



UE LOCAL 170 NEWSLETTER

WEST VIRGINIA PUBLIC WORKERS UNION
July 2011

UE Local 170 Members Step Up Activities to Build Union, Advance Legislative Priorities and Defend Workers' Rights and Jobs

UE Local 170 rank-and-file members from across the state have been very active over the past year, building our union, advancing our legislative priorities and defending workers rights and jobs. From our fight to defend state information technology workers' jobs from being outsourced to our big organizing blitz last summer, our members have continued their activities this year, advancing our legislative priorities at the Capitol and defending workers' rights - marching and rallying across the state this spring.



UE Young Activists lead UE members and supporters to Gov. Joe Manchin's office during the UE Organizing Blitz.

With public workers' rights and jobs under attack across our country, UE Local 170 rank-and-file members have been on the front lines of the fight-back, defending workers' rights and jobs across West Virginia. Our militant, rank-and-file, members-run unionism is the model that other unions need to look to if they are going to be able beat back these new attacks. As our members have shown over the past year(s), an organized, mobilized, rank-and-file membership can win victories even in a state like West Virginia, where public workers are denied collective bargaining rights.

In the coming months, UE Local 170 members will continue to fight the good fight, mobilizing collectively at our workplaces to improve our working conditions and defend our rights; rallying and marching in defense of workers' rights and jobs; meeting with our legislators to advance our legislative priorities; standing up to have our voices heard by the gubernatorial candidates; and most importantly, building our union in our workplaces across West Virginia.



UE Local 170 members rally with hundreds of other union members in support of public workers at the Capitol.



UE Local 170 members and supporters rally under the "Gold Dome" of the Capitol during our Presidents' Day Rally.



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UE Local 170 Members Mobilize to Advance Our Legislative Priorities, Including the First Pay Increase in Over Two Years

UE-style independent political action involves educating, organizing and mobilizing our rank-and-file members to fight for their political interests. Over the past year, UE Local 170 members across West Virginia organized numerous meetings with their legislators to discuss their workplace problems and advance our legislative priorities, which culminated in our fifth annual Presidents' Day Rally in Charleston, where over one hundred Local 170 members and supporters rallied under the "Gold Dome" of the Capitol. Rally participants wore red bandanas, symbol of the West Virginia miners' insurrection of 1921, as a sign of solidarity with Wisconsin public workers.



Lakin Chapter members rally under the "Gold Dome" at our Presidents' Day Rally.

As a result of our rank-and-file members' political action, UE Local 170 was able to get over a dozen bills introduced with multiple sponsors during this past year's legislative session, including several pay increase bills, and bills for seniority protection for state workers, WV OSHA reform, caseload standards for DHHR program areas, repeal of involuntary transfers, and compensation for DHHR employees for personal property loss at work. While we fought for a larger cost-of-living wage increase, we were able to help win the first pay increase for state workers in over two years. We were also successful in finally getting the legislature to begin to address funding WV OSHA for the first time in its 25-year history. In the coming months, UE Local 170 will continue to fight to advance our legislative priorities which were not passed this year, including improved wages for public workers.



DHHR Chapter members meeting with Delegate Bobbie Hatfield.



Capitol Chapter members meeting with Delegate Nancy Peoples Guthrie.



DOH 2 Chapter members meeting with Senator Douglas Facemire and Delegate Peggy Smith.



New UE Local 170 Statewide Officers Sworn in At Annual State Convention

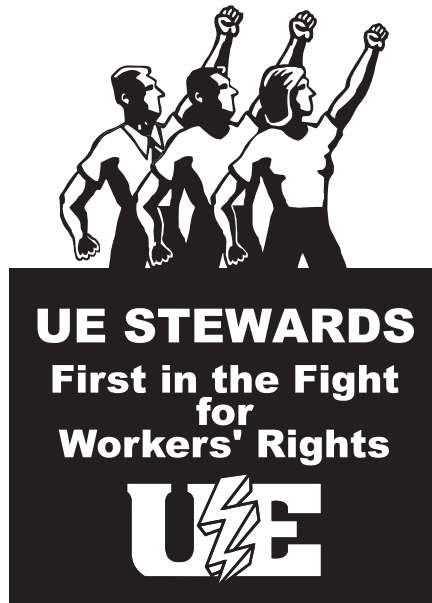
UE National President John Hovis swears in newly elected Local 170 Statewide Officers and Trustees at the annual UE Local 170 State Convention last Fall. Pictured front row left to right is Chuck Walker, Secretary-Treasurer; Ernie Chafin, President; Jennifer Ayers, Vice-President; Cathy Miller, Recording Secretary; Judy Warner, Trustee; back row left to right is Chris Wolford, Trustee; Greg Carrol, Trustee; Jeff Watson, Chief Steward.

Steward Council News

UE Stewards are the “backbone” of rank-and-file, members-run unionism, and are “first in the fight to defend workers’ rights.” These aren’t just nice slogans. They go to the heart of how UE is different from most other unions. UE Stewards not only defend our members at their workplaces, they also build our union, organizing new members; and just as important, they keep our members informed and involved in our union. A UE Steward is also the official representative of our union at their workplace.

In a local union like Local 170, which has members in over 130 different workplaces in over 30 counties across the length and breadth of West Virginia, building a well-functioning shop steward system is a vital necessity if we are going to continue building rank-and-file, members-run unionism.

From the first days when our National Union started assisting our members in building Local 170, recruiting and training members to be stewards has been a priority. Over the past years, our National Union’s Education Department



has been providing leadership trainings for our members at their workplaces or at nearby locations. To date, more than one hundred Local 170 members have taken these leadership training classes. In addition, Local 170’s Stewards Council has provided regional stewards’ trainings. In the coming months, our National Union and Local 170 will be offering additional leadership and stewards’ trainings. If you are interested in becoming a steward in your workplace and want to take a leadership or steward training class, contact the Local 170 office.

Grievance Update

During the first months of 2011, Level 3 decisions issued by the West Virginia Public Employees Grievance Board in full or in partial ruled in favor of Grievants only 20% of the time. Despite the overall 20% win rate for all Grievants in West Virginia, here are some important favorable UE Local 170 grievance decisions in recent months:

Promotion of a less-senior employee based on favoritism. Three highway members prevailed at a Level 1 hearing by proving that the employee promoted was not selected for any defensible reason.

Suspension of a chief steward overturned. After the West Virginia Division of Highways relied on a purely speculative basis to single out a union steward for an accident during snow removal and ice season (SRIC) during a severe winter, it was proved that no other drivers involved in accidents were subjected to disciplinary action, an indication that the agency was engaged in retaliation for the stewards union activities on behalf of fellow workers.

Termination of hospital nursing assistant overturned. A state nursing home was found to have wrongly fired a certified nursing assistant based on an allegation having to do with a minor charge off of work time occurring in another state. The draconian disciplinary action was found to have no justification in either law or policy.

Termination of a mental health worker overturned. An employee was fired based solely on hearsay allegations from a single witness who was in no possible position to have credibly witnessed any supposed wrongdoing, and which no other witnesses present saw or heard occur.

Probationary worker’s termination overturned. Thanks to the concerted action of members in a DOH garage, a probationary employee’s job was restored with all back pay and benefits. Solidarity works!

Right to demand representation upheld. A public worker fired for insisting on her right to have a union steward present in a meeting with managers had her job restored along with all benefits.

Illegal drug test defeated. A hospital employee told she was fired for refusing a drug test where no cause existed was told that her job was now safe.

West Virginia Gets Blitzed!

In one of the most successful UE organizing campaigns among public workers in recent years, UE Local 170 members and other UE members from locals across the country signed up over 130 new members late last August during a four day organizing blitz across West Virginia. An additional seventy new members signed up immediately after the blitz because of the contact they had with UE members during the blitz.

Dozens of rank-and-file UE members from West Virginia, Virginia, North Carolina, Pennsylvania, Connecticut and Wisconsin spent four days fanning out across West Virginia, visiting over a dozen state workplaces in seven different counties. A half-dozen UE young activists provided much needed energy throughout the blitz. Our National Union and the UE Eastern Region provided invaluable assistance in making the blitz a great success.

But ultimately it was our rank-and-file members who contributed their time, energy and skills, which made the blitz a success. In addition to the nearly two hundred members who joined our union as a result of the blitz, our members spoke with thousands of state workers and passed out thousands of pieces of literature about our union over the four days.

One of the highlights of the blitz was a rally at the Capitol and march to Governor Joe Manchin's office, demanding that he put a halt to the outsourcing of hundreds of state information technology workers' jobs. Led by a delegation of UE Young Activists, marching behind a UE Local 170 banner, dozens of UE members and supporters crowded into Governor Manchin's office, singing "Solidarity Forever" and "Which Side Are You On (Joe)" until

a spokesperson for the Governor met to hear our concerns over the IT outsourcing scheme.



UE rank-and-file members from PA, NC, WV and VA demonstrate their hotdog grilling skills.



UE members let Gov. Manchin's spokesperson know how they feel about the IT outsourcing scheme.



UE members greet a Culture Center employee.



Sharpe Hospital employees talk about the merits of joining the union.

UE Local 170 and State Information Technology Workers Beat Back IT Outsourcing Scheme – Saving Hundreds of State IT Workers’ Jobs

When one of our members, an information technology worker at the Division of Labor, got wind last June that the Office of Technology was planning on outsourcing hundreds of state IT workers’ jobs, the first thing that he did was pick up the phone to call the union to see what could be done to stop the outsourcing.

Within days an organizing committee meeting was held at the union hall to put together a strategy to stop the IT outsourcing. The strategy called for organizing more state IT workers into our union and mobilizing them to lobby the WV Legislature; informing the public of the potential pitfalls and costs of outsourcing; and mounting a legal challenge to stop the outsourcing.



State IT workers and their supporters rally against the IT outsourcing scheme outside of Building 5.

Nearly one hundred state IT workers and their supporters rallied outside Building 5 at the Capitol Complex in early July, receiving great news coverage. Over the coming months, state IT workers lobbied the legislature during the monthly legislative interim meetings. The state IT workers also attended legislative committee meetings, especially the Joint Committee on Technology.

The state IT workers fight against the outsourcing of their jobs generated a lot of local and national news coverage. “West Virginia IT Pros Mount First US Resistance to Outsourcing” was a headline in The Huffington Post, a national online news journal.

In the meantime, UE Local 170 went to circuit court to prevent the Office of Technology from pursuing the IT outsourcing until it had provided the legislature with reports that it was required to provide the legislature under the



Office of Technology employee Carolyn Saul speaks out against the IT outsourcing scheme at a rally at the Capitol during the UE Organizing Blitz.

statue which created the Office of Technology - but had never provided to the legislature.

The state IT workers’ lobbying efforts paid off in September when the Joint Committee on Technology and the Joint Commission for Economic Development sponsored a public hearing in the House Chamber on the IT outsourcing, where Kyle Schafer, Office of Technology’s Chief Technology Officer, came under sharp attack for pursuing the IT outsourcing, which many believed was rigged in favor of IBM.



State IT workers from Office of Technology, DOT and Division of Labor outside of the House Chamber after attending the public hearing.

As a result of the public hearing and the state IT workers lobbying efforts, the two interim committees requested a legislative audit of the IT outsourcing scheme and its potential impact on the state IT workers. A legislative audit report is expected sometime during the 2011 legislative interim meetings. In the meantime, the IT outsourcing has been put on hold - indefinitely.

West Virginia Goes to Washington: UE Local 170 at the UE Political Action Conference

For more than three days last September, rank-and-file, WV Public Workers Union members had the opportunity to represent UE Local 170 on Capitol Hill. Along with 100 UE members from across the nation, our WV delegation included DOH 2 Chapter President, Frank Tate; Capitol Chapter Recording Secretary, Cathy Miller; along with UE National Field Organizer, Karen Hardin and Local 170 office secretary, Krista Scott.

Our busy schedule included briefings on labor issues, a protest rally at a major US bank, meetings with progressive Democrats, and visits to congressional offices. Based in part on priorities set by delegates at the 2009 UE Convention, members were briefed on four major issues facing working people in the United States today, which included the jobs emergency, defending Social Security and Medicare, restoring workers' right to organize and healthcare reform.



Krista Scott, Cathy Miller, Frank Tate and UE National President John Hovis (far right) meet with Senator Rockefeller's Legislative Assistant Greg Buzzard.

Delegates traveled to Capitol Hill to House and Senate office buildings and met with representatives for Congresswoman Shelley Moore Capito, Senator Carte Goodwin, Senator John D. Rockefeller IV and Congressman Nick Joe Rahall, II. In each office our concerns on jobs, including emergency jobs legislation—with funding for massive rebuilding of infrastructure and aid to state and local government—to create millions of jobs; opposition to all attempts to cut or weaken Social Security, including efforts to raise the retirement age to 70; collective bargaining for West Virginia public workers; and the defense and improvement of the recently passed Healthcare legislation including adding price controls, were expressed. At each office we left a questionnaire in hopes our elected officials would answer our concerns and return them to us.

The highlight of the conference happened on Monday, September 20, when all members rode the Metro to downtown Washington D.C. for a midday protest rally on the street in front of the headquarters for Morgan Stanley. Our target was Erskine Bowles, who serves on their board of directors and was appointed by President Obama to co-chair the “National Commission on Fiscal Responsibility and Reform,” nicknamed the “Catfood Commission.” Our theme was, “Hands off Social Security and Medicare.” The protest was joined by other allied groups such as, The National Organization for Women (NOW), Labor for Single Payer, Strengthen Social Security Coalition, Coalition of Labor Union Women (CLUW), and Jobs with Justice.



Cathy Miller and Frank Tate (on the right with flag) march in front of Morgan Stanley.

This conference united UE members with the theme: justice for all working people. UE Local 170 will continue to be as strong as its members and events like this political action conference bind all workers together in solidarity. UE Local 170 extends appreciation to National Staff and a special thank you to UE Field Organizer Karen Hardin for a successful conference. - **Cathy Miller, UE Local 170 Recording Secretary.**

Stand Up for Collective Bargaining Rights for West Virginia Public Workers!

The right to be able to collectively bargain with our employers is a human right, protected by international law, according to the International Labor Organization (ILO), a section of the United Nations. As a result of a complaint filed by UE Local 150, the Public Workers Union North Carolina, the ILO held that the State of North Carolina and the United States was in violation of international law by refusing to allow public workers the right to collectively bargaining.

Public workers in West Virginia and Virginia are also disenfranchised by being denied the right to collectively bargain. These laws are a vestige of the era of slavery and indentured servitude, when workers had no rights other than those given to them by their masters. We, the members of UE Local 170, the Public Workers Union of West Virginia, reject this degrading relationship.

The West Virginia House of Delegates has issued a proclamation in support of the public workers in Wisconsin to their right to collectively bargain. The unity, solidarity and militancy of the Wisconsin workers



have been an inspiration to us all. The Democratic candidates in the current campaign for West Virginia governor have been supportive in both words and actions of the Wisconsin public workers. We, the members of UE Local 170, the West Virginia Public Workers Union, now call on the candidates for Governor of West Virginia to announce their positions:

Do you support the right of public workers in West Virginia to collectively bargain?

Will the right of public workers in West Virginia to collectively bargain be a legislative priority under your administration?

The current attack on public sector workers is an attack on the strongest segment of the labor movement. As such it is an attack on all of the labor movement. It is the spearhead of this

war on the working class that we must fight or we will perish. UE Local 170, the Public Workers Union of West Virginia, calls on all of our brothers and sisters across the Mountain State, to demand dignity and respect for West Virginia's public workers. - **Ray Greenwood, DHHR Chapter President.**

UE Public Employees Conference

In early April, more than a half-a-dozen UE Local 170 members attended the UE Public Employees Conference in Pittsburgh, PA. The conference brought together more than 40 UE members from UE public-sector locals from across our country for four days to share information and discuss ways of defending public workers' jobs and rights. The UE Local 170 members participated in conference workshops and marched and rallied in downtown Pittsburgh with hundreds of other union members in defense of public workers jobs and rights. A news article on the conference was in the May 2011 UE News. Local 170 members who attended the conference included Ernie Chafin, UE Local 170 President; Cathy Miller, UE Local 170 Recording Secretary; Ray Greenwood, DHHR Chapter President; Steve Thompson, Capitol Chapter President; Teresa Conley, DOH 2 Chapter Recording Secretary; Nola Lilly, Statewide Hospital Chapter Chief Steward; and rank-and-file members Jack Bostic and Jeri Hunt.



UE Local 170 member Nola Lilly (on the left) "arrests" Wisconsin Governor Scott Walker during the April 4th march and rally in downtown Pittsburgh.

UE Local 170 Calendar of Events

- July 7** DOH 2 Chapter Membership Meeting
4:30 p.m. - Clarksburg Public Library
- July 16** DHHR Chapter Annual Statewide Membership Meeting
12 p.m. - UE Local 170 Union Hall
- July 19** Capitol Chapter Membership Meeting
5:30 p.m. - UE Local 170 Union Hall
- July 20** Lakin Hospital Chapter Membership Meeting
Meeting location and time: TBA
- July 21** Parkway-DOH Chapter Membership Meeting
5 p.m. - Beckley Travel Plaza
- June 23** Statewide Hospital Chapter Membership Meeting
12 p.m. - Pricetown Fire Hall
- June 23** UE Local 170 Steward Council Training
2 p.m. - Pricetown Fire Hall
- July 28** UE Local 170 Executive Committee Meeting
6:30 p.m. - UE Local 170 Union Hall
- August 6** UE Local 170 Annual Statewide Membership Convention
11 a.m. - 2 p.m. - Columbia Gas Bldg., Charleston
- Sept. 25 -28** UE National Convention - Pittsburgh, PA

