

## We Must Hold On



By Frederick Wright

It's 2013 and we still find ourselves digging out of the great recession of 2008. Pennsylvania has tried to sell off our lottery program and cut funding to education and welfare programs. Now state leaders are exploring ways to privatize the wine and spirit shops. Philadelphia firefighters, who have binding arbitration in their contract negotiations, have to go to court to have the City implement their

award, which includes very modest pay increases. Non-uniformed city employees who are represented by District Council #33 and #47 haven't had a pay increase of any kind for the last four years. Some District Council 33 members have gone even longer without a contract.

Our local union, which represents private non-profit social service agencies, has suffered from funding cuts, as well as flat funding or total loss of programs. Through all of this, we are surviving. How? We have been more visible in Harrisburg demanding that the services we provide are vital to our community and vital to the individuals to whom we serve. We, through some collaboration with management, have explored ways to be competitive in a marketplace where "for-profit" companies are now bidding for the contracts that our employers' had for years. All of us have been working longer and harder, doing far more than our

fair share.

However, collaboration must not be taken as a sign of weakness and an opportunity for employers to take unfair advantage of workers. We still deserve all of the terms and conditions of our current contracts and it is a responsibility of everyone to enforce the contract and not yield any benefits to which we are entitled. This means we should not be working through our "unpaid" lunch period, working on weekends without any compensation, or dragging yourself to work when you are clearly sick. These actions will not make you invaluable or indispensable, but angry and resentful when you are separated or laid-off from the job. Believe me when I tell you, when funding is reduced and programs are laid down, everyone is affected. We must not fall prey to the "every person for themselves" syndrome.

Together, we have the power to create change. When we stand together as a unified group, we can create change. We have done this in the past at JFCS and TURN, where employees came together and voiced concerns over the leadership of those agencies. Both Boards of Directors finally took action and made changes in the administration. Just recently at ACT (JEVS), our therapist came together and stood up against a tyrannical supervisor, resulting in a positive change. We must not be scared or intimidated to speak-up for what is right or just, or to have our job threaten by workplace bullies.

We must always fight for our livelihood, dignity and fairness in the workplace. We are all in this together, and we as a collective group (Union) must hold on and persevere through this recession to the end.

### Living Wage Bill Expanded

Philadelphia City Council approved Councilman W. Wilson Goode's Living Wage & Benefits Expansion Bill, which will expand the type of employers that are subject to paying their employees at least 150% of the federal minimum wage, offering comparable health benefits to full-time employees and up to 56 hours of earned sick leave. Covered employers will now include more recipients of City leases, concessions, or franchises, as well as their subcontractors, by removing the requirement for a minimum number of 25 total employees. Businesses with five employees or less, as well as businesses with annual gross receipts of less than \$1 million, will still be exempted from the law.

### AFSCME Local 1739

Community and Social Agency Employees  
Building Community • Protecting Dignity • Delivering the Future

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President

Marie Seldon  
Vice President

James Baylor  
Treasurer

Ricky Taylor  
Corresponding Secretary

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## Chapter Reports

### American Friends Service Committee

The union settled the class action grievance that it had ongoing with the AFSC. The grievance was based on the Agency changing the job titles and making our members re-apply, for which only one person was hired out of six. Our contention was that it was the same

work being performed, however, in preparing for the arbitration; we discovered that the work was not the same. The affected employees received an additional six weeks' worth of severance pay. The Union coordinating committee is meeting to deal with some unresolved issues regarding job descriptions.

### Jewish Community Centers

#### Kaiserman

We have a grievance approved for arbitration based upon the way that the Agency has been handling employees' longevity bonuses. Our requests for information has been unanswered, thus we are proceeding accordingly.

#### Klein

The union leadership has met with the maintenance employees of the JCC and informed them that since the employer replaced their supervisor, management expected to see a change in the appearance of the building. In checking with both sides, labor

and management, it seems that things are progressing well.

#### TURN

We met with TURN management in December to negotiate a wage increase for 2012. We reluctantly settled for a \$350.00 net bonus. We will be back in negotiations with Turn again this Spring. We are a very agitated bargaining unit.

#### SEAMMAC

The union and SEAMAAC have an arbitration date of June 25th to hear our grievance regarding the reduction of hours for our shop steward.

## *AFSCME Local 1739*

### *Community & Social Service Agency Employees*

## **General Membership Meeting**

Date: Wednesday, March 20, 2013

Time: 6:00 p.m.

Place: District Council #47 1606 Walnut Street  
Third Floor Auditorium

### **AGENDA**

**General Union Business**

**Presentation from New York Life Insurance**

**At the conclusion of the meeting, there will be a union member participation drawing.**

**Prize — \$50.00 gift card**

**(Union members have to be present to win!)**

*Light dinner will be served*

## Chapter Reports

### Jewish Employment & Vocational Services

We have finally received the new JEVS contract that was negotiated in the summer. The Union made some edits which were approved. Now, we're waiting to receive the contract for signatures. The CLHS labor/management committee negotiated a new policy for overtime. This will be in the new contract. The problems and grievances at ACT 1 is somewhat rectified with a change of a new clinical supervisor. However, JEVS would like the discipline to remain in the employees' personnel file. We have a problem with

this action. The ACT labor/management committee has met to talk about delivery of service and completion of documentation. The union made some proposals that management is considering.

We have a very similar problem with the Service Coordinators who work for SFI. Management has instituted mandatory thresholds for billable hours which keep increasing. Plus, they are making policies; like if you take off less than three days, you have to make the work up. If it's more than three days you don't. Our employees see this as forced vacation time. The union met with JEVS COO Marian Baldini about SFI service coordinator issues and will be working to get all of their issues addressed.

### Jewish Family & Children's Service

We have the new JFCS contract that was ratified in October. JFCS has placed to new contract on its intranet, but if any member wishes to receive a hard copy, please contact the union to have one mailed to your home.

would receive 15 leave days. Ten month employees who choose to opt out of SPIN's benefits will receive their proper amount of leave time as per the collective bargaining agreement.

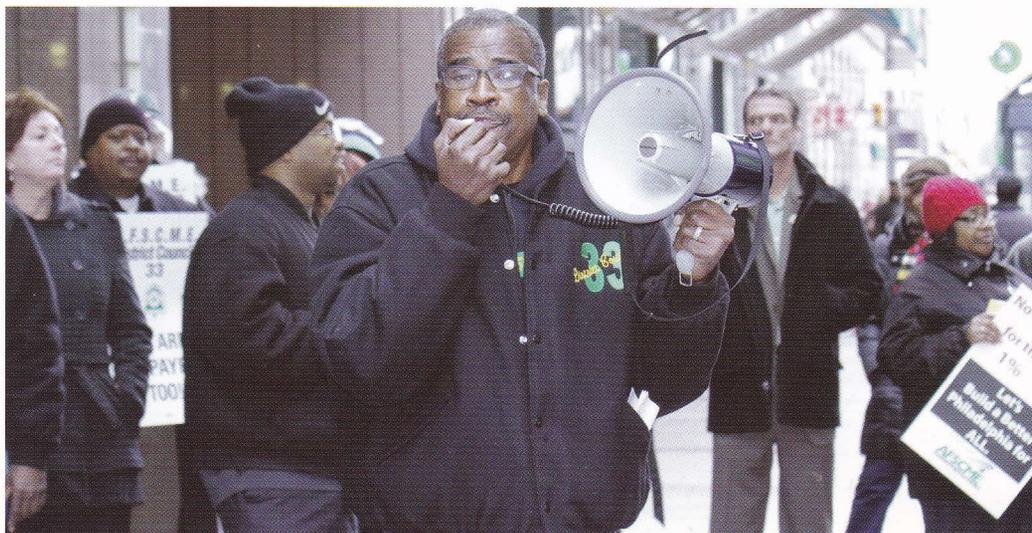
SPIN did acquire about five CLA homes from Lehigh University as of July 1, 2013. This will mean some additional members in our bargaining unit, as well as a presence in the Lehigh Valley.

We are sad to announce that PJ Walking (Shop Steward), who worked in Health Services, has retired from SPIN. PJ was a strong union and consumer advocate. He was also the union's coordinator of the joint leave time review committee. PJ Walking is going to be missed and hard to replace. Currently, the union is recruiting individuals for Shop Stewards. If anyone is interested, please contact either Thomas Steele or Robert Wallington.

### Special People in Northeast

One of the issues at SPIN is leave time for their ten month employees. After meeting with SPIN CEO Kathy Brown-McHale the union reached an agreement that ten month employees who would like SPIN to pay for their benefits over the summer months

## City Workers Protest Lack of Contract



AFSCME District Council 33 President Pete Matthews and members of their union protested outside the Marriott Hotel, where Mayor Michael Nutter was speaking at the Philadelphia Chamber of Commerce luncheon. Matthews said the union plans to show up in force at city budget hearings. Mayor Nutter delivers his budget message to city council on March 14.

# AFSCME LOCAL 1739

## NOTICE TO MEMBERS AND NON-MEMBERS

Section 7 of the National Labor Relations Act gives employees these rights:

- To organize
- To form, joint or assist any union
- To bargain collectively through representatives or their choice
- To act together for other mutual aid or protection
- To choose not to engage in any of the protected concerted activities

Section 8(a)(3) of the National Labor Relations Act states:

It shall be an unfair practice for an employer -

(3) by discrimination in regard to hire or tenure of employment or any term of condition of employment to encourage or discourage membership in any labor organization: Provided, that nothing in this Act, or in any other statute of the United States, shall preclude an employer from making an agreement with a labor organization...to require as a condition of employment membership therein on or after the thirtieth day following the beginning of such employment or the effective date of such agreement, whichever is the later, if such labor organization is the representative of the employees as provided in Section 9(a), in the appropriate collective bargaining unit covered by such agreement when made.

The membership required under a union security clause pursuant to the above proviso is merely the payment of periodic dues, and initiation fees if applicable. While actual union membership is not required, employees choosing not to join the union must make required payments; will not be entitled to attend union meetings; cannot vote upon the ratification of contracts or other agreements between the employer and the union; will not have a voice in the internal affairs of the union; and will not enjoy "members only" benefits.

All non-members of AFSCME Local 1739 who are obliged to pay an amount equal to period union dues are hereby notified of the Union's procedure for those seeking a reduction of the amounts to be paid based upon union expenditures for matters other than collective bargaining and contract administration.

Non-members who timely object to the payment of an amount equal to union dues and initiation fees, are charged for expenditures for activities, training, communications, research, legal and administrative costs related to collective bargaining, contract administration, and grievance adjustment; representational activities involving terms and conditions of employment discrimination, pension reform/retirement, social security, employee evaluations, unemployment compensation, overtime and minimum wage provisions, environmental issues which affect conditions in the workplace; union meetings of the membership, the executive board, the district council, and the national convention, if any; administrative expenses including office rent, utilities and supplies, expenses for publication of newspapers or newsletter to the extent

that said publications cover chargeable activities; and educational and training programs or conferences for the rank and file or staff on issues relating to negotiations, grievance adjustment, duty of fair representation, and other employment related and governance issues.

Objecting non-members are not charged for expenses, if any, which are paid from dues which support or contribute to political organizations or candidates; voter registration, get-out-the-vote campaign techniques (i.e. training programs designated to prepare leaders, staff and/or members to work in support of candidates for any public office); support for ideological causes not germane to the work of the union in collective bargaining; portions of publications which involve nonchargeable issues; members only benefits; certain lobbying efforts; certain legal services related to basic representational functions with only a remote theoretical benefits to the unit employees.

You are advised that the Union has established the following procedure for obtaining a reduction of fees. Please follow these following instructions carefully:

1. Non-members who are obligated to pay an amount equal to period dues and initiation fees to the Union may request a reduction to 5% of the regular dues amount by filing an objection. The objection must be made in writing each year during the month of June.
2. Employees who newly become subject to a contractual union security clause after June or who otherwise do not receive this notice, shall file any objection within thirty days after the mailing of the notice of Beck rights. Additionally, members who resign after June must object, if at all, within the thirty (30) days from postmark or delivery date, whichever is earlier, of their individual resignation. Any objection under this provision must be received at the below official address within thirty (30) days window.
3. Objections must be sent to the Union Treasurer, James Baylor at 1606 Walnut Street, Philadelphia, Pennsylvania 19102. Objections not sent to the above address are void.
4. Objections must contain, at least, 1) the objectors name; 2) the objector's address; 3) the name of employer; 4) the non-members' employee identification number (where applicable). Objections must be signed by the objector. This information must be provided in order for an objection to be valid.
5. Objections will be processed as they are received. All properly objecting non-members will receive a detailed explanation of the basis for the fee reduction, if any.
6. The objector fee will be reduced commencing July of the year in which the objection is filed through the following June. For employees electing to object pursuant to the provisions of paragraph two, objector fees will be reduced within sixty days after the expiration of the individual's challenge period ending the following June.

*continued on page 5*

## Shop Steward's Training

On Saturday, March 23<sup>rd</sup>, there will be a training for union members interested in becoming a shop steward within their worksite. The job description for the shop steward position is listed below. The training will be held:

AFSCME District Council #47  
1606 Walnut Street  
Third Floor Boardroom

The training will be from 9:00 a.m. to 3:00 p.m. Breakfast and lunch will be provided. If you are interested, please R.S.V.P. to Lois Miller (215) 893-3710.

## Shop Steward's Job Description

*Uphold and enforce union contract*

*Represent members' at all first level grievances and defend all union members equally to the best of your ability.*

*Attend all union meetings, conferences and trainings.*

*Periodically hold on-site meetings with union members to hear their concerns.*

*Communicate the thinking of the union members to the Local leadership and communicate the thoughts of the leadership to the members.*

*Ensure union communications to members (i.e. meeting notices, job postings etc.).*

*Be a good and productive employee, earn respect and set positive examples for co-workers.*

### *Notice to Members and Non-Members continued from page 4*

7. Anyone filing an objection that disputes the detailed explanation and calculations may challenge the calculations. Be advised, a challenge is not necessary to reduce your fees. Any challenges to the report and/or calculations must be specific and made in writing, to be valid, challenges must be received by the Union only within twenty one (21) days after the mailing of the report. Challenges must be sent to the Union Treasurer, James Baylor at the address listed in paragraph 3 above.

Valid Challenges, if any, will then be submitted jointly to an impartial arbitrator appointed by the American Arbitration Association. In the event of such challenge, the reasonably dis-

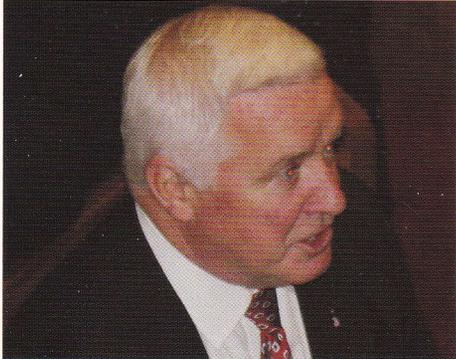
puted portion of the challenger's fee, shall be held in escrow until the challenge is resolved by the arbitrator.

8. Employee's right may further be affected by previously executed check off/authorizations.

9. The request for a reduction must be renewed each year by filing an objection during the appropriate period. The above procedure shall apply to any subsequent requests unless modified.

10. The official Union mailing list as of the date of printing shall be the official receipt of the mailing of this notice.

**AFSCME Urges Gov. Corbett To Negotiate With Workers On Lottery Proposal**



Gov. Tom Corbett

Dave Fillman, Executive Director AFSCME Council 13, challenged Gov. Corbett to end his push to outsource the management of the Pennsylvania lottery and negotiate with public employees to improve what remains one of the best lotteries in the nation.

The administration and U.K.-based Camelot had negotiated an extension of the company's bid to take over the lottery, despite Attorney General Kathleen Kane's ruling that the contract is illegal.

"At this point, the governor is just wasting valuable time. We agree with the governor and with lawmakers who want to grow the lottery and generate more revenue for our seniors. We agree that with the legal addition of more games, we can do more to fund life-saving programs such as PACE-NET," Fillman said.

"Our members are ready to start working right now to ensure that we have the right legislative and regulatory framework to improve what is already a tremendous public asset."

The Attorney General ruled that the Camelot contract illegally infringed on the Legislature's authority to set policy. In addition, the OAG's review found that current state law does not allow the development of monitor-based games and, finally, the contract included a provision for Camelot to make claims against the state

that was too broad.

Under public ownership and public management, the lottery could generate an estimated \$799 million more in revenue in the next six years than it would under Camelot management, according to AFSCME's counter-proposal.

"It's time to put ideology aside and get to work tackling real challenges our state confronts. We have an obligation and an opportunity to do the right thing for our seniors right now. All we need is a phone call from Gov. Corbett to kick start this effort," Fillman added.

<p style="text-align: center;"><b>Local 1739</b></p> <p style="text-align: center;"><b>Local Trustees</b></p> <p style="text-align: center;"><b>Robert Wallington, Trustee</b></p> <p style="text-align: center;"><b>Dolores Dorsey, Trustee</b></p> <p style="text-align: center;"><b>Lenore Borowski, Trustee</b></p> <p style="text-align: center;"><b>Executive Board Members</b></p> <p style="text-align: center;"><b>at-Large</b></p> <p style="text-align: center;"><b>Marie Askew</b></p> <p style="text-align: center;"><b>Thomas Steele</b></p> <p style="text-align: center;"><b>Rita Starling-Taylor</b></p>
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