



Message From Our President:

Budget Realities Presents Challenges, Opportunities for Contract Bargaining

by Dick DeZeeuw, President of ASCFME Local 3336

We are at a critical crossroads in negotiating the next biennium's labor contract with the State of Oregon. What and how we come to agreement will determine both the value and quality of our working conditions over the next biennium ending in June, 2011.

Over last summer, we all had great expectations about the improvements we felt were achievable for this local's membership while also strengthening the mission of DEQ. Over the past six months, our expectations have been tempered by the crushing reality of the recession: millions of people across Oregon and the nation losing their homes and jobs.

To be sure, we in Oregon will come through this economic downturn both as individuals and

as state workers, but not without paying a significant price. It is the local's responsibility to mitigate the pain members will experience while continuing to lay a strong foundation of stability into the future.

We cannot predict what kind of agreement will come out of this bargaining session. The budget forecasts make it difficult to be optimistic about any increase to compensation. But our negotiating team is working hard to find creative solutions that will keep the damage to a minimum, and leave the door open to quick restoration of fair pay for members.

No matter what the end result may be, we will likely be better off than many Oregonians.

Recessions, like governors, come and go. DEQ and our mission will persevere. We must adjust to the changing economic realities while still holding on to our unchanging, deeply rooted, principles of service to the environment and service to Oregon's citizens.

One of our realities is that we will be expected to do more with less. Creatively reprioritizing and being more efficient is the healthy way to go about making the adjustment. Simply taking on additional stress by doing more work in less time is neither good for you nor the agency.

It is essential that we strike a balance between service to our families, service to Oregon as DEQ employees, and voluntary service to those less fortunate in our communities. Overwork and going the extra mile is a chronic

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Your Bargaining Team

Central Table

Dick DeZeeuw, President Local 3336

Local Table

Wes Risher (Team Lead)

Robert Vance

Dana Huddleston

Regina Cutler Tom Hack

Contract Action Support

Kevin Downing Sylvia Herrley

Doug Drake Agnes Lut (1st VP)

Robert Vance Karen Williams

Issa Simpson (C-75 staff rep)

condition within the ranks of the dedicated staff at DEQ. Much is asked of us from all quarters, and our contributions have received little recognition during recent negotiations.

We are proud public servants and we do neither ourselves nor Oregon's environment any good when we push ourselves past the breaking point to ill health or inefficiency. Without balance, we do the citizens of Oregon a major disservice when we overload our capabilities beyond reasonable limits or when we misrepresent DEQ's staffing and funding deficiencies by overstretching our workload.

The bottom line is ensuring that this bargaining session makes a positively impact DEQ's ability to protect the environment, both by

providing an accurate representation of our member's continuing dedication and fairly compensating them for their significant effort.

I conclude with the following words and I think they broadly reflect the root motivation of our dedicated members and explain why all staff at DEQ are willing to go the extra mile to better our world no matter what economic realities dictate:

"The ultimate test of man's conscience may be his willingness to sacrifice something today for future generations whose words of thanks will not be heard."

- Gaylord Nelson, former governor of Wisconsin, founder of Earth Day.

!!! Know Your Contract !!!

Times are tough and getting tougher. Your union can help you protect your home, your income, your benefits, your job, and your family.

Visit <http://www.afscme.org/members/> to find more about member benefits and services. These range from insurance and debt assistance to energy efficiency rebates and wireless service discounts.

But by far the best thing you can do in uncertain time is to know your rights, and your options, and the latest budget forecast indicators. Talk to your steward or an Executive Board member. Read your contract.

Layoff and Recall rights are contained in
Article 20
of your DEQ union contract.

<http://www.afscme3336.org/contract.htm>

The E-Board and DEQ agency management team are working diligently to minimize, and mitigate, the impact of present and future budget cuts.

We need your input and ideas. Get informed. Share your opinion. Together we are stronger.

**Membership meetings: third Wednesday
of every month, noon to 1pm**

Flex-Time Appeals Panel

You probably know our contract allows for flexible work schedules. Did you know you have rights to an appeal if your manager denies your flex schedule request?

Read through Article 24A, Section 10 of your contract. This section describes the appeal panel (comprised of two represented staff and two managers) that can be convened to review your work schedule request if it has been denied.

The decision of the panel is binding (i.e. can't be grieved). If the panel is tied, the Director makes the decision, and that is also binding.

Local Union Leader Retires: Elliot Zais

Elliot Zais, P.E., PhD, walked through DEQ's doors for the first time in 1994. He did not come from a Union background or a Union family. He had only a peripheral view of Unions that included his brother's membership in the Communication Workers of America and a short time as a roustabout on the oil and gas fields of Coalinga, California in the late 1960s. But what Elliot saw in his first months at DEQ prompted him to step forward and start making things right.

Elliot's pre-DEQ career was mostly in the private sector. After completing his engineering degree, he began working for the Texas Air Control Board, followed by a couple of years at Getty Oil in Bakersfield, California. He moved to Oregon in 1977 and for six years ran his own geothermal consulting company. In the 1980s he completed his PhD and continued his career with environmental and earth science consulting firms.

Despite his newness to unions, Elliot must have shown some sympathy to the cause, and he was recruited on to the Local's Executive Board shortly after starting work at DEQ. When the Union President accepted a Management position, the Chief Steward assumed the duties of the President as well. Elliot saw the futility of that arrangement and volunteered to serve as the Chief Steward.

The evidence of Elliot's tireless representation of his members over the next seven years fills several file drawers. His representation was always thoughtful and respectful, but he was never hesitant to apply the "equity principle" when appropriate – when acting in one's capacity as a steward and representing a member, a steward is permitted to use language as forceful and, shall we say, colorful, as a manager chooses to use. Some managers gave more opportunity than others for Elliot to exercise this principle.



As a member of three bargaining teams, he negotiated three contracts and made significant gains for permit coordinators and emergency spill responders.

Elliot's social conscience extended beyond our union to the larger labor movement through his volunteer work with Jobs with Justice and Central American labor groups. He and his wife (current DEQ employee Holly Pence) made notable appearances at labor and peace marches as two of several elegantly attired Billionaires for Bush.

In retirement, Elliot will allow himself pleasant diversions like woodworking, folk dancing, and making music, but will also continue to give back to his community by tutoring middle school students in science and math and serving on the board of the Alberta Cooperative.

Elliot's commitment to social justice was summarized by a plaque hung on his cubicle wall (presented to him by Jobs with Justice) that said,

***If I am not at home accepting
what I cannot change,
I am out changing what I
cannot accept.***

Best wishes for your retirement, Elliot. Thank you for everything you've done for us!



On January 8, 2009, the AFSCME Green* caucus held a “blue-green” legislative forum to bring AFSCME members and leaders of

environmental organizations together to learn about AFSCME Green and its priorities, as well as the possibilities of building a stronger blue-green movement. Over 50 participants (14 of them from DEQ’s Local 3336!) joined us for presentations by AFSCME Green leaders and others.

Barbara Byrd, the Secretary-Treasurer of the AFL-CIO and the organizer of **Oregon Apollo** (a coalition of unions, green businesses, and environmental and social justice organizations), led off the discussion with an explanation of what green jobs should include. To benefit workers and the community, green jobs should be good jobs that include family wages, health benefits, opportunities for advancement, and freedom to form unions (sort of what we want, right?). Barbara laid out opportunities for new green jobs and green job training, as well as labor standards that should be met before taxpayers subsidize companies that are creating new jobs.

Jake Weigler, the organizer for Healthy Climate Partnerships (a coalition of environmental groups working on climate change legislation), provided an overview of the Governor’s climate change legislative agenda.

Our own **Kevin Downing**, discussed DEQ funding issues related to climate change and the diesel retrofit program. **Scott Klagg**, from Metro, discussed the bottle bill.

Andrea Salinas, Legislative Director for the Oregon Environmental Council, and **Celeste Trull Janssen**, Chemicals Policy Program Director for the Oregon Center for



Bill Bradbury (back row, third from left), Leslie Cochran (front row, third from left) with participants and AFSCME Green members at the January 8, 2009 Legislative Forum

Environmental Health, talked about the Children’s Safe Product Act of 2009 which would protect children from toxic chemicals in toys and other products, and would compliment DEQ’s upstream strategy on toxics.

Attendees included former Oregon Secretary of State and now climate change activist **Bill Bradbury**, and several **newly elected state representatives**.

AFSCME Green organized a little more than a year ago to engage AFSCME members in blue-green issues. Members include a number of AFSCME locals that, due to their mandates, responsibilities, and interest in sustainability (e.g., green teams, solar panels on county buildings) have members who care about the critical environmental issues, support for green jobs, and growing a healthy green economy.

AFSCME Green members include locals representing workers at DEQ, Metro, Multnomah County, Clackamas County, OHSU, and the Department of Housing.

If you are interested in getting involved, contact Local 3336’s Labor-Environmental Liaison, **Leslie Kochan**, at (503) 229-5529 or kochan.leslie@deq.state.or.us.



OREGON AFSCME

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PLEASE CIRCULATE THROUGHOUT YOUR LOCAL

DATE: January 14, 2009
 TO: Oregon AFSCME Council 75 members
 FROM: Janice Larkin, Scholarship Committee, Oregon AFSCME Council 75
 RE: Oregon AFSCME Council 75 Scholarship Application Deadline

The Council 75 scholarship fund, named for Oregon Health Sciences University Local 328 member, organizer, and activist, Donna Danner, was established in 2001. The Danner Scholarships are awarded annually in the amount of two \$1,000 scholarships to a Council 75 member, and five \$750 scholarships awarded to Council 75 members in good standing (active, laid off, retired, or disabled), or spouses (including life partners and their children), children, stepchildren, or grandchildren. The \$750 scholarships are renewable up to five years provided recipients meet the qualifying requirements.

In 2008, a scholarship was established in the name of our late sister, Cornelia Valentine Murphy, by her brother Paul Murphy. Cornelia was employed as a Political Organizer for Council 75. There will be one \$500 scholarship awarded annually to a Council 75 member in good standing (active, laid off, retired, or disabled), or spouses (including life partners and their children), children, stepchildren, or grandchildren. The Murphy memorial is an endowment fund that needs donations in order to continue providing an annual scholarship. **Please consider making a contribution directly to OSAC or Oregon AFSCME Council 75.**

A full listing of the eligibility requirements and all application materials can be found online at www.osac.state.or.us, and clicking on <http://www.getcollegefunds.org> or by calling the Oregon Student Assistance Commission at 1-800-452-8807 or 541-687-7395. The Donna Danner scholarship is listed as **AFSCME Oregon Council #75, Scholarship Code 315MX**. The Cornelia Murphy Scholarship is listed as **Murphy – Cornelia Valentine Murphy Memorial, Scholarship Code 500MX**.

There is a required brief essay question: "What is the importance of organizing political action and contract bargaining for workers?"

Applicants submitting completed materials prior to February 16th are eligible for one "early bird" scholarship. Applicants must also file an Application for Federal Student Aid (FAFSA). This form can be filed online at www.fafsa.ed.gov. All application materials and attachments must be postmarked or hand delivered Monday-Friday, 8:00 AM to 6:00 PM **no later than March 2, 2009** to Oregon Student Assistance Commission, 1500 Valley River Drive Suite 100, Eugene, OR 97401-2148.

Additional scholarship opportunities can be found on the Oregon AFSCME website at www.oregonafscme.com.

Our Union and Politics

by Karen Font Williams

What was Measure 64 all about?

With the failure of Measure 64 this past November, some of us feel like we narrowly averted disaster and are still catching our breath. Some don't remember what Measure 64 was about. And others, a disturbingly high percentage of our fellow union-represented workers, are disappointed -- because they voted for it. In my conversations with some of these people last fall, I sensed frustration, mistrust, and outright disdain for our Union and its political influence.

This is a problem – a big problem. Neither Sizemore nor his funders have gone away, and long before we voted this November, Sizemore had filed to put this same measure on the 2010 ballot.

Measure 64 would have prohibited payroll deduction of union dues (if those dues were used for political purposes) and payroll deduction of additional voluntary contributions to causes that engaged in politics. So one question arises:

How much dues money goes to politics?

AFSCME Council 75 political staff are paid with your dues dollars, as are all staff working for AFSCME. Council 75 employs two lobbyists and two political coordinators. Additional political staff from International AFSCME (in Washington, D.C.) help us during election seasons. Measure 64 made an exemption for lobbyists, but not other political staff.

Each month, 3% of your dues goes into a ballot measure fund. AFSCME's Executive Board (comprised of about 75 of your fellow represented workers) voted to institute this fund many years ago, primarily to fight the anti-

union and anti-public employee ballot measures like Measure 64.

This past fall, AFSCME spent about \$5 million fighting seven ballot measures that would have devastated state and local revenues and workers' rights. Occasionally, we can use our ballot measure fund to support something positive for working people and our communities like increasing the minimum wage, preserving natural areas, or sensible and fair land use planning.

About 1% of your dues goes to state and local candidates recommended by the members on the Political Action Committee and endorsed by the members of our Executive Board.



None of your dues goes to candidates for federal office – federal law prohibits such contributions. None of your dues money went to Obama or Clinton or McCain or Merkley or Schrader, or any other candidate for federal office.

Money invested in the campaigns of federal candidates who support working family issues comes from voluntary donations made to our Political Action Fund – PEOPLE.

A PEOPLE donation is a simple process of signing the back of a yellow membership card, writing in how much you want to donate per month, and giving the card to a steward or union officer. Oregon residents can receive a tax credit for these donations up to \$50 for individuals and \$100 for joint filers. So for a \$5 per month donation, you get back \$50 of your \$60 donation as a tax credit. Not a bad deal for a louder voice in politics.

How politics work in this Union.

Like everything within AFSCME, political decisions are democratic – the members decide. Members decide what questions

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Politics...continued

candidates are asked in interviews. Members decide which candidates will receive AFSCME's endorsement. And members decide how much to donate to candidates' campaigns. Any member can participate in any or all aspects of AFSCME's political decision process.

AFSCME Council 75 happens to employ particularly dedicated, smart, and savvy political staff. We are guided by their experience, expertise, and opinions, but our paid staff do not make the decisions about candidate endorsements or campaign donations. Members make those decisions.

AFSCME's endorsements are not for Democrats only, though it is true at both the state and federal level that more Democrats than Republicans have tended to support issues that AFSCME members rate as important: a more fair and stable state tax structure, sufficient resources for responsive public service, expanded health care coverage, and environmental conservation, for example.

Endorsement decisions do not consider a candidate's opinions about abortion, same-sex marriage, or any other issues not relevant to the economic well-being of working families and union members.

THANK YOU to this season's political volunteers!

A select few of your fellow workers donated their time to political causes in this very exciting and **historic election year**. These volunteers recognized our collective power to influence who our leaders will be, what they will fight for, and what resources will be available to support the issues most important to us.

Jack Herbert is in a class by himself. Starting in late summer of 2008, Jack spent nearly every weekend knocking on doors and many evenings working the phone banks. The Executive Board is grateful for Jack's dedication and extraordinary efforts.

Other much appreciated volunteers from Local 3336 include:

**Deb Bailey
Bill Brown
Alex Cyril
Koto Kishida
Leslie Kochan
Jim Orr
Richard Santner
Ken Thiessen
Rob Vance
Bob Williams
Karen Williams
Don Yon**

!!! THANK YOU THANK YOU THANK YOU THANK YOU THANK YOU !!!

OPINION: BCP, Inclement Weather and Non-Exempt Employees

by Karen Williams, steward

Every year it snows, and when it snows enough to close State offices, the irate emails start pouring into the Union President's inbox. "What do you mean I don't get paid when the office closes and the person sitting next to me does? Why doesn't the Union do something about this unfairness?"

This is a fair question. The answer is that your Union has made progress on this issue in the last two bargaining sessions, but it's a rough road.

During 2007 bargaining, the State was very blunt: they will not pay people for time not worked unless they legally have to. Under the Fair Labor Standards Act (FLSA), the state legally has to pay FLSA-exempt workers for office closures less than one week in duration.

The State could choose to pay non-exempt staff (as

Metro does, for example) for time lost due to inclement weather office closures. They have chosen not to.

In 2007, Union and DEQ Management bargaining teams had long discussions about this topic and the inherent unfairness.

To the Agency's credit, during the Bend fire-related office closure, they arranged work for everyone and a means to do that work for several weeks. No staff, exempt or non-exempt, had to take leave without pay (as even exempt staff would have to do after one week).

The Union's praise of how the Agency handled the Bend situation led to a more productive discussion around the Agency's Business Continuity Plan (BCP). The BCP outlines how the Agency would continue operations in the event of some major disruption (earthquake, terrorism, etc.) that would close offices for days or weeks. Union and

Management bargaining teams agreed that the economic effects on non-exempt staff had to be considered a priority in the BCP.

The premise is relatively simple: if one can access and complete work, one can be paid. Planning for this, position by position, is not so simple and will require a serious commitment by the Agency and the Union.

To these ends, the Union and Management negotiated a Letter of Intent that acknowledges the priority of having alternative work locations (so non-exempt people, especially VIP, can work when the office is closed and be paid). The Letter of Intent also documents that the Union will have a designated representative on the BCP.

In this steward's opinion, pursuing the pay fairness issue through the BCP and our representative's participation may be a more worthwhile effort than trying to force the State into doing something they have stated very clearly they have no intention of doing.

Council 75 Convention 2009 Information

The 2009 Oregon AFSCME Biennial Convention is scheduled **for April 24-26** at the Salem Conference Center.

Council 75 Executive Assistant **Stephanie Swan** is the convention coordinator and the chair of the Oregon AFSCME Convention Committee.

Any questions about the convention should be addressed to Swan at (503) 239-9858 or (800) 792-0045 or contact your local MAT member, Steward or E-Board rep.



Event and Training Calendar

<i>Date/Time</i>	<i>Event</i>	<i>Location</i>
Jan 31	Steward Training - Module 3. Lunch is provided. RSVP to Marina Warner, 503-239-9858, or marinaw@oregonafscme.com .	AFSCME Portland Office 6025 E Burnside
Feb 5 7:30 am- 9:30 am	The Portland Red Guide: Sites and Stories from our Radical Past with Professor Michael Munk Breakfast: 7:30 a.m.; Speaker and Q&A: 8:00 – 9:30 a.m. Questions? Call Connie Weimer - 503 326-2176	Hayden's Lakefront Grill, Tualatin 503-885-9292
Feb 6-8	Volunteer Member Organizer Training To register for the 3-day VMO training, please contact: Sue Lee-Allen 1-800-792-0045 or 503-239-9858 Email: suelee@oregonafscme.com	AFSCME Portland Office 6025 E Burnside
Feb 16 Noon-1pm	Presidents Day Rally to Protect Kids & Schools Rachel Langford, Portland Director Stand for Children 503.803.9949 rlangford@stand.org	State Capitol Steps, Salem
Feb 21	Steward Training - Module 2. Lunch is provided. RSVP to Marina Warner, 503-239-9858, or marinaw@oregonafscme.com .	AFSCME Portland Office 6025 E Burnside
Mar 2	AFSCME Council 75 Scholarship Application Deadline]	
Mar 7	Steward Training - Module 3. Lunch is provided. RSVP to Marina Warner, 503-239-9858, or marinaw@oregonafscme.com .	AFSCME Portland Office 6025 E Burnside
Mar 13-14	Leadership School Collective Bargaining (Focus on: Table Tactics) Communication Skills For Union Activists	Eugene/Springfield
Apr 4	Steward Training - Module 1. Lunch is provided. RSVP to Marina Warner, 503-239-9858, or marinaw@oregonafscme.com	AFSCME Portland Office 6025 E Burnside
May 8-9	Leadership School Current Trends In The Labor Movement Arbitration: Preparation & Presentation Basic Grievance Handling Unions 101: Turning Members into Unionists Problem Solving/Conflict Resolution	Metro — Portland
May 16	Steward Training - Module 2. Lunch is provided. RSVP to Marina Warner, 503-239-9858, or marinaw@oregonafscme.com .	AFSCME Portland Office 6025 E Burnside
Jun 6	Steward Training - Module 3. Lunch is provided. RSVP to Marina Warner, 503-239-9858, or marinaw@oregonafscme.com .	AFSCME Portland Office 6025 E Burnside

For More Information On LERC Events:

Go to the University of Oregon's Labor Education and Research Center's website at <http://www.uoregon.edu/~lerc/> or call 541-346-5054