit of solidarity that built CWA that is needed now, more than ever, to keep our union strong.

Why do telecom workers need public workers? They need to organize in the public, healthcare and education sector to strengthen their locals. As telecom locals lose members, they also lose resources that protect members. By organizing in the sector, telecom locals reinforce their established

organizations with additional members for mobilization, resources to strengthen political clout at the state and Federal level, and increased revenues.

We are ready to help them succeed. One of the goals of my department is to continue to provide the tools, training and strategic support to help those locals who want to organize in the public, healthcare and education sector. We have been able to do so in the past with programs such as our bargaining support and training, our CD that teaches how to plan a strategic campaign, and numerous publications and training programs. The department has also participated in many organizing and political campaigns to contribute to the growth and well being of our union.

There has never been a time when the public and private sectors have more to gain in supporting each other. Organizing, political action and representation are more important than ever. We are all in the same boat—we’ll either sink or float together, because our destinies are linked.

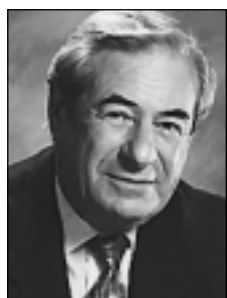


SOLIDARITY: Members of Local 4300 in Youngstown, Ohio, held a lunchtime rally and filled out change-of-carrier cards in support of SBC bargaining earlier this year.

■ PRESIDENT’S COLUMN

John Kerry’s Record on Workers Speaks for Itself

by Morton Bahr, CWA President



When it comes to the rights of workers and the needs and hopes of working families, November’s presidential election is a one-candidate race.

During John Kerry’s long tenure in the U.S. Senate he has stood steadfastly with workers and unions and he has championed job security, health care reform, child care tax credits, college aid, worker organizing rights and much more to help working families.

Unlike the anything-but-compassionate conservative in the White House today, we don’t have to wonder if John Kerry means what he says on the campaign trail. He has lived and breathed these issues—our issues—his entire political career.

As for President Bush, public sector workers are well aware that the Bush tax cuts and reduced aid to states have done grave damage to state agencies, as well as colleges and universities and health care facilities. Under the administration’s economic scheme, states have suffered nearly \$90 billion in budget deficits, forcing layoffs, vast service cuts, sharp hikes in college tuition, and increases in state and local taxes.

By contrast, Sen. Kerry has proposed a state tax relief and education fund that will provide an additional \$25 billion to states over two years, and he will budget addi-

tional money to fully fund the *No Child Left Behind* law and special education. He is also proposing a college tax credit on the first \$4,000 of tuition paid every year, and through his ambitious plans for a national service program, students could earn four years’ worth of tuition with two years of volunteer service.

Supporting nurses

John Kerry has taken a special interest in the rights of nurses. He vigorously supported nurses in Brockton, Mass., during a 103-day strike in 2003 and stepped in during the last month to help broker a deal to end the walkout. On top of a 13 percent salary hike, the contract improves staffing levels, reduces mandatory overtime and restricts job transfers. Afterwards, the Massachusetts Nurses Association named Kerry its “Legislator of the Year” and hundreds of members were on hand to applaud his efforts and his continuing campaign to help nurses improve their working conditions.

Recognizing the dangers for nurses and patients of unchecked hours at work, Sen. Kerry has teamed with Sen. Ted Kennedy to fight against mandatory overtime, sponsoring the Safe Nursing and Patient Care Act. He also is co-sponsoring the Nurse Reinvestment Act to encourage more people to become nurses and improve training, education, and retention for those already in the field.

Protecting overtime rights

And let’s not forget the administration’s most blatant attack on workers: The march to strip overtime rights from millions of

workers by effectively ending the 40-hour workweek. The Department of Labor’s rule will go into effect around Labor Day (most ironically) unless the U.S. House acts to stop it.

Sen. Kerry has fought the Bush administration every step of the way to try to stop the rule from taking effect. He understands that overtime pay is a vital part of many workers’ incomes. He also understands—contrary to the “family values” administration—that giving employers a green light to keep people on the job longer for no additional pay would hurt families by cutting into their time together. Parents would find themselves working late instead of having dinner with their children or attending their ballgames or school functions.

Helping families

Family matters to Sen. Kerry and that’s why he co-sponsored the Family and Medical Leave Act, a thorn in the side of the Bush administration and like-minded Republicans. He has fought to expand it to more working Americans, and would make it a priority as president.

Our country has a choice between a man who has smugly assaulted workers’ rights, job security and income, and another man who has never wavered in his support of and concern for workers and working families.

The choice is simple. The hard part is making sure that every one of us helps our colleagues, family members, friends and neighbors get the facts—and then get to the polls in November.

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'There's nothing like new blood to invigorate a local.'

Many telecommunications locals are organizing public sector workers to offset the loss of membership due to changes in the telecom industry. Talking Union asked four Local Presidents how the addition of public, healthcare and/or education workers has strengthened their locals. Here's what they told us.



LINDA HATFIELD
President
CWA Local 7026

We started organizing public sector workers because we were losing some telecom workers. In order to keep our local viable, we had to look outside telecommunications. Since we started to organize in the public sector, our membership has doubled.

Local 7026 and Local 7119 are the only Arizona locals with public sector workers. The company sees these locals as more valuable because of this connection. The locals have more bargaining power when they have more public sector members. They have more union density because there are so many public sector workers throughout the state. This opens up avenues to unorganized groups and increases the possibility of growth.

Organizing the public sector has also educated us on the value of being involved politically. Telecom workers often think politics only affects public workers, but in reality, it affects all our jobs.



ED PHILLIPS
President
CWA Local 4340

We have had public sector members since 1985, when we organized four Lake Co. groups totaling about 200 employees. Since then, we have added about eight more public sector entities, bringing our total to 600.

This has had a very positive impact on our local. We have noticed a symbiotic relationship between the public and private sectors. It has become clear that mutual support and understanding has helped both boats to float.

Public sector political savvy, as well as the need for our entire local to know and be involved with the political process, has made for a better local. Blended thoughts have opened the door to a progressive culture that promotes competent union representatives and experienced bargaining teams.



SEAN LINEHAN
President
CWA Local 2252

My local, which covers Virginia, West Virginia, Maryland, and DC, is primarily an AT&T local. Anyone who's been paying attention knows what that means. Ten years ago we had approximately 2,000 members. Today we have about 500 AT&T members, and that number is dropping rapidly. It's obvious that in order to remain a viable local we have to organize members outside of AT&T.

We currently represent a small group that works at National and Dulles Airports. We also have a group of physical and occupational therapists and speech pathologists who work for INOVA health system.

Everyone knows the challenges and disappointments that go along with organizing. We have worked hard with various groups and not even made it to elections. We have lost elections. To be honest, our greatest enemy is very often ourselves—our own members and our own E-Boards.

Anyone involved with the legislative and political aspects of CWA should already know that one of our responsibilities is to represent *all* workers. Sadly, that is not always the case. Some people are afraid of the new groups taking over the local. Some want to remain a "pure" local.

In my experience, the new members want to learn and help, not take over. They look to the existing leadership for guidance and assistance, as the other members do. They are not looking to overthrow the local; they are looking to strengthen it.

Bargaining is a learning experience

I think every local should be involved with organizing. There is nothing like bargaining a first contract to make you appreciate all the things you already have, things that CWA has won for us over the years. Those of us who started working for an already unionized company tend to take certain things for granted. I never thought I did, until my first bargaining experience.

Bargaining a first contract is an education that every union officer should undertake. Simple things like union bulletin boards, collecting dues from payroll, and, of course, a grievance process, take on a whole new significance. Can you imagine what it would be like not to be able to file a grievance? Millions of workers do not have that right. Benefits and wages are part of every bargaining session, but what about sick pay, vacations, and, most of all, a voice in the workplace?

We've all heard about mandatory closed door meetings and intimidation of the work force, but until you actually go through it you don't realize to what lengths employers will go to keep the Union out of their workplace! You don't experience the pure fear that non-unionized employees have to deal with in order to have a voice and stay employed.

On a personal level, I have learned more as a union officer dealing with my non-AT&T members over the last few years than I did in my previous 20. Organizing new locations, bargaining new contracts, teaching a new member about the benefits of being in a union has better prepared me to represent the members that I already had.

"If we do not reach out for new members we will cease to be able to represent our existing members! It is that simple."

There is nothing like new blood to invigorate a local. All of us have trouble getting the membership to attend meetings and participate in committees. That is not the case with newly-organized groups. Fresh ideas, new perspectives, and energetic membership have allowed us to do things I never would have considered a few years ago. We now offer

accredited classes through the local for health care professions. Our health care members offer blood pressure screening and other medical advice to the membership.

Organizing is a necessity

In short, for us, bringing in new membership was a necessity, not a luxury. In so doing we have better served our existing membership as well as strengthened our local and our community. The more people recognize the benefits of union membership, the stronger we become. The more people realize that unions are not just greedy blue-collar workers, the more viable our voice becomes. The stronger our voice, the better we represent our members.

Telecom was CWA, but that can no longer be the case. Just as the National is diversifying and going into new areas, we as locals have to do the same. It is expensive, frustrating, and downright scary, but not as scary as the alternative. If we do not reach out for new members we will cease to be able to represent our existing members! It is that simple.

The new members will come in and learn from us so that they can be there to represent us in our retirement. Just as it has always been so it will continue to be. Every local leader learned from someone before them and in order for someone to be there after us, we have to bring in new blood.

In order for CWA to represent us, we have to continue to grow. In order to grow we have to bring in new members. In order to bring in new members we have to organize.



MIKE CROWELL
President
CWA Local 9588

Local 9588 recently organized a large group of substitute teachers in San Bernardino, Calif. This group was looking for a union within the AFL-CIO that would give them some strength. They interviewed three unions besides CWA.

When they joined, our local picked up 800 dues-paying members. We won a 3-year contract that has binding arbitration in it. The local has benefited because it picked up a large group of activists in the substitute teachers base and they are now organizing a new school district—Rialto—with an additional 500 substitute teachers. The group is self-motivated and we are teaching them how to organize the CWA way.

This has benefited our local in many ways. We now have a built in organizing team chomping at the bit to organize everywhere and anywhere. Their enthusiasm has motivated the local's steward structure and executive board to also organize. The local's membership was below 2,000 members before the substitute teachers' organizing began. We are now closing in on 3,000 members.

Organizing and Bargaining for the Public Sector

by Joe Mayhew, Local 1103 Business Agent

There's an outdated notion that a public sector job is guaranteed for life. The truth is most public sector jobs in smaller municipal markets have no civil service protections. With layoffs at the whim of the Mayor's budget and bumping rights fairly restrictive, most requests for organizing stem from job security issues. The difficulties in organizing and negotiating for groups that work within a political minefield are compounded by the fact that many municipal workers in smaller labor markets have little experience with organized labor. However, with the increasing reduction of our membership from the core telephone units and the rapid offshoring of manufacturing and hi tech work, CWA locals must look to the public sector to increase membership and thereby continue to influence American labor policies.

Currently 12% of Local 1103 members work in the public sector. We represent workers in the education, health, emergency response and supervisory fields. Each unit has its own distinct issues and challenges, yet they all share one consideration: even after a successful organizing drive, they do not have the right to strike for a fair contract. Unless the state or their contract



TAKING CARE OF BUSINESS: CWA Local 1103 Business Agents John Gentile (left) and Joe Mayhew learned public sector negotiating strategies at last year's Bargaining Institute.

has a binding arbitration or a mediation clause, once impasse has been reached they are forced to accept the municipality's final offer. Therefore, negotiating in the public sector requires a strategic plan that avoids impasse while applying outside pressure to achieve a fair contract.

Information is key

The most vital component of the strategic plan is information. Fortunately, research in the public sector is easier than in private industry, thanks to laws like the Freedom of Information Act. Indeed, much of the needed information can be acquired by searching government web-

sites on the Internet.

Collecting and cataloging this data requires a large investment of time. The union must review city/town budgets, other labor market contracts, and the processes and personnel of the local governing body. At 1103 we find that our most successful contracts were achieved when we spent twice as many hours researching and compiling data than were actually spent at the bargaining table. Without the threat of withholding our labor, we had to develop plans that rely more on finesse than the brute force of a strike.

Overcoming past bargaining history

One of the greatest challenges of public sector bargaining is the past pattern of giving more weight to benefits than to wages. Wages in the public sector are generally lower than those of the private industry, but it has been widely accepted that health care and pension benefits are better. Therefore, years of bargaining have placed those benefits at a higher premium, while keeping wages more modest. That philosophy has become a dilemma for the public sector. After five years of double-digit increases in health care, municipalities are looking to save costs at the expense of workers who invested years of bargaining for those benefits. Increases in co-pays or cuts in health care services hurt municipal workers more because they have generally taken lower wages to maintain these benefits in the past.

In Connecticut, where the majority of Local 1103's public sector members work, binding arbitration is the state law. There unions have a slight edge if they can convey to the arbitrator that the history of past bargaining will place the membership at a great

financial disadvantage if health care co-pays are increased or benefits cut without significant raises in wages.

The local government also knows this and has begun an aggressive attack on binding arbitration. This attack, coming directly from the Governor's office, is being camouflaged as reform and is gaining momentum with the local selectmen and mayors of Connecticut. Consequently, local unions under the AFL-CIO leadership have had to expend time and energy fighting off these attacks, including spending a great deal of time in the state capital.

Public sector offers organizing opportunities

Fortunately, public sector workers tend to be politically savvy and understand the need to enact change through the political process. At the same time, their employers are very politically sensitive and very sensitive to negative press. Therefore, public sector unions must cultivate contacts in local and regional newspapers. In addition, elected officials who govern municipal workers are less likely to use taxpayer funds to hire union-busting law firms during organizing drives and generally will not interfere with a representation election. This makes the public sector ideal for start-up drives without the fear of spending huge sums of money to gain recognition.

The public sector in smaller markets is a wide-open field of potential members that the union cannot afford to ignore. CWA Local 1103 looks to these public sector markets as an answer to offset the reduction of our core membership and continues to look for organizing opportunities in the public sector.

NEW MEXICO (cont. from cover)

provision: any labor organization that had units prior to 1999 had to prove majority status in order to be recognized. And thus an intensive organizing drive began.

Reorganize the Organized!

Anticipating the new collective bargaining law, Locals 7027 and 7011 launched The New Mexico State Employee Alliance, SEA@CWA, in February 2003. With help from organizers borrowed from locals in Arizona, Utah, and Colorado, they built an organizing committee of more than 300 state workers and launched a state-wide campaign to reorganize the workers that CWA previously had represented. They went straight to membership cards in six agencies at 106 worksites across the state, with the challenge of

"Members of SEA-CWA found that when workers join together they REALLY can make a difference in the workplace. Collective bargaining is the most important issue that public workers can fight for! Without it, employees are subject to the attitude of management and elected officials to 'take care of them.'" DISTRICT 7 ORGANIZING COORDINATOR ROLANDO FIGUEROA

signing 50%+1 in order to gain union status under the law.

"Quite frankly, I was skeptical," says Gould. "In 15 years with the state and 10 years as an officer, I had dealt with every excuse under the sun why a worker wouldn't become a member—mostly we were dealing with freeloaders. But now the question had shifted: There will be no union unless a majority of state workers want to form one and are willing to fight for it."

"The Johnson years had taken its toll," she continues. "Employees were tired of

being battered and tired of not having a voice. Supervisors were, too, and many of them encouraged their employees to join the fight."

Between March and December of 2003, CWA regained majority status in all of its previous units but

one, not at just 50% membership but at 60, 70, and 100%!

"We were able to pick up all the previous units. We also picked up six other units that were non-represented," says John Thompson, District 7 Vice President. "The percentage of membership is even much higher in those units we already had."

Exhilarated state workers had to cool their heels, however, while the newly formed Public Employee Labor Relations Board of New Mexico prepared to conduct card counts.

To keep members energized, CWA staged four conventions around the state in January and February of 2004. These conventions solidified the name, State Employee Alliance-CWA, and challenged the membership to form committees (legislative/political, community coalition, organizing, bargaining support, communications), which were cross-agency, all with a view towards bargaining a first contract under the law.

New Contract in the Works

In March of 2004, one year after beginning this process, CWA went to the table with 21 state workers representing 11 agencies and 3,000 workers. At press time, they were still at the table, almost ready to wrap up a new contract.

The contract will include a fair share provision, which will give CWA the resources to continue to build all units to 100% membership and to do the work that will make the union effective in the workplace and the political arena.

Meanwhile, SEA@CWA promises to continue to organize new units—agencies that had never been organized in the past. The goal is to organize all of the unorganized units in the state—another 2,000 employees.

Living Wage Law Saved in Santa Fe

New Mexico courts recently upheld the constitutionality of the Santa Fe Living Wage Law, which was challenged by a business coalition's lawsuit.

The Living Wage Law, passed in 2003, is one of the best in the country. It requires all businesses with over 25 employees to pay \$8.50 per hour now, \$9.50 per hour in 2005 and \$10.50 beginning in 2006. The law was scheduled to go into effect on January 2004, but implementation was delayed due to the lawsuit.

The CWA State Worker Organizing Campaign worked with the Santa Fe Living Wage Coalition to help the law pass in the city council and helped wage a campaign against the lawsuit. Over 100 businesses in Santa Fe signed on to support the Living Wage and committed to recognize the law voluntarily.

One of the city council members who worked to pass the law is former Local 7037 officer David Coss.



BUILDING SPIRIT: New Mexico state workers framed the issues for their organizing campaign at a series of conventions held around the state. Entertainment took on a Southwestern flavor, with dancing in Las Cruces and a mariachi band in Roswell.





SAVE OUR SERVICE: At a press conference in Austin, El Paso DHS committee member Ruben Leslie calls for keeping call centers open.

TSEU Wins Battle, Faces Ongoing War

Resistance Saves State Schools and Hospitals

The CWA/Texas State Employees Union continues to spearhead opposition to state plans to close or privatize Texas social services. Their most recent victory came in June, when bids to privatize three state schools were rejected by the Department of Mental Health and Mental Retardation.

The bids failed because the contractors were unable to show that they could operate the facilities for 25% less than MHMR. The 25% savings requirement was not just luck; it was part of a TSEU strategy to save quality services for MHMR clients. The union joined the Parents Association for the Retarded of Texas in pushing through an amendment to the original legislation, which required only 10% savings.

The strategy won the battle, but Texas State employees still face the privatization war. All indications are that an effort will be made in the next legislative session to change the savings requirement back to the 10% called for in the original legislation. That bill, HB 2292, was pushed through in 2003 by ultra conservatives in the Texas legislature as part of a plan to balance the state budget by radically slashing Texas' already meager health and human services "social safety net." In many ways, the overall HB 2292 plan is an attempt to balance the state budget by transferring responsibilities to local governments while reducing the resources available to communities.

HB 2292 provisions include:

- Consolidating a dozen state agencies into five and concentrating all decision-making power into the hands of an Executive Commissioner of Health and Human Services;

- Eliminating the network of local Department of Human Services offices and replacing them with call centers;

- Radically reducing the number of Texans who participate in benefit programs by adding new requirements and generally making the programs less accessible.

TSEU takes on call center conversion plan

The hottest fight right now is over the plan to convert the eligibility system to call centers. The 389 local DHS offices allow Texans to apply in person for benefits, including Temporary Assistance for Needy Families (TANF), Food Stamps, and Medicaid. Eligibility caseworkers interview each applicant, and can assess their situation accurately regardless of language or other barriers. Eligibility workers, because they live in the communities where they work, are also able to refer applicants to other community resources. Caseworkers for Long Term Care (Medicaid) and a program that provides in-home services to the aged and disabled are also based in the local offices.

While the plan would eliminate 4,500 to 7,500 state jobs,

TSEU is not focusing its opposition on the jobs issue. Instead, they're pointing out how the call

center system would hurt their clients. A conversion to call centers would make it much more difficult for Texans to apply for benefits, and the most vulnerable people would be the most likely to fall through the cracks. Already some 140,000 Texans, mostly children, have been cut off of medical assistance by other provisions of HB 2292.

Over 600 CWA/TSEU Local 6186 members turned out April 30 for press conferences and public hearings in ten cities around the state. The TSEU members were part of an estimated 2,500 who packed the hearings to oppose the plan.

Campaign fights HB 2292 on all fronts

TSEU has launched a multi-pronged campaign to push back the entire HB 2292 package. The most important element is an all-out organizing campaign to sign up every non-member in the most affected agencies, and to reach out to other agencies and state universities.

Local TSEU committees have already gotten 32 county governments to pass a TSEU-drafted resolution that opposes the implementation of HB 2292. The union is asking local elected officials to join in pushing state legislators for a commitment to oppose the plans.

Throughout the summer and fall, TSEU members will make over 2000 contacts with legislators and candidates, and local committees will base their plans for election work partly on candidates' responsiveness. Groups of members in many parts of the state are planning voter registration drives to make sure that every TSEU member, and then every co-worker, is registered to vote and gets out to vote in November.

TSEU members are also reaching out to advocacy, civil rights, community, and religious organizations to build a united movement to push back the attacks on the most basic and critical safety net programs.



▲ TURNING UP THE HEAT: CWA/OSWU members march on the capitol during 2004 Lobby Day, demanding health care and fair pay.
 ▲ REACHING OUT TO THE PUBLIC: CWA/OSWU Local 6086 President Sharon Reed explains state workers' concerns to an interviewer.

CWA Turns Up the Heat Under Legislators

Oklahoma State Workers Win Flat Dollar Pay Raise

Members of OSWU/CWA Local 6086 began a campaign in summer 2003 to win a decent pay raise after three years without salary increases. Throughout the fall and winter, union members worked hard to hold legislators accountable by hosting town halls and having coffee and donut meetings in their offices or homes. As spring arrived, they turned up the heat by converging on the capitol for the CWA/OSWU statewide Lobby Day on March 11.

Responding to the pressure, the State Senate passed a bill which proposed a 5% pay increase beginning in January 2005 and an additional 3% increase in July 2006. After three long years without a raise, union members could have said, "at least it's something," but instead they fought hard to push the pay raise to a flat dollar amount so the lowest-paid state employees could receive more.

Pouring on the pressure

CWA members mobilized statewide for a strategic "Rolling

Thunder" letter-writing campaign for April and May, sending 50 letters a day to five major legislators: the Governor, the Speaker of the House, the President Pro Tempore of the Senate, and the Chairs of the Appropriations Committee of the House and Senate. Surprisingly, the legislature began to finalize the increase in March instead of dragging the process out to the end of the session. Because it was apparent that the raise would be voted on within weeks, members had to pick up the pace. Starting March 22, members faxed more than 400 letters to the legislators' offices. With more than 100 more letters being faxed each day, by March 24, legislators announced an agreement between the House, Senate, and Governor for a \$2,100 across-the-board raise.

Members did not stop at simply writing letters. They also organized group phone calls at their offices to keep the pressure on the leadership at the capitol. In the end, CWA/OSWU members organized nearly 1,000 letters and group

calls in just a couple of weeks.

Legislators changed the bill from a percentage raise to the \$2,100 flat dollar raise, and the House passed HB 2005 by a vote of 95 to 4. With the governor's signature, the work of hundreds of union members paid off.

CWA activist Darla Thompson, of Cherokee County, summed up OSWU's campaign succinctly: "At first I wasn't sure we were strong enough, but I knew one thing; it was going to take hundreds of us to achieve this victory. No one else and no other organization is going to get us justice. We have to stand up and do it ourselves," she said.

Jay Cook, another CWA activist from Cherokee County, pinpointed the reason for the drawn-out campaign. "When we cranked up the heat and moved pay raise talk from percentage to a flat-dollar one, we won so much towards front-line workers receiving what was just and fair," he said.

(Excerpted from *The Oklahoma State Worker*, May/June 2004)



CASEWORKERS SHOW THEY CARE: TSEU members at the Mountain View DHS office in El Paso. Local 6185 president Judy Largo is at far left.

Missouri State Workers Lobby Against Healthcare Cuts, Win Pay Raise

An intensive lobbying campaign by Missouri state workers paid off this spring when the legislature approved a \$1,200 across-the-board raise for all state employees effective July 1, 2004. This is the first salary increase for some state employees in two years. (Last year, state workers earning less than \$40,000 per year received a mere \$600 salary increase.)

CWA Local 6355 also lobbied against a proposed bill that would overhaul the foster care system in Missouri, including privatizing all the Children's Services jobs in St. Louis County except hotline calls. Before the legislature adjourned May 15, Gov. Bob Holden signed a

bill limiting the amount of foster care that can be privatized.

Lobby Day April 7

Hundreds of Missouri state workers gathered at the state capitol in April to make their views known about various proposals before the legislature, including privatization, Medicaid cuts, and salary issues.

Gov. Holden had proposed to raise salaries for all state workers by 2%. Other bills allowed for overtime to be paid on an hourly basis instead of being compensated by leave time, and allowed workers to donate their leave time to anyone they designate. Finally, legislation was proposed that would adjust the salaries of all



state employees annually, based on the consumer price index.

CWA Vice President Brooks Sunkett energized the crowd at the April 7 rally, saying, "Politicians mostly go wherever they feel the most pressure. How do we put enough pressure on the politicians to get what we want? By building union power and moving together as one."

PUTTING THE PRESSURE ON: Members of CWA Local 6355 plan the April 7 Lobby Day activities (left), then converge on the state capitol to lobby their legislators (top). CWA VP Brooks Sunkett joined the crowd on the capitol steps after encouraging them to stand united (right).



■ STRANGE BUT TRUE



The Two Americas

- Amount that job growth is lower than Bush Administration predicted in February 2004, in millions: **1.5**
- Of 13 Southern states, number that have had a net job gain since 2001: **0**
- Percent of African American teens jobless in June 2004: **77**
- Percent by which number of millionaires in U.S. increased last year: **14**
- Percent that financial wealth grew for richest 1% from 1983-2001: **109**
- Percent that it fell for bottom 40% during same time period: **46**
- Cost of new tax breaks given to richest 1% since 2002, in billions: **\$197**
- Cost of state budget cuts and tax increases since 2002, in billions: **\$200**
- Amount of lost government revenue each day this decade due to Bush tax cuts, in millions: **\$30**

Source: Institute for Southern Studies

UPTE-CWA Union Rights at Risk

by Jelger Kalmijn, President, UPTE/CWA Local 9119



If the federal government proceeds with plans to contract out the management of the Los Alamos, Livermore, and Lawrence Berkeley National Laboratories, UPTE-CWA members who work in those labs will have no guarantees for their pensions, benefits, wages, or even their jobs.

The University of California has run these three national labs since their foundation more than 50 years ago. Among the competitors to take over the management contract are the University of Texas, Lockheed, and Battelle.

The Los Alamos part of the contract will come up for bid first this Fall with a start date of September 2005, while the bids for the other two labs have been postponed for two years.

At this time, the Department of Energy is preparing the Request for Proposals (RFP), which will define the minimum requirements for employment conditions. UPTE-CWA activists have visited legislators in their districts and in Washington, DC, to seek support

for guarantees in the RFP that our members will not lose their pay, jobs, or benefits, no matter who the final contract is awarded to.

UPTE-CWA members have criticized management at both the Los Alamos and Livermore labs for creating a culture of fear and retaliation that endangers both national security and the legal rights of the employees.

"While we prefer to remain UC employees, for many years we have been criticizing management at the labs for favoritism and retaliation. While managers at the labs sought to explain one case of mismanagement after another, UC administrators took a back seat," complains Jeff Colvin, a scientist at the Livermore Lab.

The employees at the Los Alamos lab only recently became covered under the public sector collective bargaining law which gave them protections and the right to unionization (see story, page 1). If the University of Texas takes over management of the lab, the Los Alamos employees would lose their collective bargaining rights.

Over the last year, the University has become more directly involved in reforming management

at the weapons labs by assigning a new Vice-President of the University for laboratory affairs and actively engaging with UPTE to seek solutions for the mismanagement and abuses of employees.

The employees at the Lawrence Berkeley National Lab (LBNL) are part of the University of California bargaining units represented by several unions, including UPTE-CWA. The researchers and technical employees represented by UPTE-CWA at this non-weapons lab located adjacent to the University of California Berkeley campus have many concerns—not only about their own jobs but the future of the important collaboration they have with the University.

"Graduate students, visiting researchers and faculty all interchange regularly between the campus and our lab up on the hill," explains John Spring, an UPTE represented computer programmer at LBNL. "It would make no sense to insert the University of Texas or some private contractor into that relationship. Indeed, several people in all three of those groups have expressed strong reservations about not only scientific freedom, but employee rights and security should another bidder get the Berkeley Lab contract."

Mississippi State Workers Continue to Fight for Healthcare, Job Protection

MASE Political Action Keeps Dept. of Human Services Open

Through intensive lobbying and huge rallies at the state capitol in Jackson, Miss., members of CWA Local 3570 (MASE) succeeded in staving off action proposed by Gov. Haley Barbour that would have disrupted vital state functions performed by the Department of Human Services (DHS).

On June 30, the evening before the agency was set to legally expire, a court ordered DHS to continue providing food stamps, child welfare, and other services to needy Mississippians.

The reauthorization had been held up by a fierce debate in the legislature about the governor's proposal to cut Medicaid benefits for 65,000 disabled and elderly citizens.

Although the Human Services Department will remain open, the legislature adjourned without taking action on the controversial benefits issue.

The governor claims the Medicaid "reform" is needed to save the state millions of dollars. The citizens bumped off Medicare would be forced to rely on federal Medicare. Some who are either chronically ill or not qualified for Medicare would need federal permission to stay on the state's health insurance.



State Workers Keep Job Protections

The last-minute court order also means the 3,400 state workers at the Department of Human Services will keep civil service protection for their jobs.

Earlier this year, Gov. Barbour proposed changes to the State Personnel Board that would eliminate Personal Protection from many covered state workers, making it easier to fire state workers at will.

Without the right of collective bargaining in Mississippi, job se-



curity as it currently exists in the law is very important to state workers. Without this right there is almost no protection against arbitrary firings.

Mississippi's attorney general said that even though the governor and the DHS executive director have been given the court's permission to temporarily oversee the agency, Gov. Barbour won't have hiring-and-firing power.

At the end of June, the governor said he still wants to "right-size" some state agencies, but he won't order layoffs at DHS anytime soon. He agreed that the executive

order did not give him the authority to change personnel policy unilaterally.

MASE/CWA Protests Bring Results

CWA/MASE members held rallies and press conferences at the state house throughout the spring and early summer protesting both the proposed changes in civil service protection and the Medicaid cuts.

Local 3570 President Brenda Scott called the outcome "an excellent example of what people can do when they stick together."

SAVE OUR SERVICES: Above, MASE/CWA Local 3570 President Brenda Scott and CWA Vice President Brooks Sunkett energized the crowd of state workers at the rally in front of the Mississippi state capitol in Jackson. Sunkett raised a cheer when he said, "If the people of Mississippi want a state for the 21st century, they are going to have to stop treating their workers like they're in the 19th century."

Left, 1st column: President Scott holds a press conference at the state house to publicize state workers' concerns about Medicaid cuts and loss of job security.



"Where Will the Children Go?" NJ Child Welfare Workers Ask

After a long and contentious debate, the State of New Jersey has decided to close the Arthur Brisbane Child Treatment Center, the only psychiatric facility for children in the state.

The facility was caught in the crossfire between the State and an organization called Children's Rights, Inc., which claimed the center was crowded and outdated and called for it to be closed as part of a suit on behalf of the state's foster children. The state agreed to settle the suit in June 2003, overhaul the child welfare system, and accept oversight by a Court-appointed panel.

In early 2004, the DHS issued a plan to overcome problems at Brisbane, and proposed to keep the center open contingent on a

series of improvements. Despite the plan, the Child Welfare Panel decided that the facility should be closed by December 2005.

"Closing Brisbane is a terrible mistake," said Local 1040 President Carolyn Wade. "These children are mentally ill. There is no place for them in the community,

no services to provide them with the help they need."

Local 1040 has long been pushing for improvements at Brisbane. "For at least seven years, we have tried to call to the attention of the various Commissioners of DHS that Brisbane has been mismanaged," said Local 1040 EVP

Donald Klein, who has served as Local 1040 rep for Brisbane for 14 years. "It's a shame for the patients and dedicated staff to find themselves in the situation we are in today due to years of inaction by DHS," he continued.

In June, Wade and Klein met with the Brisbane staff to discuss

the situation and update them on CWA's efforts on behalf of the workers and the children. Wade reported that NJ Gov. McGreevey has personally pledged that none of Brisbane's employees will be laid off. However, the questions of whether and where a new facility will be opened and what will happen to the children remain up in the air.

"We don't care if there is no more Brisbane," said Wade. "But we do care that they've got to take care of these children... If Brisbane must be replaced, we're suggesting that there be several places throughout the state and that they must be public," she said.

Wade emphasized that the Brisbane CWA members are united with Local 1040 and the national union to find solutions to the critical problems that will arise with Brisbane's closing.



CWA Local 1040 President Carolyn Wade meets with the staff of Arthur Brisbane Child Treatment Center to discuss the closing of the facility.

Welfare Reauthorization Bill Still in Limbo

by Alfonso Pollard, CWA Legislative Representative

CWA members and Legislative Reps have been lobbying Congress for welfare reform, including reauthorization of Temporary Assistance to Needy Families (TANF) legislation for two and a half years. While the Senate followed the House's lead in late June and passed yet another three-month extension of the law, final passage of a welfare reauthorization bill in this election year may be extremely difficult.

The guiding principles outlined by CWA welfare locals served as a roadmap for the CWA Legislative Office's lobbying efforts on Capitol Hill.

It became evident from the start that conservative Republican values would become the engine that drove the process. On the issue of welfare reform, House Republicans developed legislation that raised the bar so high that it was clear that the Republican "bootstrapping" approach was more about quickly removing clients from welfare rolls than developing procedures with smooth transitions and reachable goals.

In the House, amendment after amendment offered by the Democratic leadership was voted down along party lines. The partisan approach by House Education and Workforce Committee Chairman John Boehner (R-OH 7) illustrated that the goal of conservatives may very well be future elimination of federal welfare programs altogether.

As our action continued in the House, CWA and other affiliates began work in the Senate, which

in the beginning was also affected by the partisan wrangling in the House. Though work began in 2001 to develop new programs, 2002 saw the beginning of a hostile process that to this day has kept the reauthorization process in jeopardy. However, we in Washington continue to bring forward new proposals that could see some progress in the future.

CWA Welfare Locals Take Active Role

CWA welfare locals have been actively involved in the legislative process, lobbying at home and in Washington, DC. Direct involvement in the process by CWA local officers and rank-and-file members has been key to our efforts in Washington.

CWA actions of note:

On the Local level:

- Public rallies
- Local letter writing campaigns
- Locals holding pro-active membership meetings
- Meeting with public officials
- Direct meetings and negotiations with One Stop Administrators
- Regular meetings of the CWA Welfare Locals' Council
- CWA in the news
- Handling of grievances, contract negotiations and program administration

CWA members and headquarters staff working at the Federal level:

- Direct lobbying of federal legislators
- Inclusion of welfare issues on the national CWA legislative agenda
- Letter writing campaigns on the



STANDING STRONG: Delegates to the CWA Legislative-Political Conference rallied on Capitol Hill to call for fairness in welfare reform.

- national level, including CWA Conventions
- Development of federal amendments to address super-waivers and off-shoring
- Meeting and cooperating with national advocacy groups
- Meeting with Department of Agriculture officials on food stamp issues
- Letters to Congress from CWA leadership on specific issues
- Development of fact sheets so other CWA members can join the process
- Public rallies attended by members of Congress, CWA leadership, and legislative conference delegates (see sidebar)
- Stump speeches in Washington by Welfare Locals' Council reps

- Scores of visits to House and Senate leadership and members by Legislative Office

Debate Has Been Partisan

The federal legislative process has been a contentious process that has been confusing, stressful, misguided, and cumbersome to state and county efforts. This is evidenced by myriad debates, not on the merits of client need, but on dramatic policy changes imposed by House Republicans—changes that have not been able to withstand the Senate test for responsibility. Each vote in the House has been party-line. Votes in the Senate, which as a body formulated its own reauthorization bill because of the inadequacy of

House measures, have been driven by different ideologies each time. Changes in party leadership and committee balance led to two rewrites of the Senate proposal in as many years.

Importantly, with the exception of the Senate vote on childcare funding in late June 2004 (see sidebar, page 9), no vote has been taken simply on the merits/need for passage of a clear and meaningful reauthorization bill that effectively serves clients. Debates during various votes have centered on work hours, childcare, minimum wage, work participation rates, food stamps, etc.

On February 7, 2003—the beginning of the 108th Congress, House Republicans sent on to ap-

NJ Caseworkers Back to Work, Child Welfare Reforms Under Way

Seven suspended CWA members at New Jersey's Department of Youth and Family Services have been reinstated with back pay as the child welfare system begins instituting reforms long urged by union members.

Union leaders said the seven workers were treated as "scape-goats" by the state in the wake of a high profile case involving a family whose children were found starving. CWA said the agency was underfunded and understaffed, forcing employees to juggle unmanageable caseloads of children in need of protection.

Five of the workers are back on the job, another retired and one left to go to graduate school, said Paul Alexander, assistant to Local 1034 President Carla Katz.

Alexander said the case of the starving boys was a catalyst for change, finally waking up the state to the dire need for change CWA had demanded for years. "What



SUPPORT FELLOW WORKERS: CWA members employed by New Jersey's Department of Youth and Family Services marched demanding reinstatement of seven suspended co-workers.

happened in this home was absolutely tragic and that helped identify some unbelievably serious systemic problems, which has allowed the union to negotiate some unprecedented agreements to improve the way services are deliv-

ered in this state," he said.

For the first time, caseworkers will have limits on the number of cases they have to juggle, something CWA has always said is imperative to protecting children.

"CWA negotiated an agreement

with the state of New Jersey that provides not only for caseload limitations, but I think it is the most far reaching child protective services agreement in the country," Local 1037 President Hetty Rosenstein said. "It addresses caseloads, new case practice, clerical, career ladders, ongoing education for our members and very strenuous job security provisions. And we do think that within two years we will have possibly the lowest caseloads in the country, from what were probably the highest."

The limit is 25 children, if 10 of those children are in out-of-home placements. Caseworkers can exceed 25 if more of the cases involve children in their own homes, but a system is in place to trigger a review process if the number grows.

To put that in perspective, Alexander said average caseloads have been in the range of 40 to 50, and sometimes twice that—or more. "I have one caseworker who, as of a month or two ago, had 200 kids under his supervision," he said.

The state has already begun hiring and training new employees

and ultimately the number of caseload-carrying caseworkers will grow from about 1,500 to 1,600 now to more than 2,200, Alexander said. The number of DYFS employees represented by CWA will grow to about 4,000, an increase of 25 percent, Rosenstein said.

She said union members did an excellent job of helping state officials and the public understand how overwhelming their caseloads were. "We have shop stewards who have worked on this for 12 to 15 years," she said. "This is a testament to their work."

CWA's agreement with the state spells out that the union now owns the work, not just the job titles. Without the agreement, management has been able to subcontract duties in the past.

While the full transition will take about two years, union leaders said they're optimistic that real change is underway. "This isn't just a victory for the union, it really is a victory for kids, because it guarantees better outcomes for children," Alexander said.

Reprinted from CWA News, July 2004

appropriate committees an identical rewrite of the 2002 House reauthorization bill. This was done without additional hearings or significant committee deliberation or consideration. By February 13, 2003, the bill was debated and passed on the House floor. In contrast, it took the Senate until October 3, 2003, to report its reauthorization proposal out of Committee and place it on the legislative calendar.

Even after months of serious, even amazingly bipartisan debate and rewrite in the Senate on such issues as childcare and work hours, the bill saw no further action that year. It would be March, 2004, the second session of the 108th Congress, and a change again in party leadership, before the bill again saw action.

Congress Is Divided

Clearly, Congress is divided on the issue of welfare reform. Currently, the 1996 law has been extended for a seventh time—not because of a lack of trying, but due to a lack of agreement. This was evidenced by House Republican efforts to push extension bills that included policy riders.

During the last extension debate, conservatives determined that Senate Democrats did not move forward because of their commitment to organized labor. *Congressional Quarterly's CQ Today* reported on the welfare stalemate, suggesting that Democrats were following labor's lead. Indeed, this is a positive testament to collective, cohesive, and effective efforts on the part of CWA, the AFL-CIO, and other affiliates. Democratic leadership heard and gave our position serious consideration. By standing on our shoulders, Democrats were given extra leverage and help to move their legislative agenda for the disenfranchised.

Many Issues Still Remain

The National Governor's Association and its coalition partners have been urging Congress to pass a reauthorization bill before the close of the 108th Congress's legislative session. CWA has made it clear that the following issues must be corrected before labor will be satisfied:

SUBSTANCE: Keep in mind that both bills are substantially worse than current law.

■ **Super Waiver/Block Grants:** No provisions beyond the Senate bill

■ **Work Requirements** (in order of importance):

□ **Hours:** Senate bill (relating to total hours/week; children under six)

□ **Credits Against Participation Rates:** Senate bill plus penalty relief

□ **Countable hours:** Senate bill plus additional amendments to expand voc. ed. from one to 2 years) *Note:* Countable hours may change as a result of amendments on the Senate floor

■ **Charitable Choice:** No expansion beyond current law; no al-

ternative faith based language permitting discrimination

■ **Child Care:** Increase approved on Senate floor

Though the list is not comprehensive, items on it are critical make-or-break issues. Other issues of importance include transitional Medicaid, and immigrant issues, including healthcare for pregnant women and children and adjustments in sanctions.

Our Goal

Labor's objective is to completely reject the House bill and encourage provisions in the Senate bill; to set the bar for clients at a realistic point or set it so high that agreement would have to be negotiated with labor.

Affiliates also view a two-year extension as a better option, as three months would keep us in the debate mode and one year would not be enough to complete a new round of negotiations in the new 109th Congress, hopefully under a Democratic administration.

Recently, affiliates saw wisdom in a final deal where not only Senators Daschle, Frist, and Kennedy, Senate Finance Committee Chairman Charles Grassley (R-IA) and select Members of Congress would sign off, but Health and Human Services and the White House would also support the deal. This could have been followed up with a floor statement or colloquy between Democrats and Republicans.

Affiliates wanted no surprises in conference. CWA realized how difficult all this would be realistically. Regardless, it was important to remain in negotiations to protect vulnerable clients as well as our interests. Finally, we knew that there would be a strong lobby from advocates who had accomplished childcare and certain other provisions, to move forward with the bill. Were we to compromise or stick to our labor principles? The choice was obvious.

The Bottom Line

As discussed earlier, the 1996 law has again been extended, this time to September 30, 2004. Three scenarios seem possible...

1. The Senate could cease work on the bill.

2. Though the Senate voted to include \$6 billion in childcare funding, a final floor vote has not taken place. Senate Republicans could seek to railroad the final vote through with a short conference.

3. Congress may consider a long-term extension with less objectionable policy riders.

Very little time remains for legislative matters other than appropriations bills, with an omnibus package as a possible final solution. If the Senate pushes through to a final floor vote, the bill could be dumped in the must-pass omnibus bill. The object is to keep that from happening. The CWA Legislative Office remains open to suggestions from the field. For more information, please contact the CWA Legislative Office at : 202-434-1315 (O); apollard@cwa-union.org



Speakers at the rally included CWA President Morton Bahr (left), CWA Local 1084 Executive Board member George Jackson (center), and CWA Vice President Brooks Sunkett (right). Signs called for keeping American jobs in America.

Activists Rally for Fairness in Welfare Reform

More than 250 delegates to the CWA Legislative-Political Conference from various sectors assembled on Capitol Hill in March to call for changes in the welfare reauthorization bill then before Congress.

New Jersey Senator Jon Corzine addressed the rally, explaining his amendment to the welfare law that would ensure that welfare benefit jobs remain in the United States. Presently 40 states contract with companies that have outsourced welfare and food stamp phone center jobs.

"The goal of our federal welfare program is to help Americans get back on the path to self-sufficiency," Corzine said. "This includes helping them find good jobs. The idea that we are using taxpayer dollars to pay workers in foreign countries to provide services to the

unemployed in our own country is unconscionable. It is simply unethical and this practice must be stopped."

CWA Public, Education and Healthcare Sector Vice President Brooks Sunkett told the crowd how then-Governor George W. Bush tried to privatize 17,000 social service jobs in Texas. Pushed by CWA, the Clinton Administration refused to give Bush the necessary waivers to allow him to send the jobs and the welfare and food stamp recipients' confidential information to phone centers in other states and countries.

"Now he's looking to privatize 100,000 jobs, said Sunkett. "We stopped him before and we'll stop him now."

In his remarks, George Jackson, a member of the CWA Local 1084 Executive Board, underscored the need for Congress to produce a less controversial wel-

fare reauthorization bill that provides dignity and meaningful benefits to welfare clients.

"If we're out of jobs, the people we serve will be left behind, and those are the people who don't have a voice," said Jackson.

CWA President Morton Bahr addressed the issue of changes in TANF Funds. "Faced with grave budget problems, some states are already cutting social service benefits for the poor," he said. "Allowing states to redirect federal welfare dollars away from TANF programs is contrary to the will of Congress, and will make life for vulnerable families that much more dire."

On March 30, the Senate voted 78-20 in favor of adding \$6 billion in child care funds to its welfare bill. Participants at the rally said child care is essential for parents who will be forced by changes in welfare law to work longer hours.



New Jersey Senator Jon Corzine speaks of the need to keep welfare benefit jobs in the United States. He is joined at the podium by CWA President Morton Bahr and CWA Public, Education and Healthcare and Department Vice President Brooks Sunkett.

Newspaper Guild Organizing Adds Strength PHE Sector Gains New Members Nationwide

New Mexico is not the only region of the country reporting big gains in CWA membership.

The Newspaper Guild has had a series of organizing victories in the past year that have added new members to the Public, Healthcare and Education Workers sector.

In California, Guild **Local 39521** has taken advantage of legislation passed in September 2002 giving court interpreters the right to organize. The local has successfully organized nearly 1,000 of these workers.

The California State Mediation and Conciliation Service has certified the following elections by Northern California Media Workers court interpreters since former Gov. Gray signed the legislation:

■ **Region 3 (Central Valley) Courts.** Unit of 40 interpreters certified in December 2003.

■ **Region 4 (San Diego and South) Courts.** Unit of 125 interpreters certified in August 2003.

■ **Region 2 (San Francisco and North Bay) Courts.** Unit of 82 interpreters certified in August 2003.

■ **Region 1 (Los Angeles) Courts.** Unit of 325 interpreters certified in August 2003.

■ In other Newspaper Guild news, history was made in late June when votes were counted and the Newspaper Guild was successful in its first representative election of a college unit.

Local 38061 President Mike Bucsko reports full-time faculty for Point Park University voted 49-14 with 4 challenged ballots among 67 eligibles to be represented by TNG-CWA.

The ballots were impounded in early June until, by a 3-0 margin, the NLRB rejected an appeal of the election by the University on the basis that the faculty are managerial. Local 38061 also represents 250 editorial employees at the *Pittsburgh Post-Gazette* and 30 non-production employees at the *Monessen Valley Independent*.

DISTRICT 1

Ed Sabol, Administrative Assistant to Vice President Larry Mancino, reports the following organizing victories:

■ **Local 1170** won an NLRB election for 34 Monroe County Legal Services workers on May 25, 2004 by a vote of 18-12 with 4 challenged ballots. The unit includes attorneys, social workers and support staff. Don Deperna, Organizer

■ **Local 1040** won a PERC election for the 15 employees in the Atlantic City Facilities Management and Supported Employees unit on April 13, 2004. The vote was 8-2 with 1 void vote in mail balloting. Tom Bruno and Connie English, Organizers

■ **Local 1031** won a PERC election on April 1, 2004, for the 48 workers at the Livingston, NJ Library. The vote was 36 to 10. On April 16, the six supervisors at Livingston Library voted 5-0 to join the others in Local 1031. One vote was challenged. Livingston Supervisors Stephan Jones and Susan Muntz subsequently assisted Local 1031 in organizing the employees at West Orange Public Library. The local won a PERC election on April 26 by a vote of 10-6.

■ **Local 1032** gained 22 new members when the blue and white collar employees of the Passaic County Superintendent of Elections voted 17 to 2 for union representation on April 21, 2004. This victory is Local 1032's fourth organizing victory this year. Previously the local had organized Gateway Security (60 employees) and two units at the Passaic Valley Water Commission (170 workers).

Tim Dubnau, District 1 Organizing Coordinator, reports the following organizing victories:

■ **Local 1034** won an election on June 10, 2004, in Lower Alleyways Creek for 35 workers, including DPW, cafeteria, and police dispatchers. The vote was 22-7 with 3 challenges. Alycia Welch, Organizer

■ **Local 1091.** By a vote of 190 to 134, registered nurses at Kimball Medical Center in Lakewood and St. Barnabas Behavioral Health Center in Toms River, NJ, voted on May 28 to join the New Jersey Nurses Union/CWA Local 1091. The local already represents more than 900 nurses at the St. Barnabas Medical Center in Livingston. The nurses organized to improve patient care and to have a voice in their working conditions.

Nurses complained that the employer's practice of "floating" nurses to units they were not trained in endangered patients and jeopardized nurses' licenses. They also objected to "flexing," a company policy of sending nurses home without pay if the patient level was low in a particular unit. Some nurses, especially those at the Behavioral Health Center, feared for their own safety, having to work at night near patients with serious psychological problems who are sometimes prone to violence.

The 45-member organizing committee withstood an aggressive anti-union campaign by consultants from Yessin and Associates, a well-known union-busting firm based in Florida.

DISTRICT 3

■ **Local 3010.** Employees at 911 Operations in San Juan, Puerto Rico, voted 66-8 on March 25, 2004, to join CWA, reports Jose Rodrigues, D3 Staff Rep.

■ **Local 3806** gained 112 new members in a representation election on June 8 for dispatchers and communications workers for the Memphis Police Department. Of 92 votes cast, all went for CWA. Local President Mike Bennard said the group found CWA via the International's website and followed its links to District 3. "We've been working on the campaign for about six months, with meetings at the union hall," he said.

DISTRICT 9

■ **COPS/CWA Local 9111** gained 15 new members when the POA

from California City voted unanimously to affiliate with the California Organization of Police and Sheriffs on March 12, 2004.

■ **Local 9415.** In the culmination of a campaign that lasted nearly three years, call center workers at the human resources center for Kaiser Permanente Health Plan voted 81-52 on May 4, 2004, for CWA representation. There were 15 challenged and 1 voided ballot.

Management appealed the election results, and the National Labor Relations Board conducted five weeks of hearings to determine whether the unit was appropriate.

■ BARGAINING



VICTORY IN ARIZONA: Local 7026 members gather in front of the Nogales City Hall to celebrate winning their first contract.

Teamwork and Political Action Yield Results in Arizona

by Dean Smith, EVP, Local 7026

Local 7026's bargaining committee had their work cut out for them during their negotiations for a first contract. They began bargaining with the City of Nogales in late October 2003, and reached a tentative agreement five months later, in March 2004. But, right after the agreement was reached, the mayor, a friend of the union, resigned, and was replaced by a non-supporter.

The new city council wanted the contract renegotiated. Local 7026 leadership went to City Hall in early June and filed papers to recall the new mayor.

On June 14 the mayor told the local union leadership that he would agree to the contract provisions if the union pulled the recall petition. The local pulled the petition, and now had a majority on the city council, which had only one thing on its agenda: the contract. The meeting lasted less than 5 minutes and the contract passed unanimously.

The new contract includes the following provisions: exclusivity for CWA; paid time for negotiations and grievance meetings; unlimited non-paid release time for CWA activities; payroll deduction of union dues, COPE and the Union Community Fund; new employee orientation; an exceptional grievance procedure, including binding arbitration and

binding mediation (FMCS), seniority for overtime, transfer, training, work assignments, vacation selection and force reduction; a floating holiday and two personal days; shift differential; reassignment pay protection; additional uniforms; opens for wages in January 2005.

The contract was ratified by membership on June 23, 2004.

New York Locals Sign New Contracts

Locals 1180 (Human Resources) and **1183** (Board of Elections) settled new three-year contracts based on the economic terms negotiated by the city's largest municipal union, DC 37.

Local 1180's pact will run from July 1, 2002 through June 30, 2005. It includes a \$1,000 signing bonus, a 3% raise on July 1, 2003, and a 2% raise July 1, 2004. The bonus and the third-year raise are paid through a 15% cut in the pay of new hires for the first two years of their employment, and reductions in holidays, sick days, and night differentials for new hires.

Negotiators were disappointed in the precedent being established by the new hire concessions, but most of them were matters regulated by the citywide contract bargained by DC 37. Given the current economic climate and the slim chances of winning better terms, 1180's negotiators recommended that the members accept the tentative agreement.

Local 1183's contract has the same basic economic terms, ex-

Local 3179 Organizing City Workers

City workers in Clearwater, Largo, St. Pete Beach, and Madeira Beach, Florida, may be voting to join CWA within a matter of months, reports Steve Sarnoff, President of Local 3179.

Sarnoff says about 70 percent of the 25 or 30 non-management employees have signed cards showing an interest in unionizing. They have expressed concerns about job security, benefits, health insurance and vacation.

Local 3179 has sent paperwork to the Public Employees Relations Commission in Tallahassee to start the election process.

cept that the salary reduction for new hires was held to 5%. This was accomplished by additional cuts in vacation and sick days and night differential. Local 1183 President Richard Wagner said the union made the deal because starting salaries are already low.

"I think it's better to take away vacation days than food out of their mouths," said Wagner.

Local 1183 ratified the new contract by a vote of 167-65 with 5 voided ballots.

SUNY Grad Students Fight for Fair Contract

State University of New York teaching assistants and graduate assistants represented by CWA Local 1104 have mobilized to express their displeasure with the state's most recent contract proposal. The agreement covering 4,000 graduate teaching assistants working throughout the SUNY system expired in July 2003.

"New York State's written proposal package is insulting to all the hard-working teaching assistants and graduate assistants," said Rahmi Bula, CWA Local 1104 business agent.

Teaching assistants and graduate assistants use on-campus technology to perform their job duties, yet pay about 5 percent of their annual income as a fee to use the equipment, Bula said. Also, their health insurance can be cut if they use more than five days of sick leave. The student employees are seeking basic maternity and disability leave.

The student employees and their supporters have undertaken a letter-writing campaign to Gov. Pataki, informing him that the state's offer would leave them with a pay raise of only 0.25 percent after inflation and that it carries a 230 percent increase in health care co-pays. They asked him to present them with a contract "that honors and respects the integral role graduate students play in delivering quality public higher education."

PHEARN — One Year Later

By Stephen Sarnoff,
President, Local 3179

The Public Healthcare Education Action Resource Network (PHEARN) has celebrated its first anniversary with several projects completed successfully and new ones on the way.

PHEARN was born, as are most ad-hoc committees, out of frustration, anger and more importantly the realization that we could not be dependent on the International for everything we need. Many of the services that we used to receive from the public workers sector were reduced because of the lack of staff replacement in the department. Our sector Vice President, Brooks Sunkett, hearing from many of us individually, suggested that we needed to get together with each other and build a communications network for our sector within CWA.

With the leadership of Jelger Kalmijn, Art Cheliotos, and Carolyn Wade, we went further and created the Resource Network. We held meetings in Tucson, Denver, and at the Legislative

Conference in Washington to form the Network. We established a mission statement, sought out every local to participate and provided workshops and information about what projects we wanted to work on.

We knew that we would face many challenges by taking this action but we all feel that the future of our Union is in directly working together to provide information and support to each other. We want to accomplish the same level of recognition as the Operator's Conference, for example.

The first project we chose was to support Local 4546 Summit County, Ohio, in their strike against their employer. Their strike issue was not about money but the caseloads and the ability to provide quality service to their clients. It was a long strike, but with the help from PHEARN they were able to win binding arbitration and returned to work.

The Resource Network members helped raise awareness of this strike nationwide. The employer received over 400 letters from around the country demanding a fair contract

▶ Left to right: Don Klein, EVP Local 1040; Joan Tapia, Pres. Local 1080; Carolyn Wade, Pres. Local 1040; Art Cheliotos, Pres. Local 1180.



▲ Left: Duncan Harrington, Pres. Local 7777. Right: Jelger Kalmijn, Pres. Local 9119.

▶ Left: Rodney Orr, Local 9119. Right: Kathleen Sims, Vice Pres. Local 1104.



for our brothers and sisters. Hetty Rosenstein, President of 1037, organized a busload of people to travel all night from New Jersey to Ohio to stand with the strikers as they demonstrated. John Vasko, President of IUE-CWA Local 81381, also traveled with some of his people to help. Vice President Sunkett attended to lend his support.

PHEARN supported Local 9119 in its organizing drive for 12,000 more University of California employees. Locals from around the country helped in this campaign by sending volunteers. Locals 1040 and 1180 sent volunteers for two weeks. Other locals helped with phone banking during the campaign.

New Mexico elected a great new governor and we were able to get bargaining rights. Members of PHEARN such as Jelger Kalmijn of Local 9119 went to New Mexico to help. New Mexico now has 3,000 new members.

The one project that will not only help our sector but the whole Union is the Healthcare Booklet. This informative and useful booklet helps explain many issues in the current healthcare crisis and explains the solutions that we support. We held a healthcare workshop at the Legislative Conference and we will be holding another one at the National Convention in Anaheim, which is open to

all CWA locals.

The goals of the committee in the coming year are to:

- Get more locals involved in PHEARN, especially the amalgamated locals who have a mix of public and private sector.

- Do a better job of providing news and information about activities and events in our sectors.

- Play a bigger part in helping locals with various negotiations, fighting privatization, organizing, and any other issues they may need help with.

- Help define the role of our sector department—how we want our sector's Vice President and staff to help us and what issues we want them to work on in our behalf.

PHEARN is our tool to build and strengthen our Union. It is our way of making positive contributions that will benefit our members and the CWA. We look forward to many of you joining with us in the coming year to achieve jobs with justice for us all.



G Left to right: Joan Tapia, Pres. Local 1080; Carolyn Wade, Pres. Local 1040; Art Cheliotos, Pres. Local 1180; Louise Caddell, Admin. Asst. to John Thompson, District 7 VP; Linda Hatfield, Pres. 7026; Steve Sarnoff, Pres. Local 3179.

Public Safety Officers Learn Media Skills

About 60 members of the National Coalition of Public Safety Officers (NCPSO/CWA) attended a two-day seminar in June in Orlando, Florida, on how to deal with the news media. Participants heard presentations on such issues as how to define your message, how to respond to reporters' questions, how to deal with crises, what to expect at a press conference, and how to do a TV interview.

"What we're trying to do is provide law enforcement labor leaders with new ways to look at various professional issues," NCPSO Director John Burpo said.

"They thought it was exceptionally helpful in dealing with the news media. And they felt that the role-playing was an excellent way for them to take what we were teaching them and turn it into real-life experiences," Burpo continued.

The training applied to union work as well as police work. Sometimes the spokesperson at mock news conferences— they staged four of them, and took turns



▲ ON THE HOT SEAT: Seattle 1 President Ken Saucier role plays at a mock news conference. Behind him are NCPSO Treasurer Monty Holden, COPS member service Coordinator Mike DiCesare, COPS member Greg Powers, and Seattle Police Officers Guild VP Kevin Haistings.



▲ WAITING FOR NEWS: Seminar participants are fully focused on the speaker who is explaining about the mock news conference about to begin.

asking and answering questions—was a union leader instead of a police official.

Speakers included two experienced media consultants, a veteran police reporter from the Newspaper Guild—CWA,

and a police labor leader. Collectively they offered lots of tips and a few tricks for softening bad news or grabbing the spotlight when there's good news or a cause to promote.

CWA Activist Running for Missouri State Rep



William "Bill" Konecnik, a long-time member of CWA Local 6310, is the

Democratic candidate for State Representative for Missouri's 93rd District. He faces incumbent Jodi Stephanick, a Republican elected to the House in 2002. Stephanick's conservative record includes sponsorship of a bill cutting back Medicaid benefits.

Konecnik pledges to work for collective bargaining in Missouri and for improved caseload standards. "My experiences will benefit union people by working to improve education, health care, and benefits for the elderly," he says.

2004 Bargaining Institute Will Teach Negotiating Skills

The Public, Healthcare and Education Workers Department will conduct its annual collective bargaining workshop at the George Meany Center for Labor Studies Sept. 27-29, 2004. The workshop is designed to assist CWA staff representatives and local officers who bargain public, healthcare and education sector contracts.

The Institute consists of three days of extensive hands-on training, using CWA contracts and case studies. The courses selected for the training, such as table craft, contract costing, how to face the media, and managing the bargaining process, teach the participants not only the how-to skills, but also how to leverage power in their local union negotiations. 2003 participant Ellen West, District 9 CWA Rep, says, "The course on guerrilla media tactics was very helpful. So was the bargaining information, skills in note taking, power bargaining, political action, and costing out contracts. All of it was great! This class builds the skills necessary to bargain with power, using all resources," she continues.

Classes stress that team building plays a significant part in building our power in the bargaining process. Previous trainees have agreed that one of the Institute's most important messages is that although the formal negotiations occur with management at the table, our effectiveness is a direct result of membership involvement.

"This program opens your eyes to the need for continuous campaigns, mobilization, political activism and perception of union solidarity and power," says 2003 trainee Dawn Smolowitz, Local 3179 VP.

In addition, participants learn that the bargaining team and mobilization committee must actively work in concert to effectively apply pressure on the decision makers and stake holders—those persons who can make the deal. Joan Tapia, Local 1080 President, comments, "After all of the years of stumbling through bargaining thinking I knew how, now I feel that with the training and tools received at the Institute, we will do an even greater job."

"It was the best class on negotiations that I ever attended," concludes Mike DiCesare, COPS-CWA Local 9111.

For more information about this year's Bargaining Institute, contact your District VP.



Top (l-r): Joan Tapia, Local 1080; John Vasko, Local 81381; Carol Summerlyn, District 2 staff rep.; Kathryn Roland, Local 7026. Middle (l-r): Mike DiCesare and Dan Ruiz (COPS) Local 9111. Bottom: Joan Tapia, Local 1080 and Ellen West, CWA District 9 Staff Rep.

CD Program Helps Locals and Staff Plan Campaigns

Pinciples of Union Political Strategy, a step-by-step guide to winning organizing, legislative, and issue campaigns, is available on CD from the Public, Healthcare and Education Workers Department.

The program is divided into four main sections:

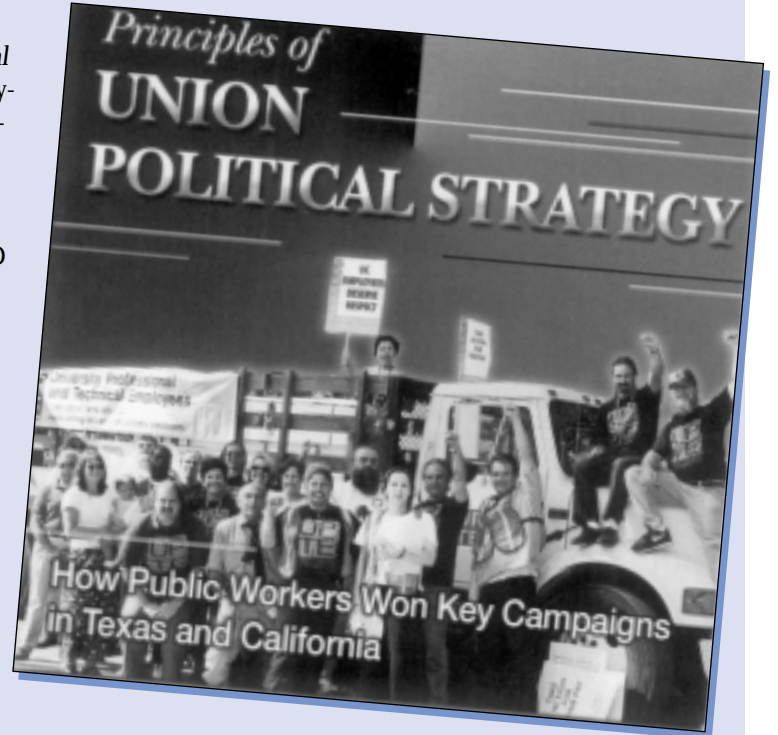
- **Forming Your Strategic Plan**—defining the issues objectives, building a campaign team, identifying the decision-makers and their vulnerabilities, building political influence, drawing on CWA support, identifying external support, and executing the plan;
- **Winning Legislative Support**—forming a legislative strategy with the CWA district, PH&E Department, and local leadership;
- **Organizing Your Membership**—understanding why building a local's membership is especially important during a campaign; and
- **Mobilizing for Victory**—educating the membership on the issues, developing and executing collective actions.

By applying these principles, TSEU/CWA Local 6186 soundly defeated then-Governor George W. Bush's plan to privatize Texas State Human Services. UPTE/CWA Local 9119 used the same strategic principles and won a groundbreaking victory in its first contract campaign at the University of California. At any point, you can hear UPTE/CWA or TSEU/CWA members talk about how they applied each step of the process. The final section summarizes the results of the campaigns these locals waged.

A number of other CWA locals have used these principles in their campaigns since the CD was produced last year.

"When our staff put together our strategic plan to regain union membership in New Mexico, the CD was the base for the actions we took," says District 7 organizer Rolando Figueroa. "It helped us create leverage through community coalition building and legislative action. The PHE department did CWA a great favor by putting so much useful information in one easy-to-access place," he says.

Call 202-434-1255, 1-800-313-1775 or email phe@cwa-union.org for a copy of the CD.



The Healthcare Crisis in a Nutshell

Need a concise summary of America's healthcare crisis? Pick up a copy of "America's Health Care System is in Critical Condition! How Can It Be Saved?" a 12-page booklet that describes the problem, discusses some of the reasons for it, and defines various

options for an improved healthcare system. Also included are brief descriptions of various state-level initiatives and a glossary of common healthcare terms.

The booklet project was initiated by the Public Healthcare Education Action Resource Network (PHEARN), which recognized after last year's sector conference that many members needed to be better informed about the healthcare crisis. According to Carolyn Wade, President of Local 1040, "It was clear there was a lack of understanding by the conference delegates of what a universal healthcare system is and why it is necessary in our country."

Several PHEARN members met with sector VP Brooks Sunkett to develop an outline for the booklet, which was then produced by CWA's Research Department.

Copies can be obtained by contacting the Public, Healthcare and Education Department at 202-434-1255, 1-800-313-1775, or phe@cwa-union.org or by downloading it from the sector web page.

CWA Healthcare Workers Learn Organizing, Political Tactics at Conference

Union healthcare workers from all over the country attended the 26th Annual Union Representatives in Healthcare Conference in Washington, D.C. on March 14-16, 2004. The Michigan State University and University of Illinois have hosted the conference since 1978, presenting the latest topics affecting unions, organizing, and collective bargaining. The Public, Healthcare and Education Department has organized CWA participation at the healthcare conference for more than ten years. Over the years we have had good participation from CWA locals and this year was no exception.

The 2004 conference focused on healthcare, organizing healthcare workers, and politics. Donna Sharon, a RN and member of Local 1101 who chairs the CWA District 1 Healthcare Coordinating Council, served as a panelist on the "Organizing for Density"



KEEPING UP TO DATE: Members of Locals 1168 and 1133 were among those representing CWA at the "Union Representatives in Healthcare" conference in Washington, DC.

round table discussion. Donna has been a RN for over 33 years. "Healthcare workers put their employers' needs first, which is accomplished through a time management program," said Sharon. "Employers use this to make the nurses feel guilty," she continued. She stressed the need for better staffing ratios.

The Healthcare Coordinating Council has become a network of locals working to help organize the healthcare professionals. Nurses and other healthcare workers need unions more now than ever before. "CWA and other

unions are fighting for the healthcare industry to provide adequate patient care," said Sharon.

Other discussions centered around difficulties healthcare workers face when trying to organize. Hospitals are notorious for hiring union busting lawyers to keep healthcare workers from organizing. Nurse Core, based in Colorado, was identified as a company known for providing replacements during strikes. Hospitals/nursing homes pay exorbitant fees to hire this strikebreaker rather than pay their workers a fair and decent wage.

America's Health Care System is in Critical Condition!



How Can It Be Saved?