

IUE-CWA NEWS

THE BOLT

SPRING EDITION 2019

DIVISION NEWS

As Spring approaches and we (hopefully) leave the challenging winter weather behind, our thoughts naturally turn to Summer, time off, and family vacations. I hope that all IUE members around the country take a moment to remember the Union brothers and sisters who fought (and in some cases died) to win benefits like paid vacation time. We cannot take for granted the many benefits we enjoy as a result of the labor union activists who came before us. They were, like us, working people with families who wanted nothing more than to share in the fruits of their labor and be treated with respect on the job. Somewhere, they found the strength to risk their livelihoods and lives to organize and make change. As attacks on organized labor reach levels unprecedented in the past fifty years and as Union membership dwindles in the face of anti-worker laws and judges, it is essential that every union member understand the history of our movement and the importance our fight today might have for the generations who follow us.

As we celebrate our 70th anniversary of the founding of the IUE, you will notice a renewed focus on labor history on our website, Facebook page, and here in the pages of the Bolt. I believe strongly that knowing the history of our movement and understanding where working people would be today *had workers not chosen* to stand together is the key to getting motivated to organize and create the positive change we need in our workplaces and in our country. I hope you enjoy the Union history articles (see below and page 6), and share what you learn with your families and friends. If we don't educate our families and friends about what the Union stands for, then the only voices they will hear will come from the corporate special interests who want to destroy us to increase their profits.

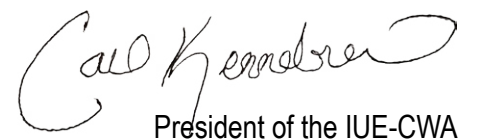
There are opportunities for every member to get involved in strengthening our movement for working people and the middle class. Our Union exists because people cared enough to commit themselves. Reach out to your local officers and let them know you want to get involved.

Another belief I firmly hold is that education is one of the keys to a strong Union, and at IUE HQ we continue to focus on how to best support and educate our stewards and local officers and arm them with the tools they need to carry out the difficult jobs they have taken on. As promised, we are offering newly updated regional steward and bargaining training sessions to make access to education more affordable for locals. I have also instructed my staff to revise and recreate our online learning portal, so that officers and stewards can continue their education from the convenience of their own homes and union halls.

Join me in thanking your local officers and stewards for the time and effort they dedicate to keeping your rights on the job. Join me in thanking your union brothers and sisters at work, who support each other, work hard, and make amazingly creative and unique contributions to the success of your employers. I want to personally thank the local officers and members who have welcomed me to their workplaces and taken the time to show me what they do on the job. I am continually amazed and proud of the work IUE members do.

Let's move forward and make 2019 the year of unity as we focus on the common goals that bind us together. Organize, get involved in your community, and support political candidates whose records clearly show that they support working people.

IUE will continue to strive to improve our service and communication with our Locals and to build alliances in the community which will stand strong with us as we remain a **Force for Working Families!**


President of the IUE-CWA

Celebrating 70 Years of IUE

2019 marks the 70th anniversary of the founding of the IUE, which officially began at the Congress of Industrial Organizations Constitutional Convention in Cleveland Ohio on November 2, 1949. By December 1950, we had elected James B. Carey President of the IUE, we formed a constitution defining our principles, and we dramatically grew in membership. Five years after its founding, the IUE developed into a union with 400,000 members! This remarkably quick success led to us being known as the "Union in a hurry."

Our membership under the leadership of Carey expanded into new sectors and jurisdictions, including workers in the South - historically one of the hardest regions to unionize in the U.S. According to Rutgers, IUE Archives, during this time Carey also started a model of the "corporate campaign," a strategy in which unions settle collective bargaining issues with management by pressuring company stockholders. The IUE went on to negotiate historic collective bargaining agreements with General Electric, Westinghouse, and General Motors. IUE demonstrated the power of solidarity when it joined with five other unions in the 1960s to form the Coordinated Bargaining Committee, which created a united front to tackle collective bargaining issues with GE. The IUE's history of solidarity continued when it merged in 1987 with the United Furniture Workers of America and later with the Communications Workers of America in 2000. IUE today continues to champion the social, political, and economic interests of the working class. Take pride in your union membership and the long legacy of activist that have come before you!



In 2019, IUE-CWA celebrates 70 years of being a Force for Working Families!

WHAT'S INSIDE?

- WHAT PRODUCTS DOES YOUR LOCAL MAKE?
- NATIONAL WOMEN'S MARCH • SPOTLIGHT ON IUE LEADERS • TACKLING (SO CALLED) RIGHT TO WORK
- REGIONAL TRAININGS • UNION MADE EASTER • MOBILIZING "FOR THE PEOPLE ACT!" • FMLA LEAVE RIGHTS • EMPLOYERS MISUSING HIPAA?
- TRUMP'S NAFTA

DEPARTMENTS:

IUE-CWA LEGAL DEPARTMENT ARTICLES
YOUR DIRECTORS' REPORTS
YOUR LOCAL NEWS • SAFETY 4 U • RETIREES NEWS

In Loving Memory of Steve Herring



We lost one of our union brothers, Steve Herring, recently to an on the job accident. Steve was a 24 year veteran of GE's Appliance Park in Louisville, Kentucky. The IUE would like to send our deepest and most sincere condolences to Steve's family. Our hearts go out to all of his union brothers and sisters of Local 761.

Local 761 President Dino "Brown" Driskell said, "Steve always had a smile on his face and a nickname for everyone he came to know."

LOCAL VISITS



President Kennebrew with the executive board of Local 86782 in Tyler, Texas. Our amazing IUE-CWA Members in Tyler make Trane air conditioning units. Despite being in a right to work for us state, this local continues to do strong work on internal organizing. The entire executive board fights everyday to be **IUE-CWA STRONG!**

WE WANT TO HEAR FROM YOU!
WHAT PRODUCTS DOES YOUR LOCAL MEMBERS MAKE?



Every wonder what products our IUE-CWA members make in their shops across the country? From Steinway pianos, to Duramax diesel Engines, to aerosol cans, to military night vision goggles, to kitchen appliances, and military and commercial jet engines - IUE-CWA members make some of the coolest stuff out there! At IUE-CWA Headquarters we are compiling a list of all of the products that are made in our shops. Once we have completed the list, we will be able to publish it on our IUE-CWA website so YOU can help support union-made, American-made products. In addition, through this project we aim to increase business for our IUE employers by creating supply chains among our shops. So for example a shop that is having trouble sourcing a certain part may be able to purchase it from another IUE shop that makes that part. This way we are strengthening the market for union-made and American-made products. The IUE-CWA Products List is being headed up by Special Projects Coordinator, Emily Little. Your local will be contacted by her to find out what's made in your shop. You can also feel free to contact Emily directly at emilylittle@iuecwa.org or by phone at 937-298-9984, extension 238. We are proud to be Union and American made!

• Find the ***HIDDEN* Bolt Contest** •
One winner will receive an **IUE-CWA STANLEY MULTI-TOOL!**

Somewhere in this edition of "The Bolt," we have hidden this small lightning bolt from the IUE-CWA logo. Find the lightning bolt, fill in the form below then mail, fax or email it in, and you will be entered in a drawing to win! Deadline for submissions is 04/15/2019.

Name:

Street Address:

City/State/Zip:

Phone Number (Required):

Page number where you found the bolt:

Describe the story or picture in which you found the bolt:

One entry per person. Must find the *hidden bolt*.
Mail to: Bolt Contest, 2701 Dryden Rd. Dayton, OH 45439
Fax to: 937-298-2636 or Email the information to:
thebolt@iue-cwa.org

Last issue's ***HIDDEN* Bolt WINNERS!!**

These Bolt Detectives received some great prizes.
What are you waiting for? Find the ***HIDDEN* Bolt** and join the fun!

IUE-CWA Stanley Multi-Tool Winner:

Ora Allmond - Hazard, KY

Union-Proud T-shirt:

Sally Roberts - FT Wayne IN

Larry Liebert - Louisville KY • Dale Frauenknecht - Dayton OH

6-in-1 Engraved Screwdriver:

Mary Basham-Memphis TN

Tim Stearsman-Radcliff KY • Becky Ely-New Haven IN



IUE-CWA THE INDUSTRIAL DIVISION
OF THE COMMUNICATIONS WORKERS OF AMERICA

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Director, Region 8

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IUE-CWA IN ACTION!



In January, members of the IUE-CWA National Women's program joined tens of thousands of women in Washington D.C. at the third annual Women's March, bringing attention to social justice issues affecting women. A big thanks to everyone who braved the cold, stormy weather to attend and represent IUE-CWA!

The Woman's program meets in Atlanta in early March to continue their leadership training. A strong women's committee at each local is essential to getting issues of importance to female members in front of the bargaining committees! Women's committees around the IUE-CWA are also doing important work building alliances with community groups and charities. We are so proud of the work our women's committees are doing!

IUE-CWA 2019 Regional Trainings

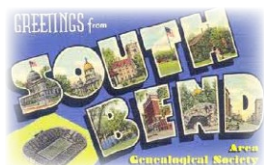
We are pleased to bring training closer to our members, with a series of regional trainings that will focus on Steward skills and Bargaining. Watch your local's IUE-CWA email account and your local's mailbox with details on the trainings. Please visit our website for more information, www.iue-cwa.org.



Memphis, TN
March 8 - 9



St. Mary's, PA
April 5 - 6



South Bend, IN
May 3 - 4



Philadelphia, PA
June 21 - 22

UNION SKILLS. OUTDOOR PASSION. COMMON PURPOSE.



The strength of America's labor movement rises from solidarity based on mutual support, real world craftsmanship and organization. With those three things, mountains can be moved – or bridges built, trails made and parks improved. The Union Sportsmen's Alliance brings together union members who love the outdoors and are willing to volunteer their trade skills to help protect our outdoor heritage for future generations.
Be part of the movement.

JOIN THE UNION SPORTSMEN'S ALLIANCE
WWW.UNIONSPOUTSMEN.ORG

f t i /UNIONSPOUTSMEN



YOUR U.S.A. MEMBERSHIP HAS BEEN PREPAID BY THE IUE-CWA!
ALL YOU NEED TO DO IS ACTIVATE IT!



REGION 3 REPORT

by JOE GIFFI, Director

It's 2019, spring is right around the corner and President Kennebrew has hit the ground running! The words of the day are training, training, training. President Kennebrew has directed the creation of several training classes in different parts of the country to be done prior to our Conference this summer and to be followed up by many more through the end of the year.

We are also on a mission to assist struggling smaller locals to become Fully Functioning Locals as per the CWA Constitution. We are providing training as needed for financial and NLRB requirements. In Locals that are finding it very difficult to comply, we are encouraging and assisting in merging them with larger locals in order to alleviate their problems with compliance so they can concentrate on representing their members. With the CWA directive of hiring one staff person for every two that leave, we continue to have to find ways to service our locals with the staff we have left. Fully Functioning Locals is the only way we will be able to effectively accomplish this until the CWA loosens the hiring reins. That's another reason why training at the local level is so important.

Janus Decision-attack on Public Sector members: There is some good news regarding the all out attack the Alt-Right-Wing and Corporations have taken on Unions, specifically Public Sector currently. This anti-union decision pushed the CWA and all Unions to go out and speak to all members and non-members about who we are and what we do. Long overdo actually! The result has been dramatically great! We have

not lost hardly any Public Sector members in the IUE Division and not nearly close to the projected possibilities in the rest of the CWA. It has actually reinvigorated Union spirit not only in the CWA but around the country. We must keep this momentum going!

Unionism: For the last twenty years Union density has declined not from decertification but from jobs leaving the country or simply closures. Organizing has become more difficult than ever because of the threats by companies and the lack of higher paying blue-collar jobs. But in the last two years there seems to be a change in the sentiment towards Unions. More and more working class Americans are at the breaking point. They have come to realize that things will not get better on their own. Corporate America will not "take care of them". They have no voice by themselves. They are looking to unite and fight for fairness and a living wage. I believe we are on the verge of a great resurgence in Union participation. All signs point to a strong rebuilding of Unionism in the next several years. Your activism is what will make this happen! Get involved, help us organize the unorganized, talk to your relatives and friends about starting/joining a Union, go to Union meetings, and ask your Local Officers how you can help!

Thank you all for supporting the Union and all it stands for!

Fraternally,

Joe



REGION 8 REPORT

by James Winship, Director

We are well into the 2019 calendar year and it's been fast and steady. It looks as though this year will be filled with negotiations around the country the IUE-CWA is committed to getting the best contracts possible for all our members. As President Kennebrew promised, the IUE-CWA will be offering Steward and Bargaining training sessions over the next few months to further assist our Locals. Call letters have been sent out to each Local with the information for training in Memphis Tennessee, and dates for upcoming training in Saint Mary's Pennsylvania, South Bend, Indiana and Philadelphia, Pennsylvania (see page 3 of The Bolt for more information on these important regional trainings).

The Local Stewards and Bargaining Committees should be working hand in hand to maintain and improve the agreements we hold with the Companies where we represent employees. Training classes moving forward are being designed with that in mind. Unions must be working harder and more efficiently as we move forward, Companies, politicians and anti-union groups are actively collaborating to make us part of history and not in a good way. Classes will be

tailored more to specific groups rather than a general overview, with the idea that these groups will be working together toward a common goal.

Local Officers, I am asking you to participate and send your elected Stewards and Committees to these trainings. The IUE-CWA is offering up to \$400.00 to help Locals with cost, take advantage of this offer and educate the members you rely on.

As we promised at the 2018 Division conference, we have moved forward on developing Grievtrac software for our locals. We are currently in the test phase and are working out difficulties in uploading information. Once we are confident that the system is fully operational, we will begin to spin out to more of our locals. This program will assist in record-keeping, arbitration preparation, cross-referencing, and many other important procedures. We hope to roll the program out to more locals in the next few months.

United we bargain Divided we beg.

In Solidarity,

James

SAVE THE DATE

IUE-CWA

CONFERENCE

JULY 28-31, 2019

**Official Call-Out Letters
will go out in early April**

WE NEED YOU!

Send us a paragraph or two on your local's recent membership event or community outreach activities and don't forget to send some quality photos too!

Send stories to: thebolt@iue-cwa.org

IUE-CWA

ONLINE STORE

IUEMERCHANDISE.COM

IUE-CWA has partnered with our friends at American Products to create an IUE Logo Merchandise store.

☞ At IUEMERCHANDISE.com, you can purchase apparel, gifts, and other items with the IUE Logo.

☞ No order is too small or too big for our store to handle!

☞ And the best part is that even if you only order one item, you are getting bulk prices on these American and Union made products!

☞ Support your union brothers and sisters and proudly wear the IUE-CWA logo. Buy logo products for your friends and family.

Visit IUEMERCHANDISE.COM today!

If there are items you would like to see us stock in the store, please don't hesitate to contact Laura Hagan at Lhagan@iue-cwa.org.





Compliance Report

by KEN REAM, Director

SISTERS and BROTHERS – IT'S UNION TIME! It has been a long winter. But, Punxsutawney Phil saw his shadow and that means it's TIME TO FIGHT SOME CORPORATE GREED!

The IRS requires every non-profit organization to file a 990 (or its respective equivalent - 990EZ or 990-N) on or before the 15th day of the 5th month following the end of their fiscal year. That includes all of our Locals. Most of our Locals are also required to file a DOL Form LM 2, 3, or 4, within 90 days of the end of their fiscal year. The fiscal year for most IUE Locals runs from October 1 through September 30 each year. Therefore, for most of our Locals, 990's were due by February 15 and LM reports were due by December 28. If your Local has a different fiscal year, these reports will be due after the end of your Local's fiscal year, accordingly.

I have asked all Locals to send me copies of their completed and submitted LM's, 990's, Yearly Local Audit Reports, and Local Bylaws. Most Locals have done a very good job, and I appreciate it. However, I want to emphasize the importance of this compliance. Willing failure to file or falsification of an LM can lead to fines and/or imprisonment. This obviously can be very serious. Delinquent filings of LM reports can and usually will lead to the Department of Labor coming into your Local and auditing the financial records. This is never a pleasant experience. We have seen a radical increase in these types of audits under the current Trump administration.

Failure or delinquency to file the appropriate form 990 can lead to substantial penalties and fines. Moreover, the IRS has a system that automatically removes any Local's tax-exempt status once that Local's 990's are delinquent over a certain period of time. That means that the Local's Employer Identification Number (EIN) would be revoked and all income (such as dues) would become taxable.

All LM Forms 2, 3, or 4 must be completed, filed and signed electronically on the Internet. Paper forms are not acceptable. The Department of Labor's (DOL) Office of Labor-Management Standards' (OLMS) Electronic Forms System (EFS) can be located on the Internet at: <https://www.dol.gov/olms/regs/compliance/EFS/EFSintro.htm>. Please note that this site has information for: Registering for a password and PIN; Starting a new form; as well as what to do if you lost or forgot your password or PIN.

All Locals must complete either a Form 990, 990EZ or 990-N, according to the financial size of the Local. IRS Forms 990 and 990 EZ can still be done on paper and

mailed in to the IRS. These forms and their relevant instructions can be found on the Internet at: IRS.gov. Once on the IRS homepage, do a search for the relevant form(s). The 990-N (E-postcard) is for Locals whose normal annual income is less than \$50,000. This form can only be completed online, but it is a very simple form to complete and only takes a few minutes.

I know that these forms and their requirements can be very frustrating and confusing. That is especially true since Locals usually only complete them once a year. I also realize that most Local financial officers have to do their Union business in addition to working a full time job and taking care of their families. I greatly appreciate your patience and dedication. I have often said, "A good Local financial officer is worth their weight in gold. If your Local has one, hang on to them!"

Many Locals use outside accountants or bookkeepers to complete their forms for them. If that accountant is competent, their rates reasonable, the Local can afford it, and the membership approves it, then this practice is fine. However, remember, many accountants do not have a lot of experience doing government forms for Unions. Therefore, please carefully review the documents to assure that they are completed and filed timely and correctly.

If your Local has not already done so, please do not forget to send your completed forms to me at IUE Headquarters, 2701 Dryden Road, Dayton, OH, 45439, or email them to me at: IUECompliance@iuecwa.org. If you have any questions or concerns, I can be reached at that same email address.

Speaking of email addresses. The IUE has provided an official email address to each and every IUE Local. That address is: localXXXXX@iuecwa.org (where the "XXXX" represents the Local's 5 digit CWA Local Union #). That email address and its password should be available to every Local's president and financial officer. This is the official way that the IUE, the CWA and I communicate with your Local. I have sent a number of important emails to all of the Locals at their respective email address. Presidents and financial officers, please make sure that you have access to and regularly check your Local's email. If you have any questions about your email access, please contact IUE Headquarters, your staff representative, or me.

I would like to thank all of you - YOU are the ones who make me - Proud to be IUE!

Until next time,
Take Care,

Ken

GE CONFERENCE BOARD REPORT

The run-up to the 2019 GE National Negotiations has begun. No one is expecting this to be an easy bargaining, and having the support of our members on the floor is essential to our success! Wear your IUE-CWA T-shirts and when management asks you how serious you are about your issues, tell them! GE always looks to members on the floor to see how much power is behind the bargaining committee. We are fighting for you--so please fight for us when local management asks! Our bargaining calendar and structure look a bit different this negotiations, and we are working closely and building unity with the other CBC Unions to show GE that we mean business. This will not be bargaining as usual. We have already had one subcommittee meeting and have two more scheduled prior to the kickoff in early June. Your negotiating team, along with President Kennebrew are touring and meeting at various GE sites, listening to our members on the floor and trying to meet as many members as possible to get your inputs. Negotiations this time will

be held in Cincinnati, Ohio, and we hope to have them wrapped up by the third week. Updates will be posted during negotiations on GEWorkersUnited.org.

General Electric continues to sell companies at a record rate. Where the Conference Board once consisted of entirely GE locals, we now have thirteen contracts with different companies that were once owned by GE. We have recently ratified a contract with Wabtec, the new owners of GE Transportation we have started on ABB, who recently purchased GE Industrial solutions. We have already begun working on Lockheed Martin and soon will be starting negotiations with the new owners of current. As you see we have contracts that now range from a few members to thousands of members regardless the size of your local, you will be treated the same and with the same importance as any local will be, please remember our conference board chairman Jim Ledford in your thoughts and prayers

The GE Coordinated Bargaining Committee Meeting



Members of the GE Coordinated Bargaining Committee met recently in Evendale at the UAW-represented aviation facility to show solidarity and discuss demands for the upcoming negotiations with General Electric. Committee Members from all of the CBC Unions are touring represented GE facilities around the country on the run-up to National Negotiations. The 2019 National negotiations kick off on June 2 in Cincinnati, Ohio. Acting Conference board Chairman Jerry Carney will lead the negotiations for IUE-CWA.



2019 IUE-CWA Scholarships are online
Go to IUE-CWA.org to apply today!

SAFETY 4 U

IDENTIFYING HAZARDS

Safety teamwork: Workers get hurt every day due to preventable hazards. That's why your safety committee approach to workplace safety and health needs to begin with identifying hazards.

- Identify, abate, and minimize recognized hazards;
- Encourage suggestions and participation;
- Avoid relying on safety briefings as training- Provide effective education;
- Make safety a value- A value is something outside influences can't change;
- Advocate that working safe is not just a "program," it's a system of doing things;
- Communicate changes in policies, procedures, tooling, chemicals, etc.;
- Set goals and commit to achieving them.

RECOGNIZING OUR MEMBERS AND THEIR JOINT HEALTH AND SAFETY COMMITTEE



Victoria Petsko and Sam Brown
Joint approach to health and safety
Local 766, Gates Corporation, Elizabethtown, KY



- Tyra Williams, Safety Specialist L-755/Tenneco • Clint Osborne, Safety Trainer L-755/Dmax • Jessie Williams, Safety Specialist L-775/Mahle
 - Tom Trease, Safety Representative L-704/GE
 - Shannon Brooks, Safety Trainer L-757 /Formica
 - Mike Wilson, Safety Representative L-707/Momentive

Safety activists team-up; developing a comprehensive health and safety checklist as part of the Union Approach to Health and Safety course. Identifying potential hazards and developing actions to handle them is a vital part of the safety representative, trainer, and specialist.

Jessie Chivers, "The safety rule is your personal tool."

SPOTLIGHT SERIES: IUE LEADERS

James B. Carey served as the first President of IUE, which at that time was known as the IUE-CIO due to our affiliation with the Congress of Industrial Unions. Carey took office officially in December 1950 after a unanimous vote at the IUE's First Constitutional Convention. He was influential in the merging of the AFL and the CIO in 1955 and legendary for his bargaining skills, which secured strong collective bargaining agreements at General Electric, General Motors, and Westinghouse. His dynamism and leadership captured the attention and respect of politicians throughout the country, including John F. Kennedy, Lyndon B. Johnson, and George McGovern. With his connections, he was able to influence domestic labor legislation and policies. Carey cared not only for working people in the United States, but also throughout the world, and he participated in many international labor meetings and assisted in developing the International Confederation of Free Trade Unions. In 1965 Carey resigned from office, but continued to be involved in the labor movement as a labor representative for the United Nations Association until a year before his passing in 1973.



At a recent Energy Treasure Hunt event, we were discussing the location's water usage. Everyone that worked there realized that the plant used a lot of water, but no one knew what the actual total number of gallons a year. When the the people from the plant learned the exact number they were astounded. This started conversations around reducing water consumption. The Team went out and had conversations with people throughout the facility about water usage. Through these conversations we found some ways to reduce usage, but more important, we found that the plant wastewater treatment discharged water to the sewer that was as good as the water that the plant purchases from the city. Additionally, we discovered that there was a way for the plant to hold sufficient amounts of treated water to perform the required daily production machine cleaning. By installing a pumping system and making some PLC programing changes the plant can recycle a portion of their daily water usage and save almost one million gallons a year with a simple pay back of 1.25 years. This project started with a conversation that turned into ideas, then into a valid project, which at the end of the day will help to secure Union Jobs. Let's start the conversations that lead to savings and save jobs. Contact Laura Hagan lhagan@iue-cwa.org (937)298-9984 or Bill Draves bdraves@iue-cwa.org (330)770-0856 to set up a Treasure Hunt and start the conversation today that can make a positive change for your Local's future.

IUE-CWA STRONG

IUE-CWA Strong! Local 86122 Tackles "Right To Work" With New Organizing

Working and living in Texas brings interesting scenarios for any Union shop. While IUE-CWA Local 86122 has always kept a good membership base, there was always a plateau and the Local could never get over a certain hurdle of membership.

After seeing a presentation about CWA Strong at last year's IUE Division Meeting, IUE-CWA Local 86122 President Ernest Flores knew that his membership could be stronger and that was the only way to gain true power. Flores put together some key steps to building a stronger membership: sitting down and reviewing the local's current membership levels; going through the level of support for the union among all employees of the bargaining unit; and finding the core activists. Through these steps Flores was able to develop a crucial strategy inside of the plant.

Working directly with IUE-CWA Staff Representative and CWA Strong Coordinator Richard Shorter, Flores was able to get a stronger narrative for true organizing power. One-on-one conversations blossomed in the shop, and employees began to understand why coming together means everything in a Union shop. The Local took a directive of having meetings outside of the shop for ALL employees of the bargaining unit, where non-members actually sat down and listened to the benefits of the Union and Solidarity!



With the conversations happening inside and outside of the plant, an increase in meetings, and a core component of solidarity, Local 86122 was able to move a membership level that hovered around 65% in 2017 to 75% in the beginning of 2019!

No better time for the Local and the employees of Horton Automatics, because they are now in bargaining stronger than ever! The Company now knows that the Union is coming together and are working towards a more collective voice!

YOUR LOCAL NEWS

Local 301 • Rotterdam, NY



Local 81301 members from left to right: Rob Macherone, Scott Fernandez, Bree Laurella and Beth Schindler, recently volunteered on a Habitat for Humanity build in Rotterdam NY. The work for the day consisted of hanging sheetrock on the ceiling of the home. The IUE-CWA is the main sponsor of the house as part of IUE-CWA's Unions Giving Back Campaign. A good time was had by all for a great cause!

CORRECTION - Local 807 • Jeffersonville, IN

Local 807 added **114** new membership applications. They recently made a hard drive to recruit new members before they did their new 2018-2021 CBA presentation and ratification vote! They were very successful! So proud of the work being done in Jeffersonville by Jammie R. Willen, President IUE-CWA local 84807, and their membership!

Local 807 added a 114 new membership applications (not 14) we apologize for our error in the last issues of The Bolt.

Local 162 • Roanoke, VA

This is the second year Local 82162 (Roanoke Va) teamed up with Hope Tree Family Services to raise toys and bikes for kids in foster care. 27 bikes and a ton of toys were donated by the members of the Local. Pictured left to right: Rob Martin, Jake West (Administrative Chief Steward), Greg Davis, Jay Jackson, Sherry Coley, Dwayne Slough (Vice-President), and Jack Rowland (President).



Local 161 • Salem, VA



Local 82161 (GE Salem Va) member Theresa Rowland Rob Ramsey (Vice President) and Vicky Hurley (President) presenting Local 82162 (Harris Roanoke Va) with a \$600 check to help with the Hope Tree Family Services toy/bike drive. This check put the fund raiser over the top of meeting all the bike needs for the foster kids.

FILL YOUR EASTER BASKETS WITH QUALITY MADE UNION GOODIES!



Hershey Products: Hershey Kisses* • Hershey Syrups • Hershey Milk Chocolate Bar* • Hershey Milk with Almond Bars • Hershey Special Dark Bars • Hershey Nuggets • Rolo • Hershey Kissables • Kit Kat Bars • Carmello Bar • Cadbury Fruit & Nut Bar • Cadbury Roast Almond Bar • Cadbury Royal • Dark Bar • Cadbury Dairy Milk Bar • Jolly Ranchers • Hershey Symphony Bar with Toffee



Necco (New England Confectionery Company): Sweethearts • Mary Jane Peanut Butter Chews • NECCO Wafers/Necco Wafer Smoothies • Sky Bar • Clark Bar • Canada Mints • Candy Cupboard • Thin Mints • NECCO Assorted Junior Wafers • Clark Junior Laydown Bag • Mary Jane Laydown Bag • Haviland • Mallow Cups • Necco Peanut Butter Kisses



Ghirardelli Chocolates: All Filled & Non Filled Squares • Non Pariels • Chocolate chips



Just Born: Peeps • Mike & Ike • Hot Tamales • Peanut Chews • JellyBeans



Gimbals Fine Candies: Jelly Beans • Cherry Hearts • Scotty Dogs

Jelly Belly's Candy Company: Jelly Bellies - also made in a non-union plants in Chicago/Taiwan • Chocolate Dutch Mints • Chocolate Temptations • dimples • Goelitz Confections • Goelitz Gummi • Pet Rat • Pet Tarantula • Sweet Temptations • Candy Corn • Licorice • Malted Milk Balls • Chocolate Coated Nuts, and Sours • Sunkist Fruit Gel Slices

Nestle: Nestle Treasures • Laffy Taffy • Kathryn Beich specialty candy • Baby Ruth* • Butterfinger* • Pearson's Nips • Famous Old Time Candies (gourmet chocolates) • Nestle Crunch Butterfinger Crisp

Pearson's Candy Co.: Salted Nut Roll • Nut Goodie • Mint Patties • Bun Bars

American Licorice: Black & Red Vines • Strawberry Ropes

Anabelles Candy Company: Boston Baked Beans • Jordon Almonds • Rocky Road • U-Nos • Look • Big Hunk • Abba-Zaba • Yogurt Nuts & Fruit

Sconza Candie: Jawbreakers • Chocolate Covered Cherries • Chocolate

Keekler: Chips Deluxe • Pecan Sandies • Cheez-it • Vanilla Wafers

Frito-Lay: Doritos • Rold Gold • Lays Potato Chips

Nabisco: Corn Nuts • Chips Ahoy! • Oreos • Nutter Butter • Vanilla Wafers • Graham Crackers

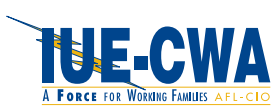
Bachman: Pretzels • Jax Cheese Curls • Keystone Snacks Party Mix • Cheese Curls • Corn Chips

Kraft Snack Products • Horizon Eggs • Durkee Food Coloring • Orville Redenbacher Popcorn • See's Candy • Guittard Chocolate Company *Some products made in Mexico; check the label for country of origin.



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Learn more at unionplus.org



POLITICAL ACTION NEWS

IUE-CWA Members Mobilize around HR1 - "For The People Act"

IUE-CWA members all across the country have been mobilizing their brothers and sisters to contact their Congress Representatives about HR1 the, "For The People Act." This legislation would be beneficial to ALL working class folks. Things in it include:

- Making it easier to vote and making sure all votes count;
- Getting big money out of politics;
- Requiring all political organizations to disclose their large/big moneyed donors;
- Making sure our public officials are working for us, instead of answering to wealthy lobbyists.

If you would like more in depth information, you can check out the CWA website and search for HR1.

Help us make the call today to YOUR Representative!

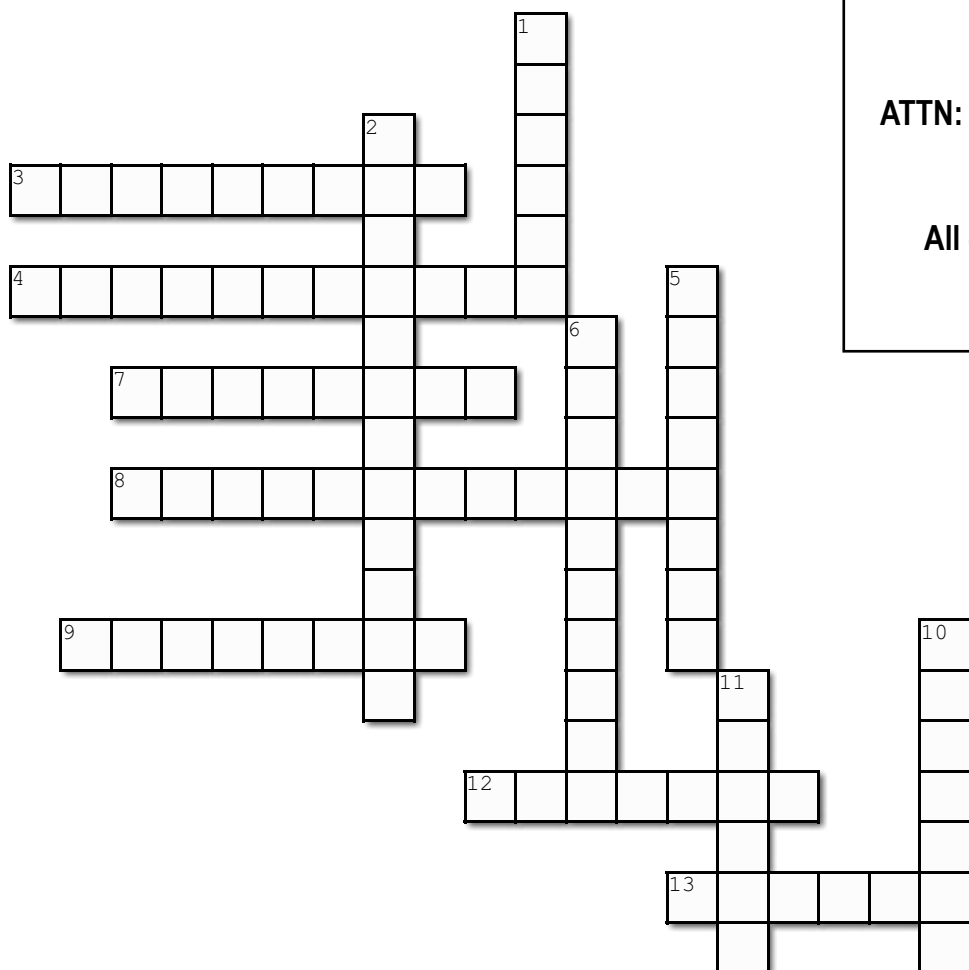
Simply dial 1-888-848-4824 and tell the person that answers the phone: I live in your district and I support HR1 and would like for my representative to as well. This bill will help keep money out of politics and put power back into the hands of the working class!



Name: _____

Labor Union History

Complete the crossword below



Correctly complete this crossword puzzle and clip it and mail it in to:
ATTN: Bolt Contest IUE-CWA 2701 Dryden Road, Dayton, OH 45439
or scan it and email it to: thebolt@iue-cwa.org.
The first 10 we receive will win an IUE-CWA t-shirt!
All entries must contain your full name, full mailing address, phone number, and shirt size. Deadline 3/29/2019.

Across

3. Last name of current IUE-CWA President
4. Process of settling a dispute between management and the union
7. Type of union organizing
8. Anti-labor legislation that started 'right to work' laws
9. The C in AFL-CIO
12. First president of the AFL
13. Other name for National Labor Relations Act of 1935

Down

1. Middle name of IUE President James Carey
2. 156 strike led by IUE in the 1950s against this company
5. State with the most labor union members (all unions)
6. GE's 'take it or leave it' strategy in collective bargaining
10. An official union employee that defends the rights of co-workers
11. Last name of person who named IUE the 'union in a hurry'

IUE-CWA LEGAL

Know Your Rights: Taking FMLA Leave

By Thomas Cochrane, General Counsel

The Family and Medical Leave Act requires covered employers to grant qualified employees up to 12 weeks of unpaid leave per year to care for a child, parent, or spouse with a serious health condition, or for their own serious health condition.

The FMLA and its implementing regulations require an employer to provide written notice to employees requesting leave informing them of their rights and obligations under the law.

IUE-CWA members taking FMLA leave should be sure their employer fulfills this notice requirement.

An employee does not need specifically to request FMLA leave. If the employee asks for time off work and provides enough information for the employer to know the employee is entitled to FMLA leave, it is obligated to offer it to the employee.

If the employee has provided only enough information for the employer to know the employee MIGHT be entitled to leave, the regulations require it to inquire further of the employee to determine their eligibility. 29 CFR § 825.301.

Once the employer has determined an employee is taking leave for an FMLA-qualifying reason, it must notify the employee within five business days (absent extenuating circumstances) that their time off is designated as FMLA leave. 29 CFR § 825.300 (b).

The employer's notice that the leave has been designated as FMLA may be made verbally or in writing, but if verbal it must be confirmed in writing no later than the following payday (unless the payday is less than one week after the oral notice, in which case notice may be provided no later

than the subsequent payday).

In addition to informing the employee their leave will be designated as FMLA, the notice must specify if a medical certification will be required.

A medical certification from the employee's health care provider (e.g. their doctor) confirms that they need leave.

Employees must return the completed certification no more than 15 days after the request, "unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts." 29 CFR § 825.305 (b).

Notice that the regulations say the employer must respond to an employee's leave request within five days, but the employee may take 15 days (or more) to return the medical certification.

This means the employer may NOT wait to designate leave as FMLA until the medical certification is returned; it must designate the leave as FMLA qualifying within five days of the employee's leave request.

If the employer does not have enough information to make a designation, it must make a preliminary designation based only on the information it has received from the employee. The preliminary designation becomes final when the employer receives the medical certification.

If the medical certification does not confirm the employee's need for leave, the employer may withdraw the preliminary designation.

IUE-CWA members with questions about the FMLA should consult their union steward or staff representative.

Public Sector Exclusive Representation Under Attack

By Casey Whitten-Amadon, Staff Attorney

On June 27, 2018, the labor movement was dealt a severe blow when the U.S. Supreme Court decided in *Janus v. AFSCME* that the Constitution forbids public sector unions from collecting of agency fees from non-members. *Janus* was decided on a 5-4 vote, with Chief Justice Roberts, and Justices Kavanaugh, Gorsuch, Alito, and Thomas comprising the majority.

Mark Janus's case was funded from the outset entirely by the corporate-backed the National Right to Work Foundation (NRTW). With his lavishly funded legal representation and five union-busting justices, Janus was able to overturn the democratic will of the majority of the states as well as the federal government, whose elected representatives chose collective bargaining as the model of workplace governance.

For NRTW, having judges implement right to work for the public sector was just the beginning. Now it is coming after "exclusive representation" in the public sector. NRTW is funding lawsuits in Ohio, Alaska, California, Minnesota, Maine, and Maryland arguing that exclusive representation is a violation of the First Amendment.

In effect, it is arguing the legal definition of a "union" in place since 1935 is unconstitutional. The Court is currently considering whether to hear the first two cases, *Bierman v. Dayton* and *Uradnik v. Inter Faculty Organization*. This is judicial activism at its worst: the Court could overturn an entire system of labor relations laws put in place by the people through their elected representatives.

Justice Samuel Alito wrote the following in *Janus*: "designating a union as the employees' exclusive representative substantially restricts the rights of individual employees." 585 U.S. ___, slip op. at 17. The conservative corporate advocacy group, the Buckeye Institute, interpreted this as an invitation by the Court's conservative majority to challenge exclusive representation. If these legal actions are successful, collective bargaining in the public sector will be fundamentally changed.

By judicial fiat, it will also render useless the hundreds of thousands of workplace elections across the nation in which the employees bravely voted for a union. Without "exclusive representation" we really are not a union after all; we are more like a book club, with no power or legal status in the workplace. An employer could easily break a union by giving raises and other benefits to non-members.

Workers would be unfairly incentivized to quit the union. After all, this is what we see in our elections now; employer's illegally give workers raises right around the election to bribe employees to stay non-union. Employers do this to save money in the long-run a short-run raise will save them wages, insurance, and benefit costs overtime. NRTW is expected to target private sector unions next, building on *Janus* and the related cases.

HIPAA Does Not Give Employers The Right To Deny Information Requests

By Thomas Cochrane, General Counsel

Healthcare-related records held by an employer can be critically important to enforcing a CBA.

When the union submits an information request to an employer, however, the employer often claims the Health Insurance Portability and Accountability Act of 1996 (HIPAA) bars it from providing the information.

Questions about sick leave, disability, the Family and Medical Leave Act, the Americans with Disabilities Act, and many other subjects often cannot be addressed by the union unless it has all the employer's records about an employee, including medical records.

HIPAA preserves the privacy of an individual's medical information, but the law generally does not apply to employment records requested by a union.

HIPAA's privacy rule pertains only to protected health information (PHI), a medical record which includes the identity of the employee.

Information contained in "employment records held by [an employer] in its role as



employer" is not PHI, and therefore is not protected. 45 CFR § 160.103. The privacy rule also does not apply to information disclosures that are "required by law". 45 CFR § 164.512.

The U.S. Department of Health & Human Services has explicitly stated that information requested by a union relating to collective bargaining constitutes disclosures "required by law". 65 Fed. Reg. at 82,598.

"To the extent a covered entity is required by law to disclose protected health information to collective bargaining representatives under the NLRA, it may [do] so without an authorization." *Id.*

A union can avoid most disputes with an employer about requested information by having the affected employee sign a release authorizing the employer to give their employment information to the union.

Finally, always remember to check if there are any state laws pertaining to the privacy of health care information.

IUE-CWA LEGAL

Trump's New NAFTA Is Just The Same Old Story

By Casey Whitten-Amadon, Staff Attorney

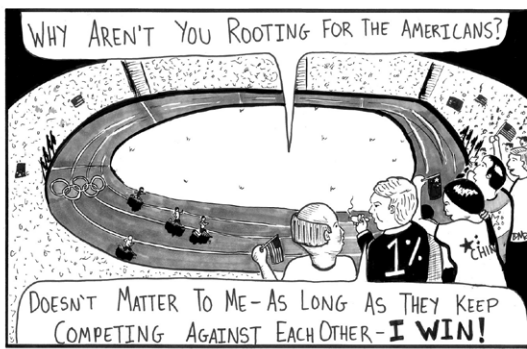
President Trump has rolled out his re-write of NAFTA (USMCA is the new title) with great fanfare from all the wrong places. The auto industry, which has outsourced thousands of jobs to Mexico, is expressing support for NAFTA 2.0. The fact that NAFTA 2.0 is supported by the same groups that supported NAFTA 1.0 should cause consternation to those who would like to see a trade regime where labor standards take a front seat.

Aptiv PLC, for example, makes parts for the auto industry and has moved close to thirty thousand jobs to Mexico over the years. IUE-CWA Local 84717 represents Aptiv's employees in Ohio. Local 84717 Shop Chairman Brian Lutz reports that NAFTA 2.0 has not prompted Aptiv to plan on shifting a single production job back to the U.S..

The new deal is not all hot air. There is one provision that is a victory for the Unions, and we should be proud of it. By the USMCA 40% of an automobile must now be made by workers earning \$16 an hour or more. This is a strong standard but

should embrace a larger sector of the automotive industry, and other industries for that matter. Weak enforcement could undermine this standard as well, because the penalty for violating this provision is a 2.5% tariff for standard autos, a penalty so low that firms would gain money from non-adherence. If non-adherence can save them more than 2.5% in labor costs, then it makes sense to simply violate it.

The next supposed win for workers is the standard that 75%, instead of 62.5%, of an automobile be made in North America. One need only look at a map to see the problem. Mexico is part of North America; the new standard has absolutely no effect there. And, like the \$16 an hour provision, the penalty is a 2.5% tariff, so once again



Credit: "Comics Against the 1%"

is completely useless as a deterrent. Possibly the biggest problem with NAFTA 2.0 is the lack of enforcement. Article 23.5 states that "no party shall fail to effectively enforce its labor

laws through a sustained or recurring course of action or inaction in a manner affecting trade or investment between the parties." This means that even if labor violations are constant and consistent—and they are—we have to prove that the government has consistently not enforced its own laws, an almost impossible standard. Despite almost daily violations, labor has not won a single case under any modern trade agreement.

A typical case arose in Guatemala in 2013. The Obama administration charged the Guatemalan government with refusing

to enforce its own very lax labor laws. Despite Guatemala's intentional non-enforcement of labor law, the dispute panel ruled that there was insufficient evidence that these violations had a "substantial effect on international trade."

As our own brothers and sisters know here in America, laws on the books are nothing without enforcement. How many times do we catch a company violating the law, only to see it walk away with a proverbial slap on the wrist?

IUE-CWA helped lead the fight against these unfair trade deals. Because of our hard work, both candidates in 2016 pledged to end the unfair Trans-Pacific Partnership trade agreement. The politicians have been caving under our pressure, and they may be ready to agree to a trade deal that has some pro-labor provisions, however weak. Now is not the time for us to relax; let's hold these politicians' feet to the fire and get a deal that levels the playing field by substantially improving labor standards on both sides of the border.

U.S. LABOR ENFORCEMENT PROCESS

Monitoring

The Government Accountability Office noted in 2014 that the U.S. Trade Representative (USTR) and Department of Labor (DOL) lack a "strategic approach" to address labor concerns and that the USTR prefers not to address labor through free trade agreement (FTA) mechanisms. The U.S. government has never self-initiated a labor case and relies on stakeholder petitions for most monitoring and consultation actions.

Petition Filed

Since 1994, nearly 50 petitions alleging labor violations have been filed under U.S. trade agreements, by groups including the AFL-CIO; U.S., Canadian, Colombian, Guatemalan, Honduran, Mexican and Peruvian labor unions and federations; and labor advocacy and human rights organizations.

Case Accepted or Rejected

Under current rules, DOL has 60 days to determine whether it will accept or reject a petition. DOL can give itself an unlimited extension of time. In 2010-11, DOL took 202 days to accept a petition filed under the Peru FTA.

Report of Review

Due in 180 days if the DOL accepts a petition. DOL can grant itself an unlimited extension of time to write the report. DOL took 2 years, 294 days to write a report on Honduras, and took more than a year to write reports on the Dominican Republic, Bahrain and Peru.

Consultations

May begin at any time after the report is published. Not all types of consultations can lead to dispute settlement. CAFTA and the "May 10" deals require at least two stages of consultations to reach dispute settlement, and the minimum time that must pass before a settlement panel may be requested is 90 days. There are no timelines or performance benchmarks that require a case to proceed to dispute settlement if not resolved via consultations. The consultation step causes most delays in the current system. See chart of open cases above. No open case has entered the type of consultation that could lead to dispute settlement. *The proposed new NAFTA would reduce the minimum time to 60 days but would not add any benchmarks, penalties or incentives to proceed to panel formation.*

Dispute Settlement Panel Formation

This is a permissive step, not a required one. It has happened only once, for the Guatemala case under CAFTA. Under "May 10" deals, a panel must be formed no later than 36 days after dispute settlement is invoked (33 days under the Central America Free Trade Agreement [CAFTA]). *The proposed new NAFTA would allow a party to block panel formation by refusing to convene the Free Trade Commission.*

Settlement Panel Report

Under "May 10" and CAFTA, a final report is due to the public 165 days after panel formation.

Party Can Begin Imposing Sanctions for Noncompliance

If the party violating labor rights still has not come into compliance, the other party may, but is not required to, impose sanctions no sooner than 105 days after final report. *The proposed new NAFTA would reduce the minimum time to 30 days, with no penalty for delay, assuming a panel has formed and found a party in violation.*

Today

Twenty-four years after the first labor rules went into force in the North American Free Trade Agreement (NAFTA) side deal (i.e., NAALC), no U.S. FTA partner has come into full compliance as a result of post-FTA monitoring or enforcement of labor provisions.

OPEN NON-NAFTA CASES (As of 10/26/2018)	TIME SINCE PETITION FILED
Bahrain (filed 4/21/2011)	7 years, 189 days
Dominican Republic (filed 12/22/2011)	6 years, 309 days
Honduras (filed 3/26/2012)	6 years, 215 days
Peru (filed 7/23/2015)	3 years, 96 days
Colombia (filed 5/16/2016)	2 years, 164 days
The only case to ever proceed to dispute settlement in more than 24 years was U.S. v. Guatemala, under CAFTA. The panel determined that the U.S. failed to prove that Guatemala was not effectively enforcing its labor laws.	
The case took 9 years and 67 days from filing to publication of the final report.	

1

The North American Agreement on Labor Cooperation (NAALC), the first labor provision tied to a trade deal, enters into force Jan. 1, 1994.

2

Filing date.

AFL-CIO

3

60 days. No penalty if deadline missed.

4

180 days. No penalty if deadline missed.

5

90 days minimum, but no maximum. No penalty for delay.

6

36 days maximum. No penalty for delay. Guatemala panel was formed more than 15 months after dispute settlement was invoked.

7

165 days. No penalty if deadline missed. Guatemala report was published more than 5 years and 10 months after panel formation.

8

105 days minimum. No penalty for delay. This step has never happened in practice.

9

As of Oct. 26, 2018, there has yet to be a successful labor enforcement case in a U.S. FTA.

DISCLAIMER: Articles written by IUE-CWA legal staff are meant for informational purposes only and must not be construed as legal advice. If you have any questions about these or any other legal issues, consult the IUE-CWA legal department or a private attorney.

IUE-CWA RETIREE NEWS & INFORMATION

Service Center: 313 S. Jefferson St., Dayton, Ohio 45402

Contact: Leigh Shilt / Kim Short 937-224-5217 • FAX 937-224-1391

Warm Winter wishes, Retirees!

If you are a General Motors or DELPHI Retiree and have a Met Life Optional life insurance policy or dependent life insurance policy (This is NOT the GM \$10,000.00 policy for retirees), these are additional policies that you are paying for usually out of your pensions. If you are having a "milestone" birthday such as 60, 65, 70, etc.... you will see the policy increase as of January. If your birthday is later in the year the policy change will still take effect January 1st.

GM pays for our policies up front to Met Life for the whole year in January. So, if you are seeing this increase it is more than likely correct!

If the policy is getting to expensive, you can call Met Life and reduce your policy. Example: if you have a \$50,000.00 policy and it is getting too expensive, ask to have it reduced to a lower amount such as, \$30,000.00 or \$25,000.00. This will cut your premium costs.

You can decrease it, but please remember that if you cancel, it you can never get it back!!

This is also a good time too review your policies. If you are paying for a dependent policy and no longer have an ELIGIBLE dependent, it is your responsibility to contact Met Life and let them know. This sadly happens when one may lose a spouse through death or divorce. It can also mean that you no longer have children that are eligible. Children over the age of 19 are no longer eligible dependents unless they are full time college students and GM has their transcripts and credit hours that determine they are full time. These documents must be sent in every year!! If a child is over the age of 19 and NOT a full-time student, they are NOT an eligible dependent. Also, once a child reaches the age of 24 (in the case of a full-time college student) they are no longer an eligible dependent, even if they are still in college full time. So, if you are paying for a dependent policy and you know your dependents are no longer eligible, contact Met Life to cancel that policy!!

Met Life phone number for questions or concerns: **1 888 543-3461**.

IUE GM/DELPHI Retiree/Pension Rep.
Leigh Shilt • 937 224 5217

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For more information, call Kim Derringer at (937)294-9764 or go to Retiree Corner on the website at IUE-CWA.org.



IUE-CWA
T65
BIRTHDAY
PARTIES

**DAYTON-313
ALL AT 1:00 PM**

THURS., MAR 14TH
MON., APRIL 8TH
TUES., MAY 7TH
THURS., JUNE 13TH
MON., JULY 8TH
TUES., AUG 6TH
THURS., SEPT 12TH

**WARREN- 717
ALL AT 11:00 AM**

THURS., MAR 14TH
THURS., APR 11TH
THURS., MAY 9TH
THURS., JUNE 13TH
THURS., JULY 11TH
THURS., AUG 8TH
THURS., SEPT 12TH

- WELCOME TO MEDICARE
- A,B,C,D REVIEW
- PERSONAL RX REVIEW
- IUE-CWA GROUP PLAN REVIEWS
- BIRTHDAY CAKE & REFRESHMENTS