



March 2010

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Supporting our members, their employers & the community

Local 39 Connections



Next Membership Meeting

Wednesday, May 19th

5:30 pm



Bring a Co-Worker

Membership meetings are held on the 3rd Wednesday of February, May, August and November beginning at 5:30 pm. Be sure to mark your calendar for the remainder of the year.

From Business Agent, Debi Eveland . . .

What Does The Union Do For Me?

This is the most common question we receive, so we would like to share a few of our cases from this past year:

Back in 2007 we had an employee that was being harassed by their manager. In fact, the harassment was so severe that the employee wound up in the hospital with chest pains caused by an anxiety attack. The employee notified the Company and the Union of the alleged harassment. The Company completed their investigation and determined that the claim was unwarranted. The Union did not agree with the Company and in turn filed a grievance on behalf of the employee. The Union also recommended the employee file a Workers Compensation claim since the harm to the members was caused by the manager.

Because the Workers Compensation claim was denied by

the Company the issue went before a trial judge. In February 2010 after three days of hearings, the Company and former employee settled the claim for \$50,000 (the employee was also laid off during this time.)

In 2009, a member was terminated for alleged job abandonment. The Union filed a grievance and as the grievance was moving forward to arbitration, the Union's attorney recommended mediation. All of the parties met and as a result of mediation, the terminated employee received a settlement of more than \$20,000.

Also in 2009, an employer implemented a change to their sick leave policy as it relates to H1N1. The Union filed a grievance on behalf of membership because this was a change in working conditions and the Union has the right to bargain the effects of such changes. The Employer denied the grievance and the Union filed an Unfair Labor Practice charge stating the Company refused to bargain over the effects of the new policy. The

Company withdrew the new policy and all affected employees were made whole.

While many members are apathetic to the Union, the Union does help its members. If you have an issue, get disciplined, or worse yet are terminated, PLEASE turn to the Union for help. We don't win every case but with your Union you have other avenues and support that non-union employees don't have.

Other Achievements

Here are a few of our accomplishments from this past year:

- The extension of additional benefits to our members. See related article on page 3.
- Contract settlements with Madison Gas & Electric, AFSCME Local 171 and SEIU 1199 WI.
- The formation of OPEIU Midwest United Local 2009 along with Local 35 in Milwaukee and Local 391 in Chicago.
- A newly designed website, www.opeiu2009.org, that we hope membership is utilizing. If you have suggestions or there is something you'd like to see published on our site, please contact the office.
- The relocation of our office resulting in substantial savings.

New Local 39 Executive Board Members

Congratulations to the New Officers of Local 39:

President: Kathryn Bartlett-Mulvihill
Recording Secy: Kelli Harrington
Trustees: Nancy Dietzman-Mills, David Engelstad & Paul Ledin

Other Officers:
Vice President: Amy Domaszek
Secy-Treasurer: Lisa Venske
Sgt-at-Arms: Debi Eveland

Welcome New Members

CUNA Mutual
Mark Couillard
Zachary Gohr
Brent Haffenbredl
Justin Helgerson
Jason McGee
Roxanne Musialek
Joshua Natzke
Elizabeth Olson

MG&E
Melissa Ball
Jana Moore
Tim Walters

MCPASD
Ruth Herbin
Ashley Novotny
Kathleen Shaffer
Shari Taylor

SEIU 1199 WI
Marian Sanchez
Lawrence Warman

RETIREES
Jane Gilkey

Long-time President, Shirley Noles, Retires from Local 39

Shirley Noles was elected President of OPEIU Local 39 back in 2001 and this past February, she closed that chapter of her life. Shirley devoted a large part of her life to the Union -- she lived and breathed it.

Shirley was also a steward at CUNA Mutual Group from 1992 to her retirement in 2009 and took the responsibility of representing members very seriously. The following typifies Shirley's commitment and dedication: *In September 1999, Shirley was asked by a fellow member to attend a meeting called by management. (Shirley was attending as the employee's union representative.) Shirley arrived at the meeting and*

the Employer told Shirley if she didn't leave the meeting, she would be suspended. Shirley choose to stay and represent the member who was about to be laid off.

Shirley was suspended and escorted out of the building by Labor Relations.

The Union filed and grievance on Shirley's behalf and the case went to arbitration. In October 2000, the Union was notified we won the arbitration and Shirley was made whole for any lost wages and benefits.

We give Shirley a heartfelt *Thanks* for her years of service and devotion to OPEIU Local 39 and the union movement.

Best Wishes in Your Retirement, Shirley!



Midwest United Local 2009 Hires Service Representative/Organizer

OPEIU Midwest United has hired a Service Representative/Organizer, Mario Marin. Mario is located in our Chicago office.

Your Membership Benefits

From Benefits Coordinator,
Marci Watrud

Thank you to those members that attended the Union Benefits presentation on February 24th at the OPEIU Madison office. I hope the presentation was educational and that you have a better understanding of how to utilize your Union benefits.

This is a re-cap to the presentation and a reminder of the benefits offered to all of our members at no additional charge:

Benefits Sign Up Form: If you haven't already done so, please submit a "Benefits Sign Up Form" to me. This information is important for our office to have on file if you ever need to file a claim. The form is available on our website or you can receive a copy from me upon request.

If you have a name change or address change, please contact me with the updated information or use the address change feature on our website.

Disability Benefit: If you have been off work due to a medical reason for at least three consecutive weeks, you are entitled to receive a disability benefit. The maximum payout is \$250.00 for up to six weeks per year. To file a Claim, the member is required to submit 1) a "Disability Claim Form" which can be found on our website or I can send you a copy upon request; and 2) a note signed and dated by your doctor stating the reason for your leave, and the start and anticipated end date of your leave. Both forms need to be submitted to me before receiving the benefit.

Death Benefit: If a member dies, the beneficiary is entitled to receive \$1,000.00. To file a claim, the beneficiary needs to submit 1) an

"Application and Affidavit" form which is available on our website or I can send a copy upon request; and 2) an original copy of the death certificate. Both forms need to be notarized and sent to me for processing.

Accidental Death and Dismemberment Benefit:

Death: If a member dies as the result of an accident, the beneficiary is entitled to receive \$2,000.00 (\$1,000 AD&D and \$1,000 for the Death Benefit.) To file a claim, the beneficiary needs to submit 1) an "Application and Affidavit" form which is available on our website or I can send a copy upon request; and 2) an original copy of the death certificate. Both forms need to be notarized and sent to me for processing.

Dismemberment: If a member loses a major body part, they are entitled to receive \$1,000.00. To file the dismemberment claim the member will need to submit an "Application and Affidavit" form.

Local 39's Accidental Death and Dismemberment Benefit:

Before Local 39 merged with the other Locals in July, we had our own AD&D Benefit of \$3,000.00 which we still provide. Therefore, if a member dies as the result of an ACCIDENT, the beneficiary would receive a total of \$5,000.00.

Towing/Roadside assistance:

Each member and member's family are entitled to receive up to 2 towing/roadside assistance service calls per year.

If you are in need of a tow or roadside assistance, call the toll free number on your towing card. The towing service will ask for identification, such as your home address. If they do not have you listed, they will deny the free service. If this happens, proceed with the service/tow and send us a copy of your bill and receipt and we will reimburse the charges up to \$100.00 per service. If they deny

you service, chances are you're a new member and your registration is still processing or OPEIU does not have current information for you. If you do not have a towing card or would like another one, please contact me to obtain one.

Perk's Card: The Perks' Card is a national discount service that retailers/corporations join to provide discounts to their customers. The Perk's Card is provided to all OPEIU Midwest United Members as part of their union membership.

If you do not have a Perk's card, please contact me to obtain one.

If you have a card, but haven't yet registered, please log onto www.perkscard.com to register and view the large variety of discounts you are eligible for.

If you have registered your card, but forgot your password, please click on "Forgot Your Password" located below the username and password box.

If you are having problems with your Perks Card, please go to opeiuperkshelp@yahoo.com or call 1-877-737-1086

Careington Discount Card:

Careington gives you access to a national discount network for dental, prescription, vision, hearing, medical equipment/diabetic supplies, and a 24 hour nurse line.

Careington is NOT insurance and cannot be used with your insurance; however, in **some** cases Careington may provide a greater discount or benefit than your insurance. Careington is for the use of the member and ANYONE in the member's family.

Careington is a wonderful benefit for the elderly. I would suggest looking into using this card for your parents and grandparents. If you have member(s) in your family with

diabetes, this too is a great tool to receive discounts on the supplies. Careington provides discounts to certain healthcare providers for medical services. To search for a provider in your area, go to www.careington.com, type in your zip code and the type of service you need.

If a provider of your choice is not listed on the Careington provider list, you may suggest them to Careington. It is of no cost to the provider; in fact, it is a benefit to the provider in hopes of generating more business. If you do not have a Careington Card, please contact me to obtain one.

Scholarships:

Howard Coughlin Memorial

Scholarship: Awarded each year to 20 members or their children for undergraduate university or college education. The application deadline is March 31st of each year. The requirements and application can be found on our website. Two children from of our Local were recipients in 2009 and received \$6,000.00 each.

John Kelly Labor Studies

Scholarship: Provides assistance to members or associate members (members only, not dependents) who wish to pursue undergraduate or graduate degrees in labor studies, industrial relations, social science or related field. Ten scholarships (one per region) are awarded annually. The application deadline is March 31st of each year. The requirements and application can be found on our website.

Romeo Corbeil/Gillies Beauregard

Scholarship Fund – Summer Camp: This scholarship fund is for children of members or associate members between the ages of 13 to 16 and is in memory of two late OPEIU Secretary-Treasurers. It is a camp to learn about unions and issues of importance to working families. Twenty scholarships are awarded on the basis of at least one per region. The summer camp dates for this year are July 24 through July

31, 2010. The camp facilities are located at the University Forest in Wappapello, Missouri. Each application has a maximum value of \$2,000.00. Application deadline is June 15th of each year. The requirements and application can be found on our website.

Union Plus offers an **Education Foundation Union Plus Scholarship Program** that OPEIU members and member's dependents are eligible to apply for. The application deadline is January 31st of each year. The requirements and application can be found on our website or you may refer to the Union Plus website at www.unionplus.org/education.

Marci Watrud, Benefits Coordinator

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Dues Increase of \$0.34 per Week

Effective May 1, 2010, dues for Local 39 members will increase by \$0.34 per week (\$1.50 per month). This increase was approved by delegates at the last OPEIU International Convention. This increase was to be effective October 1, 2009 but was delayed in order to coincide with the other two locals affiliated with Midwest United Local 2009. The Local's last dues increase was in October 2008.

Happenings Around Local 39

Madison Gas & Electric

From Chief Steward, Cliff Murray

Contract status: As of March 1st, we are still waiting to receive the final draft of the contract from the Company. Once we receive and approve the final draft, it will be sent

to the printer. Your patience is appreciated. If you have any questions regarding the contract, please contact a steward (as many have already done.)

Vacation Carryover: A newly bargained contract benefit was initially denied by Management in the Customer Center area, stating difficulties in scheduling additional days off. After discussions with Management, vacation carryover was approved for those in the Customer Center that had requested it. If you have any questions, please contact a steward.

We currently have one unresolved grievance regarding the termination of a CSR in the Customer Center. This was the latest of many disciplines/terminations that have occurred in the Customer Center over the past few years. One common theme in several of these cases was unidentified problems that had been occurring over many months or years. The latest termination also had a profound effect on the Customer Center employees with increased levels of stress, uneasiness and anxiety. This prompted us to request a meeting with the Customer Center's Vice President, Jim Bidlingmaier.

The Union and Management met on February 1st to discuss the situation. We stated that we were not here to place blame but that we felt our concerns are the same – safely and efficiently providing the best possible customer service. Subjects covered included training, job duties, procedures and staffing. Our stated goal is to be proactive and identify problems before they become long-term issues. Both sides agreed to the formation of committees to continue discussions of the issues. We are next scheduled to meet March 17th. If you have questions, comments and/or concerns contact me or the Customer Center stewards, Sarah Amdahl, Rachel Rome or Debi Stolts-Meier.

On January 26th, MG&E stewards of OPEIU 39 and IBEW 2309 met jointly for steward training. David Nack from the UW School for Workers conducted the class which covered grievance handling procedures, investigatory meetings, stewards' rights and protections. Attorney Marilyn Townsend conducted a presentation and answered questions regarding the Family Medical Leave Act.

CUNA & Affiliates

From Chief Stewards, Amy Domaszek & Shawn San Roman

Congratulations!

To **Paul Ledin**, recently elected to serve as Trustee on the OPEIU Local 39 Executive Board!

To **Paul Ledin** and **Amy Domaszek** for their nominations and elections to serve as delegates at the OPEIU Conference in Washington, D.C.

To **Semmi Pasha** for his nomination and election to serve as an alternate delegate to the OPEIU Conference in Washington D.C.

Thank you very much to everyone who took the time to support your fellow co-workers and exercise your right to vote for your representatives on the Executive Board!

CUNA Wellness Program

The CUNA Wellness Program began as an idea developed during the last Collective Bargaining negotiations in 2007. Representatives from the Union and the Employer formed a Wellness Committee to design CUNA's first wellness incentives program. The program commenced in the fall of 2008 with CUNA Wellness Week and annual HRAs.

Level 1: employees receive \$50 for participating in annual Health Risk Assessment

Level 2: employees receive an additional \$150 for participating in a variety of activities from all of four foundations (Prevention, Fitness, Weight Loss/Nutrition, and Stress Management).

Participation in initiatives were released. The progression of employees participating in Level 1 is as follows:

2005: 35%
2006: 22%
2007: 24%
2008: 59%
2009: 69%

Participation in Level 2 activities is as follows: 35% of those eligible. We have 122 eligible participants in this year's Level 2 calendar.

Going forward, the Employer is communicating with the Union and bringing us in to develop potential promotional ideas for increasing Level 2 participation.

Congratulations fellow Wellness Participants! Keep up the great work!

Middleton-Cross Plains Area School District

The Union filed two grievances: one for the elimination of a bargaining unit position and the other for having represented employees perform non-bargaining unit work. We met with the District and after receiving information and clarification, both grievances were withdrawn. We are still in the process of settling the contract for 2009. The Union sent a proposal to the District on March 22nd asking for a counter proposal or a meeting by April 5th. The Union has proposed a two-year contract to avoid having to bargain again this June for the 2010 contract.

World Council of CUs (WOCCU)

From Chief Steward, Diane Martin

At the first of the year World Council of Credit Unions lost Andrea Dannenberg, one of our co-stewards, to the dark side-- she was promoted to management. We wish her well in her new position. We also lost one member to a resignation, but to off-set that we just hired another person, and have another temp-to-hire in the wings. That will raise us to 26 represented employees.

Represented staff received a small 1.75% raise in January. Looking back at 2009, Management had promised us no layoffs and kept their word. We had the lowest turnover rate I've seen in my nine years with the Company. With a total staff of 75 people, the only terminations were one employee who moved out of state and six whose contracts ended. And we had six new hires. Of course the tight job market kept a lot of people in jobs where they might have moved on had there been more opportunities.

My two big projects for 2010 are (1) find another co-steward, and (2) encourage, prod, and otherwise make our Human Resources department conduct new market salary surveys and create specific job criteria that are tied to salary ranges for all represented staff positions. This is something we asked for in contract negotiations last year and were told it was "impossible." The VP manager in charge of HR has told me she is committed to having HR complete this project this year.

SEIU Healthcare District 1199 WI

SEIU Healthcare District 1199 WI will be unifying with SEIU 150 in

Milwaukee and will become SEIU Healthcare Wisconsin.

All represented staff at 1199 WI were informed last week that due to lack of work, they would be laid off effective May 1, 2010. According to 1199 WI's website, all employees will be transferred to SEIU Healthcare Wisconsin. The Union is not sure why employees were given layoff notices as their own website states employees will be transferred. We surmise they are trying to circumvent the successor language that clearly states the terms and obligations under the current contract will be binding on the organization resulting from the unification.

The Union has filed a grievance, notified the National Labor Relations Board, notified SEIU 1199 of their obligations under the successor language, and asked for all information in relation to the unification of the two locals.

CUNA Mutual Group

*From Chief Steward,
Kathryn Bartlett-Mulvihill*

CUNA Mutual Group Moves Away From Work-Life Balance

In January CUNA Mutual made another step backwards to the 1960s. The Union leadership was notified by Human Resources that the IT Engineering and Design area would be losing their 9-day workweek. The reason, according to IT Director Brian Jones, was in effort to create what he believed would be a more efficient workplace. The 9-day, winter-summer work schedules gave employees a way to balance their personal and family life with their work life, a way to attend to doctor appointments and school functions for their kids without disrupting the workday. CUNA Mutual received the same productivity hours with these modified schedules as a 5-day work schedule. Taking the schedules

away will force employees to be gone during the workday to attend to those life needs, which disrupts the productivity Mr. Jones is looking for.

As a recent National Public Radio (NPR) story reported, "U.S. labor laws are perfectly suited to 1960. The 40-hour work week and the 9-5 workday were all codified in an era when men went off to an assembly line and women stayed at home." Is this what CMG leadership had in this what CUNA Mutual leadership had in mind when they were strategizing the Company's future?

When the Union leadership questioned Mr. Jones about specific instances when projects were not completed on time, when projects were postponed, or when employees could not be reached even on their day off, he could not list any. Mr. Jones only reason for taking the 9-day workweek from the employees was that 'on paper' it would be more efficient.

The Company should remember that study after study shows that when employers offer flexible work schedules productivity goes up, not down.

Indoor Smoking Ban in Wisconsin

Reprinted from the *Legislative Briefs from the Legislative Reference Bureau*

Beginning July 5, 2010, smoking will be generally prohibited in public places and workplaces, whether publicly or privately owned, including taverns and restaurants.

2009 Wisconsin Act 12, which was signed into law by Governor Doyle on May 18, 2009, addresses the growing concern in the state and nationally over the health hazards associated with tobacco use and the effects of secondhand smoke. Wisconsin joins 32 other states with indoor smoking bans, including the neighboring states of Illinois, Iowa, and Minnesota.

What does that mean for CUNA Mutual employees? All indoor smoking rooms will be closed beginning July 5, 2010. The Union has been informed by Human Resources that smoking will be allowed outside. The designated outside smoking areas are to be determined. Please watch for more information regarding the outside smoking areas in the coming months.

Workers Independent News to Launch Expanded Internet News Service

On March 15th, Workers Independent News launched their new three-days-per-week Internet-based Labor Radio News Service. The new 15-minute program will be available at: www.laborradio.org. Initial underwriting comes from the OPEIU International, NEA, and IBEW.

WIN Internet News will focus on additional segments of the economy as underwriting for news production becomes available. They anticipate that unions representing the Public Sector, Construction, Health Care, Education, Transportation, and others will join WIN to underwrite news of their industries and they will expand coverage accordingly.

The Internet news is available 24/7 to a nationwide audience on a variety of existing Internet radio programs. Acquisition of news via podcast by individuals is growing each year. WIN's Internet Labor Radio News will be able to serve that market.

WIN will continue to actively pursue traditional broadcast opportunities. WIN daily headline news is currently broadcast on well over 140 radio stations, and they expect that number to increase, as the Internet-based news will allow them to provide longer form news to stations who want that format.