

Stat!



Local 1168

Communications Workers of America

AFL-CIO

January 2011

There are “Angels Among Us”

By Mary Broginski, RN. MS Editor

I took a survey around the office a week before the official start to the holiday season. No, not the day they started playing holiday music on the radio, but a week before Thanksgiving. I presented the question “What is the first thing you think of when you think of the holidays?” A variety of answers were rendered, but the number one answer was “family”. Other responses that followed included food, traditions, presents, Santa Claus, as well as stress, shopping, costs and work commitments. Individuals have different reasons for responding the way they do. For example, I think of my greatest treasure, my family. I also think about long distances; my daughter is a teacher and coach in Maryland and my son is a US Marine fighting for freedom in Afghanistan. The holidays can seem lonely at times with such distances, but I am thankful for them and their love. My thoughts also turn to those who are less fortunate; those who are ill, homeless, jobless, suffered great loss or are without family. I then think of those who support the less fortunate and realize there are “angels among us.”

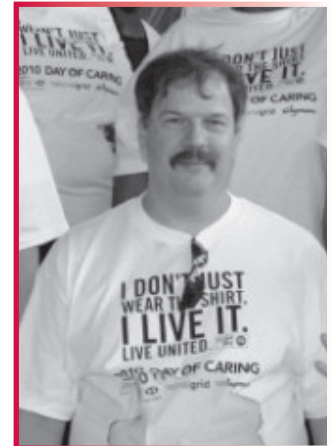
When I further broached the topic of those less fortunate, the survey participant’s responses echoed a common theme... “Give whatever you can, because isn’t that what the holiday season is all about, a time for giving?” How do you give during these times of economic uncertainty? And how do we keep that spirit alive after the holiday season? Many causes are in need of support year round.

People often open their pocketbooks and give to charities, toy drives, food and clothing drives and religious affiliations during the holidays; but what if you can’t contribute from your pocket book? What can be done after the holidays? How can you give back? Many people contribute by donating their time, participating in projects or by championing a cause. Consider if you will the CWA Local 1168 - Community Service Committee (CSC). This committee develops programs to strengthen our community and to coordinate membership participation in community services; they give back! The CSC meets monthly throughout the year

and organizes community projects. During the holiday season they soar to new heights. This year the committee renewed its commitment to the Benedict House with a *Kris Kringle* project where they provided gifts and necessities to many lonely residents; a clothing, toy and food drive for the City Mission and supported an “Adopt-A-Family” program through the United Way of Niagara County by sponsoring three families. They collected donations and contributed Tops Gift Cards to reported hardship cases among our own members for Thanksgiving and for the December holidays.

This winter a new project has been spear headed by Michele Murray, AVP BGH TCC. It is a fundraiser in memory of Ron Wattie, one of “Our Angels”, whose spirit remains among us. Ron was a CWA BGH TCC Chief Steward who worked for Kaleida Health as a dialysis equipment tech since 1982. He was taken from us suddenly on October 4, 2010 on his way to work when he was struck and killed by a school bus. Ron was

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Ronald Wattie
Lost - But Not Forgotten

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Please keep your submissions short and to the point. We will attempt to maintain the author's intent, however, we may edit for length. Signed submissions are strongly preferred.

Send your letter to:

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Or email it to: office@cwa1168.org

President's Column

By John Klein

As I prepared to write this column for this edition of Stat!, the plan was to concentrate on a discussion about Kaleida bargaining. Negotiations are scheduled to begin with the employer in early 2011. Surveys have shown that we will be focusing on some of the usual articles in this round of bargaining like Health Care, Pension, PTO and Wages; all complicated fights in these tough economic times. But who thought we would have a difficult fight for everyday work rules?

Kaleida Administration has made it clear that they want more control over work rules which affect you each and every day. They want to focus on changing seniority rules as they pertain to job bidding, consolidation, transfer and lay off language; many of the articles that members have very limited experience with. As the construction of the GVHI on the Buffalo Niagara Medical Campus continues, Kaleida continues to reiterate the need for more flexible staffing with weekend commitments, prime time vacation, holiday commitments and the ability to dictate scheduling. What does their message translate into? Non-guaranteed work weeks, forced downsizing, on call for routine scheduling; in other words, little or no control over current work rules.



President John Klein

How serious is Kaleida about changing these work rules with the 2011 bargaining? The fact that they hired an out-of-town law firm that specializes in contract negotiations resonates that they are very serious. In the past CWA, SEIU and IUOE bargained with the employer and their labor relations team directly. Kaleida Administration is moving in a new direction by hiring a nationally renowned firm from Ohio to have a "fresh pair of eyes" go over the contract. What is the cost of hiring an out-of-town firm? Well that question has yet to be answered.

Kaleida has another weapon in their arsenal which will impact bargaining, and that is the apathy and self serving interests of the union members. There are members of this union who believe they do not need a union and that Kaleida will treat them fairly and justly. Members who believe they are entitled to their bargained benefits and would receive them without the protection of the collective bargaining agreement. The reality of this notion is the above stated work rules would have already changed. Here is a thought, Kaleida tells you, "your job is no longer needed; now you will work in this department instead." You don't think it will happen? These fights are already happening. It just hasn't affected you yet? Don't worry it will, if we keep going like this. Without a union contract Kaleida would just make the changes and you would have no say. These are just a few examples of what fights are ahead of us; but Kaleida Bargaining is not the only topic for discussion.

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What Are COPE \$\$\$ And Where Do They Go?

CWA mandatory union dues support everything from contract bargaining to grievance handling and legal work to this nationally recognized newsletter. But unlike corporations, unions cannot use union dues for political contributions. Unions are held to a different standard than are corporations. So, CWA raises funds through a voluntary member's contribution program called COPE (Campaign On Political Education). The funds are used for political action to defend our members' interests in the political arena.

Thanks to our members who step up and contribute. CWA raised about \$1 million in COPE funding for all of New York, New Jersey and New England in 2010. Corporate interests massively out spent us. The bulk of their funds were used to target many of our best political supporters in many races around the states, and protect corporate interests. In 2010, COPE funds were used to:

- Defeat elected officials who oppose our agenda and have plenty of money thanks to their corporate masters (about \$150,000).
Example: current State Senator Pedro Espada from the Bronx, who is a front man for corporate interests.
- Protect elected officials who deliver for us and against whom corporate interests will line up (about \$300,000).
Example: current Congressmen Tim Bishop and Brian Higgins, who are 100% reliable voters on our issues, such as collective bargaining rights, protecting Social Security, Medicare funding, taxes, etc.
- Build independent power. (about \$200,000)
Example: the Working Families Party, which is an independent, pro-labor party that we co-founded. The Working Families Party, unlike the Republicans or Democrats, reliably represents us and all working people. We also fund other good organizations.
- Elect our best supporters to higher office. (about \$100,000)
Example: former State Senator Eric Schneiderman has been a champion for us, helping protect our jobs. We helped him become NYS Attorney General, and he has promised to continue to champion our issues.
- Educate our own membership. (about \$100,000).
Example: Mailings on the differences between candidates on issues that matter, such as jobs, taxes, and labor laws.
- Receive credit for the work we do. (about \$45,000)
Example: Red jackets that say "CWA Political Action Team" get our volunteers noticed so we get credit for the work we do.

We need to raise more money and have more volunteers for political action to get the results we need. We need to start today!

Please Consider Contributing \$2 a Week to the COPE Fund.

Are You Wearing RED?

If you get caught....
you might just win a prize!

Look who has been caught by Mobilizer Diana Butsch so far:

Anna Anastasia	Kelly Andrews
Dave Audino	Iris Bevill
Carrie Brown	Bonnie Burmaster
Linda Capan	Todd Casey
Amy Chudzik	Deborah Fugate
Judy George	Jill Grise
Gina Grizzanto	Kim Ignatowski
Shari Johnston	Cindy Kerelchuk
Nicole Mikolajczyk	Rene Ostolski
Ellen Urbanskik	Marilyn Wall

**Thank You All for Supporting
Your Union!**

Barriers to Bargaining

- Anti-union sentiment is alive & well - Union workers are:
 - Greedy, Selfish, Lazy, Costly
 - Responsible for jobs being out sourced & sent over seas
 - Rich with benefits & pensions
 - Should take concessions
- Other barriers:
 - High unemployment rates
 - Decrease in union density
 - Increased Corporate profit margins
 - Un-unified workforce
 - Lack of member participation
 - A few working for the masses
 - Belief in the corporate mantra & scare tactics

What Can You Do to Get a Fair Contract?

- Stand up for your union
- When people say "What does the Union do for me?" Say "The Union fights for us each and everyday!"
- Stand tall and unified with each other on the job - we are all we have!
- Call the office with rumors and contract violations
- Become a steward or contact person
- Volunteer to distribute information
- Provide the union cell phone number & e mail address
- Wear your solidarity pin
- Wear RED on Thursday
- Be prepared to fight for a fair contract

Call to get involved 816-1168



The Benefits of Working as a Union Employee

Your Union is Your Ally – Part 1

By Stat! Staff

For years it would seem that most of the staff at the original organized hospitals of Local 1168 had knowledge of the struggles of the workers prior to organizing and joining the Union. The landscape has changed and this is no longer the case. Consider if you will the merging of BGH, DeGraff, and the Millard sites (in 1998), the amount of years that have past since the last strikes at BGH, DeGraff and St Joe's or the many workers who have taken jobs with an employer with an already intact collective bargaining agreement never knowing of the struggles. Many of us have benefited from the fights and struggles of the employees who came before us. Some of these employees still work among us, others have retired or moved on for other opportunities, and let's not forget those who still fight for us every day. But, before we tackle the enormous topic of the benefits of working as a union employee, we must define who we "the Union" are.

Communications Workers of America (CWA) is a young union – founded in New Orleans in 1938 as the National Federation of Telephone Workers and became CWA in 1947. The Union Joined the Congress of Industrial Organizations (CIO) in 1949 and has been an affiliate of the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) since they merged in 1955. The mission of the AFL-CIO is:

"To improve the lives of working families - to bring economic justice to the workplace and social justice to our nation. To accomplish this mission we will build and change the American labor movement."

CWA strongly agrees with this statement. Affiliations with the other 57 national unions build solidarity among workers, stronger communities and power for all the working middle class (both union and non-union).

CWA is the largest telecommunications union in the world, representing 700,000 workers in both public and private sector employment. Members are employed in telecommunications, airlines, printing, news media, public service, health care, cable television, manufacturing, construction, gas and electric utilities and the list continues to grow. There are more than 1,200 CWA chartered locals throughout the US, Canada and Puerto Rico, holding more than 2,000 collective bargaining agreements. CWA workers live and work in more than 10,000 different communities.

CWA Local 1168 was founded after an organizing campaign that started with RNs at the Buffalo General Hospital in 1980 and was the recognized chartered local, Nurses United, in 1982. A first contract was ratified after a three month strike in 1983. There have been many fierce fights for employee rights since and the Local has grown to over

5,000 members strong with 18 collective bargaining agreements (9 within Kaleida) with 9 different employers. The fight for employee rights is no less important today as it was 29 years ago. The difference is the union member is no longer engaged in the day to day fight. Why are they no longer engaged? - Because the union member is represented by the Union who battles every day, for every member. A particular fight may not affect you directly, but any fight affects each and every one of us collectively, "YOU are the UNION" and "WE the Union" are our Best Ally!

As we head into bargaining for the Kaleida contracts let's take the time to review the very basic benefits of having a union contract. For those with current contracts, please realize that Kaleida Bargaining will surely set the tone for all other health care union contracts to follow.

Differences Between a Union and Non-Union Workplace

Union	Non-Union
1. Your wages, benefits and working conditions are protected by a legal contract.	1. Management can change wages, benefits, working conditions whenever they want.
2. The contract spells out how much everyone earns.	2. No one knows how much anyone else earns.
3. The union negotiates raises for everyone. The members vote on the settlement. If they think that it is not a fair settlement, they can vote it down.	3. If you want a raise, you have to hope for it or kiss up to the boss. Although this is not always true, a collective bargaining agreement will allow you to know what your raise will be next year.
4. If you are disciplined for something you didn't do, the union will defend you.	4. If you are disciplined for something you didn't do, you are on your own.
5. If you do a good job and are in line for a promotion, you will get it.	5. Promotions can be handed out on any basis – friendship, loyalty, etc.
6. If you don't like something at work, you can work to change it.	6. If you don't like something at work, your only option is to quit.
7. Vacations, shifts, layoffs are based on seniority.	7. Vacations, shifts, layoffs can be based on the bosses' desires. If a new boss is hired into the department, then the dynamics may change again.

(Continued on next page)

Continued - Your Union is Your Ally



CWA Local 1168 RNs
on Strike Against Buffalo General -1983

To wrap up this part on *Your Union is Your Ally* let's take a moment to discuss **SENIORITY**. As many of you may or may not know, your seniority is under attack this time around. Why? Because in an economy such as we are faced with today, you can be replaced by a younger, newer, cheaper (wage, PTO, Benefit, Pension,...) employee who is not likely to hang around for 30 years like some who walked the picket line for that first contract. There is something to be said for blood, sweat and tears of the battle... In the words of Terrence F Connors, taken from *The Story of a Steward*:

"The Union pushes hard for seniority because it is the single most important issue in the contract. Seniority keeps personal feelings out of decisions, so decisions can be made fairly. Seniority allows people to keep their dignity; it frees them from unreasonable demands; it permits them to speak up when mistreated; it allows them to grieve when deprived of their rights. Why do we push so hard for seniority? Because, in a workplace, if you don't have seniority, you have nothing!"

In the meantime, for those of you who think the employer gives you the wages and benefits out of the goodness of their heart, remember, it is because of the hard work, bargaining and solidarity of union members that we have been able to gain and keep these benefits. If you disagree, you only have to look to the community to see what other non-union workers have for working conditions and benefits; you will see a big difference. The Union **IS** your ally!

In the next edition – The CWA Triangle and how it benefits us as union employees.

Question for the Expert:

Please explain **seniority** and why it is important for my employer and me.

Response:

In general, the success and viability of any business is based on 3 principles: a positive or increasing cash flow, profit, and longevity. We all know too much about the almighty dollar and its impact on business, but what about longevity? Longevity in business means the length of time a company remains viable in the marketplace. Successful companies should always honor the length of service (longevity) of their workforce. Why? Because, loyal workers are the backbone to a company's success and future success. Loyal, hard-working individuals in the healthcare organizations sacrifice their blood, sweat, and tears on a daily basis in order to make the organization successful in providing good patient care to our communities.

CWA 1168 values the loyalty and longevity workers give to their employers throughout Western New York. We call it "Seniority". Seniority is so important to all of us that we write it into our collective bargaining agreements. We the members of CWA as a "collective union of workers" value the time, work, and loyalty we have invested and given to the organizations we work for. In return, we (and for that matter workers universally) simply want their loyalty and longevity with the company valued and honored.

As a result, the benefits of seniority are spelled out in our collective bargaining agreements in various ways. In general, as an employee's seniority grows, he or she accrues certain rights and privileges. Formal seniority policies in union contracts give preference to an employee's seniority in areas such as promotion, transfer, shift assignment, layoff, recall, vacation accrual, and scheduling. A union contract protects these rights for you. Without a contract, your seniority may not be honored or valued. And don't we all want to be honored and valued for the hard work we do?

Need answers to other questions about your union? Submit questions via US mail, e - mail or by phone. We will get those answers to you and you may even find them here in **Stat!** (See page 2 for office contact information).

Visit us on the Web

www.cwa1168.org

Official Website -

- Contracts
- Updates
- Steward List
- Contact Information
- Calendar of Events



Facebook - CWA Local 1168

Social Network -

- Events
- Chats
- Network with Friends
- Mobilization
- Link to other Organizations

**STAY OFF FB AT WORK!
& DON'T DISCUSS
WORK ON FB!**

What's Happening Around the Local

St. Joseph Campus Update

By Elaine Lopez, RN, AVP SJH

In recent months, St. Joe's business has declined. With the economy the way it is and unemployment rates up, there are a decrease number of people that have healthcare benefits today. The problem is, it is causing a domino effect; and as a health care facility, we are feeling it. People are choosing not to have elective surgeries or are not seeking medical attention until they are so severely ill they have no choice but to come to the hospital. This in turn has caused a decline in census and in the volume of work for the employees. Every department in the hospital is feeling the effects of the decreased census and downsizing is becoming a regular occurrence.

Employees have used more downsizing hours over the last several months than I have seen in my last 24 years of service. Whether the downsizing was mandated or voluntary, many employees exhausted all of their PTO and continue to take time off even without pay.

Without Pay? How is this possible? The RN contract downsizing article is different than the service contract. Whether an RN volunteers or is mandated off, the hours count towards their maximum total hours required for the year. When a service unit worker volunteers off, it does not count towards the total maximum mandatory hours. The service unit member has to be mandated in order to reach their total maximum hours for the year. So, for all the service employees who graciously volunteered to downsize during the past couple of months when it was slow and exhausted their PTO time, they are now being mandated off and in turn are losing pay. In the event you are asked by the employer to downsize, ask the manager/supervisor calling "Are you mandating me to downsize?" so you get credit for the hours towards your yearly total. Also,

keep track of your mandated versus your voluntary downsizing time.

Regardless of job title or salary, losing a day or two of pay can have a great financial impact. Employees who are losing time and money may be eligible for partial unemployment benefits through the **Shared Work Program** in New York State.

"Shared Work is a program that allows you to collect partial unemployment benefits if your hours and wages have been reduced by 20% to 60%, and your employer has been approved by the Department of Labor to participate in this program."

Visit the *New York State Department of Labor Unemployment Insurance* web site for more information and eligibility requirements at www.labor.state.ny.ui/ui_index.shtml or call the Union Office for assistance. Hopefully business will pick up with the winter months and flu season upon us.

The Service Unit contract was reviewed by the Union and Catholic Health and sent to the printer. Contracts will be distributed at the site as soon as they become available. Look for more information to follow.



Call the Office

- **For ANY Questions**
- **Change of Address**
- **Phone Number**
- **Name Change**
- **To Join a Committee**

(716) 816 - 1168

Stat!

Health and Safety

By Dana McCarthy, MS Director

Grievance Settlement - Unum

In the early months of 2010 a member called to question if Unum, Kaleida's third party NYS Disability Insurance Administrator, could use a new medical information release form. After further investigation, it was determined that the proposed form allows Unum and their subsidiaries access to not only information germane to the disability but to all personal health information including HIV, psychiatric, and substance abuse records.

The Local is strongly opposed to this carte blanche release of anyone's medical records. First of all, members are being disciplined for any slight violation of HIPPA. Secondly, having us divulge everything in our lives' history is just not right and has no bearing to a claim. Furthermore, Unum sells short and long term disability insurance to our members. This practice would clearly give them open access to a claimant's medical history, enhancing their ability to deny benefits from purchased policies.

The Union grieved the practice of Unum mandating the use of this medical release form. A settlement was reached between the Union and the employer after the 2nd step of the grievance procedure. According to the agreement, Unum will still send its release form in its packet of forms to apply for disability. The instructions in the packet will clearly state that if the individual disagrees with opening their entire medical history to Unum that they, Unum, will accept NYS Dept. of Health DOH-2557, Release of Medical Information form, which is on the DOH website and on Kaleidascope. We feel this is a fair option and hope the membership feels the same way. Call the Union Office for assistance if you have questions regarding Unum or a claim.

President's Column cont'd

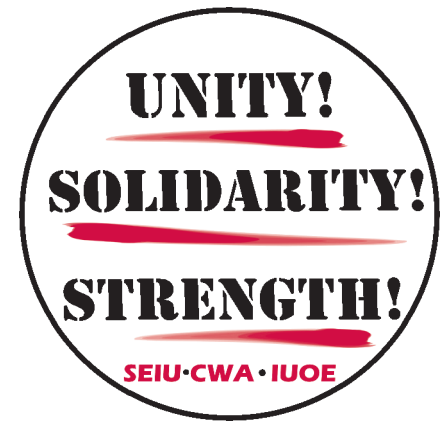
(Continued from page 2)

I also want to focus on how to balance being a union member and health care worker. You can do both and many have. In early October we lost a valuable member of our union family, Ron Wattie. Ron was a Chief Steward for the BGH TCC Bargaining Unit. He died after being hit by a school bus while on his way to work. Ron's sudden loss was very hard on those who knew and worked with him both in the dialysis department at BGH and the Union Office. He was the epitome of that balance; he was a great co-worker, as well as a great union rep. He was a hard worker, respected by his co-workers, managers, patients and by all of us at the Union Office. As a chief steward and union member, Ron had an understanding for what "standing together for the common good" meant. He fought for the rights of all members, not just for what benefited him. He did what was asked, especially if it would help others. Ron did not yell or raise his voice to make a point; he just told you like it was.

I wanted to talk about Ron after the above discussion, because he often expressed his frustration with the lack of interest from the members. Ron would talk with me at length about not understanding why members were so disinterested in union issues that affected them daily. He could not understand the apathy many had for their union or their job. He often reminded people that the union was not the elected people in the office, but you the member. Talking to Ron's wife Christine after his death, I realized that Ron was proud to be part of this union, of his role as a chief steward and of his work at BGH. He struck the perfect balance; he knew that being a strong union member and respected worker complimented each other. He also knew to never take either for granted. It is a lesson that we all need to learn from Ron. Think about Ron and your union family when you consider your role as a union health care worker, especially as we move forward with bargaining.

The bargaining committees from each of the unions at Kaleida have started caucusing for the upcoming negotiations with the employer. CWA, SEIU and IUOE realize that it is in the best interest of all the Kaleida union members to bargain together. We will stand together as one work force and one voice with the employer. Whether Kaleida allows us to sit at the table together, is a moot point, for the voice will be one from a unified front. Be prepared for a tough fight. Show the employer we are indeed a "United Work Force"; support each other, support the committees and support your union. Show your support, be a proud union member and don't forget ...

Wear Red on Thursdays!



Did you Get Your Solidarity PIN?

3 Unions -1 Voice

Wear your pin EVERYDAY!

Get caught...you could win a prize!

Angels cont'd

(Continued from page 1)

a very active member of the CSC. He participated in the monthly planning meetings, gathered and delivered donations for causes and was the committee's "all around work horse." His efforts for the United Way Day of Caring will be sorely missed. There was no job too dirty or too difficult; Ron stepped up and worked nonstop until the tasks were complete.

Ron's charity was not limited to the Union Office or work. He was an active member of the Highland Hose Volunteer Fire Company. The donations collected in the fundraiser will be presented to the fire company in Ron Wattie's memory to purchase new safety equipment. The fire company feels the loss of this angel who donated so much of his time and energy to a program he believed so passionately in; just as we at CWA 1168 and Kaleida Health cannot fill the void from his loss.

The Local continues to collect cash donations in his honor. A collaborative fundraiser is being planned with Kaleida Health to support the Highland Hose Fire Company for Friday, February 18, 2011. A 50/50 split, bake sale and Chinese theme basket raffle are planned for BGH. A pass the BOOT will occur at the other Kaleida sites as

well. Please consider supporting this fundraiser in memory of one of "our angels". Call the office if you would like to make a cash donation or participate in the fundraiser.

There are many great causes supported by angels all around us. Take a survey of your own thoughts this post holiday season and GIVE BACK! Notify the Union Office if you would like to join the Community Service Committee or if you know of a cause that is in need of our support. We have some of the best "Chinese Auction Gift Basket Makers" in all of WNY.

Call (716) 816-1168 for information.

Please consider supporting a charitable organization:

United Way of Buffalo
United Way of Niagara County
Food Bank of Western New York
Buffalo City Mission
The Benedict House
Habitat for Humanity
Special Olympics
Making Strides/Breast Cancer
USO – Support for Our Troops
And many more.....

**Thank you for all you do,
each and every day!**



CWA Local 1168

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It Could Happen to You Too!

An Interview with Shari Johnston, CWA BGH TCC Member and former Wettlaufer Eye Clinic Employee

How did the clinic closing affect you and other CWA members?

I wasn't fully aware of what Kaleida Administration could do if they decided to target your work area for closing and downsize the CWA worker. I found the process very disappointing. First off, it is very demeaning when the staff from a department that sees 6,000 patients a year is given no information or input when administration decides to close the clinic. But what made matters even worse, was the realization of how divided we are as Union members. I was very upset to find that after 26 years of dedicated service, I had two options with the closing of the Wettlaufer Eye Clinic; either bump someone else or be laid off.

I tried to bid on open jobs in Kaleida only to find that the SEIU union had many of the clerical jobs at BGH and these jobs were unavailable to CWA members. We as CWA members are further divided into site specific bargaining units at BGH, DeGraff and Millard Fillmore. Historically clinic employees have many years of seniority. As

Kaleida targets and closes more clinics, these high senior employees are left with very limited options under the current contract language. If and when there are open jobs on the bid board, they may not be options for the displaced employees because the jobs are both site specific and union specific. Ultimately, we end up bumping each other into the unemployment line even with vacant jobs available. This is unfair to employees after they have dedicated so many years working for the employer.

What would you like to see happen in the future?

I feel we need to change how departmental closures are handled within Kaleida under the current contract language. We need bidding rights throughout all of the CWA bargaining units and the right to any open jobs we qualify for. We should not have to bump into the unemployment line.

We need to unite this union under one bargaining unit. If we don't, how are we ever going to integrate Gates and Buffalo General?

Editors Note: Sounds like "Seniority means everything!"