
Solidarity Now!

September-October 2006
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Communications Workers of America Local 4730



Indiana University

Poplars 331

855-7929 or 855-8508

<http://www.indiana.edu/~cwa/>



Save Labor Studies!

by Peter Kaczmarczyk

The IU Division of Labor Studies (DLS) is under attack. They have been given a drop dead date of December 31 to find a new home, or they will be broken up or eliminated all together. I have looked at the facts and attended an informational meeting and can only conclude that this is a blatant political attack on workers and an attempt to silence their voices in the workplace.

With the strong support of Herman Wells, DLS grew out of a need after WWII to provide a forum for worker related issues in higher education. This was considered especially important with the return of veterans into the work force and the growing need to get the working class into the educational system. It was thought that courses that had a direct appeal to workers would get people who never considered college to enter the academic environment. It was recognized then, as it is now, that a good education is the best route toward a good job with good pay.

Over time the program grew, so that by the 1990's they were offering degrees and receiving rave reviews for the value and quality of the program. They were pioneers in online learning and have been praised for the quality and innovative use of this forum for teaching and reaching a broad audience. By any measure DLS had become a great success, and the future should have been rosy.

DLS did hit a bump in the road a few years back and they were ordered to get their financial house in order. This was caused in part by the fact that our pro business, anti worker state legislators cut some dedicated funds that went to DLS, as well as some poor fiscal management within DLS. However, DLS did as they were asked and turned a deficit into a surplus and created a five year plan that projected continued surpluses. They did everything that was asked of them and more. Their reward? They were told that they were unsustainable as they

SAVE LABOR STUDIES Continued on page 5

**Attend the Next Meeting
Thursday, Sept. 21, 2006
Poplars 185**

Why Join?

by Peter Kaczmarczyk

Join Now!

Every day I face the question of how to recruit more of you, the non-members, to join the union. It's tough, because, let's face it, you can get most of the same benefits as members without joining. However, there are still reasons to join that you should all consider.

Were you happy with the raises this year? Do you wish that you had a voice in deciding who got what? Our members tell us what to take to bargaining and which issues are their top priorities. At members' meetings they tell us what they want and we listen. Members vote to ratify our agreement with the university, as they did unanimously this year. Do you want your voice heard on this important issue? Join.

Are there rules or policies that you want to see changed? Again, if you are a member your input is listened to, documented and taken to the bargaining team. We also have quarterly Mutual Gains meetings, where we discuss policy and other issues concerning management and staff with HR. As an active member you might get a chance to join us

WHY JOIN? Continued on page 2

Recent Union Successes

by Bernadette Robinson-Kinzer

* A grievance regarding SS Policies 6.3, 2.1 and 4.8 all being breached was successfully resolved to both the employee's satisfaction (a new member) and the long term best interests of the university. This was an especially important victory for two reasons. First, it involved numerous support staff, service maintenance and PA's standing up together and staying united and strong in the face of great resistance until this long standing problem was resolved. It was also an especially satisfying victory because the members of management were responsible for numerous breaches of policy were removed from the department completely.

* A CWA dues-paying member was being shorted work hours in favor of a non-appointed hourly employee receiving a full 40 hour work schedule, plus OT assignments. The union helped the member file a grievance,

RECENT SUCCESSES Continued on page 5

Why Join?

Continued from page 1

in one of these meetings yourself, to discuss issues face to face with HR. We welcome a variety of members in these meetings and you could be one of the, but only if you join and get involved.

Perhaps you are fairly happy with the way things are and think you have it pretty good. Have you ever thought about why you have it pretty good? Here at IU we brought you flex schedules, we were a driving force behind MLK day being granted as a paid holiday, and we have gotten numerous other policy changes that benefit you. Unions brought you the 40 hour work week and the weekend. Unions fought for and helped pass FMLA and ADA. And don't forget, there is no federal law that guarantees vacation time, that is something unions have fought for and continue to fight for.

Consider the bigger picture. Do you have family and friends that work outside of IU? Do you have kids or grandkids, and do you worry about what kinds of jobs will be there for them when they grow up? You would be helping them all by joining the local. CWA and other unions are constantly fighting to stop anti-worker legislation and to promote worker friendly laws. They fight a federal government that's trying to roll back 80 years of gains while rewarding corporations such as Delphi for slashing pensions and outsourcing jobs. Look at it this way. When you donate to a charitable organization such as the World Wildlife Fund, do you do it because of what you think they will do in your backyard, or do you give because of the good work they do in everyone's backyard? When you join the local, you will get help in your backyard and the yards of all your working neighbors.

Don't think things at IU could change for the worse? With a few more changes in the Trustees, things could become much worse for workers at IU with just the stroke of a pen. Remember, the university doesn't allow you a union steward in disciplinary meetings because they want to, the federal government didn't create OSHA and the National Labor Relations Board because they wanted to. These are things that have been fought for and won by unions. Don't think that we couldn't and wouldn't lose all these things if unions do not remain strong-if your local does not remain strong

So join now! I know most of you support what we are all about, but for whatever reason you haven't committed to being a member. Dues are just 2 hours pay/month, and while I know money is tight for most of us, it is a small price to pay for what you get in return. Unions are good for America. It is the workers that make America, and you should be proud to be a worker, proud to be an American, and proud to be a union member. We are a big tent, we welcome all voices and ideas, and we are a truly democratic organization.

So join now! You won't regret it.

Is this Your Department?

by Marilyn Saum, Steward

Is there fair treatment in your work place? Or does the supervisor have a favorite? As a steward, I have learned about favoritism and its consequences in IU offices.

Here are some examples of activities favorites are permitted to do. The favorite can surf the internet all day. The favorite can have long conversations on the phone (cell or business) and whenever he/she wants to. The favorite can adjust their hours almost daily. The favorite can eat breakfast and/or lunch at the desk and have it counted as work. The favorite can work unapproved overtime and have it counted. The favorite can claim they have too much work to do (in spite of doing other personal things) and require others to help. The favorite can blame someone else and have it accepted. The favorite's word is always accepted before that of anyone else. The favorite can wear casual clothes (such as jeans). The favorite can request time off and force another employee to change a vacation day or doctor's appointment. The favorite can talk to anyone at any time for any length of time. The favorite is not required to stay at their desk and can wander around and associate with others. The favorite does not have work breaks timed to make sure they are no longer than fifteen minutes. The favorite can play computer games on work time. Even if faculty complains, the favorite can continue doing their favorite things.

What happens to the others who are not favorites? They can be reprimanded for the same behavior. They can have Human Resources called to talk to them. They can have corrective action taken. They may even have a Staff Incident Report written up detailing their behavior.

Is there favoritism in your office? If so, visit our website at www.indiana.edu/~cwa/ and click on the message board titled "Is This Your Department?" Please let us know if there is a problem in your office. You don't have to name names or cite your department. We would like to take the results of the Message Board to our next meeting with University Human Resources. They seem to think favoritism does not happen very often. If only one or two people post their story to this string, we will know that UHRS is right. Our anonymous reports indicate that it happens more often than people think.

We never heard of vacations, let alone vacations with pay. We never heard of seniority as it is understood today. There were no pensions for retirement of workers.

Elizabeth Gurley Flynn, Union Organizer
1890-1964

To Grieve or Not to Grieve.... That is the Question

by Bernadette Robinson-Kinzer

The CWA office has fielded some interesting inquiries recently about filing grievances. While we are NOT a closed shop and no IU employee is obligated to join, it is true that Local 4730 is the exclusive representative for our bargaining unit. CWA is obligated to represent employees, regardless of their membership status, when they are in a disciplinary situation and request a union steward. However, formal grievances involve a lot of paperwork which translates to time and effort on the part of the steward. Our local always tries to resolve complaints and disciplinary actions without filing a grievance. We have a high success rate for resolution of problems at the lowest level of supervisory involvement, and the number of filed grievances is kept to a minimum.

What conditions produce a grievance? Frequently we encounter a supervisor who has already decided to issue a Staff Incident Report (SIR) without meeting with the employee to hear their side of the story. This is a breach of Policy 6.3 Corrective Action. Or, the supervisor met with the employee and technically "allowed them to tell their side of the story" but in reality they didn't listen to anything the employee said and issued the SIR with complete disregard for the information brought by the employee.

Sometimes the disciplinary action is overly harsh and unreasonable, resulting in another breach of Policy 6.3. The union and the university have negotiated the conditions for the Corrective Action policy over the years so that disciplinary action is progressive and allows both the supervisor and the employee every opportunity to clear up misunderstandings and get on the same page without pushing the staff member's job to the precipice of termination.

In other cases management has failed to consult IU Policy and/or Human Resources. They make up their own policy and try to shoot from the hip in hopes the employee will be so intimidated they can hoodwink their workforce into doing things the university doesn't even sanction. In these situations a formal grievance in writing gets HR's attention and the supervisor generally gets a crash course in the need to uphold IU Policies. This includes those policies negotiated with CWA and the policies that are universal to all IU employees and students.

We do not file grievances we do not think we can win, and we do not file grievances on a whim. Whenever possible our stewards investigate, mediate and attempt to resolve problems verbally before going to a formal grievance. We use the "look before you jump approach".

Staff have a Voice...Sometimes

by Peter Kaczmarczyk

Staff at IU deserve a voice in important decisions made by IU. With that in mind I steal a phrase from Stephen Colbert of Comedy Central's Colbert Report and wish to give to IU: a Tip of the Hat and Wag of the Finger.

First, a Tip of the Hat to the task force looking into the future role of the IU library system. The role of libraries is changing, and with that in mind a task force was set up to help determine what the priorities and goals of the library system should be. I wrote a statement and asked to be included in the list of people that their interviewed. Much to my surprise, I was not only added to the task forces agenda, but was given a full 15 minutes, by myself (most people were put into groups), to present the concerns of staff. I was allowed to speak, uninterrupted, for 12 minutes. I took this opportunity to address not only concerns about the future role of libraries, but also the role that staff can play in that future. There is a real concern and fear that many library jobs will be outsourced or turned into glorified data entry positions. I pointed out that we have a dedicated and extremely skilled group of staff in the library system and that perhaps we should be harnessing that talent by having others outsource their work to us. I very much appreciate that I was given this opportunity to speak and I thank the task force.

However, I must give a Wag of the Finger to the decision to not include staff in many of the important search and screen committees currently working on campus, and specifically the search for a new president. For whatever reasons the voices of staff, both support staff and PA's have been deemed unneeded on most of these committees. This is an invalid assumption. Staff have just as much right to be heard as academics and administrators. We have just as much at stake as anyone.

When search and screen committees were convened by former Chancellor Gros Louis, support staff were almost always given a seat at the table. Now we are not, and it reeks of the same stench as the purely political attempts to get rid of the IU Division of Labor Studies. They don't want workers to have a voice. Staff are just as important and just as capable of having valuable opinions as administrators. Our voices must be heard, and this attempt to exclude us cannot, and should not, be tolerated.

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She Forgot What Unions Are All About

by Bernadette Robinson-Kinzer

This past year has been tough on many levels, both nationally and for our local, but becoming bitter and negative with your stewards and co-workers does not help anyone. It doesn't improve the status of the union with management, and it doesn't work to support your co-workers. More and more members seem to have forgotten that the union works for the betterment of all staff employees at all times. We cannot bargain at the table with the attitude that we want fair treatment for all support staff, and then after the agreement is signed turn on our heels and try to wheedle one time settlements for individual employees that ignore the conditions and spirit of our agreements.

This year several non-members were upset with the longevity based raises we negotiated. One member called to say she felt people are "at the bottom of the pay scale because they deserve to be there." She wanted a larger increase as an individual and did not care about anyone else's raise. We needed to remind her that union members ARE concerned about the welfare of their co-workers. Union members do NOT look out exclusively for number one.She forgot what unions are all about.

When a Steward takes a complaint about an unfair annual performance appraisal, and convinces management to reverse most of their decision to rewrite the appraisal to accurately and fairly praise the employee for a job well done, with limited negative comments to a couple areas where "improvement" could be achieved, this is a victory for the union. It most certainly serves the employee's interests and that person is better off than they would be if no union was in place to represent them. Resigning from the union because management did not render a 100% positive appraisal with NO improvement areas cited is unfair, unrealistic and unappreciative of the effort put forth by the Steward; and unfair to all her co-workers. No one is perfect and management agreed at the bargaining table to strive for accuracy and fairness in appraisals. Don't forget what unions are all about! An injury to one is an injury to all!

I am not afraid of the pen, or the scaffold, or the sword. I will tell the truth wherever I please.

Mother Jones, Union Organizer
1830-1930

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Our firm has represented scores of injured employees who were injured as a result of a defective and unreasonably dangerous product. We have represented people injured by manufacturing machinery, fork lifts, insecticides, photographic developing chemicals, conveyor belts and other automated material handling systems. Like our other personal injury cases, we charge a lower fixed contingency fee to Union members and their families. There are no attorney's fees paid unless and until we make a recovery for you.

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Recent Successes

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and she will be paid for her lost "shift preference hours" as stipulated in SS Policy 5.1. She will also receive full 40 hour assignments in the future and shift preference.

* A CWA dues-paying member was assigned PA level work while a professional level position was unfilled. She was not compensated for the additional responsibilities per SS Policy 9.4 regarding temporary assignments. The union contacted HR and worked with management to correct the shortage in her pay. The dean of the school has acknowledged the additional pay is warranted and will follow through to correct the problem. This action might result in her job being permanently upgraded.

* An appointed staff member was called in for a corrective action, and management advised her to arrange for union representation. The steward successfully negotiated the removal of an unfair and unsubstantiated accusation from a Performance Improvement Plan and the inclusion of reasonable period review dates for employee/supervisor communication to ensure a high probability of success for the plan.

CWA Calendar

September 2006

Thursday, Sept. 21, 2006

Members' Meeting

Poplars 185

400 E. 7th. St.

5:30-6:30 pm

Wednesday, Sept. 27, 2006

WRCLC Meeting

840 West 17th Street, Suite 9

7:00 pm

October 2006

Thursday, Oct. 19, 2006

Members' Meeting

Poplars 185

400 E. 7th. St.

5:30-6:30 pm

Wednesday, Oct. 25, 2006

WRCLC Meeting

840 West 17th Street, Suite 9

7:00 pm

Save Labor Studies

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existed and would have to be merged, split up or destroyed completely.

This goes beyond what one thinks of unions and workers' rights. This is a matter of providing a balanced, well rounded offering of educational opportunities. We have a Business School that provides a forum. For management and business issues; shouldn't we also offer the same for the workers that sustain the businesses? We teach history in a variety of fields, isn't it just as important to teach the history of the labor movement? These issues are just as important as any other we teach on campus and they absolutely deserve a place in our academic curriculum. In fact, the need for DLS has never been greater as workers rights are continually eroded away by the federal government. We must have DLS, and it should be promoted and funded just as much as any other discipline on campus.

Unfortunately, the IU Administration seems to only be concerned with the bottom line. They reject DLS financial numbers and provide their own to prospective new homes for DLS, undercutting DLS ability to do what the administration has asked of them. They seem to have no interest in trying to reconcile the two sets of numbers. Instead, they seem only interested in pushing DLS over a cliff.

This flies in the face of everything for which an Institution of Higher Learning should stand. Politics has no place in these decisions, yet it seems that politics and questionable financial numbers are the only factors being considered. DLS is a valuable, indispensable part of the university, and it must be retained and allowed to continue to build on its extremely successful track record. We must all stand up and tell the administration of IU to abandon their plans to dismantle and destroy DLS and to stop allowing blatant political factors to determine how it runs its programs. If we don't, then this may only be the beginning of allowing politicians to determine what we should and shouldn't teach, and we risk allowing our university to become no more than a voice for conservative extremists, teaching only what they want us to teach.

Speak up now and tell IU to stop its attempts to destroy the Division of Labor Studies. Contact James Johnson (jnjohnso@iupui.edu) to give formal input. Go to the CWA Local 4730 website (<http://www.indiana.edu/~cwa/>) and sign the online petition to save IU DLS. Contact the Trustees. Write the President. Use any legal avenue you have to speak up now, before it's too late.

Recommendations Regarding Parking on Campus

by Marilyn Saum

I serve on the Parking Committee that reviews the appeals for parking violations. Here are some tips I thought I would pass on, so that we won't need to evaluate an appeal you have submitted!

* Before you leave your vehicle, glance to make sure your permit is still displayed. People have been ticketed because the wind blew it down or they forgot to display it properly.

* Do not use a parking permit that was purchased by someone else. The fine is \$200 for using a permit that is not yours.

* If you are driving another vehicle because yours is unavailable, Parking Operations will give you a one-day permit. If it is due to planned maintenance on your vehicle, you can even get the one-day permit the day before. Make sure no tire is touching a line or you are asking for a ticket. In a gravel lot, the bumper blocks indicate a parking space.

* Flashers are for emergencies. If you use them when parking in a fire lane or no parking area, you can be ticketed. Better than using flashers is leaving someone with the car at all times, although one person claimed to be ticketed while they were sleeping behind the wheel. One alternative is to call Parking Enforcement and tell them the year, make and model of your vehicle and when and where you will be loading or unloading. They will also ask for a reason.

* Don't park on the grass just because others are doing it. Many people have claimed that they parked in an area because others were already there. Tickets can still be issued.

* Look for the signs, because the coding of parking areas does change. It's better to take 5 minutes to check the signs than to pay a \$40 fee for parking in the wrong zone.

* If you park in the lot near Assembly Hall, move your vehicle the day BEFORE a Game Day. They start ticketing at 7:00 a.m. on a Game Day. (Game Days are listed on the Athletics web site.)

* Some people (even those at resident hall desks) think they know the parking rules. They have caused a lot of people to get tickets because of what they don't know. Check with a Parking Operations employee; get a name.

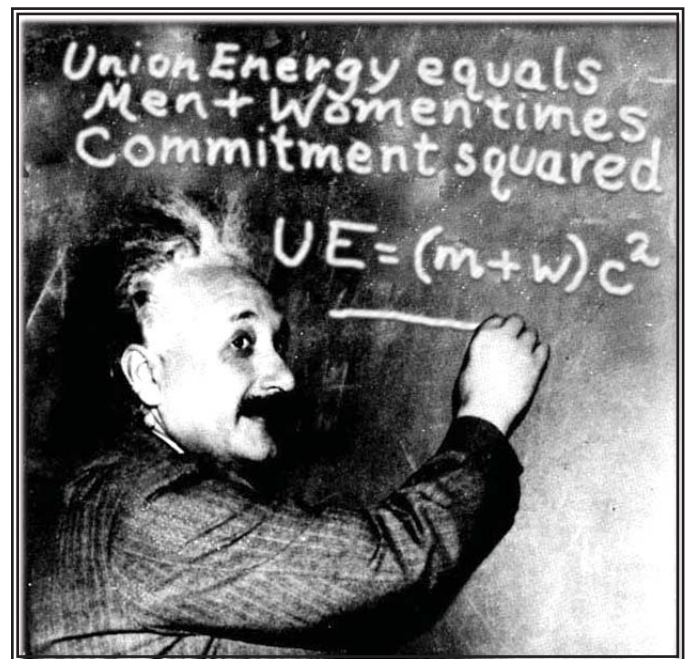
* You must have an IU handicap tag to park in a handicap parking spot on campus.

* If your permit won't stay on the mirror or your windshield is very dark at the top, Parking Operations will provide a free clear windshield pocket for the permit.

* If you park at a visitor parking meter, take down your permit or a ticket may be issued.

Parking Assistance (855-9849) will assist you with changing a tire, jump starting a car, or unlocking a car door (unless there is a side air bag) IF you are legally parked. You must be legally parked.

Read the rules for automobiles at:
<http://www.parking.indiana.edu/>



*Albert Einstein, physicist and founding member,
American Federation of Teachers Local 552*

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A Cautionary Tale

by Peter Kaczmarczyk

Local 4730 handled a disciplinary case this spring that offers two important lessons all staff should take to heart. We were unable to get a staff person their job back, which illustrates that the system is not perfect; that one cannot always rely on the 'right thing' being done. However, there were two things the staff person could have done differently to help keep their job.

First of all, since the staff member was not a dues paying member of the local it was much harder to justify the argument to take their case to arbitration. We take many factors into consideration when deciding whether to take a case to arbitration, including but not limited to our budget and finances. Arbitration is very expensive and it is extremely difficult to justify to the members, who pay the dues, and the District office, who make the final decision, to arbitrate a case for a non-member who pays nothing. While we weigh all factors the truth is that we have to be very careful in which cases we take to arbitration and we have to be sure that any case we take is the right one. Being a dues paying member is one thing you can do to increase the chances that your case, should it get to that point, will be accepted by the district for arbitration.

The second lesson learned here is one many of you are likely to need at some point. Prior to this employee's disciplinary hearing, he was told by management he could have a union representative with him. Management went above and beyond what was required in informing him of his rights. Alas, he refused union representation; he didn't think he needed any help in the meeting and decided to go it alone. Shortly afterward he was fired.

If there is any chance of discipline in a meeting, management must tell you, and you should ALWAYS get a union steward. We are trained to act as your representative, we know policy and we know your rights. We are skilled at negotiation and compromise. Can I guarantee that things would have gone differently with a union steward in the room? No, but I do know this: an HR representative approached me after stage two of the grievance and said, "I really wish he had had representation in that first meeting, this probably could have been avoided." She understood that a union steward could have talked management out of terminating the employee in the first place had we been present to defend him. Unfortunately we weren't, he was fired, and we know from experience that once management has fired, someone they tend to dig in their heels and refuse to reconsider their decision.

The moral of the story? JOIN! Become a member. The small amount you pay in dues will help you and all the staff, and you will have all the options and protections available. Secondly, if there is a problem in your work area, or a threat of discipline, CONTACT US! Let us know and we can help. The longer you wait, the more out of hand things get, and the harder it is for us to help you. The sooner we can intervene, the better things will turn out for you.


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Since You Asked...

by Bernadette Robinson-Kinzer

When will construction start on the new Hutton Honors College and will we lose any parking spaces currently in the corner lot at 7th and Woodlawn?

According to Robert Meadows, Team Leader on this project in the University Architect's office, construction will start in late winter and although there will be some parking available at the back of the new building, there will be a net loss of about 10 spaces.



LOCAL 4730
Communications Workers of America, AFL-CIO

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