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THE OFFICIAL NEWSLETTER OF USW LOCAL 9265

SPRING/SUMMER 2014



We want to remind PEF President Susan Kent that her staff has been waiting for three years for a new contract. Like other workers in New York State, we want a fair contract with no givebacks.

PRESIDENT'S REPORT

BOB BECKWITH



BECKWITH

These are not good times to be working for PEF. Most of PEF's unionized staff have little trust or confidence in the Kent administration.

Contract Negotiations

USW Local 9265 has been in contract negotiations with PEF for almost three years. After a year and a half in office, the Kent administration finally moved away from their divide and conquer attempt to take away our contractual Travel Allowance compensation from one-third of our membership. Once this occurred we believed the door was finally opened for us to get our contract settled. What remained on the table appeared to be issues that could be resolved with some good faith give-and-take bargaining.

Unfortunately, we have learned since that PEF is only interested in the "take" part of bargaining.

PEF appears to believe that USW Local 9265 members will want their contract team to cave in on everything that PEF wants because PEF has a July 1, 2014 two percent raise on the table. This is, of course, after three years of zero percent raises. No, PEF, we are not going to give away benefits and beg you for the 0,0,0,2 compensation package that your administration fought against to get elected. We are not going to give into demands that we believe are harmful to our members. We also expect PEF to show USW some respect by agreeing to some of

what we are asking for at the table. That is why it's called negotiation.

From the beginning, the Kent Administration has been doing what it takes to NOT settle our contract.

It has been delay after delay, obstacle after obstacle. For example, PEF is still giving us proposals in conceptual rather than contractual language. That is an effective way to not get the contract done. This contract should not be this difficult to resolve.

Kent Administration

When Susan Kent's administration came into office in August 2012, USW met with her and extended a welcome and a plea for her administration to work to resolve our contract, so that instead of the parties working against each other we could use our energies to work together to fight what the Cuomo administration would throw at PEF members. We also let her know that we would give her administration time to get up to speed to learn and understand what they had to do to help lead PEF. We have been more than fair.

In return, Susan Kent said nice things publicly about her unionized staff, but her actions have not reflected her words. First and foremost her administration's tactics in our contract negotiations have not reflected respect for staff. They have made extensive efforts to demonize the benefits we have fought long and hard for. This is the same employer tactic that the Cuomo administration will use against PEF members in state negotiations next year. They have

also demonstrated little interest in working together to fight attacks on state workers. The Kent administration has expended a lot more energy fighting USW than they have working with USW represented staff and local PEF leaders that are trying to prevent facility closures.

The Kent administration has also attempted to scare USW and its members from engaging in protected union activities by falsely claiming that we engaged in a strike. It didn't work. (See related articles and photos in this newsletter.)

The Kent administration has also attempted to exert control over our members' internal communications like we have never experienced before. One example is that they have acknowledged they access our emails. Another example is that our Trainers and Health and Safety Specialists cannot even send or respond to an email from any PEF Regional Coordinator without it first being screened and approved by management. I am not kidding. This kind of control misdirects energies away from providing services to PEF members in the Regions and smells of politics.

Management by Discipline

In the last 20 months under the Kent administration, USW represented staff have experienced more investigations, interrogations, NODs and grievances than in the prior ten years at PEF. Instead of the Kent administration earning respect from their unionized workers by giving us respect at the bargaining table and in everyday

NYC USW MEMBERS TAKE TO THE STREETS FOR A NEW CONTRACT

On March 24, 2014, a group of USW members staged a protest after work outside the City and State “Above and Beyond” award ceremony where PEF President Susan Kent was one of the night’s honorees. We held signs as guests arrived to the champagne reception that stated “Susan Kent/PEF Award Your Staff A Contract”. Needless to say, Ms. Kent was not pleased to see us raining on her parade. She let USW members know she did not appreciate our action. This did not deter USW from continuing to educate PEF member attendees and others guests of our almost 3 year fight for a contract.

We followed up at the New York City May Day rally where Susan Kent was scheduled to speak. USW members distributed neon orange flyers that stated “Happy May Day. On this workers holiday, we want to remind Susan Kent that her staff has been waiting 3 years for a new contract. Like other workers in New York State, we want a fair contract with no givebacks”. Flyers were distributed to PEF and other union members in attendance at the rally. A USW member personally gave a copy of the flyer to Secretary/Treasurer Carlos Garcia. With a large number of orange flyers visible in the audience, we are certain PEF got the message that we will do whatever necessary to get fair contract.

Another USW member spoke with Vincent Alvarez, Council Chair for the New York City Central Labor Council. He was



briefed about our long struggle for a contract and how we are still waiting for Susan Kent to show the respect her staff rightly deserves. Most union members at the rally were shocked to learn that a union leader would treat her staff so poorly instead of living true to the words of her speech about respecting the rights of ALL workers.

USW members are prepared to follow Susan Kent wherever she appears in the NYC area to remind her of the lack of respect she

displays for PEF staff. PEF negotiations are coming up next year and we ask Ms. Kent how PEF members will perceive her ability to negotiate a good contract for state workers, when her staff has gone years fighting for one.

The labor community in NYC is becoming aware that Ms. Kent is a labor leader who asks her staff for givebacks. How much more embarrassment will it take for Ms. Kent to have her speech about unionism match her actions?

WE CALL IT SOLIDARITY

BY LISA NEWMARK

PEF staff has been working for almost three years without a contract. That's the reason USW invited some members into negotiations on February 5. We were there to present our message, "Show staff the respect we deserve. Fair contract now!" President Bob Beckwith introduced members to the management team and explained what each of us does for PEF. He stressed that we deserve a contract with fair wages and no givebacks in benefits. After Bob Beckwith made his comments in support of USW staff, Dan Steen responded that PEF exists for the benefit of PEF members. He sarcastically added, "Believe it or not, it's not for the benefit of staff." He apparently missed USW's message. We were there to remind management that USW members work to represent and defend the union rights of PEF members. PEF's goal in bargaining should be to give us a model union contract. Instead, PEF defended its demands for givebacks as part of its fiduciary duty to its members. Isn't "fiduciary duty" to shareholders the excuse profitable corporations use to drive down wages and benefits and lay off workers?

In case we didn't understand how far PEF will go to oppose USW's contract campaign, Dan Steen sent Bob Beckwith a March 5, 2014 letter saying that the February 5 "incident" violated the no strike provisions of the PEF-USW contract. He said that USW put each of us present on February

5 at risk of disciplinary action by asking members to interrupt their work without the prior permission of our supervisors. Dan Steen's letter also emphasized that USW needs permission from PEF to use its facilities and equipment. Getting together in conference rooms to have baby showers and Halloween parties, or sell jewelry, cooking utensils, or candy is fine with management, but PEF draws the line when USW members get together to support their bargaining team.

President Beckwith said, "The Kent administration's assertion that USW's concerted activity at our contract negotiations on February 5th violated our no strike clause is absurd. Their claim was no more than an attempt to put a chilling effect on USW members from participating in similar actions in the future. They obviously don't really know their unionized staff. It ended up having the opposite effect."

It is also another example of the gulf between the PR image of the Kent administration and their real actions."

PEF is all about rallying union members to fight for a fair contract, EXCEPT when those members are members of USW Local 9265 and the employer is PEF! PEF has shown their true colors in response to our campaign for a fair contract. Management has torn down our signs, tried to break our unity by restricting our ability to wear USW

clothing, and used the threat of legal action against USW and some of its members.

Look back a few paragraphs at Dan Steen's comments on February 5. Now substitute "Governor Cuomo" for "Dan Steen," "the State of New York" for "PEF," and "taxpayers" for "PEF members" and you just predicted the State's response to PEF's demands when it tries to negotiate its next contract with the State of New York. We can only hope that PEF's message to USW about the need for givebacks is not the message President Kent wants us to rally PEF members around during upcoming contract negotiations for the next PS&T Unit Agreement.



THIS IS NOT A STRIKE – THIS IS SOLIDARITY!

BY GERALDINE STELLA

Greetings Sisters and Brothers!

We are now over 1,000 days in negotiations with PEF. Who could have believed that a labor union such as PEF would be so late in settling an agreement with their own staff? And yet here we are. We have tried to work with PEF, giving them reasonable counters to their proposals. They in turn have rejected almost everything we have put forward. At the last negotiation session PEF said, in essence, that to offer any counter proposals would be a wasted activity. Well I don't call that a wasted activity, I call that NEGOTIATION.

We will continue to work hard at the table AND outside to bring this contract fight to a conclusion. Our members are steadfast in their solidarity! Just take a look at some of the activities we have done in the past few months - and some important questions for the Kent administration.

1/29/14 – USW at PEF SOS Rally



On January 29th, PEF brought in members from around the State to protest the cutting of services done by public employees. USW/PEF staff worked as hard as ever to help make PEF's event a success. At the same time we took the opportunity to show our Union pride, and to remind PEF that they still have not

finished negotiations with the very staff who work so hard on behalf of PEF members.

How can 53,000 PEF members believe the Kent administration will fight hard to take care of them when they can't seem to take care of 120 of their own staff?

2/5/14 – Show Staff Respect – Part 1



At the 2/5/14 negotiations session, 9 USW members held signs saying “Show Staff the Respect We Deserve – Fair Contract Now”. It was at that meeting that The Kent Administration's Chief Negotiator told our Team, and the USW members in the room, that while they may respect staff, the USW/PEF contract was “for the benefit of the PEF members – believe it or not is not for staff”.....WHAAAAT??? A fair contract for staff can do nothing BUT benefit PEF members. We work hard every single day for the PEF members. Having a fair contract in place allows us to concentrate on that work, rather than worrying about what givebacks PEF demands.

How can 53,000 PEF members expect the Kent administration to convince Governor Cuomo that they deserve respect and a fair

contract when they do not respect their own staff enough to give them a contract?

2/20/14 –& 2/21/14 – Downstate Meetings and Michel Routi Retirement



Not an action per se, but we held membership meetings in Long Island and Poughkeepsie to update folks on negotiations and other USW business. We heard excellent feedback on the most recent PEF proposals and ideas for future actions. Everyone expressed their solidarity and steadfast support of USW bargaining positions. A bright surprise came from an unexpected source – Michele Routi. USW members, PEF members and others from the Labor community gathered to honor our wonderful sister, Michele, for her retirement. Each speaker talked about how passionate Michele was in her defense of PEF members and how she could often be found holding one of her famous hand-made signs at PEF rallies. They all spoke about

See Stella continued on page 6

Stella from page 5

the importance of coalitions and how Michele embodied that. Michele then got up and spoke about how important and fulfilling her work had been to her. She then went on to say couldn't have done it without the hard work of her dedicated USW brothers and sisters. She stressed that they deserved respect and turning to PEF Chief Negotiator Dan Steen she began chanting "Get a Contract...get a contract...GET A CONTRACT!"

How can the Kent administration lead 53,000 PEF members in coalition building when they refuse to build a coalition with their own staff?

2/27/14 – Show Staff the Respect– Part 2



Albany Headquarters staff came out in full force holding signs to send a message to PEF – "Show Staff the Respect We Deserve – Fair Contract Now". This time, staff gathered in the cafeteria area and waited for Negotiations to break. As the USW team came out, members broke into applause. It was amazing for us to hear that! President Beckwith welcomed everyone and thanked them for the inspirational show of solidarity. The crowd, inspired by the story about Michele Routi's speech, began chanting "Get a Contract...get a contract...GET A CONTRACT!" The PEF team, still

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in the conference room, took a looong time to come out....I wonder why? Was the solidarity of staff and our outrage at their lack of respect such a scary thing to see? When they finally come out, they avoided eye contact and fairly sprinted for the stairs. That afternoon they tried to say that they too wanted a contract that would benefit both parties – but they still haven't put words into action.

How can the Kent administration expect 53,000 PEF members to believe they are sincere in their call for union solidarity when they don't want to see solidarity shown by their own staff?

3/24/14 – Follow the (PEF) Leader - NYC action at Kent Award Presentation



USW members decided it was time to show up at key events where PEF President Susan Kent would be. The NYC staff held signs saying "Susan Kent/PEF, Award your Staff a Contract" outside the Above and Beyond awards ceremony where 25 women, including Susan, were being honored for "Being of public and civic mind". Susan tried to avoid them by going through another door, but couldn't get past them. With a curt "Thanks, I really appreciate this!" Susan brushed past her staff. Even if Susan didn't want to engage in a discussion with us about our contract, staff spoke to

many people including PEF members, at the event about our contract fight. Do you know what we'd appreciate, Susan?? A contract!

How can 53,000 PEF members expect the Kent administration to be able to engage the State in real contract talks when they won't even acknowledge their own staff?

3/25/14 – This is not a Strike – This is Solidarity!



Outraged by the letter sent PEF sent to President Beckwith which had a thinly veiled threat to discipline USW members taking part in union activities, characterizing it as a violation of the No Strike clause, USW members at the Albany meeting came up with the action for the 3/25 negotiations. Staff came out in force again, this time holding signs saying "This is not a strike, this is solidarity!" Once again the PEF team took FOREVER to come out of the conference room – perhaps uneasy about having to run the gamut of union members expressing their displeasure with PEF's actions at the table. They made their break for the stairs again – this time we were EVERYWHERE! We lined the cafeteria and reception areas, the stairways and halls, and we even had someone in the elevator! Staff spontaneously sang "Solidarity forever". Again, the PEF team didn't want to make eye contact

President from page 2

interactions, they instead prefer to use fear to get respect.

All NODs issued under the Kent administration have sought termination. They have also targeted employees who are held in high esteem by PEF members and staff by either falsely claiming they don't exhibit the judgment necessary to do the job or by walking them off the job. One day you're a star, and then the next day your professional reputation and career are in jeopardy. It is wrong. In recent investigations, they have pulled a hard drive and demanded private text messages and Facebook pages while fishing for evidence to issue disciplinary charges. This is not only wrong for an employer to do, especially a union employer; it creates emotional, professional and potentially economic havoc for the targeted union worker. It has to stop.

This type of management is a losing proposition for all involved. USW members will stand by each other when these actions occur. We will not allow PEF to pick people off and use bad employer tactics without them being exposed and our members protected from them. The toxic mistrust these tactics create also do not benefit the Kent administration or PEF members.

Demands for Change

- Settle our contract
- Stop using discipline as a weapon
- Treat staff as professionals
- Collaborate, don't dictate
- Keep your politics out of our work

The above demands are not extreme in any way. They are the prescription for good employee relations.

They are the same things we work every day to achieve for PEF

members. We are similar to the PEF professionals in Civil Service titles that we represent. We want respect at the bargaining table and to be allowed to do a good job free of politics and unnecessary interference from management. Can it be done? I hope so. If it does occur, it would not only benefit USW members, it would also benefit the Kent administration and PEF members. If it doesn't occur, all parties lose.

In solidarity,
Bob Beckwith
President, USW Local 9265

Stella continued from page 6
and quickly made their way upstairs.

How can 53,000 PEF members expect the Kent administration to protect them from retaliation for taking part in union activities when they seek to intimidate their own staff into not demonstrating?

What is Next??

There is not enough space in one newsletter to describe all of the actions people take every single day. Members proudly wearing USW pins, standing strong even when PEF counsels or disciplines our people for bogus reasons, and

most of all refusing to accept a contract filled with givebacks from PEF. The Kent administration has constantly criticized the past PEF administration for accepting a contract with givebacks, and yet they fail to admit the hypocrisy of demanding givebacks from their staff. But we all see it, and we will continue to be united. Together we will win a fair contract – and we won't stop until we do!

In Unity,
Geraldine

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Health Benefits News You Can Use

Continuing Coverage for Dependent Students

An unmarried child from 19 to 25 years of age who is a full-time student enrolled in and attending an accredited secondary school, college or university, and who is chiefly dependent on you for support, remains eligible until the earlier of the date on which they turn 25, or the first day of the month following 3 months after the date of graduation. At that point he/she will continue to remain eligible under the terms of the Affordable Care Act (ACA), until reaching the age of 26. All benefits including health, dental and vision continue to age 26.

Which Plan Covers Which Benefit???

Figuring out health benefits can be complicated, and even something as simple as which plan covers which benefit isn't always straightforward. Here are some tips with toll-free phone numbers:

Blue Shield of Northeastern New York (1-888-840-6322)—Covers medical, surgical, hospital, mental health & substance abuse benefits, laboratory, radiology, home health care, physical, occupational & speech therapy, durable medical equipment (including diabetic equipment), immunizations, and dental benefits.

Catamaran (1-800-227-7269)—Covers prescription drugs that bear the legend “Caution: Federal law prohibits dispensing without a prescription.” Certain over-the-counter drugs (Loratadine, Zyrtec, OTC Prilosec and OTC Omeprazole) are covered. Contraceptives, diabetic supplies,

smoking deterrents and compound drugs are also covered.

Davis Vision (1-800-999-5431)—Covers an eye exam and eyeglasses or contact lenses once every 12 months, with no copayment if you use a network provider. If you use a non-network provider, Davis Vision will reimburse 80% of the Usual and Customary Charge for the exam and eyeglasses. Occupational eyewear (an extra pair of eyeglasses) is available to employees only, not dependents.

Additional information is available in the Summary Plan Description (SPD) of the PEF Healthcare Plan, which every member should have received. If you don't have a copy, contact Jackie Primo at x214 or jprimo@pef.org.

Thinking about Retirement?

If you're considering retirement, it's never too soon to start looking into your options for retiree health benefits. Prior to age 65 you can continue your current health benefits by paying the full share of monthly premiums with a combination of unused sick leave, partial offset from the Retiree Premium Fund and, if necessary, cash contributions.

At age 65 you become eligible for Medicare, the federal program that provides health insurance to retirees 65 and over. In addition to “Traditional” Medicare, PEF offers several Medicare Advantage plans through Blue Shield. Three Medicare Advantage plans are available in Blue Shield's region, which includes the following counties: Albany, Columbia, Greene, Fulton, Montgomery, Rensselaer, Schenectady, Saratoga, Warren and Washington.

Two other Medicare Advantage plans are available for counties outside Blue Shield's region that are also available in other states. Jackie Primo has information about both “in-area” and “out-of-area” plans; contact her at x214 or jprimo@pef.org if you're interested in learning more.

Have a Health Benefits Problem?

During contract negotiations the USW/PEF Health Benefits Committee has not been meeting. If you have a problem you're unable to resolve, contact Deborah Stayman at x286 or dstayman@pef.org for assistance.