

THE 411 FORUM



A publication for the hardworking men and women of AFSCME 411

www.afscme411.org

March 2010

Nominations / Elections Officers and Board

THE PRESIDENT'S CORNER

Commitment. That is what it takes. I have been the president of our union for many years. During those years, our economy has tanked. I have watched membership lose faith, lose their jobs and suffer. I have prayed for change. There are many nights I went home, looked in the mirror and asked myself, "Why am I doing this?"

Commitment. My father worked for General Motors. The day he was hired, our family celebrated. A union job meant food on the table and a paycheck every week. Before that day, he worked in small job shops where he was at the whim of shop owners. He would have a job and health care one day only to have it pulled out from under him the next day. My father's embarrassment and shame when he was forced to accept government food to feed his family is one that still haunts me. Years later, I watched my sister, an air traffic controller, lose her job striking for better working conditions. Even later, I watched my two brothers, Detroit Newspaper workers, lose their jobs striking for the benefit of worker's rights.

Commitment. When I come home after a tough day fighting for the rights of AFSCME 411 members, I think about the commitment of my family to working families. It's not an easy fight. It is one that gets tougher every day. But, when it comes down to it, it is the right thing to do. In the end, it will be our commitment to our cause that will determine if we prevail or fail. Why do I keep doing this? I have no choice. Neither do you. Our commitment to our cause will determine our outcome and our future.

Nominations for the office of President, Vice President, Secretary and Treasurer as well as for six Executive Board positions will be made at the May 5th Membership meeting. To be eligible for office, a member must meet the following criteria, per our AFSCME 411 constitution: a member must be in good standing, an AFSCME 411 member for one year and not a retiree. Nominations will be made from

the floor at the May meeting. An election committee, if required, will be appointed by President Cangemi to conduct elections, as indicated in the Elections Code. If required, elections will take place at the subsequent Membership Meeting on June 2nd as designated by the Election Committee and in compliance with the Elections Code of the International Union Constitution.

Distribution of Contracts Planned

The officers and executive board will print and distribute contracts to membership after obtaining an edited copy of the completed contract. Even though the main table negotiations were completed last year, subgroup negotiations have continued. The negotiating team has now completed negotiations with the 42nd District Court Divisions I and II. The Headstart group will not be

completed soon. The decision has been made to proceed with printing and distribution of the contract while the Headstart group continues in mediation. The MTB group, a separate contact, will also be printed and distributed as soon as possible. Members will be notified of times and locations to pick up a contract.

Office Contact Numbers

The AFSCME office is open Monday through Friday, except for holidays, from 8:30 am to 5:00 pm. Office number is 465-5292 or President Cangemi's cell phone 506-

3302, VP Wilson's cell phone is 321-2380. Fax number is 465-7842. If no one is available, please leave a message and someone will contact you as soon as possible.

Grievance Procedure: How it Works

The first step in the grievance procedure starts with you. It should begin with a member trying to resolve the problem with their direct supervisor so there is no grievance. Unions and members don't like filing grievances. The goal is always to try and resolve issues. If you can meet with your immediate supervisor and resolve your issue, try that first. If this does not work or does not seem likely, contact your union steward and ask to meet with your direct supervisor. Many times, this initial meeting will resolve a workplace issue. If you are asked to attend a meeting due to an alleged violation of a workplace rule, be sure to ASK for your union steward. The law states it is your responsibility to ask for union representation if a meeting with a supervisor has the possibility of leading to a disciplinary action. Once you ask for a union steward, the employer must follow the law.

There are numerous steps in the grievance procedure with strictly defined time lines. If you miss the time lines, the grievance will not be able to move forward. Step one, the first step in the grievance procedure, must be filed within 15 calendar days after the occurrence of the alleged incident. A step one grievance occurs with your immediate supervisor. At a step one grievance, the union steward will explain the facts of the grievance, the remedy sought by the union and ask for a remedy. The supervisor will answer, verbally, within 5 days of the meeting.

If the grievance is not resolved at Step One, it will move to Step Two in the grievance process. At Step Two, the grievance becomes a written grievance. The union steward will write down the facts of the grievance on an official AFSCME 411 grievance form. This form will cite the article in the contract violated, a brief synopsis of the facts and the relief sought. At this step, the grievant and union steward will meet with the Department Head in an attempt to resolve the issue. The time frame is within 10 days of the verbal response from the supervisor at Step One.

Within 5 days of this meeting, the Department Head must submit a written response to the union steward.

If the grievance moves to a Step Three grievance, the Union President submits a copy of the grievance to the Director, Human Resources within 10 days of the Department Heads written response. Within 15 days, a Step Three grievance hearing includes the Union President, a representative from Council 25, the union steward and the grievant. A witness may also be present at this meeting. A response from the Director, Human Resources is

given within 10 days to the Union President.

If the grievance is not resolved at Step Three, the Union President may send the grievance to arbitration and/or ask for a Step Four grievance meeting. Within 30 days of the response from the Step Three grievance, the Union President must send a Notice of Intent to Arbitrate letter to the Director, Human Resources. If the union president fails to send this letter within the time frames, the grievance is deemed ineligible for arbitration. Upon request of either party, a meeting will be scheduled on grievances in which a Notice of Intent to Arbitrate letter has been sent in an attempt to resolve these grievances. This is considered a Step 4 grievance hearing. Two representatives from the union and two representatives from the employer attend this Step 4 meeting. The two union representatives are the Union president and the Council 25 representative. If an agreement is reached, it is reduced to writing and the grievance is resolved.

If the grievance moves to arbitration, the Union President submits the grievance and all accompanying information in the grievance file to Council 25 along with the necessary paperwork and a letter, if necessary. The request for arbitration is sent to the Council 25 staff representative. The staff representative reviews the file and completes the necessary paperwork to submit the file to AFSCME Council 25's arbitration department in Lansing, Michigan. The arbitration review panel meets and reviews the merits of the grievance. Based on the merits of the grievance, the grievance is either accepted or rejected for arbitration. A letter is sent to the grievant's home alerting them to the status of their grievance. The grievant has 10 days to appeal any denial of their grievance and offer additional information to the Arbitration Department. Arbitrations accepted by Council 25 will be scheduled for a date for hearing before a mutually agreed upon arbitrator.

The grievant will meet with their Council 25 staff representative before the meeting date to review their case thoroughly. The ruling of the arbitrator is final and binding.

Some of the other rules that may apply include: Time limits may be extended or shortened by written consent of both parties: A grievance may be withdrawn at any step in the grievance procedure: Costs entailed for the arbitrator are equally shared by the employer and the union: All claims for back wages are limited to the amount of wages an employee would otherwise have earned less any unemployment compensation or other employment.

International Convention

The AFSCME International Convention will be held in Boston from June 28 through July 2nd. This year International Secretary Treasurer Bill Lucy, who has served our union for 38 years, is resigning and a new Secretary Treasurer will be elected. One of the items on the agenda is delaying the approval of a change in dues structure by a few years. This new structure will be based on salary instead of a flat rate.

AFSCME Local 411
7 N. Main, Suite 206
Mt. Clemens, MI. 48043

465-5292, 506-3302, 321-2380

President: Donna Cangemi
Vice President: Jan Wilson
Secretary: Cindy Donahue
Treasurer: Karen Davenport

Union Stewards

Verkuillen, Emergency Services
Joyce Compo - 469-5492
Sheriff Jan Wilson 321-2380
Downtown Mt. Clemens Bldgs.
Benny Smith—944-8481
Martha T Berry
Anthony Bursey—ESW
Elaine Lipsey—Day shift CENA's



Facilities and Operations
Chris Halvorsen -549-7788
Health Department

Joyce Compo, Adm. Bldg. 469-5492
Brenda Sanders, Warren, St. Clair Shores 573-2210

Community Mental Health
Jennifer Jozwiak 469-5778

Parks and Recreation, Pump Station
Alex Pricovec
Library
Denise Mentzer

www.afscme411.org