



NLRB Cases Put Millions at Risk of Losing Union Rights

from the National

Union members turned out in force across the country this week to draw attention to three pending National Labor Relations Board cases that could leave millions of workers without union rights by redefining who can be labeled a "supervisor" in a workplace.

In Washington, D.C., area CWA members were among hundreds of union activists who rallied Thursday in front of NLRB headquarters. Rallies also took place this week in Nashville, Portland, Ore., Phoenix, Chicago, Milwaukee, Albuquerque and other locations.

The NLRB cases, known collectively as the "Kentucky River" cases, began with groups of nurses trying to organize in Kentucky. Management has tried to claim they are supervisors and therefore ineligible for union rights.

In 2001, the Supreme Court sent their case back to the NLRB, telling the board to clarify which workers should be considered supervisors. The board, with its anti-labor majority appointed by President Bush, could issue a ruling this summer. The U.S. Chamber of Commerce and other employer groups are eagerly anticipating a victory for their side.

The Economic Policy Institute, in a new report titled, "Supervisor in Name Only," has identified 35 occupations in each of which 50,000 workers or more could lose their union rights. Totalling more than 8 million workers across the country, they include 843,000 registered nurses, 152,000 electricians, 77,000 mechanics and 70,000 pharmacists.

"Skilled and experienced workers such as registered nurses, who give instructions to co-workers about how and when to perform certain tasks, are particularly vulnerable to reclassification as supervisors under this push for a broader reinterpretation of the term," EPI says. "For example, nurses who tell orderlies or nurse aides to do certain things for particular patients are at high risk of reclassification, as are journeymen con-

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Strategic Industry Fund Resolution Passes at Convention

by Ray Pomeroy

CWA delegates from around the country passed resolution 68A-06-02, Establishment of a Strategic Industry Fund (SIF), at the 68th Annual CWA Convention.

The SIF will be funded by the quarter hour per member per month assessment that currently goes into the Members Relief Fund (MRF). The floor for the MRF will be set at the level it was on July 11, 2006. The balance on June 1 was approximately \$380 million. The MRF will continue to grow through its investments and in the event that a strike takes it below the \$380 million floor the quarter hour reverts back to the MRF until it reaches the floor.

The SIF will be earmarked for the various industries we represent based on the percentage of member contributions from those industries. Some examples, based on the first year are:

Telecom	=	\$314 million
Media	=	\$2.8 million
Manufacturing	=	\$3.9 million
Health Care	=	\$528,000

Units that do not contribute to the MRF (units that can't strike, etc.) would have to take action to contribute to the SIF in order to be eligible for funds.

The fund could be used for things like media

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Federal Judge Throws Out Fair Share Health Care

by Ray Pomeroy

Wednesday, July 19, 2006

U.S. District Judge J. Frederick Motz overturned a Maryland law that required Wal-Mart Stores Inc. to spend more on employee health care. The Judge decided the world's largest retailer "faces threatened injury" from the law's spending requirement.

The state law would have required employers with over 10,000 employees to spend at least 8 percent of payroll on health care or pay the difference into the states Medicare fund. Wal Mart is the only large company in the state that fits the category which gave the original bill its nick-name the "Wal Mart Bill".

Judge Motz decided that the law would have

hurt Wal-Mart by requiring it to track benefits for its Maryland employees in a different way than it keeps track of employee benefits in other states. The judge wrote that the law "imposes legally cognizable injury upon Wal-Mart."

Governor Ehrlich vetoed the bill after lawmakers passed it in 2005 and the General Assembly, as one of its first official acts this year, overrode the veto.

According to WBAL News, House Speaker Michael Busch said he was not surprised at the decision, but he does say the decision might encourage other large businesses to cut back on employee health benefits.

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President's Point of View.....

Denise Burns

Besides going to the CWA 68th Annual Convention-all my time has been spent dealing with grievances and member issues. Last year our total number of grievances was 227. Last year only 13 of those grievances were for Cingular.

This year to date we have logged 194 grievances. Of the 194, only 38 have been for Verizon, the rest are for Cingular. Don't get me wrong there are still major issues at Verizon. It is just that Cingular has imposed quotas, that to us are unrealistic, and they are actually firing people in four months if they don't make their numbers.

In the meantime, we have trained four new stewards for Cingular. We want to thank and welcome; Denise McCollum (202 701-4842) Waldorf South, Philip Pascoe (443 253-8596) Towson Mall, Abraham Samuels (410 330-0816) Towson York Rd, and Erik Shy (301 860-1623) Annapolis Forest Drive.

I expect with Verizon losing more management we will see more issues coming up and most likely more grievances there as well. We know that all work forces are down in size and that Verizon thinks each of us can do the work of several people. In reality it

means more forced overtime, less training, less work ethic applied, more stress, quicker tempers, bad judgments and a multitude of other things.

Verizon's work force is younger and less experienced. It is the same at Cingular. Verizon is contracting out more and more work. They are not adhering to contractual language. Cingular is firing trained retail sales people to bring in less experienced sales people and regularly increasing quotas.

I hear from members at both companies that they aren't getting all the training they need to do the best job they can. Now with managers having more people and locations to manage, what kind of assistance will they be able to give? Does the manager even know what is required in the job that they are managing?

What does our future hold? Can we trust that these companies will work with us at contract time? Don't bet the store on it.

"Nothing is impossible for the man who doesn't have to do it himself." A H Weiler privately circulated memorandum of the New York Times

Cingular Wireless, Union Yes?

At Convention a delegate from District 3 (AL, FL, GA, KY, LA, MS, NC, SC, TN, PR) came to the microphone and put a motion on the floor at the end of the report of the Rules and Resolutions Committee. Her motion was that "CWA not promote Cingular as a 'union friendly' company." This motion carried and CWA Headquarters has already made a change to their website.



Cingular Wireless is currently the only Union wireless choice in this country. In 1997 Ed Whitacre, SBC CEO was invited to speak at the CWA Convention. It was the first time in 42 years that the CEO had appeared before a CWA convention. We invited him so that we could showcase his management style and the relationship that we were building. We did this not only for our own members, but also to showcase SBC as an example to other CEOs in the industry.

Mr. Whitacre spoke about the ways in which

the union brings added value to the company. Particularly on regulatory matters. He spoke these words that still resonate today: "You have certainly shown us that union-company labor relations can be a win-win relationship, a relationship that can provide a powerful competitive advantage."

I want to say that our local has a pretty good relationship and an open line of communication with HR and Labor Relations at Cingular.

Where the problems begin (other than outrageous quota's) is on the front line. Many of the managers, store or field, tend to view the Union as the enemy. If the managers would think and listen they would realize that "we" want and need the company to succeed and "we" can help make that happen.

We, the Union members, are the ones that do the work that makes the profits. Profits come from the workers not management. A happy workforce is a workforce that is left to do their job without jumping through unreal-

Northwest Airlines Flight Attendants Reach Tentative Agreement

from the National

Minneapolis -- After a week of intense bargaining and a final, marathon session, the Association of Flight Attendants-CWA (AFA-CWA) and Northwest Airlines reached a new tentative agreement early this morning. Negotiators reached the agreement in time to avoid rejection of the existing flight attendant contract, as had been authorized by the bankruptcy court.

"With the airline in bankruptcy, this deal was always going to be about survival," said Mollie Reiley, Northwest Interim Master Executive Council (MEC) President. "We left no stone unturned and have made a significant difference together, but this is not a day that we celebrate. We have an agreement that will give flight attendants hope for the future and one that allows us to fight another day."

Flight attendants voted down a previous tentative agreement by an overwhelming margin. AFA-CWA, who was elected as the new union for the Northwest flight attendants less than 10 days ago, went to work immediately, restarting negotiations that led to this tentative agreement.

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istic hoops. And we know a happy workforce produces more.

Who knows how much pressure is being put on management at the front line? Are they too afraid to speak up for fear of losing their jobs? Do they speak up and it goes unheard? Whatever the answer is, it needs to be addressed. I hear many different versions of how first line management treat their employees or what their work habits are. I am only hearing one side of the story but I have to believe some of it.

Does your manager come in to the store everyday, do they manage? Do they stay in the back room or do they assist with customers when the store is busy? Do they have their

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A statement from walmartwatch.com says, today's decision is not the final word on this piece of legislation and we remain optimistic that there will be an appeal. This debate has accomplished our goal of drawing added scrutiny to Wal-Mart's unaffordable and inaccessible employee health care plan. ~ More than any other employer, Wal-Mart shifts its health care costs onto taxpayers - in all 21 states that have disclosed this data. Wal-Mart doesn't pay its fair share and Judge Motz

"Our flight attendants rightfully demanded to see improvements in the terms of the previous tentative agreement," said Reiley. "We have addressed the areas that caused the greatest concern in order to make this agreement one that we can live with today and build upon in future better times at Northwest Airlines."

The tentative agreement will next be submitted to the Northwest MEC. The MEC, made up of local presidents from each base in the Northwest system, decides whether to accept the tentative agreement and send it out for membership ratification. That meeting will take place in the next few days.

For over 60 years, the Association of Flight Attendants has been serving as the voice for flight attendants in the workplace, in the aviation industry, in the media and on Capitol Hill. More than 55,000 flight attendant, including 9,200 at Northwest, come together to form AFA-CWA, the world's largest flight attendant union. AFA is part of the 700,000-member strong Communications Workers of America (CWA), AFL-CIO.

"favorites" that they give sales to when they should go to the store account? Do they treat everyone fairly? Do they go strictly by the book or are they flexible? Do they work the floor by themselves? How do they offer overtime and schedule changes? How is it in your store?

We know what the issues are, now we need to find some way to resolve them. If upper management can extend a working relationship with the Union perhaps they can share it at a lower level too. We know that we can agree to disagree on some issues but the day to day stuff we should be able to deal with effectively.

My next question, "what trouble did the chairs cause"?

acknowledged this by encouraging other states to experiment with creative solutions to the health care crisis. A recent Washington Post survey found that 77 percent of Marylanders support the legislation and this issue will remain at the forefront of the public debate in this election year.

Kevin Enright, a spokesman for the Maryland attorney general's office, said the state would appeal to the 4th U.S. Circuit Court of Appeals in Richmond, Va.

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struction workers who guide other workers on a crew."

Despite requests from unions, the NLRB has refused to hear oral arguments on the cases. At a protest in Nashville, AFL-CIO Organizing Director Steward Acuff said it is "outrageous that the NLRB would consider deciding to disenfranchise millions of people and not hear from the workers most affected."

The Washington, D.C., rally drew a crowd that included NLRB member Wilma Liebman, one of two Democrats on the five-member board.

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out. We all know about the 'Union Facts-dot-com' crowd, bankrolled by the Chamber of Commerce and other corporate groups that are mobilizing against the Employee Free Choice Act. In the last round of bargaining with Verizon, we know that they plotted for two years to devise a campaign to try to force us to strike. We didn't fall into that trap. But you can be sure that Verizon and others right now are drawing up strategies for their future."

The delegates went in on the first day of convention expecting to be there well into the night, there was much hand wringing and talk about the SIF leading up to the convention. There was also quite a bit of debate on the floor when the resolution finally came up but the measure passed by what appeared to be a wide margin.

Apparently the delegates in the end saw the issue the same way that Wayne Mitchell from Local 14170 in NY, N.Y. did. Wayne said, while speaking against a proposed amendment that was defeated, "We kept the promise for 16 years, now it's a new day and a new fight. We need a new promise and we need new ideas".

Retirees Corner

The next meeting is August 14 at 10AM. We welcome all new members and hope to see more of you at the meetings.

RMC meetings are held on the second Monday of every month. Unless otherwise noted all meetings are held at the Local 2107 office at 2441 Holly Ave, Annapolis and begin at 10AM.

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Dates to Remember

Membership meetings

08-08	Northern Area	6:30 pm
08-09	Southern Area	6:30 pm

Other Meetings

07-25	MD ST DC & AFL-CIO Special COPE Meeting	
07-26	Executive Board Meeting	2:00 pm
08-07	CWA MD St CO Meeting	10:30 am
08-14	Retiree Meeting	10:00 am
08-22	Executive Board Meeting	9:00 am

Other

08-14	Safety Conference Call	
08-15	Newsletter deadline	
08-15	Steward Meeting	6:30 pm

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