



Workers Compensation and FMLA

by Ray Pomeroy

Workers Compensation and FMLA are two different things although they may overlap.

FMLA is the common term for Federal Law: CFR Title 29, Chapter V, part 825 The Family and Medical Leave Act of 1993.

The FMLA requires employers to allow eligible employees to take up to 12 weeks of unpaid leave during a 12-month period to care for a newborn or newly-placed adopted or foster child; or for the serious health condition of the employee's child, parent, spouse, or the employee's own health condition. The employer must designate any relevant leave as FMLA leave within 2 business days of its receipt of proper notice.

The FMLA defines serious health condition broadly to include any "illness, injury, impairment, or physical or mental condition that involves" either inpatient care or continuing treatment by a health care provider.

Workers' compensation statutes are primarily state liability and income continuation laws that protect employees who are injured while working.

The very first thing you need to know about comp is that it can be so incredibly complicated that our advice to you will be, get a comp Lawyer! We have one we can recommend, just call. If you are injured on the job YOU must file the case and you should contact a Lawyer right away and let them talk to the companies and their vendors that handle comp. **DO NOT TALK TO THEM YOURSELF!**

FMLA can be used to cover time off work because of a Workers Compensation case.

In order to deduct the time spent on Comp leave from an employee's annual FMLA leave entitlement, the employer must notify the employee in writing that the leave is designated as FMLA leave and will count against, and run concurrently with, the employee's 12-week entitlement (16 weeks in DC). The notice to the employee must detail the specific obligations of the employee while on FMLA leave and explain the consequences of a failure to meet these obliga-

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Our Legislative "Punch List"

by Denise Burns

This year is very important to us for a couple of reasons.

High on the list is the expiration of the Verizon contract on August 2. The other issues are political and electing worker friendly candidates to office to support us.

April 6th through the 9th this year was CWA's National Legislative Conference in Washington, DC. Eddie Miller, Vice President of the CWA Maryland State Council and I attended. The conference consists of listening to speakers among other things but our main objective is to visit our representatives and senators on Capitol Hill.

This year we delivered the following issues to our legislators on the hill.

Our hottest issue is the **Employee Free Choice Act (EFCA)**. This Congress has already voted on EFCA and won't be reconsidering before it adjourns but it will be CWA's flagship issue for the next Congress. EFCA contains three components aimed at strengthening the right of workers who want union representation.

- Card-check recognition
- Mandates first contract mediation and arbitration
- Sets meaningful remedies against employers when workers are trying to organize

To read more about EFCA or any of CWA's federal issues go to <http://www.cwa-legislative.org/> and click on fact sheets- federal.

Health Care

The current health care system isn't working for workers, retirees, the uninsured or employers. The problems of the health care system are too large to solve at our individual bargaining tables. We need national legislation that meets the following tests: Cover all Americans, Control costs, Improve health quality, strong government role and broad-based tax financing.

Fair Trade

As the negative effects of free trade agreements like the North American Free Trade Agreement (NAFTA) continue to drive wages lower in the United States, jobs out of the United States and our trade deficit higher;

more Americans are becoming increasingly skeptical of free trade agreements. This last point is a good development.

Bankruptcy Reform Needed to Protect Retirement Security

On September 25, 2007, Senator Dick Durbin and Representative John Conyers introduced a bill, the "Protecting Employees and Retirees in Business Bankruptcies Act" (S.2092/H.R. 3652), which aims to reign in executive pay largess by requiring court approval of executive compensation proposed under a reorganization plan and plugging loopholes in the recently enacted amendment under BAPCPA designed to limit executive retention bonuses and severance pay. Under the Durbin/Conyers bill, compensation to corporate insiders" (officers, directors and other persons in control of the debtor), which must be disclosed in a reorganization plan, would be subject to approval by the court under a reasonableness standard.

This legislation will protect workers from losing out by:

- Increasing the value of worker claims in bankruptcy
- Reducing the loss of wages and benefits
- Increase the parity of worker and executive claims

The Airline Flight Crew Technical Corrections Act

Congress Did Not Intend for Flight Attendants To Be Held to the 1,250 Hour Requirement Congress was clear when it passed the original law that flight attendants were meant to be covered under the law and according to the legislation's sponsors in the Congressional Record, they should not "be excluded from the bill's protection simply because of their industry's unusual time-keeping methods. Flight attendants and pilots who work the number of hours constituting half-time employment [later increased to 60%] during the previous 12 months as defined either by collective-bargaining agreement or by industry standard are fully entitled to family and medical leave under this bill. Senate report language accompanying the legislation also

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President's Point of View.....

Denise Burns

The Verizon contract expires on August 2. We are dealing with a company that has gotten away from customer service, is downsizing its workforce beyond barebones, sells off the rural and less profitable areas, moves jobs overseas or contracts it out, disregards our contract, disrespects the Union, forgets who got them where they are today, pays their executives extravagant amounts of money and cries poormouth because they aren't making money off FiOS.

They have lobbied to be deregulated because "they can't compete". They want to deregulate with the service they are giving to OUR customers? What would happen if they get deregulation? Would they sell off repair because they wouldn't have to answer to anyone? Just let everyone suffer and tell them to go wireless? Do they really think the way they are treating residence customers that they will want to get FiOS when it comes to their area? It doesn't matter if it is a great service if you can't get it installed on time or repaired in a timely fashion. Why not go to a lesser product that will give you at least a little customer service?

Have you been following what is happening to the parts of the company that have been sold off? Remember Hawaii? According to the Wall Street Journal "When Carlyle Group bought the largest Hawaiian phone company from Verizon Communications Inc. in 2005, it expected the acquisition to turn into a big money maker. Instead, it has been a money drain for Carlyle and a headache for the customers of Hawaiian Telcom Communications Inc."

"Customer-service and billing issues created a series of errors that generated consumer complaints and inquiries from state regulators. Since late last year, a number of Hawaiian Telcom executives have left, and the chief executive has been abruptly replaced. In January, some 50 midlevel managers were laid off as a cost-cutting move. And some customers have fled to a cable competitor that offers phone service."

In another case, Verizon acquired a call center that provides telephone relay services for the deaf when they merged with MCI. Verizon took over the call center only to sell it

this year. GoAmerica purchased the Verizon relay services division for a \$50 million cash deal that closed in January.

GoAmerica found fraudulent calls coming into the center and blocked them, something Verizon should have known was happening. The new company is now reducing the workforce by approximately 79.%

Some more interesting news is Verizon Business (VZB) "shifting job responsibilities" to the Philippines from Cary, NC. "Shifting job responsibilities" = eroding US jobs.

WRAL in Raleigh, NC reports "The jobs are being moved to a similar center in the Philippines from the 1,800 person network operations center in Cary. VZB won't provide a specific number but among the positions affected are data-testing and customer service. The company spokesperson, Jack Hoey, says "we don't expect any layoffs. Some functions are being affected, but we have been successful in finding positions in other parts of the business". VZB has 321 offices in 75 countries.

What will happen in New Hampshire, Vermont and Maine? Will FairPoint live up to the agreement? Will the contract they bargained for five years be honored? I guess we will have a clearer picture next year.

Just a reminder to some of you that may have forgotten, Verizon sold off at least 25 of its real estate properties this past year. They are looking for capital. The company's largest expense is labor, you and me, and the fastest way to cut costs is to get rid of people. What they don't get rid of by selling a piece of the company, they surplus (triggering EISP's in our contract) or RIF. The work is still there but they are eliminating jobs. Make no mistake, this company is serious. The more people off the payroll the bigger the savings and more capital they have to put into FiOS and whatever overseas venture they are working on at the moment.

This article is intended to wake those of you up that think Verizon will look after us in bargaining or in any other arena. Their only concern is the bottom line and how they can get capital. Don't be fooled into a false sense of security!

There will be a Blood Drive at Riva Road on May 20th. Contact Sandy Burch or Dutchin Webster at the Union Hall.

Check out the Union Sportsmens Alliance at:
www.unionsporstmen.com



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tions. If the employer does not provide the notice, it cannot count the comp leave towards the 12-week FMLA entitlement and the employee may be entitled to an additional 12 weeks of FMLA leave at a later date.

The employer may only designate the leave from the date written notice to the employee is provided. It cannot retroactively designate the time spent on comp leave against the FMLA entitlement.

While the law does not require that FMLA time be paid time, our contracts cover paid sick time. While you may be out "on FMLA" you will be getting paid under your contracts plan, either Verizon or at&t mobility. The same is true of workers compensation. Our contract language gets us paid when we're sick or injured but there are aspects to an on the job injury, such as possible permanent disability or a percentage thereof, that make it imperative that you get that lawyer involved right away.

What Does Ivan Make?

Verizon CEO Ivan Seidenberg's total compensation in 2007 was \$26.55 million, 25% more than last year. He also received \$471,467 for his part-time jobs serving on 2 other corporate boards.

VZ's stock rose 17.3% in 2007 (but has lost all of that gain in 2008).

By comparison our Verizon members got a 2.4% raise including a .4% cost of living allowance.

If you aren't mad you aren't paying attention. <http://www.aflcio.org/corporatewatch/paywatch/>

ACFC Resources

Currently available on the ACFC website under the "Special Promotions and Kits" section.

www.acfccares.com

Toolkits:

- Single Parenting Toolkit
- Financial Fitness Toolkit

Books:

- Parenting Your Complex Child
- 8 Weeks to Optimum Health
- Cyber-Safe Kids, Cyber-Savvy Teens
- Active Parenting for Stepfamilies
- The Single Parent Resource

DVD:

- I Can Be Safe! Kids!

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stated that the "minimum hours of service requirement is meant to be construed broadly..."

This intent has been ignored and HR 2744 and S 2059 will correct that oversight.

Speed Matters

The United States – the country that invented the Internet – has fallen to 16th in the world in high-speed Internet penetration, behind Canada, Japan, Britain, France, Germany and Sweden. The deployment of advanced networks is uneven, leaving some parts of the country and population unable to participate in the information economy.

The U.S. must act now to implement policies that will guarantee every American access to all the promises of the information age.

Universal, affordable access to high-speed communications networks is as essential today as access to voice communications. New, high-speed Internet applications create jobs and opportunities for innovation,

growth, and e-commerce. Technology allows businesses based in rural and remote communities to compete in the global economy.

We were also fortunate to have both Barack Obama and Hillary Clinton speak at the conference. In this election year it is imperative for us to know the issues and just as important is to know where the candidates stand on the issues. We need a worker friendly president in the White House. We cannot afford four more years of anti-worker/anti-union tactics.

Corporate executives and the wealthiest one percent of the population have had a great eight years. It's time to take back America, keep jobs in the US, protect workers rights and bring back the middle class. Help make the next eight years great for working people!

If you want to know where the many laws for working people originated please read the history of unions! We fought for worker rights, they have been stolen from us and we want them back!

Who Should We Be Mad at Anyway?

by Ray Pomeroy

I've tried a number of times to get what I'd like to talk about in print this month and I'm still too mad at the idiot that inspired me to do it right.

It's got a lot to do with putting our, OUR, Union out there in a good light at all times, even when nobody's looking.

Since we're planning on doing worksite visits this spring maybe I'll get a chance to say what I need to face to face. Hopefully by then I'll be able to express myself.

In the meantime wear your red on Thursday and try to remember who we're fighting.



We can fight 'em like this,



or we can fight 'em like this

Retirees Corner

The next regular meeting is May 12th RMC meetings are held on the second Monday of every month.

All meetings are held at the Local 2107 office at 2441 Holly Ave, Annapolis and begin at 10AM.

Thanks to everyone that turned in their Verizon Proxies!

Charity Golf Tournament

To Benefit the ALS Association

Entry Fee: \$95 per person, \$380 per team
All proceeds from the tournament will go to the ALS Association

Date: 6/13/2008

7:30 AM Check In

8:30 AM Shotgun

Go to www.cwa-2107.org for more information and an entry form.

Congratulations to:

Aaron Hedetnimi on the birth of his daughter

Joe Beirne Scholarship

This is a reminder that applications are now being accepted through April 30 for the CWA Joe Beirne Foundation's annual scholarship offerings for the 2008-2009 school year.

The Foundation's Board of Directors has approved the awarding of thirty (30) partial college scholarships of up to \$3,000 each, and the winners also will receive second-year scholarships for the same amount, contingent upon satisfactory academic achievement.

Eligible for the scholarships are CWA members, their spouses, children and grandchildren, including the dependents of retired, laid-off, or deceased members. Applicants must be high school graduates or high school students who will graduate during the year in which they apply. Undergraduate and graduate students returning to school may also apply.

Applications will be available solely online for completion and submission to the Foundation's website:

<http://www.cwa-union.org/members/beirne/>.

Congratulations to:

We have discounts for Six Flags available to members at the Local Office. Call Dutchin at 410 224-0166

Dates to Remember

Membership meetings

06/03 Combined in Annapolis

Other Meetings

04/22	AFL-CIO Executive Board	
04/30	Executive Board	tba
04/30	Steward & Steward Army	6:30
05/06	Community Service Comm	
05/12	Retired Members Club	
05/14	ACFC	
05/19	Stewards	6:30
06/09	Retired Members Club	
06/11	ACFC	

Other

05/13-5/14	Verizon Stewards Training
05/15	ACFC Fair Riva Road
05/20	Newsletter deadline
05/20	Blood Dr Riva Rd
06/13	Golf Tournament
06/13	AFL-CIO Night at Camden Yards
06/16	Safety Conference Call
06/17	Newsletter deadline
06/22-6/25	CWA National Convention

Bargained for Holiday

05/26 Memorial Day

08/02/08	Verizon Contract Expires
02/07/09	at&t Orange Contract Expires

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