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Red Cross Contracts Settled

A ten (10) year struggle for fairness at the American Red Cross ended with new contracts and a large Unfair Labor Practice settlement. Negotiations began in 2008 and concluded in December when the members ratified their new contracts.

Local 459 represents the Red Cross employees in most of Michigan (the Detroit metro area is run separately). In 2006 the national American Red Cross began going around the country demanding concessions from all its Unions. They were able to obtain cuts everywhere they went. The contracts for Local 459 members were set to expire in March 2008.

2008 - An Arrogant Start



The first bargaining session was scheduled. The Red Cross flew in an attorney from Washington DC. He told the Union teams that he knew how these negotiations were going to play out. He said, "You are going to give us a proposal. Then we are going to give you the contract." He was wrong.

In fact he forgot the first step. In order for negotiations to begin, one side has to send a notice opening the contract. Usually the Union side does this. But because it was in no hurry for concessions, the Local 459 team decided not to send one and the Red Cross attorney forgot to send his own. The contracts were automatically extended for another year. The attorney flew back to DC without even making a single proposal.

2009 - Negotiations Actually Begin

The next year the Red Cross attorney remembered to send the reopener. Negotiations started and the Red Cross proposed its series of concessions. They demanded that Local 459 give up its right to bargain over care and pension. It also the contract language proposed no raises in the most benefits including health wanted Local 459 to give up on staffing. The Red Cross new contracts.

When these negotiations started:

- The iPhone was not in popular use
- George W. Bush was President

Local 459 members at in 1979. They have a including a number of is a national organization, done on a local level. The the years, built a contract These new negotiations

the Red Cross first unionized history of strong Union activism strikes. While the Red Cross the bargaining was always Local 459 members had, over with high wages and benefits. were being conducted by the national Red Cross. The Union members quickly realized that it was better to live under their current working conditions than any new contract the national Red Cross was willing to give.

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When their extended contracts expired, they knew it was better to just keep bargaining. So bargaining continued.

To put pressure on Local 459, in May of 2009 the Red Cross stopped deducting Union dues from employee's paychecks.

2009 - National Red Cross Starts Violating Labor Law

While bargaining is taking place, federal labor law requires private sector employers to continue the current working conditions. The national Red Cross either forgot or ignored the fact that Local 459 had not agreed to waive its right to bargain over changes in benefits. While it was implementing

Michigan went right to work/right to free load in 2012. But the Red Cross went right to work/right to free load in 2009 when their contracts expired. Despite there being no legal requirement to support their Union and despite the Red Cross eliminating dues deduction, around 80% of Red Cross employees continued to be members in good standing. They are now almost 100%.

cuts for other employees, it implemented them for Local 459 members too.



The Red Cross cut its 401 (k) contributions, froze the defined benefit pension plan and eliminated health care for new retirees. Local 459 filed an unfair labor practice charge each time it heard about a unilateral change in benefits. The Red Cross denied all the charges.

Meanwhile an independent Jobs with Justice Workers Right Board conducted interviews around the country and examined the Red Cross' management style. It issued a lengthy report that called for an independent audit of the Red Cross finances, new

labor and training policies and guidelines to protect the right of Red Cross employees. The Red Cross ignored the report.

June 2010 - Strike by Coalition of Unions

A number of other Unions had started negotiations by 2010. The Unions had been meeting and trying to work together to avoid all these cuts. In June of 2010 seven (7) of Unions, including Local 459 engaged in a three (3) day strike to send the Red Cross a message that the Unions could work together.



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Local 459 • On the Web: www.local459.org



459 Update

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The Red Cross was not moved. Since it was operating on a national level, it could move blood from other parts of the country into the striking regions. There was no change in the Red Cross proposals.

2010 - Federal Trial

In the fall of 2010 the federal government began prosecuting the Red Cross for all its violations of labor law. The trial lasted eleven (11) days.

In May of 2011 the judge issued his decision. He found the Red Cross guilty of violating federal law in seventeen (17) different ways.



September 2011 - Coalition Strike Fizzles

The coalition of labor Unions had agreed to start another strike. Local 459 employees went out but, at the last minute, the other Unions backed out and did not strike. The local Red Cross management pledged that if the Local 459 members returned to work they would engage in good faith bargaining and there would be a change in proposals. An agreement was made that in essence paid the employees for the time they had spent on strike. Local 459 members returned to work. There was no change in the Red Cross proposals.



2012 - The Long Strike

Much time and effort was spent trying to strengthen the Union coalition and find a common approach. In February of 2012 the Red Cross employees in Cleveland Ohio went on strike. In March Local 459 members joined them. They were soon joined by workers in Toledo.

In years past, a strike by one (1) region was enough pressure to get the Red Cross to agree to a fair contract. We knew those days were over but there was hope that three (3) regions striking at once for an indefinite

time would bring the national Red Cross to the table. The strike went on for twelve (12) weeks. It was not enough.

Throughout the twelve (12) weeks of the strike the Red Cross never made a single proposal and never changed any of their employment practices. The Red Cross was able to move enough blood around the country to make up for the strikes in the Midwest. While the Red Cross lost tens of millions of dollars, it was not enough to force this multibillion dollar organization to change. On June 19th the Local 459 unit announced it would return to work but would not agree to any of the Red Cross demands for concessions.

The Local 459 employees continued to work under the terms of the old expired agreement.

While the Local 459 members returned without a contract, the strikers in Cleveland and Toledo decided to end their fights and agreed to all the contract language the Red Cross was demanding. They had contracts but that was actually a bad thing. Their old working conditions were better than their new contract. The Red Cross proved this to be true by eliminating the defined pension plan for long term employees shortly after the strikes ended.



The Red Cross had never proposed to eliminate these plans during their negotiations. But it did insist on language that allowed the Red Cross to make changes in the pension plan

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without bargaining. Once the other groups agreed to this language, it announced it was eliminating the plans. Since the Local 459 members do not have a contract including this language, the Red Cross could not legally eliminate the pension plan for



our members. This is in illustration that, in today's world, it is sometimes better for private sector worker's to have a Union and no contract than it is to have a contract.

The strike for Local 459 members ended but there was still not a contract. The long wait began.

2012 to 2016 - The Long Wait

The Red Cross had appealed the judge's decision to the actual NLRB. The NLRB is a five (5) person Board nominated by the President of the United States and confirmed by the Senate. In those years the Republican Senate was trying to thwart President Obama and refused to confirm his nominations. The NLRB was

This strategy for bargaining only works in the private sector and where the employer is proposing a new contract that is overall worse than the current working conditions.

unable to function. So the Red Cross employees waited.

2015 - The Coalition Agreement

While the Local 459 members were waiting, a group of other Unions was meeting with the Red Cross. They reached an agreement on a

three (3) year contract for any Union that wanted it. It incorporated the cuts that the Red Cross wanted in exchange for small raises, a common health care plan run by the Teamsters and a neutrality agreement on organizing other Red Cross employees.

Local 459 members declined to join this coalition and continued to wait for a better deal.

2016 - The NLRB Rules

In September of 2016 after a five (5) year wait the NLRB issued its decision. It agreed with the Judge that the Red Cross had violated the law. It even added a couple of additional violations. The NLRB ordered the Red Cross to rescind all its unilateral changes

and to make employees whole for any losses. It also ordered the Red Cross to pay interest and to pay for any adverse tax consequences of receiving a lump-sum back pay award.

The Red Cross appealed this decision to a federal appeals court.

2017 - Real Negotiations Begin

The federal appeals court ordered Local 459 and the Red Cross to begin mediation. For the first time, real negotiations began. It took most of 2017 but in December final agreement was reached on new contracts and a settlement of the ULPs.

These negotiations dragged on for so long 5 bargaining unit members passed away. Their estates will be given the back pay.

ULP Settlement

To settle the ULPs the Red Cross agreed to pay employees (and former employees and retirees) for most of the losses as a result of its unilateral changes. \$1,349,000 will be paid for lost benefits. In addition the Red Cross will pay \$145,000 in interest and to offset taxes owed by employees. A grand total of \$1,494,000 will be paid to employees.

318 current and former employees will receive a payment. The average payment is \$4,700. The largest payment is for \$26,200.

The Red Cross also agreed to reduce health insurance co-pays by 10% in 2018 and 5% in 2019 and to give all current employees an additional three percent (3%) raise.

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Contract Settlement

The new contracts keep some important things that the Coalition Agreement lost such as, guaranteed hours paid per week, an automatic wage progression, local health care and breaks every two (2) hours. The Red Cross had gotten the other Unions to agree to merge the Phlebotomist classification with the truck driver (MUA) classification. Local 459's new contracts do not allow that. And importantly the Collection contract also keeps a minimum staffing matrix to ensure safe staffing at drives.

The new contracts do allow the Red Cross to eliminate some benefits but it rolls the cost of those benefits

into the wage schedule. In addition, employees will receive a two percent (2%) raise in 2017, 2018 and 2019.

The new contracts were ratified by Collections 86-5 (95%) and by Lab/Clerical/Distribution 29-1 (97%).

The final Collections bargaining team was **Cindy Krieger, Freda Holley, Kelly Brust, Chris Summers, Lashawnda Norman** and **Stephanie Daniels. Delma Casto, Gary Hamm** and **Tina Grahn** also served on the team.

The final Lab/Clerical/Distribution bargaining team was **Cindy Dine', Richard Jeeter, Mary O'Dea** and **Kristin King. Elizabeth McGwin,**

Pamela Ross and **Julia Seida** also served on the team.

During these negotiations, the Red Cross saw a series of turnovers. The Red Cross used at least four (4) different attorneys and five (5) different Human Resource Representatives. The Local 459 teams were assisted by the same people for the entire negotiations, Local 459 Service Representative **Lance A. Rhines** and attorney **Tinamarie Pappas**.

Epilogue

Politics effect all negotiations and played a big role at the Red Cross. One of the reasons the NLRB was so slow to finalize the ULPs is that the Republican congress refused to confirm President Obama's choices for the Board. The NLRB is now dominated by Republican Board members. The new NLRB is reversing many of the decision of the previous NLRB including some of the decisions that supported Local 459's members in these negotiations. When you vote, consider the impact on your rights as an employee.

Other Contracts Settled

LAFCU Members fight hard for 4 Year Deal

Local 459 represents over one-hundred (100) employees at LAFCU Credit Union in the Lansing area. At the end of 2017 we had a tough set of contract negotiations. LAFCU Management fought hard for concessions. They wanted to cut longevity bonuses, time and one-half (1 ½) pay on Saturdays and other benefits. The Local 459 bargaining team was able to fend off most of these concessions and improve benefits instead.

Health Care premiums were also a major issue. Premiums had increased by about ten percent (10%) last year. Ultimately, management agreed to pay all but four percent (4%) of the increase with that portion being picked up by employees. There were no changes to the good Blue Care Network plan the employees enjoy. Part-time employee's premiums were actually cut in half. In addition, the health care opt-out payment was substantially increased.

The new contract contains a longevity bonus each year of \$1,000 for 10 years, \$2,500 for

15 years and \$3,000 for 20 years or more. It adds Columbus Day as a paid holiday and increases bereavement leave for some family members. The discipline language was improved to require more progressive discipline.

Staffing is a big issue at LAFCU. The contract limits the number of positions that can be part-time. The new contract increased the percentage of full time employees and creates floater positions to allow employees to take vacation time more easily.

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Executive Board Action

The Local 459 Executive Board is made up of members elected by the membership. The Board meets at least monthly. It is at these meetings that many of the decisions regarding Local 459 members are presented, discussed, and decided.

Executive Board decisions made during the period of November 2017 to January 2018 of possible interest to the membership are outlined below. Decisions which have been discussed elsewhere in this newsletter are not included.

ARBITRATIONS

Arbitration is the final step in the grievance process. The vast majority of grievances are settled prior to reaching arbitration. Both the Union and management present their case before a neutral arbitrator who makes a binding decision based on the merits of the case. Arbitration is an expensive and time consuming procedure. Local 459 has limited funds and cannot afford to arbitrate every grievance. Therefore, all unresolved grievances are presented to the Executive Board for review.

Two (2) grievances were presented to the Executive Board for consideration for arbitration.

MGL RN & Tech – Class Action regarding Flex Spending –approved for arbitration

MGL RN – Lost Seniority Settlement – not approved for arbitration

OTHER BUSINESS

The Executive Board appointed Stewards and Alternates at CEI CMH – Residential, RN and Large units, Hope Network, Ingham County, MGL POST, RN and Technical units, Northeast Michigan CMH Professional and Paraprofessional

units, St Johns Oakland Hospital and Touchpoint, Macomb, Oakland and Moross where only one (1) member expressed an interest in the position.

The Executive Board approved appointing Blenda Coward as Member at Large Touchpoint.

The Executive Board reviewed all Executive Board Policies and made changes to three of them.

The Executive Board appointed a Personnel Committee of **Jonathon Brock, Theresa Wing and Neal Wilensky.**

A special membership meeting was held November 14, 2017 at 7:00 p.m. to review the decision of the Board not to arbitrate a CEI-CMH Large unit member grievance per the appeal process outlined below. A quorum was not established as there were only twenty-six (26) members from four (4) different bargaining units. Therefore in accordance with the Constitution, no action was taken.

APPEAL PROCESS

The Local 459 Constitution allows the membership to modify or overturn any action of the Executive Board but any such decision must be done at a membership meeting in which a quorum is present and which is held or properly requested within one (1) calendar month of the Executive Board action.

A special membership meeting may be called upon a request submitted to the President by not less than three percent (3%) of the members in good standing. Currently, there are 2,719 members so a petition would require approximately eighty-two (82) signatures. Petitions are available from the Local 459 office.

For reviewing a decision to arbitrate or not to arbitrate a grievance, a

special meeting may also be called by three quarters of the members in the bargaining unit in which the grievance arose. For some bargaining units this is less than three percent (3%) of all Local 459 members in good standing.

The regular meetings of the Executive Board are held the second Tuesday of each month. Draft minutes of the meeting are available no later than two (2) weeks following the meeting.

Please see the Constitution for specific details. Copies of the Constitution are available from the Local 459 office and on the Local 459 website.

QUESTIONS?-

If there are any questions or concerns about these decisions, please feel free to contact President **Sharon Taylor** by phone at 517-887-8844 or by email at staylor@local459.org.

Other Contracts

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Employees received wage increases in all four years of the contract, as well as a Return on Assets (ROA) bonus each January. This year, that bonus was equal to five percent (5%) of employee's wages.

The contract was ratified by a vote of fifty-two (52) to six (6). The team was **Courtney Ariganello, Lori Fandrich, Jan Feldpausch, Clare Gomez and Pam Hegmon.** They were assisted by Local 459 Service Representative **Lance A. Rhines**

From the President's Desk



By Sharon Taylor, Local 459 President

Local 459 Structure and Governance

In November we had a special membership meeting. The Local 459 Constitution says the membership is allowed to contest any decision made by the Local Executive Board. A member was unhappy with a decision about arbitration made by the Board and followed the procedures. At the Special membership meeting I discovered many members don't understand the structure and governance of Local 459. I will be highlighting different aspects of how your union works in this and future President's columns.

Did you know that Local 459 has a website? www.local459.org will take you there. On our website you can find our Constitution, upcoming training opportunities, important events, a list of employers where we have members, most of the collective bargaining agreements (contracts), our latest newsletter, information about members' benefits and more.

Did you know that OPEIU has an app that you can download on your cell phone? You can get information directly from the International on the app including links to the free college benefits and immediate information about our scholarship applications, direct links to the free towing program and more.

I think it's important for members to know how your union runs and who we represent. We are a big local with almost 3000 members. Get to know who your union brothers and sisters are. This is easy to do by reading this entire newsletter and checking out our website regularly.

Upcoming Elections

I'm sure that I'm not the only one who has noticed that politicians are already gearing up for the November elections. This may seem early, but, now really is the time to get involved. It's early enough that you can speak directly to candidates and get to know them. You can ask candidates questions directly. Events right now are generally small. If you want to know who is running for various seats all you have to do is Google your district to find out. You can also go to both the Michigan and county Republican and Democratic Party websites for more information.

Like many I felt called to action after the last election. I personally never got involved in the election process this early, but, have been going to various public events put on by candidates and I've been impressed with the unfettered access I've had. I've gotten the chance to speak directly with the candidates, not just their surrogates. If they don't directly answer a question you can call them on it and ask for an answer. We don't often think about how these people impact our life on an almost daily basis.

If it's your County Commissioner, they decide who sits on the Road Commission, who decide what road projects are priority and what are not. If it's your School Board, they decide what will be cut during the next school funding crisis. The Governor appoints the Michigan Employment Relations Commission Board members and they oversee arbitration, mediation, ULPs and more for public sector employees. The President appoints members to the National Labor Relations Board who oversee these things for private sector employees.

Now is the time to get involved and make your voice heard. Local 459 will be gearing up its Political Action Committee to ask questions of Lansing area candidates. If you have questions that you would like asked please contact our office and join the committee. If you live outside of Lansing and want to start a PAC for your area let me know.

Only through acting together can we make a difference in our work life and our communities. It's up to us to make the change.

Grievances Settled

The members, stewards and staff of Local 459 settle many grievances each quarter. There is insufficient space to publish all of them. Grievances which are unique or affect a large number of members are more likely to be published. If you would like to publicize a grievance you have settled, contact your Service Representative.



CEI-CMHA Large Unit There's the Holiday and then there's the Real Holiday

Kareem Baig, an alternate steward at Bridges Crisis Unit at Clinton Eaton Ingham Community Mental Health Authority (CEI-CMHA), contacted Chief Steward **Naudia Fisher** to explain that Coordinator **Tammy Dame** denied BCU employees holiday pay for Veterans Day proper (Saturday, November 11th). As a 24 hour program, BCU employees are entitled to holiday pay for both the observed holiday and overtime pay if they work on the actual calendar holiday. **Dame** changed time cards for employees that worked the actual holiday to only give the employee straight time pay. As a 24 hour program, the collective bargaining agreement calls for employees to be paid as follows for holidays:

BCU employees who worked on the actual holiday (Saturday) were entitled to regular pay for the observed Veterans Day holiday (Friday) and one and a half times their hourly rate for the actual Veterans Day holiday (Saturday) for a total of two time their hourly rate.

Fisher discussed this issue with Chief Human Resources Officer **Sharon Blizzard** and Human Resources Manager **Jana Baylis**. Initially, **Blizzard** and **Baylis** disagreed and stated that employees were only entitled to one and a half times their hourly rate. Upon re-examination of the contract language, **Blizzard** and **Baylis** agreed that the language was misinterpreted and agreed to correct each employee's pay.

CEI-CMHA Large Unit Deadline Extended on Buyout

After missing the deadline to complete insurance open enrollment by mere hours **Rebecca Jones-Henry**, a Mental Health Therapist in the Families Forward program at CEI-CMHA, contacted Chief Steward **Naudia Fisher**. In 2017, CEI-CMHA implemented Evergreen Elections which allows employees' current insurance elections to rollover to the next year if he/she does not complete Open Enrollment. But with Evergreen, employees still must sign new forms for Flexible Spending Accounts, Dependent Care Assistance Programs, and for the Buyout/Buydown programs (waiving health care for a payment instead).

Jones-Henry was happy to continue to receive her current insurances, but was told by Payroll & Benefits Assistant **Aimee Eisen** that since she did not complete her buyout paperwork, she would not receive the payment in 2018. **Jones-Henry** is entitled to the Family Buyout that pays \$630 per month or an annual benefit of \$7,569. This would be a substantial financial loss for **Jones-Henry**.

Fisher discussed this concern with HR. Chief Human Resources Officer **Sharon Blizzard** maintained that employees received numerous notifications through email and with their time cards regarding open enrollment and the potential penalties if it was not completed. **Fisher** explained that

Jones-Henry missed the deadline by mere hours, that the loss of the buyout would create a financial hardship, and that this was an understandable mistake. **Blizzard** explained that **Jones-Henry** was likely not the only employee that did not complete the buyout paperwork and that CEI-CMHA would have to grant everyone an exception if one was given to **Jones-Henry**. **Fisher** pressed for a solution.

Blizzard met with Finance and Leadership group to discuss a compromise. Initially the group maintained that the deadline could not be extended and no exceptions would be made, however, **Blizzard** relented due to changes in the open enrollment process and confusion about the renewal process. **Blizzard** provided **Fisher** with a list of employees who previously received the buyout and failed to complete the annual paperwork and gave them a three day grace period to submit. **Fisher** contacted all the employees and sixteen (16) signed up including a freeloader who thinks Union dues are too expensive (but who will now be paid an additional \$210 per month because CEI-CMHA has a Union).



MGL POST Thinking about Discipline Not the Same

The McLaren Greater Lansing (MGL) POST contract states that you are ineligible to bid on another position if you're currently on a step three (3)

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discipline. It does not state you're ineligible if they're thinking about placing you on a step three (3). **Greg Deachin** a Nurse Assistant II on four (4) Chi applied for a position before a disciple was given and was denied that position because they were considering discipline.

Deachin was not happy with this decision and contacted POST Chief Steward **Lois Davis-Thomas** who filed a grievance with HR. At step 3 HR Vice President **Amy Dorr** agreed **Deachin** was eligible and the grievance was granted. **Deachin** was given the position.

MGL POST Discipline has to be Fair

Greg Deachin, who works on MGL four (4) Chi, was disciplined for punching in early. MGL policy states that you have a grace period of five (5) minutes to punch in or out. If you punch earlier than that, you can be open to discipline. But the enforcement of any policy has to be fair. **Deachin** knew that others also punched in early, so he contacted Post Chief Steward **Lois Davis-Thomas**.

Davis-Thomas performed an investigation and found others in this department often punched in early without being disciplined. **Davis-Thomas** filed a grievance with HR. **Tina Menzie** in HR agreed and granted the grievance. **Deachin's** disciple was removed.

MGL POST 6 Hours While You Were Off

Oona Velasquez who works in Sterile Processing Department at MGL's Penn Campus was off a day and a lower senior was allowed to work. Steward **Margaret Johnson** contacted Manager **Chris Apolinar** and couldn't get it resolved. **Johnson** contacted Chief Steward **Lois Davis-Thomas** who filed a grievance.

At step 3 HR Vice President **Amy Dorr** agreed to pay **Velasquez** six (6) hours as if she worked.

MGL POST Rotation Required

Jennifer Hernandez was denied vacation time off between Christmas and New Year's for the second year in a row. According to the MGL Post contract, holiday time off is rotated by seniority. **Hernandez** contacted Steward **Sunni Lira** who filed a grievance with **Mary Zippi**, the Manager of the Patient Access department. **Zippi** agreed with **Lira** and granted **Hernandez** the time off.

MGL POST Volunteers Required

The MGL Post contract requires that prior to pulling an employee to a different department, volunteers must be sought. This was not happening in the Patient Access Department. The employees informed Steward **Sunni Lira**. **Lira** filed a class action grievance. Manager **Mary Zippi** agreed with **Lira** that the process was not done correctly and agreed to follow the Post Contract language on pulling employees. The grievance was granted.

MGL POST Compromised to Settle

Salena Turner is an MGL EVS department employee. She was signed up to work extra shifts, instead the shift was offered to a lower senior. **Turner** contacted Steward **Rick Bailey** who initiated a step one (1) meeting with the manager of the EVS department. When they didn't come to an agreement **Bailey** contacted Chief Steward **Lois Davis-Thomas**, who filed a grievance with the HR department. The grievance was settled with them paying **Turner** for one-half (1/2) the shift as if she had worked.

MGL POST Discipline Must be Consistent

MGL Post employees have a multi-step progressive disciplinary process. This process is for every employee, not for managers or supervisors to take a pick to whom they would like to discipline. **Tisha Johnson** was given a disciple but on the same day someone who made a similar mistake wasn't.

Johnson contacted Chief Steward **Lois Davis-Thomas** who filed a grievance on the grounds of disparate treatment. A meeting was held and HR agreed to remove the disciple.

MGL POST Extra Hours

A Class Action grievance was filed because employees were not being called in for extra hours correctly in the MGL Patient Access department. A lower senior in a different classification was called in to work extra shifts over more senior employee.

The Manager agreed and granted the highest senior, **Tina Britton**, the shifts as if she had worked.

MGL RN On-call Not Used

The MGL PACU has an on call system to cover emergency cases. Nurses are paid at time and one half (1 1/2) when they are called in. **Deb Conklin** was on call for a Saturday and was not called in for a case because another nurse that was working doing scheduled cases covered the emergency that came in. This was **Conklin's** on call shift and she was not able to come in and work. She contacted her chief steward **Julie Murray** who agreed.

Murray presented this to **Conklin's** manager and after her manager investigated the circumstances she

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agreed **Conklin** should have been able to come in to work. **Conklin** was paid for those hours she should have been asked to work.

MGL RN Resident Offended

Nurses who work at a teaching hospital often have to help with the teaching of new residents. They are in the role to advocate for their patient and are often able to give suggestions on behalf of a patient. At MGL recently one of the residents did not perceive this as the nurse's role and did not want to listen to her suggestions. As a result the Dr. complained to the manager about the nurse and complained she was also unprofessional to him.

The manager investigated and a meeting was called. Luckily the nurse called her Chief Steward and **Julie Murray** was present for the investigation. The nurse was given a step two (2) discipline. This discipline was grieved and the facts were presented. The HR representative agreed that the employee did act on behalf of the patient according to best practice standards of care and removed the discipline after taking into consideration the employee has made changes in her behavior to avoid future similar events from occurring.

MGL RN Missed Time then Given Time

In another department at MGL the manager investigated a nurse for incomplete charting. The nurse had not put in a crucial time on a chart and the manager decided to issue her a step one (1) discipline. Chief Steward **Julie Murray** was there to advocate for this nurse and pointed out she was a long term employee with no previous disciplines and stellar evaluations. **Murray** asked that the manager just do a coaching and mentoring as she believes that would achieve the same outcome, making this nurse aware of the importance of including all the times necessary to accurately chart on a patient. The manager refused to lift

the discipline so **Murray** advanced this to a grievance and prepared to present this in HR and a date for a meeting was set. In the meantime the manager had a change of heart and agreed to use this as an opportunity to do the coaching and mentoring and allow her a chance to improve.

MGL RN Another On-call not Used

John Stanley is an RN in the MGL emergency department. In January he was on call to work if they got busy and was never called in. He later discovered that a day nurse and an afternoon shift nurse were mandated to stay after their shift was over.

Stanley contacted Chief Steward **Julie Murray** because one of his coworkers told him he would be able to be paid for those hours because they didn't call him in. **Murray** agreed and took it to the manager. After the manager looked into it, she agreed a mistake was made and paid him for those hours.

MGL RN Specialty Pay not Paid

The MGL RN contract allows for an extra \$0.50 per hour if a nurse is certified in a specialty. **Elaine Siebenrock** contacted Chief Steward **Julie Murray** after she realized she had not been receiving this premium pay.

When **Murray** asked HR to look into this they discovered it had just been filed but not passed on to the person who set the pay scale. They changed **Siebenrock's** pay to include the certification premium and paid her back to when she started.

MGL RN Pharmacy Co pays Increased

After insurance open enrollment for 2018, MGL RNs received notification that only people who selected a new type of insurance would be receiving insurance cards. **Deb Disler** contacted Chief Steward **Julie Murray** when she

got a new card in the mail and she had not changed her insurance. And the card had increased co pays for prescriptions.

The co pays were a lot higher than they were before. **Murray** contacted HR about it. They acknowledged these cards were printed in error and said they would rectify the mistake. When these members went back to the pharmacy thinking the mistake had been taken care of, they found that their insurance was now showing up as inactive. Meaning they had no insurance. **Murray** got several calls about this and was able to get this fixed. Anyone who was charged at the higher rate had to have the pharmacy re-run the card and they were issued a refund.

Touchpoint Moross Not Deadly nor Illegal

Sharae England was a Food Service Worker for Touchpoint at Moross hospital. England was terminated for allegedly having an illegal weapon at work. England takes the bus to work in Detroit. She had been involved in a couple of incidents where she feared for her safety. She had reported these incidences to the hospital security office. But security never did anything to help.

England purchased a retractable baton to keep on her person so that she could defend herself. One afternoon, the baton fell out of her purse in front of hospital security. They reported it to management who terminated England.

Management claimed that **England** was carrying a deadly, illegal weapon which was against company policy. The Union argued that it was not deadly nor illegal.

Service Representative **Charles Terry** filed a grievance. The grievance was denied at every step. The Local 459 Executive Board voted to take the grievance to arbitration. Prior to the hearing, **England** found a much better job. So, Terry settled the grievance for \$4,500 cash, a voluntary quit, a neutral reference and rehire rights.

Bargaining Unit Spotlight

St. Vincent's Catholic Charities

Local 459 members work at St. Vincent Catholic Charities. STVCC is a local charitable non-profit dedicated to human services in the mid-Michigan area. STVCC partners with children, families and adults living in crisis, and helps them to find hope and safety so they can transform their lives.

The Catholic Social Services (CSS) office opened in 1948 with its services initially being adoption. CSS was granted funds from the Capital Area United Way.

In the late 1940's and early 1950's CSS provided services to refugees who were displaced persons from World War II.

St. Vincent Home for Children (SVH) was started in 1952. St. Vincent Home was a residential facility for children who were from homes which needed temporary assistance in caring for their children.



CSS developed a mental health

clinic and was able to collect payment from insurance companies and develop agreements with the State of Michigan for mental health services provided allowing for program expansion.

St. Vincent Home eventually began to contract with the State of Michigan to accept emotionally impaired children. This is what most of the seventy (70) Local 459 members do there, take care of the kids. We also have clerical and food service workers. And, SVCC members are proudly **100% Union**.

SVCC is a worthy charity and does great work with children that have suffered with tough lives. If you want to donate to SVCC, go to www.stvcc.org.

Steward Spotlight

Cindy Dine' American Red Cross – Laboratory, Clerical and Distribution Unit

Cindy Dine' started her career at the American Red Cross (ARC) in 1991 as a Custodian. In 1993 she applied for and received a position in the Laboratory. Now **Dine'** works in Hospital Services.

"I like to work to help support my community", says **Dine'**. "Working at ARC gives me that opportunity."

Dine' started becoming involved in the Union the moment she passed her six (6) month probationary period. "I filed my first grievance because management was not giving the Custodians shift differential. We won the grievance and we all got our money."

Ever since that first grievance, **Dine'** has been a workhorse for Local 459. She has been on five (5) bargaining teams. She has been a Steward for several terms and also the Chief Steward, which is the position she holds now. She has also been a Strike Captain during several work stoppages at ARC. **Dine'** is also a member of the Local 459 Executive Board. She does it all!

"I was laid off in 2008 for over a year" recalls **Dine'**. "But I never stopped my Union activities. Local 459 has always made me feel like I'm part of their family."

"The Union fought to get me recalled after I got laid off, and they never stopped fighting to get my job back," said **Dine'**.

"Until recently, we had gone ten (10) years without a contract. It was tough, but it was amazing that we were able to keep all of our good benefits through the fight, said **Dine'**. "I am grateful for that."

Dine' has three (3) children, a set of boy/girl twins that are eighteen (18) years old. **Lanie** goes to MSU and **Devin** goes to LCC. **Natalie** is her youngest, she's sixteen (16). She is in High School and is a Roller Derby star for the Lansing Junior Vixens. Also, **Dine's** mom lives with her and helps with the family.

Dine' is fifty-percent (50%) Navajo and enjoys crafting and pow-wows.

Dine's is truly one of a kind as far as Union Members go. If we could, we would duplicate her over and over again! Thanks Cindy for everything you do for your Union!



Nick Lynch Capital Area United Way

Nick Lynch is the Local 459 Steward at Capital Area United Way (CAUW). **Lynch** began working at CAUW in 2012. He holds the position of Senior Fund Development Associate. **Lynch** travels to local businesses and encourages employees of those businesses to donate time and money to CAUW.

Prior to hiring in at CAUW, **Lynch** worked the phones at 211 for five (5) years. "I got a real feel for what United Way was doing to help out people in the community. They plug the holes left by other organizations" **Lynch** said.

Lynch is from the Metro Detroit area and moved to Lansing to attend MSU. "I love Lansing. I love the spirit of the Lansing area" said **Lynch**. **Lynch** became the Union Steward in 2012. He became interested in Unions at an early age because his grandfather was very pro-Union and so were his parents. "I come from a Union family, so it was a natural fit" **Lynch** said. *(Continued on page 13)*



Steward Spotlight

(Continued from page 12)

Lynch attended the AFL-CIO Organizing Institute in 2012, and that training made him want to do more for his Union.

Lynch works in a small office setting, so he knows all of his co-workers and management people very well. "Mostly what I do as Steward is to help my co-workers by listening to their issues and steering them in the right direction" said **Lynch**.

It is imperative that I keep good relationships with both Union and management people, because we are in such an intimate setting", **Lynch** says.

Lynch got his first taste of bargaining in 2014 when the economy was not so good, which meant donations to CAUW were down as well. Negotiations lasted about six (6) months and they ended with pretty much the status quo on wages and benefits.

In the most recent set of negotiations of 2017 things were much better for CAUW and **Lynch** was able to

attain significant wage increases and benefits for his members.

Lynch has been with his now wife **Kelli** for eighteen (18) years. They married in 2013. **Kelli** is a Speech Language Pathologist. They have three (3) children, **Crosby** who is two (2) and a set of twins that are six (6) months old, **Jude** and **Joey**. "These days, I spend all of my time taking care of the kids. I also like to cook a lot." said **Lynch**.

Lynch was just recently elected to another three (3) year term as Steward. Local 459 looks forward to working with **Lynch** for a long time to come!

Steward Training

On a beautiful Saturday in January, twenty six (26) Local 459 members from around the state volunteered their time to learn more about how to be a better Steward.

Local 459 President **Sharon Taylor** and staff members **Lois Davis-Thomas, Naudia Fisher, Jeff Fleming, Kerry Miller, Julie Murray** and **Lance Rhines** presented information on the National Labor Relations Act, Weingarten rights, filing grievances, discipline, the Family Medical Leave Act and how to grow our Union.

These members attended the training; **Erin Brady, Rachelle Clare, Shawonna Cotton, Blenda Coward, Lynette Curry, Stephanie Daniels, Frank Fuentes, Kristeen Glandon, Sue Gray, Malinda Green, Amber Holton, Clinton Howard, Sally Humphrey, Mary Inada, Kimberly Jacobs, Mindy**



Jones, Kevin Lattimer, Stefanie Medina, Mandy Morris, Melissa Pickens, Michelle Prudden, Christopher Summers, Lindsay Waite and Tara Young

Thanks to all those who help make our workplaces a better place.

Local 459 Honors Dr. King

MGL POST employees donate to Child and Family Charities

The MGL POST members negotiated a provision in their contract that requires the hospital to budget at least \$2,500 each year to celebrate the Martin Luther King Jr. holiday. This year the committee decided to donate the funds to Child and Family Charities in honor of Dr. King.

Lansing Luncheon

Lansing has a large and highly regarded luncheon each year to celebrate the Martin Luther King Jr. holiday. Local 459 members attend. This year they brought children and grandchildren.



Local 459 Service Representative **Charles Terry**, his daughter and MGL POST member **Tressha Terry-Brown** and her daughter **Janaya**



CEI-CMHA member **Kim Olney** and her daughter **Michaela**



CEI-CMHA Large Unit Chief Steward **Naudia Fisher**, MGL POST Chief Steward **Lois Davis-Thomas** and her granddaughter **Camarie**



MGL HR VP **Amy Dorr** and MGL POST Chief Steward **Lois Davis-Thomas** present the check to Child and Family CEO **Julie Thomas**



MGL Technical Chief Steward **Kerry Miller** and Local 459 Secretary **Ronda Ackerson**



Former MGL Technical Chief Steward **Pat Smith**, her daughter – and her granddaughter **Camryn**. **Camryn** was presented with a \$2,500 scholarship.

Nurses Council

Local 459 nurses are a part of the OPEIU International Nurses Council (ONC). The ONC has been supporting legislation for safe staffing laws at both the national and state level.

On April 25th & 26th MGL RN Chief Steward **Julie Murray** will be a featured speaker at the Nurses Take DC rally. This rally is bringing awareness to the unsafe staffing conditions nurses are experiencing around the country. If you would like to attend this rally please go to nursestakedc.com and register for the event. Let **Julie Murray** know if you are planning on attending this event. You can contact her at jmurray@local459.org.



In September (dates to be determined) the ONC is sponsoring a legislative session in Michigan to push our representatives to support the Safe Patient Care Act which is pending in the Michigan legislature. There are three (3) bills being considered; House bill 4629/Senate bill 387, House bill 4620/Senate bill 388 and House bill 389/Senate bill 4631. These bills will give nurse to patient ratios, put limits on forced overtime and make the hospitals be transparent about their staffing. We can no longer wait for others to make these needed changes. We have to show up and tell our legislators how dangerous this staffing situation is. Our legislators will be a patient someday!

We are going to call on our OPEIU nurses to show up! Stand up! And be heard!

Arbitration

Local 459 recently received a decision regarding the termination of a McLaren Greater Lansing (MGL) employee. Arbitrator **Mario Chiesa** upheld the discharge.

In May of 2017 a very difficult patient was admitted to the MGL Emergency Department. A number of staff attempted to help the patient over a long period of time. A tech was assigned one-on-one with the patient. The patient verbally and physically assaulted employees including throwing urine on the tech.

MGL fired the tech for swearing at the patient, making unprofessional comments and “engaging and escalating with the patient”. The Tech had never been disciplined before and denied the allegations. Several co-workers who were present that day testified that they did not see any misconduct by the Tech. When a grievance of the termination could not be resolved, the Local 459 Executive Board approved arbitration.

A hearing was held in front of Arbitrator **Chiesa**. MGL presented a nurse from the unit who testified that the Tech got into yelling matches and cursing. She went on to say the Tech physically grabbed the patient and engaged in other misconduct.

The Tech testified that the nurse was lying and that there was not misconduct. The co-workers testified that they did not witness any misconduct by the Tech. The Tech stated the nurse was out to get her. The arbitrator was left to decide who to believe. He believed the nurse.

Chiesa wrote, “There is no persuasive evidence showing that (the nurse) displayed or engaged in any type of conduct which would support an allegation that she was out to get the grievance terminated by fabricating a rather precise and extensive narrative of what transpired in this dispute.” He noted the co-worker’s testimony but concluded they did not see everything that happened that day. He found the action to terminate reasonable and denied the grievance.

Office and Professional Employees International Union, Local 459

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Scholarships

Scholarship Benefits

One of the benefits of Local 459 membership is access to OPEIU scholarships for members and their families. OPEIU offers several scholarship opportunities including

- For College Students (the Howard Coughlin Memorial Scholarship)
- For members in the field of Labor Studies (the John Kelly Labor Studies Scholarship)
- For Summer Camp at the University of Missouri campus this July (the Romeo Corbeil/Gilles Beauregard Scholarship)

The deadline for submitting for the Coughlin and Kelly scholarships is March 31, 2018. Applications for the Corbeil/Beauregard Summer camp are due no later than April 30, 2018.

Applications can be obtained from the Local 459 office or on the International website. Detailed information about all scholarships can be found on the International website www.opeiu.org. (Once logged into the site, click on OPEIU Member Resources/OPEIU Membership Benefits.) Or download the OPEIU app.

All applications must be signed by President Taylor prior to submission to the International.