

GUILD forum



Local 32035

The Washington-Baltimore Newspaper Guild

February 28, 2003

MARCH 15TH MEMBERSHIP MEETING TO FOCUS ON RECENT BARGAINING AND MOBILIZING LESSONS

Guild bargainers fresh from contract campaigns at the Washington Post, the American Nurses Association, and the Bureau of National Affairs will discuss best practices and lessons learned at the upcoming Guild membership meeting. The meeting will take place in the Guild's Baltimore office, at 415 St. Paul Place in Baltimore. A thorough discussion of committee dynamics, tactics at the table, and mobilizing strategies will make for a challenging and educational morning, with some frank talk expected about successes and near misses.

With the Guild entering into negotiations later this spring with the Baltimore Sun (owned by the Tribune Company, one of the largest publishing companies in the free, and even not so free, world), lessons learned on the front lines at other Guild units are particularly timely.

Join us for a lively discussion—bring your thorniest questions for our panel, and enjoy bagels, donuts, and coffee as we work together, and learn together, to strengthen our union.

Guild Membership Meeting

Saturday, March 15, 2003

10:00 a.m.- 12:00 Noon

415 St. Paul Place, Baltimore

Directions to Baltimore Guild Office, 415 St. Paul Place Baltimore From Washington

Take the Baltimore-Washington Parkway (Rt. 295) North to Baltimore.
The Parkway empties into Russell St. which turns into N. Paca.
Keep going north to Pratt St.
Turn right onto Pratt St. Continue on Pratt St. to Calvert St.
Turn Left onto Calvert St.
Go north until you pass the Sun building on the right.
Turn left onto Franklin St. (If you find a space, park here. Meters are running).
At top of hill turn left onto St. Paul Place.
(If you find a space, park here. Meters are running).
415 St. Paul Place is on the left.
Look for sign announcing Calligary and Calligary Law Firm.

Guild Will Honor Front Page Award Winners and Guild Leaders March 31

The Guild will honor its 2002 Front Page and Guild Service Awards winners at a reception at the AFL-CIO on March 31, 2003. A reception begins at 6:00 p.m., with the awards presentation at 7:15. Garage and street parking is available.

Major Award winners are:

Bill Pryor Memorial Grand Prize for Writing

Michael Grunwald, Washington Post
"Monsanto Hid Decades of Pollution"

Bill Pryor Memorial Grand Prize for Photography

Ray Lustig, Washington Post
"Happy Birthday, Mr. President"

John Albano Memorial Grand Prize for Design

Carol Porter-Esmailpour, Washington Post
"Mortgage Memory Lane"

Morton Mintz Award for Investigative Reporting

Michael Grunwald, Washington Post
"Monsanto Hid Decades of Pollution"

Bernie Harrison Memorial Award for Commentary

J. Wynn Rousuck, Baltimore Sun
"Show of Tolerance"

Frank C. Porter Memorial Award for Labor and Business Reporting

Michael Dresser and William Patalon III, Baltimore Sun
"While Trustees Dozed, A Fund Manager Stole"

The complete list of winners is on our website, www.wbng.org

Guild's Financial Accountability System Assures Sound Stewardship of Members' Dues

The Local has a multi-layered financial accountability system in place to assure the highest level of budget accountability.

The process begins with a budget, drafted each year in the Summer for the fiscal year beginning the following October 1, and approved by the membership at the September membership meeting. Members are welcome to serve on the budget committee. The approved budget then serves as the guidepost for all expenditures.

Financial proposals to the executive Council for expenditures during the year must be presented in writing to the Guild Local office at least 10 days prior to the Executive Council meeting at which the proposal will be heard. This allows time for a budget impact statement to be presented, thus assuring that the expenditure, if approved by Council, is within the approved budget.

Appropriate business expenses incurred by union staff and officers are reimbursed by the Local only with proper receipt and approval by the Administrative Officer (AO). Expenditures other than incidental expenditures must be approved by the AO. Lost time reimbursement by unit officers and activists is arranged and approved with the authorization of the AO. Other expenditures by unit activists can be made only with the knowledge, and approval, of the Local Representative, and, if beyond an incidental amount, of the AO. The Guild carries one credit card, held by the AO. The AO must submit receipts with explanation for all charges to the card. The elected officers of the Local have administrative oversight over the administrative officer. Checks are double-signed by the treasurer and one other officer. The Local carries bonding (insurance) for officers and staff.

All cash accounts are maintained in FDIC insured banks, and below the ceiling (\$100,000) for FDIC insurance.

Finally, the Local is audited annually by a certified auditor. That audit is available for review in the Local office. The audit is transmitted to our parent unions, The Newspaper Guild, and the Communications Workers of America (who each also conduct audits of their expenditures).

The Local welcomes input from our members on maintaining and improving good stewardship of the resources of Local 32035's membership.

Guild Calendar

- March 15:** Guild Membership Meeting ,10:00 a.m. to Noon, Baltimore Office
- March 31:** Front Page Awards, 6:00 p.m. Reception, 7:15 Awards, AFL-CIO
- May 6:** TNG Freedom Awards (Broun, Barr, Herb Block Awards), Hyatt Regency
- May 17:** Guild Membership Meeting 10:00 a.m.- Noon, Baltimore Office

Stapled on the Right? DUH!

Look for future editions of the Guild Forum to be stapled in the only place staples should be!! On the left! The Guild is retiring and replacing (at no additional cost) the current copier, in part because it lacks the ability to staple documents in the correct place!



The **Guild Forum** is published by the Washington-Baltimore Newspaper Guild, 1100 15th St. NW, Suite 350, Washington, D.C. 20005-1707. Tel.: 202-785-3650
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WBNG is Local 35 of The Newspaper Guild; Local 32035 of the Communications Workers of America, AFL-CIO, CLC. WBNG is solely responsible for **Guild Forum** content.

Letters and articles from members are welcome. No material received will be returned. Publication decisions are exclusively made by WBNG.

Send letters and articles to WBNG, attention: Guild Forum, or email to local32035@wbng.org.

LOCAL 35 OFFICERS

President: Bill Salganik
salganik@comcast.net
Vice President: Darlene Meyer
meyerj@washpost.com
Secretary: Carol Oberdorfer
coberdor@bna.com
Treasurer: Mark Pattison
mpattison@catholicnews.com

WBNG STAFF

Lori Calderone, Administrative Officer
lcalderone@wbng.org
Rick Ehrmann, Local Representative
rehmann@wbng.org
Cetewayo Parks, Local Representative
cparks@wbng.org
Paul Reilly, Local Representative
preilly@wbng.org
Calvin Zon, Local Representative
czon@wbng.org
Nancy Banks, Office Manager
nbanks@wbng.org
Elsie Thull, Bookkeeper
ethull@wbng.org

Guild Welcomes New Bookkeeper

WBNG is pleased to welcome Elsie Thull as the newest member of the Local staff. Elsie was hired in January as bookkeeper, only our second in thirty years. While she has big shoes to fill with the retirement of Bertha Pritchett, Elsie's clearly up to the challenge! Elsie, we are happy to have you!

Transitions and Transactions

AFL-CIO: We're sorry to see past Washington-Baltimore Guild president **Dawn Rodriguez-Lamar** resign her position with the AFL-CIO. Dawn served as president for two years, and vice-president for a year-plus, in addition to being AFL-CIO unit chair.... New members at the federation include **Shabatayah Y. Andrich, Maya Bhullar, Mikaela D. Eaglin, John S. Gay III, Brooke Rose Helppie, Maggie Long, Anthony J. Marsallo, Amy Niehouse, and Yvonne Wheeler.** **American Center for International Labor Solidarity:** **William Joseph Wescott**, a finance officer for the Solidarity Center's European region, is the Guild's newest member. Thanks for joining! **American Nurses Association:** **Lorna L. Ford**, a verification specialist in ANA's credentialing center, is the newest Guild member. It's good to have you, Lorna! **American Postal Workers Union:** **Mary J. Kapacs**, who works in APWU's industrial relations department, is the newest unit member in the Guild. Welcome aboard, Mary! **Association of Flight Attendants:** Welcome to new Guild members **David B. Martin, Cynthia Olney and May Lou Savage**.... In unit elections, **Beth Deprospero** continues as unit chair. Her team also includes vice chairs **Irell Thompson and Candace Kolander** and secretary-treasurer **Annie Sanner.** **Baltimore Sun:** New members at the Sun include **Takila S. Fonville, Andrew Forrester, Dionne M. Fowlkes-Bumbry, Stephanie Hanes, Shawna M. Jones, Liz Kay, Ronny R. Nadiv, Shyam Patel, Pamela Shipley, Stephen Steele** (although not the same one who works at Catholic News Service), **Shonta M. Timmons, April Walker, Robert Ware and Harriet Williams.** **Bureau of National Affairs:** New members include **Andrew Barlow, Monique L. McLendon, Susan J. Pannell, Heather Michelle Rothman and Rick Vollmar.** **Catholic News Service:** Unit chair **Cassandra Shieh** returned to work early this year after giving birth Oct. 4 to her second child, a boy, Brandon. Local treasurer and CNS unit member **Mark Pattison** was the only "commuter" participant in the Newspaper Guild-CWA's annual New Officer Training Seminar, held at the George Meany Center over President's Day weekend. But then the snow came, and Mark stayed a couple nights at the Meany Center — even after the seminar was over!... In unit elections, Cassandra was retained as unit chair, and **Jerry Filteau** won re-election as vice chair. **Willy Thorn** succeeds **Carol Zimmermann** as unit secretary. **E-L & Associates:** Unit chair **Joe Poduska's** daughter, **Caroline**, got married in October to Tom Robertson. Caroline's keeping her maiden name "for business purposes and otherwise," Joe reports. The newlywed couple is making their home in Frederick.... Joe himself took part in a February panel discussion sponsored by the National Neighborhood Coalition on how to communicate with the news media in terms of getting your message across. **Fingerhut, Powers, Smith and Associates:** Graphic designer **Kelly Johnson** is FPSA's newest member. And while we're glad Kelly's with us, we also note with sadness the promotion to an exempt position of **Mary Watters.** Mary had served on the local's Executive Council for the past two years, and was vice-chair of the local's At-Large Unit.... **Finis Hurd** was elected FPSA unit chair. **George Meany Center/National Labor College:** **Yvonne Scruggs-Leftwich**, a senior staff associate in the Meany Center's academic affairs department, is the newest Guild member. **Montgomery County Council of Supporting Service Employees, SEIU Local 500:** Welcome to new members **Shanna Weston and Arturo Griffiths.** In unit elections, **Marshall Brown** was chosen unit chair, and Shanna as co-chair. **National Coalition for the Homeless:** **Mary E. May**, a health policy analyst, joined the Guild. Welcome! **United Food and Commercial Workers:** Communications specialist **Paula Conthain** is the newest Guild member at the UFCW. And a correction to the last edition of the Guild Forum: a corrected thanks to **Eric Hensal, Fingerhut, Powers, Smith, and Associates**, for his work on the Guild's local wide organizing committee!

(If you have member news and notes for the next issue of the Guild Forum, send your items to Mark Pattison by phone at 202-541-3263, by fax at 202-541-3255, or via e-mail at mpattison@catholicnews.com.)

EXPIRING CONTRACTS

Fingerhut, Powers, and Smith	April 20, 2003
American Postal Workers Union	May 20, 2003
Baltimore Sun	June 22, 2003
SEIU Local 500	June 30, 2003
National Coalition for the Homeless	June 30, 2003
BNA Correspondents	July 14, 2003
Center for Working Capital	August 31, 2003

Education Corner

Collective Bargaining: Mandatory and Permissive Subjects of Bargaining

The National Labor Relations Act (NLRA) requires employers to bargain with the union at union worksites over proposed changes in wages, hours, and working conditions. Such changes are called “*mandatory subjects of bargaining*.” Most bargaining proposals that the union makes when negotiating a new contract are mandatory, meaning that management must, by law, bargain over them. But there is no requirement that management must agree. The union can, however, engage in concerted actions, including work place actions and going on strike, to pressure management to come to an agreement over mandatory proposals.

Employers sometimes make mandatory proposals with which unions are unlikely to agree, engage in bargaining until an impasse (deadlock) is reached, and then put in effect their last offer on the mandatory subject. This is legal. The union bargaining committee must seek to avoid reaching impasse, while increasing pressure on the employer to move to an acceptable position on the issue.

Mandatory subjects of bargaining include virtually everything affecting compensation, hours, and working conditions, including **wages, bonus programs, merit increases and incentive plans, productivity quotas, ethics policies and outside conduct rules, hours of work, work schedules, disciplinary procedures, health and safety rules, drug/alcohol testing, food service hours, grievance procedures, health benefits, retirement benefits of current employees, layoffs for economic reasons, paycheck procedures, time and attendance policies, bathroom procedures, dress codes, and employee “privileges” (like smoking areas, right to make personal phone calls, etc.), and vacation policies.**

Most subjects that do not have to do with pay, hours, or working conditions are called “*permissive subjects of bargaining*.” The union can raise such subjects but management is not legally required to bargain over them. The union cannot strike over “permissive” issues. Management can also raise permissive subjects, but cannot force the union to bargaining over them either. During the last round of bargaining at The Washington Post, for example, the Guild refused to bargain over the definition of the bargaining unit for months - and The Post could not take that issue to impasse.

In federal-sector bargaining, President Clinton issued an executive order requiring federal agencies to bargain over permissive, as well as mandatory subjects. But one of the first acts of President Bush was to rescind this order. What is mandatory and what is permissive is highly subject to political pressure. The National Labor Relations Board ruled, in 2000, that a neutrality clause that a union proposed was a mandatory subject because it addressed workers’ concern that bargaining unit work might be transferred to the employer’s non-union facility. The employer appealed to the DC Circuit Court, which overturned the NLRB’s ruling, and declared the union’s proposal permissive. The anti-union law firm, Morgan Lewis and Bockius, opined last year that “With new appointees and a new Republican majority, a future Board may follow the DC Circuit’s decision...”

Permissive subjects of bargaining include **decisions to eliminate departments, production methods, and selection of supervisors, general business practices such as advertising and financing, nondiscriminatory hiring practices, and pre-employment testing, pension benefits of already retired employees, and decisions to close plants for reasons other than labor costs.**

Sometimes management tries to impose unilateral changes in mandatory areas *during the term* of a union contract. Over time, the NLRB has given bosses more leeway to make changes without having to bargain. But the union can still do plenty to protect members from unilateral changes. For example, if management adopts a new attendance policy, report it to your Guild Unit leadership, who will determine if the policy conflicts with any provision of the Guild contract. If it does, the Guild can grieve and arbitrate it. If it doesn’t, the Guild can force the employer to bargain over the new policy. During such bargaining, the Guild can conduct a campaign of action against the proposed policy. As during new contract negotiations, in mid-term bargaining, management can impose its last position if an impasse is reached.

Its the rate Guild contract--like the Guild-Post Agreement, that limits or prevents mid-term bargaining over what otherwise would be mandatory subjects. Always report changes to your unit leadership, so the Guild can promptly address the issues and protect members’ rights.