

## Big NCFO Organizing Victory at Big South Fork and Obed Parks

By a 2:1 margin, Federal Employees staffing Big South Fork National River and Recreation Area and the adjacent Obed Wild and Scenic River voted recently to make NCFO Local 320 their voice at work.

The expansive Big South Fork includes 125,000 acres of the Cumberland Plateau in Kentucky and Tennessee. The Obed Wild and Scenic River is just south on the Tennessee side.

The new wall-to-wall bargaining unit includes everything from rangers and guides to scientists and maintenance workers.

"Management has had different rules for different people, explains maintenance worker Bobby Joe Higgs, who spearheaded the organizing effort. "Many of us have been forced to work out of classification," adds Higgs, who is now a member of the unit's negotiating committee.



Interpretive Ranger Sue Duncan says having NCFO Local 320 representation will help employees handle problems caused by management.

That's not the case at Big South Fork, she charges, complaining that she and other rangers and guides often have to work right through lunch and with no extra pay.

"Management's attitude here is 'it's my way or the highway,'" adds park guide Lynn Thornton, who cites the "inconsistency and broken promises" of management. "I've never been enthusiastic about unions, but

I realized that we really need representation."

Law enforcement ranger Tom Barnes agrees.

"Our work environment has changed over the

years and we needed to come together and have someone in our corner that management cannot ignore," he says.

Though he has no current complaints about his own work situation, biologist Steve Bakaletz is upset about the slashing of work hours for many guides and unfair treatment of maintenance workers.

"What happens to the other guys might happen to me too," he argues. "But if I wait until it happens to me, it's too late.

"And besides," he adds, "I like the maintenance guys better than I do the bosses."

The son and grandson of railroad workers and union members, Higgs, was a police officer for 28 years before starting work at Big South Fork. He was attracted to NCFO in part because it also represents thousands of railroad workers.

Sue Duncan, an interpretive ranger at Big South Fork since 1989, previously worked at Mammoth Cave National Park in Kentucky, where Local 320 representation made a difference. "It allowed employees a chance to correct situations neglected by management, and lunch breaks were properly enforced," she points out.



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# A Book for Us, a Country for Us

*A Country That Works: Getting America Back on Track*, by Andy Stern, New York, Free Press, 2006, 212 pages, \$24 list price, \$15.60 from Powell's 1-800-878-7323 or at [www.powells.com](http://www.powells.com)

by George J. Francisco, Jr.

As a member of the SEIU Executive Board, I received a copy of SEIU President Andy Stern's new book. To be honest, I wasn't excited about taking the time to read it.

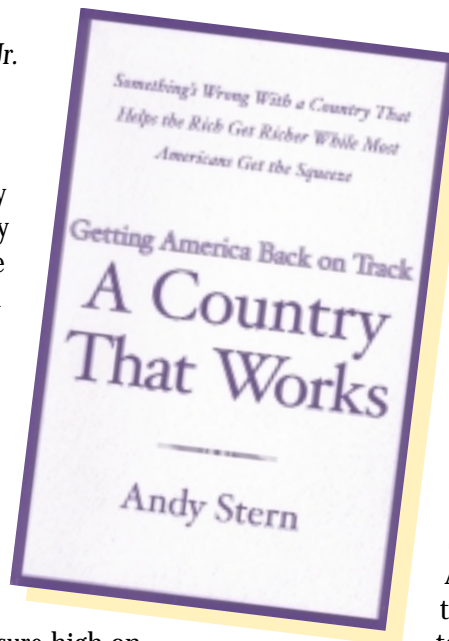
Too many books by politicians and other public figures are published just to serve careers—or egos—and the real "author" usually is a ghost writer. Such books measure high on the self-promotion and fluff meters, but short on substance.

But I'm happy to report that *A Country That Works* is not that kind of book. It's an easy read and kept my interest. When I finished it, I felt that I had spent my time well and had read an important book.

I urge each and every one of you to read it, too. I have a number of reasons for saying this.

First, it will help you get to know our international union president better. Even though he did utilize a professional writer as a collaborator, there's no question that this is Stern's book. I've had discussions with him about some of the events and issues discussed, so I know how honest and real it is. His commitment to testing out new ideas and approaches and his passion and vision come across on every page. You get to know a labor leader who is looking to the future and not stuck in the past.

Second, I think that every NCFO member will feel more a part of SEIU



after reading about how and why SEIU has changed and about all that has been accomplished. There's also a full discussion of the "split" in organized labor and Stern's decision to lead SEIU out of the AFL-CIO and to launch Change to Win.

Third, while there have been many books discussing the state of the U.S. economy and the plight of working families within it, *A Country That Works* provides as good and concise an explanation of the problems—and possibilities—we face as any I've come across.

Let me mention just a few of the kinds of easily-accessible statistics sprinkled throughout:

- More telephone calls are made daily in 2006 than were made in the world in all of 1983. In addition, now 84 billion emails are sent every day.
- Income of the top 1 percent of Americans rose 129 percent (\$395,000) 1979-2003, but for the bottom 20 percent, it went up just 4 percent (\$600).
- 2003 was the first year more Americans worked selling things than making them.
- By 2010, the Fortune 500 compa-

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nies will spend as much on health care for employees as they make in profits.

Fourth, *A Country That Works* offers a thought-provoking and concrete program for "getting America back on track." Check it out for yourself.

I don't agree with every point in the book. For instance, though I think his analysis of the problems in the AFL-CIO is on target, I still have my doubts about whether pulling out was the right thing to do.

You can order *A Country That Works* at a special discount rate of \$15.60 for SEIU members by calling Powell's at 1-800-878-7323 or at [www.powells.com](http://www.powells.com) Get a copy for yourself—or borrow someone else's. But you can't borrow mine. This is a book I want to keep close at hand.

# Florida School Bus Drivers Demand Action on Pay Problems

School bus drivers in Palm Beach County, Florida, were happy about gains made in contract bargaining earlier this year—especially about tough new rules negotiated by their Local 1227 bargaining committee insuring that overtime work would be awarded based on seniority.

But what good is getting the work if they don't get paid for it?

That's a question hundreds of them wanted answered when they showed up at a school board meeting in September. When not allowed to speak or ask questions of the superintendent, they rallied outside in a fiery protest over management's failure to pay the overtime due them and in some cases, not pay them at all.

An estimated 250-300 drivers and community supporters joined in the protest, which focused in part on a new software program implemented in July at a cost of \$19 million. According to the *Palm Beach Post* newspaper, "the program is designed to make business operations run more smoothly and efficiently."

"There have been big problems with this software in other places and they should have known better than to waste all that money on it," says Local 1227 President Sharon Munley. "There are lots of issues that could have been addressed with \$19 million. Instead they've created new problems," Munley continues.

Moreover, the new pay system spreads salaries over two additional pay periods, making each check smaller. The local is demanding that the school district close the paycheck gap with an additional wage increase.

"Most of our members and most



► Local 1227 member and school bus driver Carolane Lingo speaks to the media about the paycheck problems. "Most of our members and most working families live paycheck to paycheck and this kind of massive screw-up is something they simply cannot afford and we will not tolerate," says Local 1227 President Sharon Munley.

working families live paycheck to paycheck. The massive screw-up and the shrinking paychecks are things they simply cannot afford and we will not tolerate," adds Munley. "Much of the goodwill generated by the new contract has been undermined," she stresses.

In addition to the hardships on the bus drivers, the paycheck problems also delayed implementation of upgrades for paraprofessionals—another key gain in the new three-year contract.

The rally also focused attention on other issues of great concern to the drivers, including complaints of discrimination and unprofessional conduct by managers, as well as poor working conditions.

"We're glad that the school board agreed during negotiations to begin a process of labor-management

◀ Rev. Rick Santori (arms folded) and Rev. James Masters (hat) were among the supporters of Palm Beach County school bus drivers who rallied outside a School Board meeting. Expensive new software caused widespread problems with overtime pay and a variety of other paycheck problems.



meetings to address and fix problems, and a few have been solved," Munley sums up, "but management is going to have to do a much better job of listening and working with us or we will be back in the streets protesting."

On a more positive note, another group of South Florida public employees represented by Local 1227 made great gains in a new three-year contract. The 75 Village of Palm Springs employees won pay raises of 21 percent over three years, with an additional four percent yearly step increase for each employee who "exceeds expectations on merit." In addition, the contract also calls for an additional four percent yearly raise for workers in any job classification being paid at less than prevailing market value.

# Union Conference of GOP Local Purple Republicans Make

**NCFO** Local 754 Chairman Kenneth McGinnis has come to Washington, DC, only twice, but both visits have been at historic moments.

The first was for a senior class trip in 1968—in the wake of the assassination of Rev. Martin Luther King, Jr.—and he witnessed a massive crowd arriving and assembling for an historic march and rally during a turbulent time.

During his recent 2006 trip, he did not just witness history unfolding, he was part of it, as more than 100 SEIU local leaders gathered for what is believed to be the first conference of union Republicans ever held.

A bit nervous as he arrived, the 29-year NCFO member was unsure what to expect at the conference, but glad he would have the opportunity to compare notes with others who are both local union leaders and Republicans.

“Back in Russell, Kentucky, I take a lot of good-natured ribbing about being a Republican,” McGinnis says, “but I’ve never seen any contradiction between being a Republican and a good union man.”

That same understanding led SEIU to put together the unprecedented conference.



## A New Approach

“In those states where people register with party affiliation, 23-24 percent of our



A gathering of union Republicans is not an everyday Washington occurrence. SEIU's GOP Member Conference is believed to be the first such meeting to be organized by a union.

members are Republicans. For many years we’ve been like an airplane flying on three engines, with the fourth turned off,” explains Skip Roberts, SEIU’s assistant director of government affairs. He enumerated the beginnings of a new approach.

- SEIU has begun endorsing more pro-worker Republicans and encouraging Republican members to get more involved in their party.
- In Minnesota, it has started offering training to help members do so.
- In New Hampshire, five SEIU members were nominated to run for state legislative seats as Republicans.
- And in Washington State, where SEIU has endorsed more than two dozen Republican state legislative candidates this year, it was the GOP that strongly took up the union’s successful campaign to pass collective bargaining rights for

10,000 child care workers in the state.

And just as Republicans can be union allies, Roberts adds, “just having a ‘D’ next to your name doesn’t automatically make you pro-working family.” He cites former Clinton Administration official Donna Shalala as a case in point: as President of the University of Miami she fought SEIU organizing tooth and nail, despite being a nationally respected liberal Democrat.



## Coming Together

At the SEIU GOP Member Conference, McGinnis was joined by SEIU activists from the above-mentioned places, as well as others with a wide geographic and occupational range—from a New York psychologist and a California court house worker to Michigan corrections officers.

Ray Shultz is a local leader at a rural prison of the 9,000-member Michigan Corrections Organization (MCO), an SEIU affiliate. Somewhere between 30 and 40 percent of MCO’s members are Republicans, including him, an elected Republican precinct leader.

“My membership is predominantly Republican and very socially conservative,” he says, and “though I totally

# Local Leaders Breaks New Ground in History in Washington

disagree with [incumbent Democratic] Governor Jennifer Granholm on every social issue, I'm supporting her re-election." He fears that her Republican opponent, Dick DeVos, "will not take care of us" and will push for prison privatization.

The point made by Shultz resonates with NCFE's McGinnis. "When a politician affects our people, our jobs, it makes me be against him, no matter the political party," he emphasizes.

Comparing notes with other local leaders like Shultz, attending workshops and listening to a number of Republican lawmakers and lobbyists, McGinnis felt pumped up.

"The people at this conference know where I'm coming from. Participating helped me get over the 'the odd man out' feeling I get sometimes," McGinnis continues. "We're all good union people here—with a different outlook on some



NCFE Local 754 Chairman and lifelong Republican Kenneth McGinnis (left) engages in lively discussion with conference attendees from the Michigan Corrections Organization. "The people at this conference know where I'm coming from. Participating helped me get over the 'odd man out' feeling I get sometimes as a union Republican," McGinnis says.

things—but we all can come together to fight for the good of the membership."

Attending the meeting also made him "feel more equipped to help my members get involved and to help them help themselves and their families. I got a lot more insight on how to go about doing this."

On the final morning of the conference, McGinnis headed for Capital Hill to lobby an aide to his

McGinnis discusses national railroad negotiations with an aide to his Member of Congress, Republican Geoff Davis of Kentucky's 4th Congressional District. "I felt like I was listened to and I got my point across," says McGinnis. "It was a start."

representative, Republican Geoff Davis of Kentucky's 4th Congressional District.

McGinnis, comfortable in his new role as grassroots lobbyist, focused on being a lifelong Republican and committed union man, and asked for help pressing the national freight railroads to bargain a fair contract and not rely on the Bush Administration and Congress to impose the railroads' agenda on its employees.

"I felt like I was listened to and I got my point across," McGinnis notes.

He headed for home feeling good about both his initial lobbying effort and his participation in the effort to engage and mobilize SEIU Republican members.

"It's a start. To build a house you've got to lay that first block."



## Around the Conference

### Bringing Workplace Fairness to the Fair



Visitors to the Chautauqua County (NY) Fair get information on how to win a voice at work at the Local 266 organizing booth. Volunteers from the local staffed the booth from noon until 8 pm throughout the eight days of the annual event.

### NCFO Journal Recognized

Once again, your quarterly newsletter has received multiple awards in the annual contest of the International Labor Communications Association (ILCA). *The Journal* was honored for the overall excellence of its graphic design and also for two articles that appeared during 2005.

“The Gap: Economic Inequality Threatens America’s Future,” which appeared in the Summer 2005 issue, and “With Their Best Friends Running the Country, Oil Companies Are Ripping Off America,” published in the Fall edition, were cited by ILCA respectively in the Best Feature Story and Best News Story categories.

### NCFO Updates on the Web

If you haven’t visited the NCFO website in a while (or ever), it’s time to check it out.

Among the beefed-up features, an up-to-date Bulletin Board, where you’ll be able to find local union news from the around the country and post the latest happenings from your local.

You’ll find the website—with links to lots of excellent sources of union-related information—at [www.NCFO.org](http://www.NCFO.org)

Your local can send its latest news for the NCFO Electronic Bulletin Board to Malanka Queen of the Conference staff at [queenm@ncfo.org](mailto:queenm@ncfo.org)

### Students Win Big in Local 473 Golf Event

Former Philadelphia Flyers All-star defenseman Bob Daley (2nd from right) had the lowest score, but five children of Local 473 members were the big winners at the 5th Annual Mike Matz Memorial Golf Scramble. The winners of \$1,000 college scholarships are: Samantha Adams (father, Robert); Allan DeGuzman (father, Robert); Carmen Fanelli III (father, Carmen Jr.); Giovanna Gualberti (father, Mark); and Clifford Reynolds (father, Carl). Shown with Daley are (from left) Local 473 members Anthony Canzanese and Ronald Kirschner, Jr., and President Ronald Kirschner.



#### NCFO PROCEDURE REGARDING DUES AND FEE OBJECTORS

The following procedure shall apply for maintenance of union membership and dues obligations under the union security agreements between NCFO affiliates and the employers for whom their members work, in order to comply with interpretations of the U.S. Constitution, the National Labor Relations Act, and the Railway Labor Act by the United States Supreme Court:

1. Any employee whom an NCFO affiliate represents who is required to be a member of the union under a union shop agreement, but who objects to joining or remaining a member of the union, will be deemed to have met the requirements of the union shop agreement if the employee pays to the union an amount equal to the periodic dues, fees and assessments (not including fines and penalties) uniformly required of all members of the union (“the agency fee”) within the time limits provided for in the union shop agreement. Such employee shall be known as an “agency fee payer.” [Agency fee payers are not union members; they may not vote in union elections or be candidates for union office, attend union meetings, serve as delegates to union conventions or participate in the delegate selection process, or vote on the ratification of collective bargaining agreements.]

2. Any employee subject to a union shop agreement who is not a member of the NCFO has the legal right, through timely written objection, to limit his/her agency fee payment to expenditures that are necessarily or reasonably undertaken by the union to represent employees for whom it is the exclusive representative, i.e. activities of the union that are related to collective bargaining, contract administration and grievance handling. In such case, expenses unrelated to these activities, will be excluded from the agency fee calculation. Such “non-chargeable expenditures”

include contributions of money or paid union staff time to political parties, candidates, and charities and other organizations; expenses to recruit new members; legislative lobbying expenses not directly related to collective bargaining agreement negotiation or administration, including time of union officers and employees; AFL-CIO and affiliated organization dues; costs of portions of the union’s newsletter and magazine publications not related to the employment interests of the employee; members only benefit expenses; and expenses for litigation that does not directly concern the objector, his bargaining unit, or the union as an institution.

3. An employee who wants to submit such an objection must do so initially within 30 days after he/she first becomes covered by the union shop agreement or resigns from the union and receives notice of this procedure and thereafter annually in writing to the Secretary Treasurer of the System Council (or local union if there is no System Council within whose jurisdiction the employee works) postmarked during the month of November each year. The objection must include the employee’s name, home address, social security number, employer, job title, work location, and home and work phone numbers. The agency fees of new employees who file such objections shall be reduced retroactively to the date he/she first begins paying an agency fee; the agency fees of all other employees who file such objections shall be reduced for the twelve-month period beginning January 1 next after the objection is received and ending December 31 of that year. Prior to the beginning of this twelve month period, each employee who has filed an objection will be provided with a full explanation of the basis for the reduced fee, and an explanation of the procedure for challenging the calculation of that reduced fee.

4. The union shall maintain records of the amount of time, dues/as-

essment/fee income, and assets that are expended for chargeable and non-chargeable activities. Such records shall be subject annually to an independent audit in order to determine the amount of reduced fee to be charged agency fee objectors.

5. An employee may challenge the union’s calculation of the reduced fee via arbitration before an impartial arbitrator in accordance with the Rules for Impartial Determination of Union Fees of the American Arbitration Association. In such arbitration, the union bears the burden of proving the propriety of its calculation. To invoke arbitration, the employee must submit his/her challenge in writing to the System Council or local union Secretary-Treasurer postmarked within 30 days of his receipt of the fee explanation. Pending resolution of the challenge, the union shall place in an interest-bearing escrow account a sufficient portion of the fees being paid by those employees who have filed challenges to ensure that the portion of the fee reasonably in dispute will not be expended. After the issuance of the arbitrator’s ruling, the union shall promptly distribute the escrowed monies in accordance with the ruling and, if required by the ruling, adjust the amount of the reduced fee.

6. This procedure shall be administered in a manner that is completely fair to agency fee payers who register objections. The System Council or local union Secretary-Treasurer is authorized to determine the amount of the reduced fee each year, to provide proper notice of this procedure to agency fee payers.

7. This procedure shall be published by the union in its newsletter or magazine, and sent to each agency fee payer, annually. It shall also be provided to each new employee when he/she first becomes subject to a union shop agreement.

# How Did *You* Do on Our Rights on the Job Quiz?

Congratulations to our three top scorers who mailed in their answers to the *Rights on the Job* quiz published in the last issue. NCFO prize packages have been sent to John M Bloom III (Local 7), Nick Pone (Local 1220) and Tim Robinson (Local 5).

**F**or any pop quiz to be useful, it's important to review the material and go over the correct answers.

**1** There is no statutory right to paid vacation in the United States. We're about the only industrialized country in the world without one.

**2** In labor contract law, the doctrine of "past practice" means that "if an employer has allowed certain activities (like playing the radio) for a long time, they can't just tell you it's no longer allowed."

**3** A "right to work" law does *not* mean that every worker has the right to a job, though the anti-union folks want you to believe that "right to work" means more jobs. Workers in "right to work" states earn considerably less than in those "union shop" states.

**4** The *false* statement was that "every unemployed worker in the U.S. has the legal right to unemployment compensation benefits." There are all

sorts of restrictions, such as how long one has been out of work, whether or not one is looking for work, etc. It's *true* that: less than 35 percent of the unemployed in the U.S. get unemployment benefits; 80 percent of the unemployed in Sweden get benefits; the U.S. unemployment insurance law was passed as part of the Social Security Act of 1935; and, by law, unemployment insurance can replace a maximum of 62 percent of salary.

**5** All of the four things we wrote about the Family and Medical Leave Act (FMLA) are true: FMLA gives the right to unpaid leave from work to care for a sick relative, bond with a newborn or recuperate from an operation or illness; as of last year, an estimated 50 million Americans have utilized FMLA; more than 40 percent of private-sector workers are not covered by FMLA because there are fewer than 50 employees where they work; and the United States is the only major industrialized country that does not

require paid family and medical leave.

**6** If you are allowed to use your employer's email system to sell Girl Scout cookies for your daughter, then it is more likely that you'll have the right to use it for union purposes.

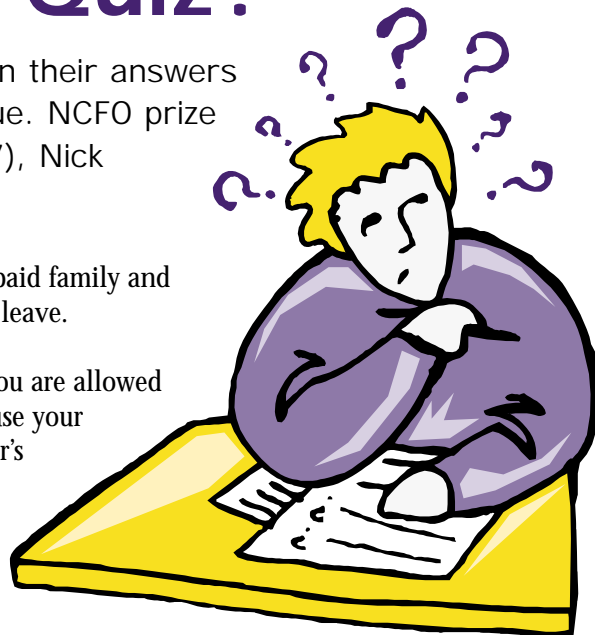
**7** Though the Bush Administration has been trying to strip away lots of rights from Americans in the name of the war on terrorism, American workers retain the legal right to know the dangers of chemicals in use in their places of work. Also, if a hazardous product has a trade name, the actual chemical name must be listed on the Material Safety Data Sheet (MSDS). So, only two of the assertions listed were true: there must be an MSDS available to you for every potentially hazardous chemical in your workplace; and each MSDS must include information on the possible

short-term and long-term health damage the chemical can cause and how the chemical can enter the body.

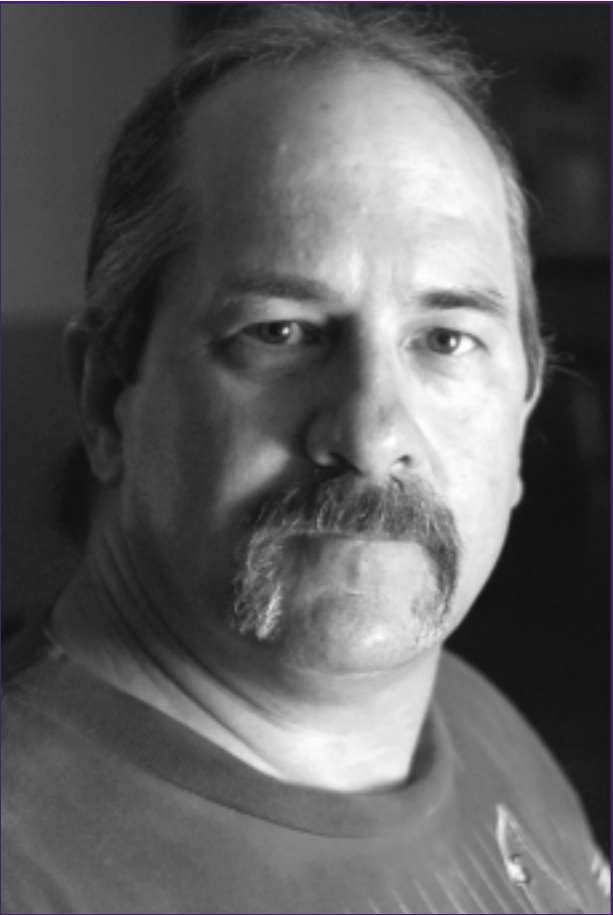
**8** If you have to shout to be heard by someone just a few feet away, your job probably is over the legal limit for noise under the OSHA noise standard.

**9** Is it *not legal* under the Americans with Disabilities Law to ask a job applicant about past illnesses, hospitalization, days absent from work due to an illness or current use of prescription medication.

*Remember, the better informed you are about your Rights on the Job, the better it is for you, your family and your union.*



# "We Got Involved in Politics and Changed Things. You Can, Too."



Michael McKee and fellow Illinois Local 8 members helped elect candidates to the Peoria School Board who believe in unions and oppose privatizing union jobs.

"We all can make a difference nationally by helping candidates who support working families, good schools, affordable health care and union rights," he says.

That's why McKee sent in a personal contribution to the Firemen & Oilers Political League (F&OPL)—NCFO's political action fund—for the first time this year.

"I've learned that when all of us pitch in we can have a lot of power," McKee explains.

Join Michael McKee in fighting for a better America by contributing to F&OPL in one of two ways:

- ▶ Sign up for monthly voluntary payroll deduction (ask your steward if you can), or
- ▶ Send your personal check made out to F&OPL to:

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