



LOCAL Voice – April, 2006

The dictionary notes “VOICE” as... **the right or opportunity to express a choice of opinions...** one of the goals of our LOCAL Voice is to give our members a chance to do just that. This is the first of the new QUARTERLY news letters that we will be publishing for you, the members. We will try to keep up on the current union news as well as other important issues that affect our daily lives. Quite a big challenge, so that said, LOCAL Voice is a very appropriate title.

Websites that are useful and very informative are the National AFSCME website at [www.afscme.org](http://www.afscme.org) your State AFSCME at [www.oregonafscme.org](http://www.oregonafscme.org) and our local website at [www.afscme3336.org](http://www.afscme3336.org). **Check them out!**

Since the LOCAL VOICE is published for the benefit of LOCAL 3336 members, the “**Your Voice Matters**” section is for your input. Tell us what subjects you are interested in, ideas you may have regarding union business and of course, your opinions. Send them to the Editor: [editor@afscme3336.org](mailto:editor@afscme3336.org)

.....

### SIGNIFICANT VICTORIES

*By Karen Font Williams, Chief Steward*

#### Professional Difference of Opinion Settlement

Mediation can pay off! In September 2005, after a year and a half, the Union and Management settled (to this writer's knowledge) the Agency's first **Professional Difference of Opinion grievance (Article 57)**. The Union contended that Management had removed the grievant's major challenging project responsibilities at the behest of a regulated entity, not because of workload or proven performance failures. The grievant had expressed technical disagreements with the regulated entity about environmentally protective sampling methods and permit limits. Management denied the grievance based on timeliness and continued to argue that performance, rather than retaliation, prompted the removal of duties.

The Union had little confidence that arbitration could restore the grievant duties, but also recognized that Management had little incentive to engage in mediation. We provided that incentive: Within 10 days, Union stewards had collected 100 signatures on a petition supporting the grievant and requesting mediation. The petition brought Management to the table ...slowly.

*Please Continue on Page 2 Column 1*

### The “GLIDEPATH” and YOU

*By Jay Collins, Second Vice President*

Our contract language encourages DEQ management to be creative in avoiding layoffs during tight budget times. Management in given additional flexibility in filling vacancies by voluntary transfers and demotions (see “**Article 20 -Layoff**” at [www.afscme33369.org](http://www.afscme33369.org))

In **2004**, the Air Quality budget forced the program to down-size. Managers worked together to find opportunities for employees. Union involvement was minimal. Some staff reported a need for more flexibility and involvement. Some wanted a more open process. Right of return to previous classification was also a concern.

In **2005**, the Cleanup program adopted the term “**GLIDEPATH**” in discussing their moves to reduce costs. “**GLIDEPATH**” is an aircraft term. In DEQ's case, it's taking a program at a certain level of funding and moving to a lower level of funding while avoiding a crash. HR and Land Quality managers worked together to formalize a process to avoid layoffs and maintain necessary functions. **(Some of the documentation and procedures are available on HR's webpage on the DEQ Intranet.)** The Union argued that employees could help sort this

*Please Continue on Page 2 Column 2*

## SIGNIFICANT VICTORIES

*Continued from front Page Column 1)*

Council 75 Representative Issa Simpson and Steward of Record, Karen Font Williams, represented the grievant in mediation, beginning in June 2005. Focusing the discussion on what the Union considered substantive matters presented the second challenge and necessitated an emergency Executive Board meeting. The mediation team was considering going to the media and needed to confer about the associated benefits and harm to the membership from such an action. Issa Simpson and our then-president, Liz Waddle, made clear to Management that unless we could proceed with a discussion about professional differences of opinion and the harm done to our member, we would go to the press. That same afternoon, with both sides present, we reached a settlement that included restoration of the grievant's project responsibilities. Though the settlement also included concessions (e.g. doing a peer survey of the grievant's communication skills), the grievant felt well represented by the Union mediation team and well served by the mediator, "The mediator was entirely professional at his job getting both sides of the issue and the issue resolved in short order."

Though the whole experience was at times disheartening and stressful for the grievant, ultimately, she felt it was worth it. She offers to her fellow DEQ employees, *"Stand up for your professional opinions, especially if ethical concerns are an issue--not only for your own self-esteem, but for others in DEQ that have had and will have similar conflicts."*

### **Restoration of Back Pay**

The Union convinced Management to restore back pay to several Vehicle Inspection Program employees who had been, we argued, improperly forced to take leave without pay. These members had exhausted their sick leave but not all paid leaves. In an attempt to fix what Management perceived as sick leave abuse, they did not allow employees to use other paid leaves (if they or their children became sick) once they had run out of sick leave. We recognized that Management had a right to pursue progressive discipline if they had evidence that an employee was abusing sick leave, but they had no such evidence and were economically punishing some of the lowest paid people in the Agency. The Union filed four grievances based on contract language stating that it was the employee's choice to use leave without pay or other paid leaves once sick leave was exhausted. Management proposed a settlement that included reimbursing all VIP Inspectors forced into leave without pay (as long as they had other available paid leaves) back to November 2004, when Management started enforcing this policy.

### **Moratorium on VIP Error Policy**

Finally, after a year and a half of grievances, Labor-Management meetings, and much damage to VIP employees' personnel files, VIP Management placed a moratorium on the paperwork and money error policy. This policy was Management's attempt to consistently

administer discipline for making a certain number of paperwork or money errors in a six-month period. The Union has fought this policy since its inception because we saw that the policy allowed an employee to be disciplined without a fair investigation or steward representation.

VIP Management invited the Union, then-president Liz Waddle and Chief Steward Karen Font Williams, to a Paperwork/Money Error "summit" last fall to learn from inspectors and managers what might be a better way to reduce errors. At that summit, we pointed out that nine months of error records we requested from each of the stations did not show a reduction in the error rate under the new error policy. We had repeatedly asked if the policy was intended to be corrective or punitive, and as disciplinary letters piled up in members' files, for Management to put a moratorium in place until a better policy could be developed. For several months, Management said no, purportedly because that would be unfair to the people that had been disciplined. The Union recognized this potential inequity but we did not feel justified in continued use of a system that caused many inspectors tremendous stress. In January 2006, with the introduction of new software at VIP, Management halted the error policy, expecting that errors would be inevitable with a new product.♦

## "The GLIDEPATH" and YOU

*Continued from front Page Column 2*

out. With all the information on the table, staff might better control their own destiny, producing better morale and a better overall result for DEQ. Management wanted to get it perfect before they let out the plan, and the Union did not get to participate in planning. Several meetings were held, with the Union requesting a more open process. Management announced their "Glidepath" plan in October with a November 1, implementation date. Of course, this raised some concerns and left the union and worker input largely out of the equation.

The Union has since raised a variety of issues. Management suggestions, (while sympathizing with workers) are not impacted by the "GLIDEPATH". Some DEQ workers have concerns of facing loss of their jobs, concerns about jobs they have been training for, filled by down-sized employees and never coming open. "Article 16 - Filling of Vacancies" implies that employees get to compete for job openings. Is it fair if employees working towards career goals don't get to compete for openings? On the other hand, employees working here for years shouldn't be left to their own devices just because of funding.

Now Water Quality has announced that they are working on a "GLIDEPATH". The Union has requested a place at the table and we're waiting to hear back. "Right-sizing" is also under consideration for Hazardous Waste. DEQ's budget is tight all around.

*Please Continue on Page 3 Column 1*

Can the Union help reach a middle ground where employees can participate in a more open process that sort out staff moves resulting in a better fit, better morale and more protection for employee career paths at DEQ? The Union does not know how hard to push or what to push for, partly because we don't have a clear feel for what the members want.

**Now it's your turn.** We want to hear from you. How active should the local be in the "GLIDEPATH" process? Should employees have more involvement in these decisions? Should the process be more open? Should the Union be hands off and not rock any boats?

**Send your thoughts on these questions to:** [editor@afscme3336.org](mailto:editor@afscme3336.org)

**YOUR VOICE MATTERS**

***Our Union will be stronger if we talk frankly about what we do well and what needs improving. The Local Voice asked three members, two of whom joined recently, what they thought about their Union.***

**Rachel Allen**  
**Chemist, Laboratory Division**

I joined our Union in June 2005 when I realized that I wasn't already a member. Starting out as a Chemist 1, I immediately benefited from the Union bargaining for a two-step increase for my classification. Also, with the continual erosion of benefits in today's work environment, I think it is very important to support the only entity still fighting for the needs of workers. The media constantly criticizes public employees for "costing too much" and compares our benefits to private business. The irony is that employees in private business should be using the Union's example to fight for more benefits in their work place. Without the Union's fight for benefits, there would not be a standard.

Our Union should work toward maintaining competitive salaries and benefits so the public sector can attract and maintain the best employees. The biggest criticism of working under a union contract is the correlation between raises and years of service. At times, I have seen it foster resentment among new, ambitious workers and complacency among long-time workers. DEQ's Union is somewhat hindered by complacency -- people want all the benefits of the Union, but don't want to pay dues or be members.

**Shari Jay**  
**Vehicle Inspection Program Analyst, Air Quality Division**

I joined our Union in June 2005 because I wanted to examine the inner workings of the Union, learn how decisions were reached, and understand what contributing factors influenced those decisions. I had not joined our Union previously because I had held a

management position. One weakness the Union should address is the way grievances are handled. I see my role as a Union member to be informed, fair, and an impetus for change.

**Shanique Young**  
**Air Monitoring Specialist, Laboratory Division**

I joined our Union because when I needed assistance, it was there; Management in my division was also exceedingly helpful. I think our Union should be working on filling vacant Union positions. Find out why people don't want to participate, and address challenges with solutions.

Our Union should stand by its mission statement: to act as "the stewards of the environment."

How can the Union help when we lose positions? The Union should support grass roots environmental organizations that involve our community and make legislative changes in Oregon. We would have more resources to protect the environment and human health, and workloads could be more evenly distributed. With our voice distinct from Management, my hope is that we can make some changes where their hands are tied.

Our Union should address it's weakness in communicating. The Union webpage is a good way to keep members informed, but it needs updating. Union representatives have been pleased to answer my questions but I haven't figured out my own role within the Union.



\*\*\*\*\*


**NOTE:** Signatures for ballot measures on healthcare coverage could enable us to keep coverage in the future. See the message at: [www.afscme3336.org/newsletter.htm](http://www.afscme3336.org/newsletter.htm) about ballot initiatives and the Working Families Party. The Oregon AFL-CIO wants to create a Working Families Party to support candidates of major parties who support us.

*Jack Herbert, Executive Board*

**Professional Difference of Opinion Workgroup Convened**

By Karen Williams, Chief Stewart

As bargaining drew to a close in late June 2005, Management and Union teams negotiated a Letter of Intent regarding professional differences of opinion (Article 57). The Union and Management are implementing the Letter with a workgroup of 8 employees whose charge is to provide recommendations to the Director by January 2007, on more effective and open ways for the Agency to respond to professional differences of opinion. **Union workgroup representatives are:** Dick DeZeeuw (HQ), Pat Vernon (HQ), Audrey Eldridge (Medford), and Brooks Koenig (retired Union president). **Management representatives are:** Keith Johnson (NWR), Joni Hammond (ER), (HQ), Helen Lottridge (HQ), and Kerri Nelson (WR). The group will research instances of professional difference of opinion, those resolved successfully and those not, partly by requesting testimony from both Labor and Management employees. **Please contact a member of the workgroup if you have a case that would contribute useful information.** The recommendations to the Director next year will be a step toward creating a safer environment for staff to come forward with professional differences of opinion.

 <b>May 17</b>  <b>May 19-20</b>	<b>General Membership Meeting</b>  <b>LERC-Central Point Leadership School</b> Internal Organizing and Solidarity Building—ULEAD 2	HQ room 3A  Central Point
<b>May 31</b> <b>12:00-1:00 pm</b>	E-Board Meeting	NWR - room 1A
<b>Jun 3</b> <b>6:00 pm</b>	<b>Labor Appreciation and Recognition Night, "1950s Style"</b> An evening honoring the labor community's outstanding men and women. Dinner buffet tickets: \$10 per person Raffle tickets: \$1 each, or 7 for \$5  RSVP Dinner tickets no later than May 26, 2006 To purchase tickets or for more information call the NW Oregon Labor Council, 503-235-9444.	Westmoreland Union Manor 6404 SE 23rd Ave. Portland
<b>Jun 2-4</b>	<b>2006 Labor History Conference</b> 38th annual PNLHA Labor History Conference <i>Ports, Borders and Labor in the Pacific Northwest</i>	Olympia, WA Evergreen State College
<b>Jun 10</b> <b>9:00 am</b>	<b>Leadership Training</b> Leadership training and development targeted for member leaders in eastern Oregon. Contact: <a href="mailto:Stephanie.Swan@afscme3336.org">Stephanie Swan</a> 503-239-9858                      800-792-0045	Pendleton Convention Center
<b>June 21</b>	<b>General Membership Meeting</b>	NWR rm A/B
<b>Jun 28</b> <b>12:00-1:00 pm</b>	E-Board Meeting	HQ - room 7
<b>Jul 26</b> <b>12:00-1:00 pm</b>	E-Board Meeting	NWR - room 1A
<b>Jul 28-30</b>	<b>LERC Summer School</b>	

Remember, this is your news letter and your comments are welcome. To send us your opinions and comments, go to [editor@afscme3336.org](mailto:editor@afscme3336.org). These will be printed in our next issue.

Jan Coomler, Editor  
 Jay Collins, Second Vice President  
 Karen Williams, Chief Stewart

