

## EDUCATE YOURSELF ON POLITICS

By Rick Queer, Council Representative



Rick Queer

**B**ack in 1946, United Auto Worker's President and Union activist Walter Reuther said, *"There's a direct relationship between the ballot box and the bread box, and what the Union fights for and wins at the bargaining table can be taken away in the legislative halls."*

So much of what the great labor leader said has held true even 60 years later! Whether a candidate is Democrat or Republican we need to vote for the candidate who supports workers' issues. It is vitally important that you follow your Union's lead when they make the effort to educate their members about candidates who support issues that are important to working families – the issues that help the average American to achieve the American Dream!

Some of the issues in which politicians past and present have hampered our efforts from achieving the American Dream are stagnant wages while the middle class continues to carry the larger tax burden, high costs of health care and prescription medicines, college tuition and gas prices all have eaten away at our paychecks through the years. It should also be mentioned that our political leaders sanction the exportation of good paying jobs to other countries for below poverty wages.

During this current administration, we have seen the budget surplus given away as tax cuts to the richest Americans, leaving us with trillions of dollars in deficits. This anti-Union administration has rolled back overtime pay provisions, eliminated ergonomic health and safety guidelines and has allowed employers to flaunt their arrogance towards labor laws in the faces of working men and women of this country while opening the door to invite illegal immigrants to take our jobs and pay no taxes! Corporations shipped an estimated

830,000 white collar U.S. jobs overseas in 2005, according to Forrester Research Inc., some estimates say up to 14 million middle class jobs could be exported out of America in the next 10 years!

Accountants, software engineers, even X-ray technicians are losing their jobs as corporations look for low-wage workers in countries such as India and China.

At the same time, 2.8 million manufacturing jobs have been lost since Bush took over the Presidency. Many of those jobs were shipped to countries such as China to create a booming manufacturing industry on the backs of its poorly-paid workers there.

Meanwhile, the jobs being created in the United States often are low-wage jobs that don't offer health coverage or ensure retirement security. Nearly one-quarter of the nation's workers labor in jobs that generally pay less than the \$8.85 hourly wage that the U.S. government says it takes to keep a family of four out of poverty. Sixty percent of such workers are women, and many are people of color.

In 2004, Union households represented 25 percent of the vote, up from 19 percent in 1992. Those Union households accounted for one of four voters in the 2004 elections for a total of 27 million Union household voters.

92 percent of Union members said they heard from their Unions about important working family issues and the candidates' positions.

***Remember the next time you vote at the "ballot box" that you and your family's "bread box" will be directly affected by who gets elected and what their political agenda is.***

***If your Union is supporting political candidates who work to protect the American Dream, help them and help yourself by voting for the worker friendly candidates!***

***"The American trade union movement - unlike any other labor movement in the world-is committed to working within the American political and economic system in order to achieve the social and economic justice promised by the Declaration of Independence and the Constitution."***

*George Meany, AFL-CIO Labor Day message, 1978*

## THE RIGHT STUFF

*By John Ambrogio, Council Representative*

**E**ach of us Members of the Carpenters Union is affiliated with the United Brotherhood of Carpenters and Joiners of America (UBC). We also belong to a Regional or District Council. Further, we all are members of a specific Local. As often is the case, our most honorable achievements begin at the Local level.

At the Local level, each of us is more than a face, we know each other. But often we don't realize how special and giving our Sisters and Brothers truly are. Not so in Local 240!

Brother Bill Roberts, the newly elected President of Local 240 in Thompsettown, PA, appointed Brother John Woodward as Chairman of the "Appreciation Committee". The goal of this Committee is to acknowledge those members who unselfishly give of themselves to help others and their Local.

At a recent gathering, Brother Woodward presented **Brother Randy Haubrick** with a framed certificate recognizing his efforts with the March of Dimes. Randy

accepted the award on behalf of those members who walked with him (balloons and all) and those members who helped support the event with donations.

If you're out there with the attitude of why should I waste an evening by attending your Union meeting? Think again!

Maybe you're made of the RIGHT STUFF. Perhaps you could inspire your Union Sisters and Brothers, during your Local's meeting, to help you help someone – some one you may even know.



*In appreciation of his efforts, Brother Randy Haubrick (left) receives a framed certificate from Chairman John Woodward (center) while Council Representative Rick Queer (right) applauds he and Randy's committees for their fine work.*

## COMMON GROUND

*By John Ambrogio, Council Representative*

**D**uring the month of September a lot of us spend time preparing for the upcoming change in seasons – whether it's closing the swimming pool, taking in porch furniture or tuning up your archery equipment for the fall hunting season. However, this September the Members of Local 240 had their contract with Armstrong Cabinets added to September's "To Do" list. When you only get an opportunity every three years to sit down and negotiate the terms and conditions you work under, you tend to put it at the top of the list. The most difficult part of any contract negotiations comes in the form of finding common ground.

As it is with all negotiations, you begin with two ways of looking at points of interest. There are the concerns of the Membership and of the Company. Each side takes their turn

presenting proposals and explaining of how a change would solve any issues with the current practice. That's the easy part! The challenge is getting both parties to constructively look at the problem and JOINTLY arrive at solutions that work for both sides of the table.

For negotiations to have any hope of success, both the Membership and the Company need to have a true appreciation for what each side has to offer for success. Success must include the Membership's concerns and prosperity as well as the Company's profitability and success. This September, the Members of Local 240 and Armstrong Cabinets achieved this goal with honest respect for each other's opinion.

*continued on page 13*

# THE OVERLAP BETWEEN UNION CONTRACT RIGHTS AND WORKERS' COMPENSATION

By Brian T. Kadlubek, Attorney Gilardi Cooper & Lomupo

**Y**ou have recently been injured on the job. Your doctor tells you that you are unable to lift over 10 pounds and therefore you are unable to perform your regular heavy job. Your employer, who normally does not have any light duty positions, sends you a letter telling you to report to work Monday morning at 6:00 am for a light duty position consistent with your doctor's restrictions. The letter tells you that if you do not report to work, your workers' compensation benefits will be stopped. Do you have to accept this job offer?

For non-union employees the answer is simple. Non-union employees have very little rights when it comes to job offers under the Workers' Compensation Act and usually their failure to report to a modified job offer will cause them to lose workers' compensation benefits and possibly their job. In the above scenario a non-union employee should report to the job as offered.

Union workers, however, have rights under the law that non-union workers do not. Union workers generally do not have to accept modified duty job offers which would result in the loss of vested union benefits or are inconsistent with their collective bargaining agreement. If, for example, a Union worker would lose seniority or vested pension benefits by accepting a non-union light duty position, then the worker may not have to accept the job. This is not to say that all non-union job offers are off limits to Union workers. If the non-union job offer does not result in the loss of vested union benefits or rights the injured worker may have to accept the position or risk losing his workers' compensation benefits. For Union workers, each modified job offer must be examined closely before a decision can be made to accept or reject it. In the above scenario, the injured worker should not report to the job until a letter is sent requesting more information about the details of the job and these details are evaluated to see how they would impact the worker's Union standing and benefits. Though it is usually better to return to work after a work injury than collect workers' compensation benefits, this is not always the case. You do not want to return to work in a

non-union position only to find out later that you lost vested benefits or Union standing because of it.

In addition, where a union worker is offered a modified job that falls under his or her collective bargaining agreement, the employer must comply with the terms of the agreement for the job to be available to the worker. For example, if a Union worker is offered a job that falls under the Union contract, but the job does not provide for health plan contributions as required by the Union contract, the worker may be able to refuse the job offer without risking his or her workers' compensation benefits. In this situation, the job offer can be attacked through a grievance procedure to see if it meets the Union contract requirements. Most workers' compensation judges will accept the findings from a grievance procedure on contract issues. Where the job offer is found to violate the Union contract it is considered unavailable to the worker and should not be accepted.

These are just a few examples where Union contract rights and workers' compensation rights overlap. Because of this overlap it is important to take steps to protect your rights under both areas of law. By seeking legal advice from an attorney familiar with your Union contract issues and experienced in workers compensation you will go a long way toward this goal. Too often, workers' compensation attorneys focus only on the workers' compensation case at the expense of Union contract rights and benefits. Don't let this happen to you.

The information contained in this article is general in nature and should not be relied on to determine the course of action for individual cases. Since each case is different, the proper course of action for specific cases should be addressed with an attorney directly. At **Gilardi Cooper & Lomupo** we have been helping injured workers and their families since 1969. Our law firm will be glad to assist you with any of your specific work injury or other legal questions. Please feel free to contact us at 1-888-425-6006 for a free consultation.

*"All that serves labor serves the nation. All that harms is treason...If a man tells you he loves America, yet hates labor, he is a liar...There is no America without labor, and to fleece one is to rob the other."*

*George Meany, AFL-CIO Labor Day message, 1978*

## 2006 INDUSTRIAL / SPECIALTY CONTRACTS NEGOTIATED

Florijan Cabinets  
Boyertown Planing Mill (Continuation Agreement)  
Armstrong Cabinets  
Mack Millwork

## CONTINUING NEGOTIATIONS

Bob Showers Windows and Sunrooms (Effects Bargaining)  
Team Laminates  
XYZ Custom, Inc.

## 2006 EXPIRING CONTRACTS

110 Gulf Associates (Medical Re-opener)  
Castle Shannon Borough  
Mt. Oliver Municipality

## 2007 EXPIRING CONTRACTS

Guild Furniture  
Davis Fetch  
Boyertown Planing Mill (Wage Re-opener)  
A.G. Mauro Company  
Excel Manufacturing  
Quality Services (In-house Engineers)  
Master Woodcraft  
K&S Manufacturing  
Wood Fabricating

Hall Lumber  
Cabinet & Millwork Co.  
Mohan Millwork  
Pevarnik Brothers  
Valley Woodcraft & Lumber  
110 Gulf Associates (Medical Re-opener)  
Quality Services (Federal Home Loan)  
Mt Lebanon

## COMMON GROUND *(continued)*

*By John Ambrogio, Council Representative*

*continued from page 11*

An agreement was reached through the help of the Local 240's Negotiating Committee -- **Bill Roberts, Randy Haubrick, Kathy Traxler, Sam Stine, Wendy Roberts and John Woodward**. Each of these hard working members deserve a "tip-of-the-hat" for working long days, late nights and early mornings to add real value to the negotiations process. With their input, the Membership was able to maintain and secure excellent health care benefits plus gain modest wage increases.

The tentative agreement was presented with the full recommendation of the Negotiating Committee to the Membership for a vote on September 14th. The tentative

agreement received overwhelming support and approval by Local 240's Membership.

I would be remiss to not thank **Armstrong Cabinet's Mr. Mel Pugh** and **Ms. Denise Bird** along with their Committee for the spirit in which they entered into these negotiations.

I believe that progress is measured by the success we obtain in our efforts for the betterment of each other. In this case we did finish our negotiations on common ground and each side of the table will shared in the future's betterment!