

BEHIND THE DOME



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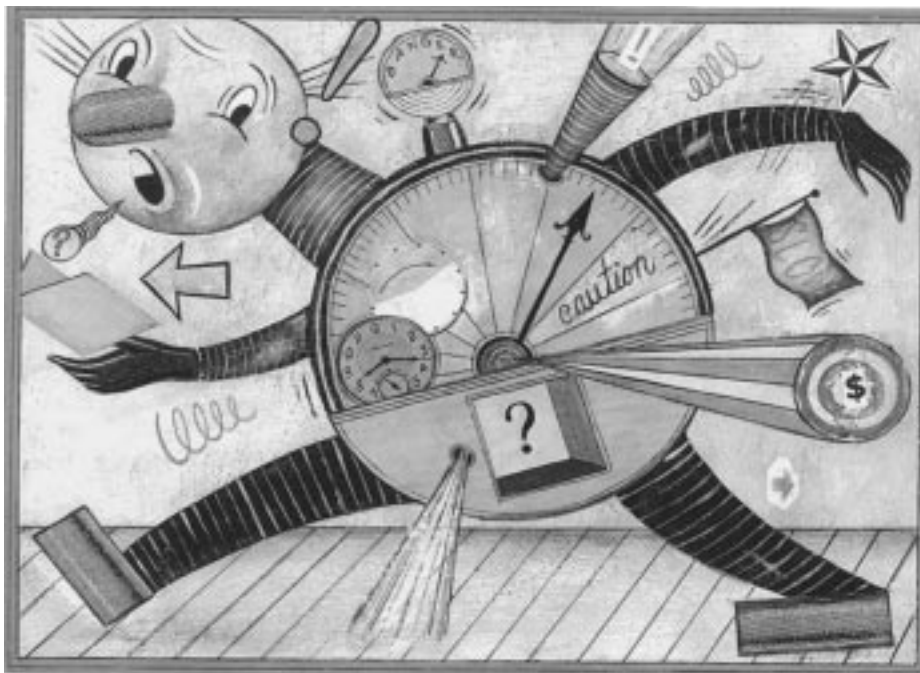
Raises Finally Seen in August Checks; Next Pay Boost Due Around March 1

By John Small, Guild Co-Vice Chair

After a grueling contract-renewal process that lasted into the summer, BNA workers finally saw their raises in the Aug. 3 paychecks. That was about six weeks after Guild members ratified the new three-year contract, and there was some grumbling about the long delay. In this era of high-speed computers, many employees wondered what took so long.

According to a company statement issued July 31, "the unprecedented combination of five months of retroactivity, different general increases to employees at Steps 0-5 (2%) and Step 6 (3%), and a new payroll system created a complex task that required a great deal of planning, effort, and problem-solving...Thanks to all for your understanding and patience."

Hopefully, the company will begin a little earlier in implementing the next raises, which incidentally come due around March 1. That's less than six months from now!



Management never really provided a satisfactory answer as to why they were so unprepared to quickly implement the raises—especially since negotiations lasted four months past the March 1 expiration of the old contract. Finally, after repeated prodding by the Guild and after threats of grievances, the raises appeared as the “dog days” of August began.

New Parenting Benefit

As a result of the new contract, some employees also began to use a new benefit—three weeks of paid parental leave at the birth of a child. By mid-summer, several employees (mothers AND fathers) had

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GUILD SNAPSHOT: Brett Ferguson

By Katherine Harris

Ask BNA reporter Brett Ferguson if unions really make a difference, and he'll quickly tell you about his night-and-day workplace experiences with and without guild representation.

Unions “Even the Playing Field”

Two years ago, Ferguson's employer, the financial news service Futures World News, was in the process of being sold. Though it was clear that the impending deal would likely result in devastating layoffs, Ferguson said his company kept its employees in the dark during the takeover upheaval. Expressing their helplessness, several of Ferguson's FWN colleagues said that they wished they “had a union.”

When Ferguson landed a job at BNA a year and a half ago, he acknowledged that he was “on the fence” about joining the union. But, remembering the powerlessness of employees at his last job, the 26-year-old joined up, saying that being a union member gives him the “peace of mind” of having “a lot more protection” and job security.

“It's good to have an organized bargaining unit on my side. It evens the playing field” when employees negotiate with management, he said.

Generous Benefits Boost Employee Loyalty

Though he said that he would like the guild to be as “conciliatory” as possible in dealing with BNA representatives—and was thus disappointed that the recent contract negotiations were so contentious—Ferguson said he is impressed with the newly negotiated contract.

In fact, as a new father, Ferguson has been able to take advantage of the new paid parental leave benefit, which allows

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Raises Finally Seen

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used the new leave. (See related story on Brett Ferguson.)

Some other new benefits are the “phase-in retirement” and diversion of surplus, unused annual leave to the Sick Leave Bank. Employees contemplating retirement may reduce their hours (to as few as 20 per week) in the 12 months before they intend to end their BNA careers. They continue to receive pro-rated benefits, and their pension benefit is not affected because as the pension benefit is calculated, you can reduce hours in the last five years without reducing pension benefits. Meanwhile, the first diversion of surplus leave to the Sick Leave Bank will not actually occur until Jan. 1, 2002, because the use-or-lose provision applies to any leave unused after Dec. 31. Thus, Guild-covered employees are encouraged to continue to donate generously to the Sick Bank, which continues to help those with the most serious medical problems and the greatest need of leave time.

The contract was ratified by BNA members June 27 after a six-month struggle for a settlement. It provides an average raise of 2.6% per year—or 7.8% over the three years—not including LSI’s or merits for employees in those categories. The contract will boost the top-scale rate covering desk editors to \$1,321 per week in the final year, and the top-minimum for most reporters will move up to \$1,068 per week. The agreement maintains fully paid health insurance premiums and extends coverage to part-timers working 30 hours or more a week.

The contract provides a first-year raise of 3% for employees with six years or more experience, plus 3.5% raises in the second and third year for that group. Employees still in the “annual steps” will receive a 2% raise in each of the three years. Those employees also receive annual “length-of-service” raises averaging about 3%-5% per year.

Retroactivity Retained

The ratification vote (83% to 17%) came a week after members turned down an offer that did not include retroactivity to the March 1 expiration of the old contract. The Guild agreed to changes affecting the next round of bargaining which give up the 60 days of “guaranteed retroactivity” provided in previous contracts in exchange for a provision allowing bargaining to start 60 days earlier than previously. Retroactivity on all issues becomes a subject of negotiation.

The bargaining process was accompanied by a signup drive that saw scores of new members join the union. It also included seven rallies and marches up and down M Street.

The contract maintains numerous other benefits such as five weeks of vacation (after 14 years), 10 paid holidays, three paid personal days, and 13 days of sick leave, which accumulates yearly. The college tuition reimbursement remains at \$2,400 per semester or quarter, but the eligibility waiting period was cut in half for part-timers. The transportation subsidy is increased by \$30 annually for employees not entitled to free parking, to \$630 per year.

The agreement also allows BNA to implement policies to curb “excessive use of emergency leave” but prohibits discipline in use of sick leave unless it is used in a “pattern demonstrating abuse.”

The final elements of the agreement were negotiated with the help of a federal mediator who joined the stalled talks in late May and helped resolve the dispute over retroactivity.

The Guild bargaining team consisted of *Unit Chair Reza Namdar, John Small, Carol Oberdorfer, Gwen Holmes, Michelle Amber, Ken May, Mary McKenney, Bruce Kaufmann, Dennis Lewis, Tony Baxter, Racquelia Neal, Maggie Cohen, Eugene Freedman, Local 35 Representative Lori Calderone, and Local 35 Administrative Officer Dick Ramsey.* □

Ferguson

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mothers and fathers at the birth or adoption of a child to take up to 15 days of paid parental leave.

Previously, the only option for BNA employees wishing to have parental leave was to use their sick leave.

Through this new benefit—which the union has long advocated—Ferguson said he was able to take care of his wife Jodi and his newborn baby boy, Alexander, when they came home from the hospital in mid-August. The benefit was an “absolute necessity” for the new family, Ferguson explained, because he and his wife do not have relatives living in the area.

The parental leave, plus the generous health care benefits (also negotiated by the Guild), are selling points for the company in their ongoing goal of attracting and retaining high quality workers, Ferguson said.

“I think [parental leave] is a fantastic benefit and the health care benefits are outstanding. The benefits here definitely build loyalty to the company,” Ferguson said.

In fact, he said that his “entire family is astonished” at BNA’s benefits, especially the parental leave benefit, which has allowed Ferguson and his wife the time to travel to the Midwest to let the couple’s relatives see the newborn.

“The benefits are a huge incentive to come and work for BNA. For me, it’s also a huge incentive to stay at BNA,” he said. □



Grievances in the Pipeline

Recently won Guild grievances have protected workers rights and influenced BNA's approach to some work place issues. Remember, you have 12 working days from date of incident or knowledge of incident to file. Contact a Guild lead steward as soon as possible any time you have a contract concern.

The Guild won two grievances filed to remove written warnings which were without just cause. Both were Rockville cases.

****In one, the Guild argued that the company failed to demonstrate that the discipline was based on a performance standard which was reasonable and achievable. The Guild member was required to meet a unit production average which neither she nor anyone else could predict until after the fact. BNA agreed to remove the discipline and informed the Guild that it would be revising performance standards in the near future. The Guild informed BNA that its decision to review and revise standards was a welcomed one, and reminded the company that proposed new policies must be shared with the Guild prior to implementation.**

****In a second grievance win, a Rockville employee's written warning was removed after BNA's agreement that the employee was not informed of his right to have a steward present during an investigatory interview conducted by the BNA EEO office (Article XIX, section 10). Not only does the contract provide that the supervisor shall advise an employee of the right prior to the beginning of an investigatory interview, but the Supreme Court, in its 1975 *NLRB v. J. Weingarten* decision stated that an employee has the right to request assistance from a union representative during an investigatory interview.**

In addition to granting the relief in the grievance, BNA informed the Guild that henceforth EEO investigatory interviews will include informing employees of their right to a union representative.

****Rockville flex time was the subject of a grievance filed in late winter 1999. BNA and the Guild are meeting to resolve the issues and afford Rockville employees every opportunity for flexible work schedules which support business needs.**

****The Guild and BNA have settled a grievance and Unfair Labor Practice (ULP)**

charge filed over BNA's refusal to permit a Guild member from taking more than one week of leave without pay after appointment to a Guild position. BNA took the position, based on 1972 bargaining history, that the leave was for one week at a time only, notwithstanding the over three-month LOA of a Guild member in 1999 under this article. By step three of the grievance, which took place during negotiations, BNA agreed that the language supported the interpretation that the duration of the leave was not to exceed six months.

****A Guild grievance and ULP over BNA's obstruction of the Guild's use of the e-mail system to send bargaining bulletins to our members during negotiations are both still pending. The National Labor Relations Board has sent the ULP to its advise department, declining to dismiss it or defer it at this time. The Guild argues to the NLRB that BNA previously has permitted the Guild to communicate with members on e-mail, as well as to use all the pre-e-mail mechanisms to communicate contract issues. Calling a halt to this customary practice at the onset of negotiations was discriminatory and intended to harm the Guild, particularly in light of the fact that the company allows the e-mail system to be used for all manner of non-business uses. The Guild documented that the company permits its e-mail to be used to sell health club memberships for the toney Ritz Carlton, as well as cell phones, and services. Non BNA-business clubs and activities are advertised, and even NCAA pools are permitted via e-mail. Thus to halt only Guild communications to its own members is discriminatory and unfair. □**

Steward System Being Reorganized

By John Small, Co-Vice Chair

The Guild steward system at BNA is being reorganized to provide better building-by-building representation for employees. Under the new system, each of the four downtown buildings and Rockville will have a lead steward to keep track of developments and co-ordi-

nate with unit and local leaders. Other stewards will work with the respective lead steward in each building.



Training for new and experienced stewards was initiated shortly after the new Guild contract was ratified in late June, and more training is planned for this important position.

The primary role of a steward is to assist employees in disputes that arise in the workplace. Employees have the right to have a union representative accompany them to any meeting with a supervisor that could lead to disciplinary action.

Under the contract, a grievance follows a precise three-step procedure that can lead to arbitration if a satisfactory resolution cannot be reached. In the first step, a steward discusses the dispute with a supervisor and seeks proper adjustment under the contract.

If the matter is not resolved satisfactorily, the grievance is put in writing and taken up with BNA's labor relations representative. If a satisfactory resolution cannot be reached in Step 2 and Step 3 meetings, the matter can be taken to arbitration. The arbitrator's decision is binding on the company and the union.

Many disputes are resolved in the first or second step of the process, once the facts are determined and the issues are thoroughly discussed. The Guild Grievance Committee meets regularly to discuss pending grievances and decide on courses of action. The committee consists of unit leaders and active stewards. In matters that proceed to arbitration, stewards sometimes are called upon to help prepare the cases or provide reliable testimony.

New Policies Are in Works on Flexible Work Arrangements

With the ratification of the new BNA/Guild contract, the company has agreed to strengthen its commitment to offer employees the opportunity to request a flexible work arrangement. While there is no guarantee that a BNA employee will be able to have an FWA, the company has agreed to expand its effort to formulate policies that will “facilitate the widest use of such arrangements consistent with the Publisher’s business needs.”

Flexible work arrangements at BNA include—but are not limited to—four major categories: telecommuting, compressed workweek, flextime, and job sharing. For years many BNA employees, and some entire divisions, have benefited from various flexible arrangements. Now the Guild and BNA have agreed it is time to renew the commitment to FWAs as long as they are in tune with the company’s business needs.

The new contract includes two provisions not in the previous agreement that pertain to FWAs: (1) stipulating that BNA will provide training to managers on FWAs, including guidance on structuring and facilitating the use of such arrangements in their departments; and (2) stipulating that either the manager or the employee may terminate an FWA upon two weeks’ written notice. Also, the new contract includes the above language [seeking to “facilitate the widest use of such arrangements consistent with the Publisher’s business needs”] as part of the main body of the agreement rather than in a side letter, another indication of the company’s commitment to FWAs.

Early this year, the Joint Work/Life Committee completed work on recommended guidelines for the use of FWAs, as was mandated in the previous contract. Drawing upon these recommendations, the company currently is formulating new policies on FWAs, with the Human Resources Department taking the lead role. HR officials expect the new policies and guidelines for managers and employees to be completed by the end of this year. A pilot training program for supervisors on FWAs is planned for this fall.

Margie Cowles, a member of HR’s



training staff and a member of the Joint Work/Life Committee, will serve as the main contact on FWAs in the department. She can work with both employees and managers to draft an FWA proposal or answer questions about such arrangements. Margie can be reached on extension 1553 or by e-mail at: mcowles@bna.com.

Copies of the Joint Committee’s final report and recommended guidelines for FWAs are available from Pam Ginsbach, who can be contacted on ext. 4469 or by e-mail at pginsbach@bna.com. The report includes many examples of FWAs at BNA and other workplaces, as well as the results of surveys of both supervisors and bargaining unit employees here. Employees might find the report useful in researching their own proposals. □

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Editorial Policy

We invite your submission of articles and letters to the editor. Forward any material to Kathy Carroll in Room 3-526W, or e-mail your items to her at ladyleo@rocketmail.com. We reserve the right to edit submissions for space, content, and appropriateness.

If you have any ideas or suggestions for future topics you would like to see covered, please contact Kathy by phone or e-mail. We look forward to hearing from you. We want this newsletter to serve the interests of the workers here at BNA.

JOINT COMPENSATION COMMITTEE—REALIZING THE PROMISE

by Maggie Cohen

BNA and the Guild have agreed to convene a joint compensation committee to study and make recommendations on a compensation system to enable BNA to attract and retain qualified employees.

Whether this committee effectively realizes its stated goals in a fair and mutually beneficial manner will depend on the good faith of the parties and on whether there is fundamental agreement as to the systematic changes that are necessary and appropriate to achieve these goals.

The most obvious solution to the increasing difficulties BNA is experiencing in attracting and retaining employees is, of course, substantial across-the-board wage increases. But this was rejected at the bargaining table. So what is the source, the purpose of the agreed-upon compensation committee? And how will the objectives of retaining and attracting employees be accomplished?

Three Negotiation Proposals That Were Rejected

The committee resulted from a compromise of three proposals, two by the Guild and one by management. The Guild proposed a classification committee that would look closely at job descriptions and wage scales. The ultimate objective was to reward employees for the kind of work they do and for the additional work they take on as a result of changing technology, the departure of co-workers, or the combination of job functions. The Guild also sought more rigorous and objective implementation of a system of merit pay increases. Only 4% of eligible employees receive merit increases each year. Annual evaluations mandated by the collective bargaining agreement are not conducted, and there are no clear standards communicated to employees as to what they must do to earn a merit increase. As a result, most red-circled employees—those who have risen to step 6 in their wage grade and receive no more step increases—get no annual wage increase other than a small cost-of-living raise. These Guild proposals addressed concerns expressed in numerous floor meetings held last Summer and Fall in

preparation for negotiations.

BNA, on the other hand, proposed scrapping the step system under which employees who perform satisfactorily earn step increases for the first six years of employment. They would have replaced it with a system based entirely on “merit” periodically evaluated by managers. BNA employees loudly opposed this change. They recognized that this change meant that no one would be guaranteed decent annual increases, and that the ineffective, subjective, system of merit increases would be extended to all annual raises.

What a Fair Compensation System Would Look Like

With a joint compensation committee born of such diverse conceptions of how compensation should be structured, it is important that our Guild committee members remain focused on our objectives as representatives of BNA employees: To adequately and fairly compensate BNA employees for the work they do and for the additional work they undertake. First, the current system of annual step increases must be maintained. These increases are earned by competent, faithful performance, as an employee acquires and applies greater skill over time. Second, adequate compensation involves pay increases for additional work, more skilled work, or more responsible work that is taken on by an employee beyond his or her current normal duties. Third, fair compensation requires that wage increases be based on objective, communicated, properly implemented, standards of performance and that the grievance procedure be available if these standards are not objective, reasonable, adequately communicated or properly implemented.

Supplemental Merit Pay That Will Serve the Interests of Both BNA and BNA Employees

Merit pay, as a supplement to the step system, will be beneficial to both BNA and its employees **if and only if** it is properly implemented so as to provide a genuine incentive to the superior performance that benefits BNA. **But it can provide no incentive unless employees know clearly what they must do to earn a merit increase and unless they know**

that managers are willing and able to apply objective criteria in evaluating employee performance. No incentive to superior performance is provided if: a) managers do not fully understand and objectively apply standards of performance; or b) employees are not aware of the standards they must meet, and confident that these are in fact the standards that will be applied in awarding the increases.

BNA does not have a great track record in putting such a merit-pay system into effect. In fact, efforts to implement merit-pay systems across the board is the current rage in the public sector as well as the private sector. But it is old wine in new bottles, and serves only to make wages more vulnerable to managerial favoritism and budget limitations, and to undermine financial security. For such a system to be justified as fair and beneficial to both parties, the following needs to happen:

1. Clear standards of performance for every job must be formulated.
2. These standards must be communicated clearly to all managers, who must be trained in making the sorts of evaluations necessary to apply the standards, and cautioned against using irrelevant criteria such as favoritism or friendship.
3. The standards must be clearly communicated to employees, to assure that they know what is expected of them.
4. Managers must be motivated to make the periodic evaluations necessary to effectuate the merit pay system.
5. Merit, rather than budgetary considerations, must determine the award of merit pay increases.

If any of these conditions are not met, the system will not be fair and it will not motivate and reward “superior performance,” its alleged justification. There are serious questions as to whether these conditions can be met. Consider your own manager: Do you think he or she would welcome or effectively carry out these additional responsibilities? Until such questions are satisfactorily resolved, merit pay should be no more than supplemental to the step system, which is itself based on *clear objective criteria*: Satisfactory performance as greater skills are acquired. And it should be the role of Guild members of the compensation committee to assist BNA in meeting the above five conditions in awarding merit pay *under the current system*. □



Need to Finance College?

Attend a seminar this fall sponsored by Union Privilege on ways to finance education and training for yourself and family members.

Sallie Mae, which has 25 years of experience in providing educational loans, will discuss ways to obtain the money to take a training class or put a child through college. The presentation will include information on grants, scholarships, and loans. Among options to be discussed are low interest rates and various repayment plans included in the Union Plus Education Loan Program for union members.

If you are interested, call Kathy Carroll on 4673 or e-mail her. When the date is set, we will let you know.

**Financial Planning Seminar
a Success**

“This is a plus for union members with a family,” wrote one of the attendees at the financial planning seminar sponsored by Union Privilege at BNA this summer.

The three lunchtime sessions conducted by Legacy Financial Services covered a broad range of financial options and ways to calculate how much you need to save to reach your goals. Most of the attendees found the sessions very informative, and expressed a desire to learn more.

“This was much better than the BNA sponsored financial management seminar,” another attendee wrote.

If you are interested in having another seminar conducted in the future, let your union leaders know. Union Privilege may be willing to conduct another series if there is sufficient interest.

SUPPORT A FELLOW UNION!!

**Member Katherine Harris passed
along the following item:**

The Screen Actors’ Guild (SAG) and the American Federation of Television and Radio Artists (AFTRA) is on strike against the advertising industry!

You Can Help!

HOW: You can help middle class families everywhere across the country by either e-mailing and/or calling the phone numbers below to let them know that Americans are listening!!!!!!

WHY: WE are middle class workers who have been struggling for 5 months to get a fair contract negotiated with the advertising industry. THEY are companies making huge profits who want to drastically cut our union wages when these wages only represent 1.4% of the TOTAL cost of making the commercial! We are holding out for a fair living wage. Without a contract in place the ad industry continues to make commercials using NON-UNION talent while WE remain out of work.

**Let the Advertising Industry
Hear Your Voice**

- 1) Tell them your name and where you are from.
- 2) Tell them that as a consumer of their products you are outraged at their lack of action in trying to negotiate a fair contract with SAG & AFTRA.
- 3) Tell them you will not buy their products until this strike is resolved.

You can log onto www.workingfamilies.com, click on the banner that says “support striking actors”, and click again at “enter action center”.

The letters are all written you just have to fill in your name, e-mail address and send. It takes less than a minute! It’s easy!!

With YOUR help they will listen.

On behalf of all SAG and AFTRA members everywhere....WE thank YOU!!!

* * *

Help the Union Grow

The Guild will hold organizing training sessions this fall during lunch time, with food provided by the union. Dates will be announced shortly.

If you would like to help increase our membership strength at BNA, contact local rep Calvin Zon at 785-3650, ext. 17.

* * *



Political Opinions Sought

With the elections fast approaching, we would like to have our next issue include a variety of political opinions.

If you would like to write something in support of, or in opposition to, one of the candidates or issues, please contact Kathy Carroll on ext. 4673 or e-mail her at ladyleo@rocketmail.com by Sept. 29. Please keep your submissions relatively brief so we can fit in as many views as possible.