



WHITE COLLAR

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Local 212 Workers Fight Lockout at Blue Cross/Blue Shield

Members of Local 212 in Buffalo, New York are fighting against a lockout action taken by HealthNow New York, Inc., dba Blue Cross/Blue Shield of Western New York (BCBS of WNY), that has left 390 members out of work. Subcontracting and its effect on bargaining unit positions and the job security of the employees are at issue.

Local 212 has applied constant pressure to the company, staging huge protests, leafletting campaigns, and even candlelight vigils to alert members of the community in Western New York about the lockout and to urge the company back to the negotiating table. Local 212 launched a series of radio advertisements on stations in Western New York that have added even more pressure by urging the general public to contact the company and tell them to keep jobs in the community. Local 212 members provide customer service, process claims, reproduce documents and do other clerical and support work.

The collective bargaining agreement with

HealthNow New York, Inc. expired at 11:59 p.m. on April 25, 2011. The parties had been meeting to negotiate a successor agreement since February. OPEIU International President Michael Goodwin and New York State AFL-CIO President Denis Hughes

joined the Local 212 negotiating committee in a bargaining session on June 8 to demonstrate how committed the union is to getting these experienced workers back on the job.

“Our members recognize that the attack
(Continued on page 12)



Local 212 members, led by Business Representative Deana Fox, picket at the Blue Cross/Blue Shield of Western New York corporate headquarters in Buffalo, New York on May 3, 2011.

Local 459 Victory: Red Cross Found Guilty

In a huge victory for members of Local 459 employed by the American Red Cross, the company has been found guilty of violating the National Labor Relations Act and ordered to remedy all violations with back pay and interest.

In June 2010, the employees of the American Red Cross Great

Lakes Region and Mid Michigan Chapter went on a three-day strike. They alleged that the American Red Cross was engaging in unfair labor practices. The decision issued by a federal judge has confirmed their beliefs.

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The Nightmare Returns

By Michael Goodwin, International President

Thirty years ago, the labor movement took a turn for the worst when President Ronald Reagan fired striking air traffic controllers represented by Professional Air Traffic Controllers Organization (PATCO). It was this event that is cited as the turning point in the downward slide in the growth and strength of the labor movement. When employers saw that it was okay for the president of the United States to fire workers, they in turn took that action as authority for them to do the same. To get around the National Labor Relations Act (NLRA), the employers used a strategy of “striker replacements” rather than termination from employment. Workers soon found out that losing their job to a “striker replacement” or being “terminated” is a distinction without a difference. All paths lead back to the PATCO strike of 1981 in dating the decline of the labor movement. Now, in 2011, the nightmare returns.

Since Tuesday, April 26, 2011, members of OPEIU Local 212 in Buffalo, New York employed by HealthNow New York, Inc., doing business as Blue Cross/Blue Shield of Western New York, have been locked out from their jobs with the demand by the company for the right to reduce the number of bargaining unit positions and the right to lay off employees resulting from subcontracting. If the union were to agree to the company’s demand, they would be writing themselves out of good-paying union jobs that would be transferred to lower paying non-union operations elsewhere.

The actions of Blue Cross/Blue Shield of Western New York also mirrors the attacks on public employees across the country, highlighted in Wisconsin by Governor Scott Walker. Once again, a public official has

said it’s okay to break unions and get the work done cheaper by a non-union workforce. Despite polls indicating that 68 percent of the public want to preserve collective bargaining for public employees, Governor Walker’s message and actions, just like PATCO in 1981, are seen by employers in the private sector as an excuse to do the same thing. This is where Blue Cross/Blue Shield of Western New York gets its so-called moral authority to lock employees out of work. The president of the company makes a good living and apparently finds

Denis Hughes, attended a negotiating session in support of Local 212 members on Wednesday, June 8, 2011. He wanted to send the message on behalf of the 2.5 million union members in New York State, the largest and strongest labor movement in the country, that locking out employees is unacceptable. In addition, Denis Hughes led the fight with the New York State legislature to win unemployment insurance for locked out employees. As a result of winning that fight, locked out workers are receiving the well-needed unemployment insurance as

The actions of Blue Cross/Blue Shield of Western New York also mirrors the attacks on public employees across the country, highlighted in Wisconsin by Governor Scott Walker.

it justifiable to put the nearly 400 workers and their families through tremendous economic hardships in pursuit of union busting goals – not the well being of the workers and their families or the community.

Local 212 has been representing employees in Buffalo at Blue Cross/Blue Shield of Western New York for 55 years. These workers have efficiently processed claims, while at the same time the non-profit company has prospered for itself and its executives. The company can trace its roots to the support of workers and the labor movement. And today, 20 percent of the subscribers of Blue Cross/Blue Shield of Western New York are union members.

That’s why I am so proud that the president of the New York State AFL-CIO,

financial support. OPEIU is eternally grateful to Denis Hughes for everything that he has done and continues to do on behalf of working families.

I want to thank Business Representative Deana Fox for her extraordinary work in leading the fight on behalf of Local 212 members at Blue Cross/Blue Shield of Western New York. We know that their struggle will be successful. I also want to thank all of the OPEIU Local Unions and staff, and affiliates of the New York State AFL-CIO, who have stepped up with moral and financial support for these workers.

No matter how tough the fight, no matter how big the challenge, Local 212, the workers and the labor movement will defeat the nightmare and become bigger and stronger than ever before!

OPEIU Enters Service Agreement with ALPA to Further Common Interests for Pilot Members

OPEIU and the Air Line Pilots Association International (ALPA) have entered into a service agreement to consult together on issues of importance to their respective pilot members. OPEIU represents approximately 3,000 pilots through its council, the Professional Helicopter Pilots Association (PHPA).

OPEIU and ALPA, through its International Pilot Services Corporation (IPSC), will exchange information on avi-

ation safety issues, such as cockpit recorders and accident avoidance systems, and represent those positions before Congress and the National Transportation Safety Board.

The arrangement will also give PHPA's local union officers access to ALPA's state-of-the-art training programs, including accident investigation, collective bargaining training for negotiators, as well as information on legislative and regulatory issues

related to aviation.

"OPEIU is excited about our new arrangement with ALPA, and believes that the synergy between these two great organizations will do much to further the interests of professional pilots throughout the country and the world," said International President Michael Goodwin. "We look forward to working with ALPA to bring about industry advancements and improvements in helicopter safety and regulatory language."

Wisconsin Anti-Labor Law To Go Into Effect, But The Fight Continues!

On Tuesday, June 14, 2011, in a 4-3 vote, the Wisconsin Supreme Court ruled that GOP Governor Scott Walker's law stripping state and local workers of collective bargaining rights could take effect, thereby handing Walker and anti-worker forces a major victory.

The court ruled that Dane County (Madison) Circuit Court Judge Maryann Sumi — a Republican appointee — overstepped her bounds when she invalidated the law earlier this year.

Walker's law is important because it is the spearhead for the nationwide big business, radical right-GOP campaign to strip workers of their rights and trash unions, while also depriving unionists and their allies, in some cases, even of the right to vote.

That business drive manifests itself in states from Wisconsin to Ohio — where GOP Gov. John Kasich stripped all 400,000 state and local workers of bargaining rights and outlawed organizing rights for home health care workers — to Tennessee to New Hampshire. The New Hampshire GOP-run legislature passed a right-to-work law. Democratic Gov. John Lynch vetoed it and the state AFL-CIO is trying to uphold his veto.

And the right wing push has in turn galvanized unionists nationwide to campaign to protect themselves, and to enlist their neighbors, civil rights groups and community groups in the crusade, too.

Walker's law criminalizes public worker collective bargaining for anything other than wages, and limits wage bargaining to the inflation rate. The law also requires public employees to pay more for health insurance and pensions. But Sumi's decision had nothing to do with the contents of Walker's

anti-worker law. Instead, it focused on how the legislature made a fool of itself by violating the state's Open Meetings Law in passing Walker's measure. Unfortunately, Wisconsin's Supreme Court disagreed and has eliminated collective bargaining rights for state and local workers. But the fight isn't over.

A number of lawsuits are now expected as they couldn't be brought until the law took effect.

According to the *Huffington Post*, "Tuesday's ruling means the law is in effect but it wasn't immediately clear when public employees would be affected. There are no plans to apply paycheck deductions retroactively, said Rep. Robin Vos, co-chairman of the Legislature's budget committee. Walker's top aide, Department of Administration Secretary Mike Huebsch, said the ruling was being reviewed."

(PAI contributed to this story)

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Maryland Appraiser Union Joins American Guild of Appraisers/OPEIU Guild 44

The Union of Real Estate Appraisers (UREA), based in Maryland, has voted unanimously to join the American Guild of Appraisers (AGA)/OPEIU Guild 44.

“With so many small organizations representing appraisers, we didn’t have a strong and collective voice,” said Coleen Morrison, former UREA president. “We needed a voice that we haven’t had for the past 25 years, and decided to come together so we could be a more powerful organization better able to represent the interests of appraisers.”

As a result of the Home Valuation Code of Conduct (HVCC), and the current Financial Reform Act of 2010 (aka Dodd-Frank), appraisers have had to work under difficult circumstances in recent years, with most appraisals for mortgage purposes being funneled through a third-party source known as appraisal management companies (AMC). These middlemen are enforcing unreasonable working conditions upon appraisers by unrealistically reducing the completion time for appraisal assignments, adding exhaustive addenda requirements, while reducing in half the typical fee paid to the appraiser. Under Dodd-Frank, whose regulations took effect April 4, 2011,

appraisers are now faced with government agencies and big banks determining what should be “reasonable and customary fees” for an appraisal. As of April 1, 2011, AMC’s are telling the appraisers to expect to be paid yet lower fees for their service. AMC’s are racking up huge profits on the backs of consumers and appraisers.

“There are many problems with this relationship,” said Lisa Alvarez, former UREA’s legislative liaison. “Before HVCC, loan officers would tell an appraiser, ‘if you don’t give me the value for the property that I’m looking for, then I won’t give you the work.’ Now appraisers are being told by AMC’s to turn appraisals more rapidly, with more work for less fee or they (AMC’s) will find someone else.”

The new Maryland chapter is working with the Guild to further legislation to better regulate AMC activities and to secure the independent role and compensation of the professional appraiser, legislation that is also supported by the Board of Realtors, among others.

“We have to fight for the integrity of the appraisal process, as well as to preserve our industry, to stop it from being swallowed up and lost,” said Colleen Johansen, AGA vice

president. “We are not going to let that happen, but are going to stop it in its tracks. We will fight for our members, and in the process draw in even more Maryland appraisers by showing them what we can do for them.”

“Our members also benefit from our affiliation with OPEIU,” said Peter Vidi, Guild 44 president. “OPEIU is a progressive organization that is all about representing professionals in the workplace. Its mission is to ensure that professionals have a collective voice, whether it’s negotiating a contract or representation on the legislative front. That’s what OPEIU is all about, and that’s the kind of strong collective voice that the appraisers have as part of Guild 44. The credo of the American Guild of Appraisers is, ‘We Value America’s Future.’

Guild 44 seeks to represent the interests of appraisers, developing a strong presence before the U.S. Congress and each of the state legislatures. By working closely and exchanging dialog with other like-minded organizations, the AGA works to educate consumers about the appraisers’ non bias, independent role in the value process, while ensuring the accountability of both the appraisal profession and the financial institutions with which the appraiser provides services.

AGA/OPEIU Guild 44 Meets with Rep. Barney Frank

The American Guild of Appraisers (AGA)/OPEIU Guild 44 met with Representative Barney Frank (D-MA) recently to discuss the Guild’s concerns with the Federal Reserve Board’s Interim Final Rule (Rule) regarding Appraiser Independence.

With the implementation of the Rule issued April 1, 2011, the Federal Reserve has introduced faulty regulation that implicitly fails to capture Congressional intent to reform the appraisal process and Appraiser Independence and the necessity to promote the use of market driven reasonable & customary (R&C) fees for various valuation assignments. By injecting a skewed “safe harbor” under Presumption One in section 42(f), the Rule has unwittingly given license to appraisal management companies

(Continued on page 11)



The American Guild of Appraisers/OPEIU Guild 44 National President Peter Vidi, appraiser Roger Lerner, OPEIU Director of Organization and Field Services Kevin Kistler, appraiser Rich Bowerman, Representative Barney Frank (D-MA), appraiser Bob Dailey, member of the Maryland Appraisal Commission Steve McAdams, AGA Maryland Chapter President Coleen Morrison, AGA Maryland Chapter Vice President Colleen Johansen and AGA Maryland Chapter Treasurer Mike Dalenkoff.

Podiatrists Could Save Healthcare System \$3.5 Billion

An independent study released last month showed that if every American at risk for developing a diabetic foot ulcer visited a podiatrist once before complications set in, the U.S. healthcare system could save \$3.5 billion in one year by addressing these preventable conditions.

Diabetes currently affects nearly 26 million people in the U.S. Properly diagnosed and caught early this chronic disease can be efficiently managed. Left untreated it can lead to numerous complications ranging from foot ulcers to amputation of lower limbs.

As bad as that is, the situation can be much worse for those on Medicaid, who have a higher incidence of diabetes and complications. This is in part due to the fact that Medicaid does not always cover essential medical and surgical foot and ankle care when provided by a doctor of podiatric medicine (DPM). Even though DPMs are often the first to recognize diabetes and other chronic diseases such as peripheral neuropathy, their services are optional under federal law.

Why? Because the 1965 Medicaid amendment to the Social Security Act (Title XIX) does not define DPMs as medical doctors even though podiatry provides care to the foot and ankle in the same manner, and using the same diagnosis and treatment codes, as medical doctors (MD) and doctors of osteopathy (DO).

OPEIU, representing more than 3,000 podiatrists across the country through Guild 45, the First National Guild of Healthcare

Providers of the Lower Extremity, has joined forces with the American Podiatric Medical Association (APMA) to get Congress to remove this unfairness and allow DPMs to be reimbursed equally under Medicaid. Last year's bill received broad bipartisan support, but was never scheduled for a vote because the Congressional Budget Office — neglecting the huge savings resulting from prevention and early detection — estimated it would cost \$200 million over ten years.

This year, “The Life and Limb Savings Act,” which is backed by an independent study from Thomson Reuters, will make clear to Congress the potential billions in annual savings that would result from the avoidance of unnecessary hospitalization or prevention of lower extremity amputations.

We know that seeing a podiatrist saves lives and limbs, and coverage of podiatry under Medicaid would provide easier access to care for patients while saving the government money. It's time to change the Medicaid statute, so that medical and surgical care of the foot and ankle is covered as a “physician service” not only when provided by an MD or doctor of osteopathy, but also when provided by a doctor of podiatric medicine.

President Goodwin Appears on Health Matters



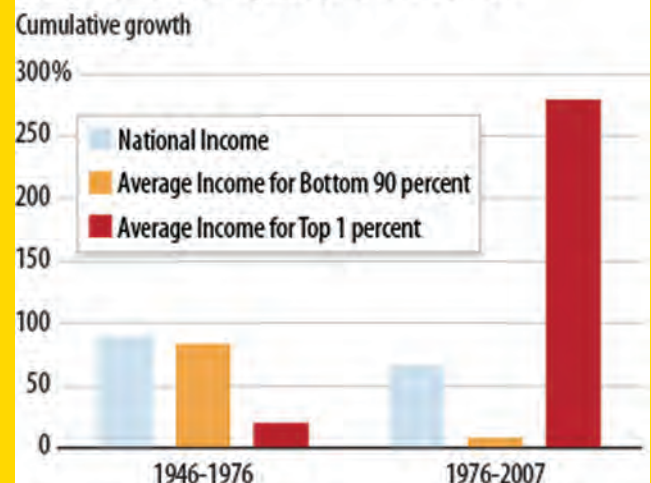
International President Michael Goodwin appears on the *Health Matters* radio program on WTBQ (1110-AM), an ABC affiliate in Warwick, New York, on Thursday, March 24, 2011. The show is hosted by Dr. Michael Wodka, first vice president of the First National Guild of Healthcare Providers of the Lower Extremity, OPEIU Guild 45.

The Rich Get Richer!

Working Americans have gotten the short end of the stick over the past 35 years! While the bottom 90 percent of Americans have seen their incomes rise only by a miniscule fraction of total growth, the richest one percent have seen their incomes rise by upwards of an astonishing 275 percent!

This chart illustrates that the rich keep getting richer, while working families struggle to make ends meet. It's obvious that unions, and the wage protections they provide to members, are more vital than ever.

Rising Inequality Since 1970s a Sharp Break From Shared Prosperity of Earlier Era



Source: CBPP calculations based on data from Piketty & Saez, BEA, and the Census Bureau.

Center on Budget and Policy Priorities | cbpp.org

Southeast-Southwest Area Educational Conference: Building a Stronger Union

The 2011 Southeast-Southwest Area Educational Conference held on May 19-22 in Memphis, Tennessee helped participants see how they could help *Build a Stronger Union*, and learn details of a new and exciting OPEIU initiative!

The conference brought together more than 60 local leaders and shop stewards to hear valuable information in a presentation by Paul McCarthy of Collective Bargaining Associates titled, "What it Takes to be an Effective Union Leader in a Hostile Labor Environment." The conference also featured an in-depth look at the role and function of the Federal

Mediation and Conciliation Service by FMCS Commissioners Mark Martin and Luther Bennet.

OPEIU gave an update about the OPEIU's new Youth Initiative, known as OPEIU's Rising Stars, presented by Youth Initiative Committee Chair Tim Sullivan. Sullivan, a member of OPEIU Local 6 and the legislative and communications director for the Massachusetts State AFL-CIO, told participants that OPEIU's new campaign aims to encourage young labor activists to get more involved in the labor movement and their community.

Another wonderful highlight of the conference was a visit by three of the Memphis

sanitation workers, members of AFSCME Local 1733, who participated in the historic 1968 strike, an iconic campaign in civil rights and labor rights history. Martin Luther King Jr., in the final campaign before his death, lent his support to the workers during the march for job safety, better wages and benefits. Alvin Turner, Baxter Leach and his daughter Sharon, and Herbert Parson and his wife Margaret were able to attend the conference on Saturday afternoon. These three men, along with five others, were inducted into the Labor Hall of Fame at a ceremony at the White House on April 29, 2011, and another at the University of Memphis on June 4.



Paul McCarthy of Collective Bargaining Associates shares tools to help labor leaders be more effective in the current hostile labor environment.



OPEIU Youth Initiative Committee Chair Tim Sullivan tells participants about the new OPEIU Rising Stars campaign.

A conference highlight was a visit by three of the Memphis sanitation workers who participated in the historic 1968 strike. Pictured from left to right are OPEIU International Vice Presidents Green Lewis Jr. (Region III) and Becky Turner (Region IV), sanitation workers Herbert Parson and his wife Margaret, Alvin Turner, and Baxter Leach and his daughter Sharon, International Vice President Greg Blackman (Region III), and International President Michael Goodwin.



OPEIU's Rising Stars!

OPEIU has launched a campaign to get young OPEIU labor activists involved in the labor movement and their community, recognizing that utilizing the talents and strengths of our young members is the key to a successful future. The campaign is called the OPEIU Rising Stars!

To lead this effort, International President Michael Goodwin has established a Youth Initiative Committee led by Local 6 member Tim Sullivan. Sullivan, who is legislative and communications director for the Massachusetts State AFL-CIO, says he is "honored that President Goodwin has asked me to chair the OPEIU Young Workers Initiative. Through individual efforts of some of our young members, OPEIU has already been a national leader in getting young workers engaged in the broader labor movement around the country.

"At the Massachusetts AFL-CIO, as a proud member of Local 6, I helped initiate a 'Futures' program for the state federation to begin creating a community of young labor activists in Massachusetts," Sullivan continued. "At the 2009 AFL-CIO Convention in Pittsburgh, our Massachusetts AFL-CIO Resolution #55 was adopted, making the recruitment, engagement and education of young union members a national priority for our labor movement. AFL-CIO Secretary-Treasurer Liz Shuler took the lead in implementing the resolution's goals. Soon young worker groups began springing up around the country, including in Baltimore where OPEIU member and Youth Initiative Committee member Jessica Ingerick was instrumental in forming the Young Trade Unionists group for that central labor council."

Other members of the OPEIU Youth Initiative Committee are Local 35 Business Agent Christian Hains and Local 153 Business Representative Nick Galipeau. Both joined Ingerick on the National AFL-CIO's Young Worker Advisory Council. "Building on our individual passions for creating a community of young labor leaders, myself, Jessica, Nick and Christian have begun working with the International Union, with the support of Director of Communication, Education and Research Nicole Korkolis, to carry out President Goodwin's vision of formalizing a Young Workers Initiative for OPEIU," said Sullivan. "We are excited to announce the advent of OPEIU Rising Stars and look forward to working with local and district OPEIU leaders to identify young people within our union and get them involved, educated and ready to lead both today and in the future. Please help us build OPEIU Rising Stars by helping us choose a logo for the campaign."

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Please visit OPEIU's Facebook page at <http://www.opeiu.org/facebook> and vote now for your favorite logo for the OPEIU Rising Stars campaign!



OPEIU RISING STARS



LEGISLATIVE WATCH

Washington Priorities Out Of Whack As High Levels of Joblessness Continue

Submitted by Glen Rosselli, OPEIU Policy and Government Affairs Consultant

Even though lawmakers are constantly talking about jobs, this Congress has actually done precious little to boost job growth. Nearly 14 million workers are unemployed and more than 40 percent of them have been searching for a job for six months or longer. Millions more see the situation as so bleak that they have given up looking altogether. Congressional action on jobs is needed now.

Unfortunately, the Congress has been focused on slashing spending instead, with the House-passed budget imposing draconian cuts on programs for low- and moderate-income families, ranging from the Supplemental Nutrition and Assistance Program (aka Food Stamps) and Medicaid to rental assistance, Pell Grants, and Head Start. Unable to advance this budget further through the normal process, Republicans and some Democrats have seized

on a different approach.

Now that we've reached the \$14.3 trillion legal limit on how much we can borrow, the debt ceiling must be raised or the government could face the possibility of defaulting. Some propose to use this must pass legislative vehicle to force cuts in spending that they could not get through Congress on the merits. House Speaker John Boehner (R-OH) even went so far as to declare that huge spending cuts are a prerequisite for raising the debt limit.

The debt limit is not something we should mess with. We are in a precarious position with the economy growing too slowly to keep up with continual growth in the labor force and to bring unemployment down quickly. We are 11 million jobs below the level needed to restore the prerecession unemployment rate of 5 percent in December 2007. Failing to raise

the debt limit would necessitate potentially economically crippling budget cuts that could drag us back into recession. Congress should simply pass the increase in the debt ceiling and then move on to debate measures to pick up the pace of job growth.

Beyond dealing with the deficit and debt to provide a stable fiscal environment, there's much more the government could do stimulate jobs production. For starters, establishing an infrastructure bank to offer some federal funding and loans as a startup fund to get private companies investing in large projects like roads, tunnels, wind farms, new electric grids would help. Pushing banks to stop hoarding cash and do more lending especially to small businesses also makes sense.

Whatever it does, Congress needs to get started now!

Work and Health

Sitting at Work: A Curse or a Blessing?

Submitted by Jeffrey S. Freed, M.D., Associate Professor of Surgery, The Mount Sinai School of Medicine, NYC, and OPEIU Local 153 Health Fund Medical Director

For many years it has been known that a sedentary social life, what we have come to call the behavior of a couch potato, leads to the possibility of developing heart disease, stroke, and perhaps even cancer. The question has arisen whether adverse health outcomes have occurred in people who have jobs that require long periods of sitting. New research information is now available that creates doubt as to the veracity of this latter concept.

It appears that cancer and cardiovascular disease (heart attacks and strokes) cannot be blamed on prolonged occupational sitting. Recent studies have not supported the idea that sitting at work for long periods has the same effect as the lifestyle of the "couch potato."

Considerable evidence suggests that excessive sedentary behavior is associated

with health risks, but most research in recent years has focused on sedentary leisure time, particularly television viewing.

In view of the fact that so many occupations today are predominantly sedentary, multiple studies have been performed on people in the workplace. These studies have failed to demonstrate an increased risk for prolonged sitting.

The scientific evidence suggests that patients who are social sitters lose the stimulation for contraction of their muscles resulting in a loss of the enzyme that promotes certain functions that are necessary for good health. The enzyme, lipoprotein lipase, assists the muscles in taking up triglycerides, which when not taken out of the blood stream deposit themselves in arteries and ultimately block those arteries causing heart attacks, strokes and periph-

eral vascular disease. The lack of this enzyme also causes a decrease in the production of high density lipoproteins, a form of cholesterol that prevents deposit of "bad cholesterol" in the arteries of the body.

Further studies are necessary to truly understand the effect that extended sitting has on workers. At present, however, there is no evidence that this behavior will be harmful and threaten their health. It is fair to say, though, that extended sitting during non-work hours leads to increased health risks, partially caused by increased snacking and lack of heart, lung and brain activity.

The recommendation remains the same. Whatever your behavior at work, it is best to take some time during the day to exercise and allow your bodies' natural defenses to do their job in protecting your health.

Local Union News

Long Journey from Voluntary Membership to Union Security

Submitted by Organizer Susan French

OPEIU has represented the employees at Richland Newhope for almost 20 years. Under the contract, union membership at this facility is voluntary unless more than 50 percent of the employees join their union, at which time the Union Security clause becomes effective.

Over the years, efforts were made to attract sufficient members to close the gap, but none succeeded. Turnover is high at this facility in Mid-Ohio, which is not close to other OPEIU offices.

By the time of the 2009 contract negotiations, there were only six active union members out of the more than 150 eligible employees. According to Chief Steward Doug Dull, the employer had more negotiators at the table than the union had members.

This past year, Local 19 and the Richland Newhope shop stewards took up the challenge of changing the hearts and minds of these employees from apathetic and even hostile to enthusiastic and committed. This is the story of their journey.

Apathy, the attitude that “the union hasn’t done anything for me,” and the mindset of “why should I pay dues when I get the same benefits of the contract anyway,” were obstacles that had to be addressed before these employees were willing to consider

joining their union. OPEIU International Representative David Flores had a simple but powerful formula. He believed that if you could engage enough people, listen to them and talk with them, they would understand the benefit of union membership and be willing to join together to make a better workplace. Many lonely, cold, snowy evenings were spent knocking on doors and seeing the lights dim, curtains move and then grow still, doors remain closed and the howling of dogs one’s only company. Later, many new members admitted to avoiding these conversations by not coming to the door, or by having a family member say that they did not live there anymore. Over time, enough doors were answered that little by little union memberships were activated.

In addition to grassroots organizing, Local 19 President Andrew Stambaugh, Vice President Cheryl Campbell and Flores made visits and walkthroughs at Richland Newhope to increase OPEIU’s visibility. This made an incredibly strong impression, and some employees joined the union based solely on just seeing union officials at their workplace. President Stambaugh also helped strengthen the membership drive by actively communicating with the organizers and lending his full support wherever necessary.

In the end, what made the difference between a membership drive and a successful membership drive was the engagement and commitment of Shop Stewards Doug Dull and Sally Hullinger. Along with Organizers David Flores and Susan French, they helped recruit new activists. The stewards and activists gave of their time each week to attend training sessions that focused on OPEIU history, labor history, and introduction to grievances and negotiations. They carried their new awareness, sense of solidarity and excitement to their workplaces and they were able to reach their co-workers in a way that no one else could.

“Becoming active with Local 19 has empowered me to be proactive and take initiative,” said new Shop Steward Erin Lamb-Black. “I have been educated about my rights in a way that gives me confidence and purpose whenever I step through the door at work.”

Congratulations to Local 19 and Richland Newhope. May the journey forward be inspired by those who never gave up when hope seemed anything but new!



Local 19 activists, from left to right are (front row) Mark Hariston, Lea Lambright, Leo Prince, Erin Lamb-Black, (standing) Stacy Hammer, Chief Shop Steward Doug Dull, and Steward Sally Hullinger.

AMLU Appoints New Secretary-Treasurer

The Association of Minor League Umpires (AMLU)/OPEIU Guild 322’s Executive Board has chosen an appointee to the open Secretary-Treasurer position.

Dan Oliver has been appointed to replace retiring Secretary-Treasurer Jeff Klinghoffer. Prior to this appointment, Oliver

served as an AMLU shop steward and prior to umpiring and becoming a member of AMLU, Oliver was a member of UFCW 1105 in the Seattle, Washington area from ages 17-23.

Oliver has been an active member of AMLU and was influential in the AMLU/OPEIU affiliation last year by being a vocal supporter on the affiliation committee.

Local Union News

Local 320 Has New Contract with PFCCU

The members of Local 320, Kansas City, Missouri, unanimously ratified a new three-year contract with the Postal Federal Community Credit Union (PFCCU), located in Springfield, Missouri.

The new agreement provides for pay raises in step with the national averages for credit union employees across the country, raising the maximum wages for all employee classifications. Thereafter, on January 1 of each year, PFCCU will utilize the most recent national wage data for Credit Union Staff Salaries to update the pay matrix within each wage classification. The language also provides for a no-reduction in pay clause, in the unlikely event new salary data proves less than an employee may present-

ly earn. In addition, improvements were made in vacation, sick and bereavement leave. Local 320 was also successful in bargaining for new represented job classifica-



The Local 320 bargaining team (left to right) are Steward Willa Goodman, Chief Steward Melody Stamper, Secretary-Treasurer Kimberly Whiteman, and Steward Chris Chapman.

tions under its recognition that it will add additional employees and members covered under the new CBA.

The bargaining team consisted of Secretary-Treasurer Kimberly K. Whiteman, Chief Steward Melody Stamper, Steward Willa Goodman, and Steward Chris Chapman. Senior International Representative Paul Bohelski was also present during negotiations. "We are very pleased that the results of the negotiations were successful and so well received by the membership," said Whiteman. "It was very gratifying to have each member go out of their way to personally thank us for our efforts. Of course, without their support, we would not have been able to achieve what we did."

IRMC POST Members Ratify New Contract

Local 459 Paraprofessional, Office and Skilled Trade (POST) members at Ingham Regional Medical Center (IRMC) in Lansing, Michigan recently ratified a new three-year contract. IRMC POST is Local 459's single biggest unit representing more than 600 members.

IRMC has remained profitable through the current recession, but not by much. Like many contract negotiations over the past few years, this was tough bargaining. The contract expired on September 30, 2010. In an attempt to strong-arm the union team, IRMC gave the union a "final offer" that was concessionary and refused to extend the current contract. They also refused to conduct a healthcare open enrollment until the contract was settled. This meant that employees would not be able to add dependants or make changes to their coverage. When the union team rejected the "final offer," IRMC pulled all of its wage proposals off the table.

The bargaining team would not be bullied. They understood the financial situation at IRMC, and were willing to work with the employer. The IRMC spokesperson, however, had a specific economic proposal in mind and would not move from it. To complicate matters, she repeatedly gave the union incorrect information in response

to requests. It came to the point where the union team had no confidence in the information being passed to them, especially on the biggest ticket item, healthcare.

Eventually, the vice president of Human Resources became involved. He sent in an employee from corporate who actually understood the healthcare proposals. He also became directly involved with the bargaining toward the end. This was crucial in getting a deal.

The new agreement freezes annual premium co-pays for the two McLaren plans in 2011 at the 2010 dollar amount. This avoids any premium co-pay increases for the McLaren plans. This "freeze" saved POST employees a lot of money. There is an increase in prescription drug co-pays for McLaren plans in the final year of the agreement, but this is offset by up to a \$300 bonus that will be paid to all employees who sign up for a Flexible Spending Account (FSA) that year. The co-premiums for health care will be unfrozen in 2013 and the employee's portion will be 10 percent of the premium.

The agreement also included a one percent ratification bonus and a two percent wage increase for all employees in year two and a two percent wage increase in year

three. There were also improvements to contract language in paid bereavement leave, personal leave, and paid holidays.

The final package was unanimously approved by the bargaining team at the table, and the tentative agreement was approved by a vote of 263 to 129.

The bargaining team members were Monica Artis, Rick Bailey, Brenda Densmore, Sunni Lira, Robert Potts and Kendra Moore. They were assisted by Service Representative Lance A. Rhines.



Local 459 IRMC POST member Anne McIntosh casts her ballot.

Local 459 Victory: Red Cross Found Guilty

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Administrative Law Judge Jeffrey Wedekind ruled May 5, 2011 that the American Red Cross violated the National Labor Relations Act when it:

- Refused to provide information necessary for negotiations
- Implemented a “no fault” attendance policy without bargaining
- Refused to allow the employees to continue to use rooms for union meetings
- Changed or eliminated the retiree healthcare program without bargaining
- Changed or eliminated the 401(k) savings program without bargaining
- Changed or eliminated the pension plan without bargaining
- Changed the health insurance without bargaining
- Did not bargain over moving work to another state
- Disciplined a union steward for exercising her union rights
- Told a union steward not to talk to employees
- Denied annual leave and guaranteed hours to employees after the strike

The approximately 300 employees are represented by Local 459, Lansing, Michigan and Teamsters Local 580. An 11-day trial was held last fall, which was presided over by Judge Wedekind. He upheld all of the above charges and issued an order for the Red Cross to remedy all violations with back pay and interest and to post a notice notifying employees that the Red Cross will not break the law in the future.

“We won an overwhelming decision that clearly shows that the Red Cross has violated almost every aspect of labor law from the first moment they sat down to pretend to bargain with its employees,” said Local 459 Senior Service Representative Lance Rhines.

The Red Cross is embroiled in contentious labor relations around the country. There are more than 30 expired union contracts nationally and similar unfair labor practice charges are pending in a number of states.

The Red Cross is also under attack for its safety practices. Over the years, it has been fined \$37 million by the FDA (most recently \$16 million in June 2010) for violating a long-standing federal consent decree.

Dozens of labor unions representing Red Cross employees, including Local 459, have formed a coalition to advocate for better safety and employee rights. The coalition is supported by groups outside the labor movement such as the National Consumers League, Jobs with Justice, Interfaith Workers Justice, the Hemophilia Foundation of America and the Committee of Ten Thousand.



Local 459 members in Lansing, Michigan celebrate the victory, including Local 459 Service Representative Lance Rhines (middle) and attorney Tina Pappas.

AGA/OPEIU Guild 44 Meets with Rep. Barney Frank

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(AMCs) to use their own internal, non-market, fee schedules to disproportionately justify reasonable and customary fees directly in opposition to the Congressional mandate throughout the Mortgage Reform and Anti-Predatory Lending Act (MRAPLA) to have such fees excluded from reasonable and customary fee surveys.

Guild 44 President Peter Vidi requested that Rep. Frank write a letter to the Federal Reserve regarding the Rule, pointing out its significant deviation from the intent of MRAPLA. “Congressional intent to restate the market survey for reasonable and customary fees was not to include fees paid by appraisal management companies,” said Vidi.

Vidi also requested that Rep. Frank write a similar letter to Elizabeth Warren and the Consumer Financial Protection Bureau stressing the need for Appraiser Independence as a means to help safeguard public interest.

“Congressman Frank expressed an interest in doing so,” said OPEIU Director of Organization and Field Services Kevin Kistler, “but has asked his staff to do additional research and report back to him with a recommendation before he makes a final decision as to whether to send a letter, as well as the substance of the letter.”

Also in attendance at the meeting was Michael Dalnekoff, treasurer of the Maryland Chapter of AGA who said, “Even with the day-to-day dealings that Rep. Frank

oversees, he continues to be well versed in the appraiser section of the Dodd-Frank Act. He seemed very concerned about the information we provided.”

“I was very impressed with the depth of knowledge that Rep. Frank had of the issues affecting real estate appraisers and the intricacies of the mortgage business,” said Kistler. “I left the meeting feeling that he will help address the concerns expressed by the Guild.”

“The American Guild of Appraisers would like to thank Congressman Frank for making the time to meet with us and allowing us the opportunity to share our concerns,” said Vidi. “We look forward to working with him in achieving the appropriate corrections regarding this matter.”

Local 212 Workers Fight Lockout at Blue Cross/Blue Shield

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on working families and the middle class is in full swing and our management has joined the battle to steamroll over union members to get whatever they want, but our members refuse to accept having our jobs outsourced and dehumanized, so we will stand strong in protest of this lockout,” said Local 212 President Caroline Muszynski. “If we aren’t working and being paid, we lose our ability to pay our bills and provide for our families. If we don’t have money to spend we can’t help our local businesses and neighbors keep their jobs, so everyone loses,” she continued.

Despite that BCBS of WNY assured its customers that business would continue as usual despite the lockout, some plan members have advised union officials that their calls are not being answered or that they are being told

that they will be contacted at a later date to process a claim.

According to Local 212 Business Representative Deana Fox, regular protests and demonstrations have been held and many other unions have been showing solidarity by attending, including other OPEIU Local Unions. Pickets are held every day from 8 a.m. to 5 p.m. at the company’s headquarters in downtown Buffalo, as well as many special events. More than 300 people helped make a Solidarity Walk at the company’s headquarters a big success, including members of the UAW, Teamsters, Laborers, Painters, CWA, SEIU, PEF, NYSUT, UUP, CSEA, AFSCME, ALF, WNYCOSH, CEJ, Citizen Action, WFP, City Council members, a representative for David Fronczak, County Legislator Christina Bove, and a representative for State Assemblyman Dennis Gabryszak. Several of these demonstrations have been held at events sponsored by BCBS of WNY and/or attended by CEO Alphonso-O’Neil White, including a silent candlelight vigil in front of his home and a protest at a charitable event at which he was speaking.

Local 212 also set up a Union Action

Committee Team, known as the uACT, to coordinate picketing efforts at the BCBS corporate site. The team is made up of one member of Local 212’s Negotiating Team and Executive Board member, Lynn Brooks, and seven volunteer members, Luis Rodriguez, Dana Delano, Janice Siegel, Denise Beyer, Carol Gambino, Charlene Brown, John Caligiuri as well as OPEIU International Representative Patt Gibbs. President Muszynski is the designated officer who also assists and coordinates the day-to-day functions of the team. The uACT also sets up and tears down the “Command Post” tents daily. “They have done a terrific job of maintaining internal organizing within their members to make sure everyone stays unified,” said Gibbs.

While the fight continues, Local 212 members are staying positive and motivated to see it through to victory. And as Fox points out, keeping these jobs in Western New York is more than a workers’ rights issue, it’s also for the benefit of the entire community. “Good sustainable jobs create stable homes, a family support system that leads to better educated children and safer and longer lasting communities,” said Fox.



Local 494, Detroit, Michigan, lends its support to the fight in Western New York. Pictured left to right at a demonstration at an event sponsored by BCBS at Kleinhans Music Hall in Buffalo on May 10 are Local 494 Alternate Steward Theresa Love, Local 212 Business Representative Deana Fox, and Local 494 Trustee Laura Winiarski.



A candlelight vigil is held on May 22 outside the home of BCBS of Western New York CEO Alphonso O’Neil-White.