We Need YOU!
How the NLRB Impacts Union Bargaining

By Richard Lanigan
President

A few years ago, a group of 300 people with nearly 35 years of membership in Local 153 (Region II) in New York found themselves in a dispute where their employer tried to gut their union contract.

In December 2018, negotiations for a new contract began. By late April, after five months of meetings, the parties were down to a few unfinished points and agreed to set a date to resolve all open issues and complete negotiations. Then, in May, without explanation, the employer canceled the final session without rescheduling a new date, triggering a major contract fight.

Three months later, without notice, the employer distributed a handbook unilaterally changing many working conditions, including attendance and lateness. In September, the employer announced it would change additional conditions, renege on those already negotiated and agreed upon with the union. Following this, the employer made verbal retrogressive proposals. When the union asked for proposals in writing, the employer failed to provide them. Later, the employer denied making these proposals, saying it had filed charges with the Board against the employer. The Board could not point to case law, statutory law or Board policy for its position. The Board refused to enforce the law, allowing the employer to continue to violate the rights of those union members.

For the next several months, the union explored ways to level the playing field at the bargaining table, while the employer tried to pressure employees using the Board’s refusal to enforce the law at leverage. Union members engaged, reorganized and fought back. Ultimately, they saved their contract but did it without the help of the Board. Those members recently negotiated another good contract.

After Newton learned from her chief steward about OPEIU’s college benefit: “My first reaction was ‘we can go to school?’,” she said.

“The union benefits are amazing,” she said. “They helped me accomplish my degree. Unable to pursue a degree when she was younger, Tapia was able to earn a bachelor’s degree in business administration. She told all of her co-workers to take advantage of the union benefit and pursue their college benefit. Newton encourages OPEIU members to take advantage of OPEIU’s Discount College Benefit. ‘When your union is offering you such great benefits, it is priceless,’” she said.

“How the NLRB impacts union bargaining is about making sure we have the leverage to negotiate the terms that are important to our members,” she said. “We’re making sure our members are taken care of.”
**INSIDE THIS ISSUE**

**On the cover:** OPEIU is mobilizing for the 2024 elections and it’s time to get involved! It will take all of us to ensure our families, friends, neighbors and co-workers are registered to vote and get to the polls on Election Day. Read more about OPEIU’s rallying call and how you can get involved on page 9.

**Fifteen Years of the Lilly Ledbetter Fair Pay Act**

This year marks the 15th anniversary of the passage of the Lilly Ledbetter Fair Pay Act of 2009, an essential step in the effort to close the gender wage gap.

In 2009, President Barack Obama signed into law the Ledbetter act, the first federal law of his administration. The law made it significantly easier for workers to sue their employers for discriminatory pay practices.

The law was inspired by Lilly Ledbetter who, in 1979, began working as the only female overnight supervisor at Alabama Goodyear Tire & Rubber Co. When she started working at the company, Ledbetter earned the same pay as her male co-workers. But each year the pay gap between her and her male colleagues grew wider—a fact she did not realize until an anonymous letter was placed in her mailbox in 1998, just before she planned to retire.

Ledbetter sued the company, alleging wage discrimination under both the Equal Pay Act and Title VII of the Civil Rights Act of 1964, which prohibits employment discrimination based on race, color, religion, sex and national origin. A jury found in her favor, but a federal appeals court overturned her victory.

The case soon wound up in the Supreme Court, which issued a 5-4 decision in favor of Goodyear, ruling Ledbetter filed her claim too late. In doing so, the majority’s decision limited the amount of time employees have to file a discrimination claim.

The Lilly Ledbetter Fair Pay Act, passed 20 years after Ledbetter began working at Goodyear, substantially expanded the window of time workers can file pay discrimination claims. As a result, workers can now raise a challenge to unequal pay at any point during the tenure of their employment.

By strengthening the prohibition of wage discrimination and making it easier for affected workers to seek recourse, the law’s passage marked an important step toward the goal of closing the gender wage gap.

**Biden Acts to Close Gender and Racial Wage Gaps**

Despite measures like the Lilly Ledbetter Fair Pay Act, today women workers are still paid on average 86 cents for every dollar paid to men, and the gap is even greater for many women of color. “Closing gender and racial wage gaps is essential to ensuring that women and people of color can fully participate in the labor force,” said the Biden administration in a statement, and it’s a cornerstone to ensuring opportunity and fairness for all workers.

The administration recently issued two executive orders advancing pay equity for both the federal workforce and employees of federal contractors. These orders ensure current or past pay will not be considered when determining the salaries of federal employees, and prohibit federal contractors and subcontractors from seeking job applicants’ compensation history when hiring or setting pay on government contracts.

The Department of Labor also launched the Good Jobs Initiative, issuing guidance clarifying existing protections against discrimination in hiring or pay decisions.

“Closing gender and racial wage gaps is essential to ensuring that women and people of color can fully participate in the labor force.”

— Biden administration statement

Congress also needs to act to close the gender wage gap, which costs the average working woman nearly $400,000 throughout her career. The Paycheck Fairness Act would increase transparency by making it against the law to prohibit employees from talking about their wages, increase penalties for violating equal pay provisions and direct the Department of Labor to provide trainings for negotiating compensation.

The bottom line: Women should get equal pay for equal work.

Source: Office of Public Engagement Labor Newsletter, Feb. 2, 2021

**LETTERS TO THE EDITOR**

**Local 251 Member Earns Degree Through OPEIU College Benefit**

I started working for Sandra National Laboratories (SNL) as an office administrative assistant (OAA) in April 2017. All OAA's at SNL are a part of OPEIU, which comes with great benefits such as discount schooling. I started school in March 2018 and received my associate degree in business administration in May 2020 from Eastern Gateway Community College in Ohio. I then decided to continue, again through the union benefit, which was all online. I graduated from Central State University in Ohio with my Bachelor of Science in Business Administration with a concentration in Management on Dec. 20. Thank you, SNL, and OPEIU for giving me the opportunity to further my education.

Joline Tapia
Office Administrative Assistant
Sandra National Laboratories
Local 251 (Region IV)
Albuquerque, New Mexico

Editor’s Note: Read more about Joline’s college experience on page 3.

**Remembering Longtime Member Gemma Moran**

I want to thank you for the amazing article about Gemma Moran in the OPEIU Connect (Issue 555, Winter 2023/2024). You did a wonderful job, and we truly appreciate you honoring Moran in the OPEIU Connect [Issue 555, Winter 2023/2024].

Gemma Moran
Remembering Longtime Member

**Cover Story: Act Now to Elect Candidates Who Will Protect Working People**

**Member Reflections: Black History is Labor History**

**Nava PBC Contract Covers Largest Group of Recently Organized Tech Workers in U.S.**

**Health Watch: Young Workers Report High Levels of Stress, But Unions Can Help**
Member Reflections: Black History is Labor History

The contributions of Black workers to our nation’s labor movement date back generations. Black working people played a critical role in the formation of unions, fighting to secure workplace rights and protections all working people have today.

In February, we spoke with members about Black History Month, asking what it means to them, how it is connected to their union activism and how Black history should be celebrated year-round? Their reflections reaffirm our union’s commitment to pursuing racial justice and equity for all people.

“Black people were in the labor movement before labor was a movement.”

Sara Franklin
Local 8 (Region VI)
Seattle, Washington

“Black Americans have history in America — history that should be written about and celebrated, witnessed on TV and taught in the classroom.”

Kayleen Williams
Local 11 (Region VI)
Vancouver, Washington

“[Black history] is an ongoing process. Every day, Black people make history.”

DeAnna Andry
Local 29 (Region V)
Oakland, California

“Growing up in a union household, I could see the difference between those who had a voice and those who did not. I saw that unions fought against injustice everywhere.”

Andrea Johnson Brown
Local 29 (Region V)
Oakland, California

“If you don’t know your history, you cannot plan your future.”

Danine Harden
Local 29 (Region V)
Oakland, California

“We need to recognize what we as a people have been through. Instead of being against each other, we need to help each other.”

Sylvia McKenzie
Local 30 (Region V)
San Diego, California

Andrea Johnson Brown
Local 29 (Region V)
Oakland, California
Steward Spotlight

Stewardship in a High-Stress Workplace

In a high-stress, unionized workplace it is especially important to have a steward who is prepared, knowledgeable and adaptable. Since 2004 I have served as a steward at Tri-Cities Community Health in southeastern Washington.

As stewards we are not only educating our co-workers on their contractual and legal rights at work, but also training management on what treatment our union is willing to accept. High-stress workplaces, particularly in health care, are notorious for high turnover rates. We have seen this on both sides of the table as members find new jobs and managers change. That is why it is critical to educate new members on their contract as soon as possible and to challenge management decisions that run afoul of the collective bargaining agreement.

Managers tend to read the contract’s language to their benefit. In a high-stress workplace, it can be difficult to challenge a manager’s order while avoiding a charge of insubordination. It is important to challenge managerial misinterpretations of the agreement as soon as possible. When management gets away with circumventing the contract, it weakens the contract for everyone.

Though it is an ongoing process, we have been able to build redundancy among our steward team so there is always someone available to address and minimize potential contract violations. As a long-time employee and a member of our union’s original organizing committee in 2004, I have been through multiple rounds of contract renegotiations and have watched co-workers come and go. Many things have changed since then, but the importance of defending our union contract has remained.

By Yesenia Colvin
Steward
Tri-Cities Community Health
Local 8 (Region VI)

Act Now to Elect Candidates Who Will Protect Working People

As the November elections draw near, OPEIU is issuing an urgent call to all members and retirees. Take action and get involved to ensure candidates are elected at the local, state and federal level who put the needs and concerns of working people at the top of their agenda. The stakes have never been higher.

While there is still change to be won, we have made serious progress. Working people throughout the country have made their voices heard, holding politicians accountable for their words and actions. We understand we can no longer accept politicians who just talk about supporting the labor movement. Instead, we are demanding leaders who support policies that help working families. That is where you come in, as OPEIU’s get-out-the-vote (GOTV) strategy hinges on the robust participation of our members.

Take Action!

We will need every member’s help to ensure our families, friends, neighbors and co-workers are all registered to vote and get to the polls on Election Day.

We are setting a bold target: get at least one percent of our membership engaged directly in political volunteer work. Your commitment can tip the scales toward victory — even an hour will make a difference.

There are also opportunities for more experienced political activists to get involved. Working with the AFL-CIO, OPEIU will deploy experienced member activists across key battleground states. Your expertise can guide the Labor 2024 efforts and ensure OPEIU’s presence is felt where it counts.

At the local level, the formation of legislative and political committees is underway. These are not just meeting groups but command centers for grassroots strategy and action. Your involvement and leadership can make all the difference.

Our campaign is underway, culminating in an emphatic get-out-the-vote victory this fall and beyond. This is our call — a strategic push for the rights and dignity of every worker.

Financial Commitment Equals Political Strength

Our fight is as much financial as it is physical. On this front, OPEIU has again led the charge, seeing unprecedented growth in our J.B. Moss Voice of the Electorate (VOTE) Fund. This political action fund is used to support worker-friendly candidates at the state and federal level, helping working people counterbalance big dollar contributions from corporations and other anti-union forces.

Consider supporting the VOTE Fund with a monthly pledge to ensure our advocacy resonates throughout the corridors of power. Every dollar counts in our efforts to elect worker-friendly candidates.

Join Us Now!

You hold the power. Your voice, vote and dedication are the keystones of our collective might. It is imperative we unite in the fight for a future that upholds the strength and dignity of our labor.

Scan the QR code and commit to our collective goals. Stand with us as we advance toward the 2024 elections, a unified force fighting for fairness and justice for every working person. We are building a sustainable movement that grows stronger with each election cycle. Your action today can shape our tomorrow.

Take Action!

Scan the QR code to get involved!
Don’t Miss Your State’s Voter Registration Deadlines!

Election Day is Nov. 5. Find your state and get registered today.

*Online registration unavailable.

For more information on mail and in-person registration in your state, visit vote.org.
Nava PBC Contract Covers Largest Group of Recently Organized Tech Workers in U.S.

OPEIU members at Nava PBC voted overwhelmingly to ratify their first collective bargaining agreement, bringing unprecedented job security protections to more than 180 staff members at the tech company. Their staff union, Nava United (NU), is now the largest recently organized unit of private sector tech workers under contract in the United States.

NU organized with OPEIU’s Tech Workers Union Local 1010 (Region II) and won voluntary recognition in March 2022. Contract negotiations began that June. Composed of workers across the organization, NU represents designers, engineers, operations staff and more who make government services simple, effective and accessible to all. NU works to promote transparency, ensure equity, attract new talent, increase staff well-being and retention and add to the long list of reasons why members are proud to work at Nava. Now, city, state and federal governments can hire Nava when they want the quality work of a union shop.

In addition to securing many of the current benefits Nava workers enjoy, such as unlimited sick leave, the contract provides new benefits, including across-the-board wage increases and just cause protections. This contract follows the lead of other OPEIU tech units, moving to establish protections as the new standard for unionized tech workers, including no intrusive monitoring, limiting the use of contracted and temporary workers in favor of full-time employees and transparency around compensation and promotions. NU members began forming their union in fall 2020 with the goal of improving working conditions. After Nava grew, they saw an increased need to ensure they had a say at work, and organized to increase equity and sustainability for all workers. NU accomplished these goals with a contract ensuring equity and giving workers an ongoing voice in the direction of the organization’s work.

The years of collective effort that went into this contract demonstrate the power workers in tech can harness to push for equity and fair working conditions,” said Sean Fern, a senior infrastructure engineer at Nava since June 2019 and a member of the bargaining committee.

With this first contract under our belt, we’ve set a foundation for workers at Nava to build on for years to come,” said Claudia Wynn, a product manager at Nava since October 2021 and a member of the bargaining committee. “I am excited to see what ripple effect our contract has across the civic tech sector and hope more workers take up the mantle to leverage their collective power at work.”

When We Fight, We Win! HRC-SF Ratifies Strong First Contract

The new Local 29 (Region V) members at Housing Rights Committee of San Francisco. (HRC-SF) voted unanimously March 1 to ratify a first contract containing both financial gains and significant union protections.

The small but mighty negotiating team fought for and won transparency and a voice for the employees at HRC-SF, with contract language providing transparency in hiring, union member priority in interviews, protection of seniority in promotions, layoff and lateral transfers, the establishment of a labor-management committee, the right for the union to hold new member orientation meetings on paid time and a robust grievance process, among other provisions. Among the economic gains, all union members will receive a $5,000 annual wage increase, an additional 5 percent wage increase for members working in understaffed programs, the creation of a sick bank to share paid time with co-workers in need and a yearly cash out of accrued paid time off.

“The bargaining team is especially proud this very strong contract was negotiated in a tight timeline of under six weeks,” said Jane Bosio, union representative for Local 29.

Medical schools across the country employ “standardized patients,” workers who memorize symptoms and family histories while acting as a real patient. Standardized patients are critical components of medical school curricula, helping to prepare future doctors to diagnose and treat a myriad of diseases and illnesses.

At Thomas Jefferson University in Philadelphia, standardized patients have not received a raise from $20 an hour since 2008. That is a major reason why, in December 2023, more than three-quarters of Jefferson standardized patients petitioned university executives for voluntary recognition of their union with Local 32 (Region II) in New Jersey. University administrators denied the request. Standardized patients then filed for a National Labor Relations Board (NLRB) election and won their union with Local 32 when the votes were tallied in mid-January, likely making them the first group of standardized patients to unionize in the United States.

“Standardized patients are immeasurably important to the education of folks working in all manner of health care,” said Andy Molholt, a founding member of the organizing committee. “We are often the only real human interaction students have in a clinical setting before their residencies.”
Employees at Friends of Youth Join Local 8

Staff members at Friends of Youth, a Seattle-area nonprofit providing an array of services to young people and their families, voted overwhelmingly in February to unionize with Local 8 (Region VI).

The group of 125 therapists, coordinators, youth specialists, case managers, on-call staff, administrative staff and other roles are the latest nonprofit employees to join OPEIU’s Nonprofit Employees United (NEU).

“I am excited for this new opportunity to work collaboratively with our senior and executive leaders in a way my co-workers have never been allowed to before,” said Eric Tilton, a youth specialist. “The staff at Friends of Youth hold so much knowledge about the needs of the youth we serve because of how closely we work with our clients. I am excited for us to finally be able to use that knowledge to advocate for better working conditions for ourselves, as well as better services for our clients.”

Employees at the organization operate foster homes, homeless shelters, transitional living arrangements and mental health services for youth and young adults. Local 8 represents workers at similar organizations in the area, including YouthCare, ROOTS Young Adult Shelter, Compass Housing Alliance and more. Bargaining is expected to begin soon.

Local 6 Members Promoted at Massachusetts AFL-CIO

Two members of Local 6 (Region II) have been promoted to key staff positions at the Massachusetts AFL-CIO.

Brian Dunn now serves as the state federation’s political director. He has been with the federation since 2018, formerly serving as senior organizer. Previously, he worked in the Massachusetts State Senate for Senate President Therese Murray and State Sen. Dan Wolf, as well as for U.S. Sen. Elizabeth Warren’s 2012 Senate campaign.

Lindsay Kenney, formerly the federation’s political and legislative organizer, is now legislative director. Kenney joined the federation in 2020. Before that, she was associate director of operations for the Massachusetts Democratic Party, where she supported multiple campaigns and helped organize the annual Democratic Convention.

Local 30 Assists Victims of California Flooding

Extreme weather throughout Southern California this winter caused a great deal of damage and property loss for residents, including some OPEIU members.

In San Diego, Local 30 (Region V) was pleased to be able to provide relief assistance through its Lifting Hands Hardship Fund to OPEIU members affected by the recent flooding.

“There is no way to predict when these types of things will happen or how widespread they will be, so it pays to be prepared,” said Marianne Giordano, executive director/chief financial officer for Local 30 and an OPEIU vice president. “The purpose of our Lifting Hands Hardship Fund is to do just that—be prepared. Over the years, the fund has helped our members through various unforeseen events that have brought tremendous hardship to them. While we realize the union cannot fix everything, we can help.”

The Local 30 Lifting Hands Hardship Fund, formerly the Local 30 Charity Fund, is completely funded by member donations and has been providing emergency assistance to Local 30 members for nearly 20 years.

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OPEIU Leads on Student Worker Organizing

OPEIU continues to help student workers organize and win their unions by massive margins at universities and colleges across the northeast. Student workers at four colleges and universities — Bucknell, Emerson, Swarthmore and Smith — join student workers from Wesleyan, Barnard, Fordham, the University of Pennsylvania, Tufts and Rensselaer Polytechnic in affiliating with Local 153 (Region II) in New York.

Bucknell Residential Advisers

On April 4, residential advisers (RAs) at Bucknell University in Lewisburg, Pennsylvania, voted overwhelmingly to join Local 153. The unit of 111 student workers are the ninth group of RAs to organize with Local 153 since 2022.

“Change has been long promised by the university and long postponed,” said Brooke Corpuz, a senior and RA at the university. “It is time for Bucknell RAs to have their voices heard and for something to be done. We are tired of talking and ready for action.”

Following the vote, Bucknell RAs began developing proposals for the negotiation of their first union contract. Bargaining is expected to begin soon.

Emerson College Resident Assistants

In a unanimous 67-0 vote, resident assistants (RAs) at Emerson College in Boston won their union with Local 153 in mid-January. Student workers at the college began organizing in November to increase pay, improve working conditions and policies impacting training, breaks and re-hiring year-to-year. The Emerson College Union for Resident Assistants, or EURA, is expected to begin bargaining soon.

“Now that we have won our union, we will be able to start the bargaining process. This will allow RAs to work directly with Emerson to form a contract helping restructure the RA role,” said Casper Apodaca, a third-year RA and member of the organizing committee. “We want to make the position more equitable for future RAs who step into the role while also preserving the parts of the job we love, and we believe collective bargaining will help bring meaningful change to this role.”

Swarthmore College Resident Assistants

Resident assistants at Swarthmore College, a liberal arts college located outside of Philadelphia, voted in mid-December to unionize with Local 153, becoming the first group of workers at the college to unionize.

“Unionizing has brought a lot of hope to this job that has been a mostly miserable experience so far. Our working conditions have been very unfair and precarious for all of us, but especially so for my vulnerable co-workers,” said Tyler Hicks, a resident assistant and junior at the college. “Unionization gives us a real stability and feeling of safety as RAs face constant pressure from the school and management. I am so excited to work collectively to make sure we are all taken care of as we care for our peers.”

Smith College Student Dining Workers

Student dining workers at Smith College, a private women’s college in Northampton, Massachusetts, voted overwhelmingly in early February to form United Smith Student Workers (USSW) with Local 153.

“I am so excited my co-workers and I are joining the wave of undergraduate workersunionizing to fight for a better workplace and a better campus,” said Sasha Rtishchev, a sophomore on the organizing committee in a statement to the Daily Hampshire Gazette.

The college refused to voluntarily recognize their union, forcing a National Labor Relations Board (NLRB) election. Though the NLRB ruled only 139 voters were eligible to vote, the college employs roughly 400 part-time student workers in nearly 20 locations across campus, including 15 dining halls. In the run-up to first contract negotiations, their union plans to speak to all 400 student dining workers.

“Our union is prepared to fight for all of us to be included in our contract,” said Amelia Wesley, a junior at the college and organizing committee member.

In April, library staff at the college followed the student dining workers’ victory with a win of their own — a unanimous 26-0 vote to unionize with Local 153.
Fun Savings just for you
Union Plus Entertainment Discounts offer savings to union families on everything from theme parks and the zoo to movie tickets and sporting events.

Save big bucks on attractions

Savings for union families on amusements parks

Young Workers Report High Levels of Stress, But Unions Can Help
Gen Z workers, aged 18-24, report high levels of stress compared to older workers, according to a recent McKinsey survey of more than 25,000 Americans.

The survey results, published late last year, revealed commonalities and differences between workers of different generations. Gen Z workers are more likely to report the pay they receive for their work does not allow them a good quality of life, and are less likely than other generations to report they feel recognized and rewarded for their work.

The report notes a “remarkable 77 percent of Gen Z respondents report looking for a new job,” almost double the rate of other respondents. Only 37 percent of Gen Z respondents surveyed believe most people in this country have economic opportunities.

Critically, many young people are skeptical they will reach key economic milestones previous generations enjoyed. For example, almost a quarter of respondents said they do not expect to retire, and 59 percent of respondents do not own or expect to own a home in their lives.

Gen Z remains, however, the most pro-union generation in the workforce, showing higher levels of support for organized labor than Baby Boomers and Gen X did at their age. Union support remains roughly the same between members of Gen Z with college degrees (63.7 percent in support) and those without (64.4 percent in support), according to a Center for American Progress analysis.

Despite generational pessimism about future economic prospects, the potential to organize a new generation of workers into unions could help turn the tide. Union workers earn significantly more on average (11.2 percent) than nonunion workers, according to the Bureau of Labor Statistics and are far more likely to have employer-provided health benefits.

“Despite generational pessimism about future economic prospects, the potential to organize a new generation of workers into unions could help turn the tide.”
The OPEIU app is available for free download. It’s a great way to stay connected to your union, learn more about your membership benefits, find links to OPEIU’s social media networks and much more. Available for free download for iOS devices on the App Store and for Android devices on Google Play by searching OPEIU.

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