

Local 1067



December 2018

AFSCME[®]

Making Higher Education Happen in Massachusetts

Newsletter

Happy Holidays!

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Info you can use...

Staff Representatives for Higher Education

Please see the Staff Representatives below and their contact information for your particular College/University.

Berkshire Community College
 Bridgewater State University
 Bristol Community College
 Bunker Hill Community College
 Cape Cod Community College
 Fitchburg State University
 Framingham State University
 Greenfield Community College
 Holyoke Community College
 Massachusetts Bay Community College
 Massachusetts College of Art & Design
 Massachusetts College of Liberal Arts

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 Sheila Kearns
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 Ashley Peel
 Sheila Kearns
 Dan Morse
 Dan Morse
 Joe Malinowski
 Joe Malinowski
 Ashley Peel
 Ashley Peel
 Joe Malinowski

Massachusetts Maritime Academy
 Massasoit Community College
 Middlesex Community College
 Mt. Wachusett Community College
 North Shore Community College
 Northern Essex Community College
 Quinsigamond Community College
 Roxbury Community College
 Salem State College
 Springfield Technical Community College
 Westfield State University
 Worcester State University

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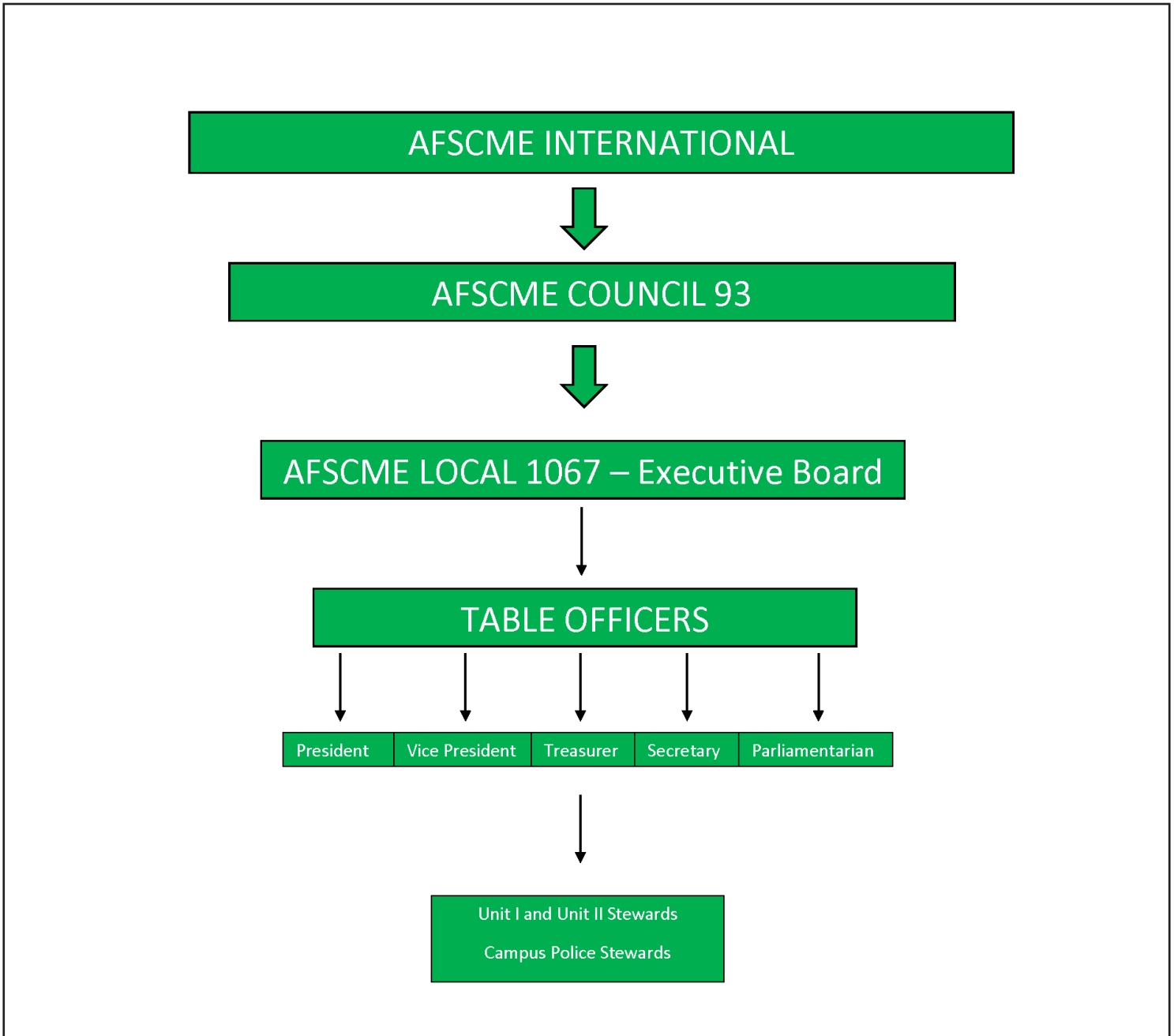
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Info you can use...



Executive Board Meeting Schedule for 2020

January 2020 - No meeting

February 11, 2020

March 10, 2020

April 14, 2020

May 12, 2020

June 9, 2020

July - No meeting

August 11, 2020

September 15, 2020

October 13, 2020

November 10, 2020

December 8, 2020

Have something for the Newsletter?

Send to SkearnsI@massasoit.mass.edu



Massachusetts Could Be First to Outlaw Workplace Bullying

“Healthy Workplace” MA Senate Bill 1072 moves forward; experts, legislators and advocates join forces at recent back-to-back events.

By Chris McCue, Patch Contributor

Gary Namie, co-founder of the Workplace Bullying Institute in Washington, joined long-time colleague Suffolk University law professor/New Workplace Institute Director David Yamada, for a recent convening in Boston. MA Senator Paul Feeney and advocate Chiuba Obele shared perspectives on the Healthy Workplace Bill at a Worcester conference.

“Punitive is preventative,” noted Massachusetts Senator Paul Feeney as he recently spoke about the dire need to put the “Healthy Workplace” Senate Bill 1072 into law, which would make Massachusetts the first state in the U.S. to declare workplace bullying illegal.

Feeney, who is championing the proposed landmark legislation, was a panelist at the Oct. 18 “Re-Define Our Workplaces/Ourselves” Worcester conference that also featured numerous other speakers, including State Senator Becca Rausch, State Representative Lindsay Sabadosa, and employee-rights attorney Rebecca Pontikes. Also among the speakers was advocate Marycatherin DeFazio, whose harrowing story working in the state prison system was recently chronicled in the Boston Globe.

The conference was held just days after the Healthy Workplace bill had moved into the Senate Ways & Means Committee with 109 out of 200 legislators helping to propel its advancement as sponsors. While the news generated optimism among conference speakers and attendees, there was also a palpable sense of impatience.

In break-out sessions designed to provide inspiration, education and support, attendees shared personal stories about the intimidation, humiliation and ostracism they endured from superiors and co-workers -- with one story more harrowing than the next. Throughout the day, the most urgent question heard was “How can this be legal?” Piggybacking on the Worcester event was an afternoon convening in Boston led by pre-eminent workplace bullying experts Gary Namie, co-founder of the Workplace Bullying Institute, and David Yamada, law professor and director of the New Workplace Institute at Suffolk University Law School.

With Namie on the West Coast, and Yamada on the East Coast, the two joined forces about 15 years ago to tackle the issue of workplace bullying on a variety of fronts. Namie founded the Institute with his wife, Ruth, after helping her navigate an abusive workplace situation; Yamada put his legal skills to work to craft the model Healthy Workplace legislation for any state seeking to put it into law.

Namie explained that so far, there are only a few states that have any kind of law on the books, and each one only mandates employer training -- not one has yet to make workplace bullying illegal. If the Massachusetts bill gets passed, it would be the first law of its kind in the country.

Similar to the Worcester gathering, the Suffolk attendees also reflected a mix of advocates who had personal experience with workplace bullying, with most from either the public sector, health care or education -- a reflection of national research.

Namie pointed out that based on his years of experience, most targets of workplace bullying are considered to be “salt-of-the-earth” employees who exhibit deep empathy and compassion, have high integrity, are respected by their peers, and are always willing to go the extra mile. In contrast, he noted that a workplace bully is often someone who sets out to demoralize an employee -- to consciously “convince a good person of their worthlessness.”

For employers who allow workplace bullying to continue, research shows the end result is loss of talent, poor employee morale and productivity. As for workers on the receiving end of bullying, they are often forced to quit, leaving them with a loss of livelihood, as well as poor mental and/or physical health.

“I loved my job. I was dedicated, good at what I did and well liked -- I didn’t deserve the treatment I received,” recounted a teacher who had attended the Boston event. If progress with the Healthy Workplace bill continues, hope could be on the way for Massachusetts workers. Based on the 2017 Workplace Bullying Institute survey, 77 percent of Americans support a new law to address abusive conduct at work.

Call your legislators and ask them to support Bill 1072!

Attention Stewards:

Make sure that you are notified of new hires.

If necessary, request new hires from HR monthly.

You are allowed one (1) hour to meet with each new hire.

AFSCME Strong cards are to be submitted to Payroll and the Union.





Hire Your Boss- Register to Vote

As public-sector union employees, our economic stability is directly impacted by the decisions of men and women who are elected to public office at every level.

A large number of **AFSCME Local 1067** members are not registered to vote or registered at the wrong address- *are you one of them?* Check to see if your registration is up to date!

By voting you have a say in:

- Funding for the services we provide
- Our healthcare and retirement benefits
- Our rights to collectively bargain for better pay, benefits and working conditions

Voting gives public-sector workers have the unique ability to have a say in the hiring of our boss. That's why it's so important for us to register to vote and turn out to cast our ballot on election day. You can help elect local, state and federal candidates who will fight for us and the issues we care about most.

Are you registered to vote in the next election? <https://vote.gov/>

STATE VOTER REGISTRATION INFORMATION:

State Specific Pages and Details:

- Massachusetts- <https://www.sec.state.ma.us/ovr/?ref=voteusa>
§ Massachusetts allows residents to register online.
- Maine- <https://www.maine.gov/sos/cec/elec/voter-info/voterguide.html>
§ Maine allows residents to register by mail, not online.
- New Hampshire- <http://sos.nh.gov/Elections.aspx>
§ New Hampshire requires residents to register in person at their local election office.
- Vermont- <https://olvr.sec.state.vt.us/?ref=voteusa>
§ Vermont allows residents to register online.



Organizing 03's/part-time employees!

We are ramping up the campaign to organize part-time employees!
Schedule a meeting at your college/university, TODAY!!!

Contact: David Nagle at dnagle@afscme93.org

Please come to a meeting to find out how you can become a union member.

Some facts about AFSCME Local 1067 and Council 93:

- AFSCME represents more than 1.6 million members nationwide, with more than 35,000 members of AFSCME Council 93 in Massachusetts. There are over 3,000 members of AFSCME Local 1067 at the Massachusetts state universities and colleges.
- Widely recognized as a powerful and effective voice for workers at the negotiating table, AFSCME consistently secures the best wages and health insurance coverage for our members.
- We have over 500 members who are on the 03 payroll at UMass Amherst and they have a contract with benefits.

We would like to explain the process of how you can become a member of AFSCME Local 1067.

We will be asking 03 employees who are interested in the union to sign union authorization cards. These cards will allow us to request recognition from the Board of Higher Education. Then we can begin the process of negotiating a contract for 03 employees.

You would be entitled to all of the following and much more:

- Wages and benefits negotiated by AFSCME
- Representation for grievances arising under the contract, including representation by a steward, a staff representative, and an attorney if needed.
- Protecting your interests on Beacon Hill with experienced lobbyists
- Assist you with public & media relations
- Access to the AFSCME Advantage Program which provides substantial discounts on everything from auto insurance, to travel discounts, to mortgage and refinance programs, and free college tuition for you and your family members!

Interested?



The meeting will take place on the following date, time, and location. We hope to see you there!



Date: _____

Time: _____

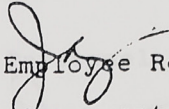
Location: _____



NOTE: Form 30's are ONLY to be used for desk audits when applying, or if you are being considered for a reclassification!



THE COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGENTS OF HIGHER EDUCATION
ROOM 619, MCCORMACK BUILDING
ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108-1530

TO: State and Community College Personnel Directors
FROM: Carleton H. LaPorte, Jr. 
Vice Chancellor/Director of Employee Relations
RE: AFSCME, 1067 - Coalition One Agreement
DATE: August 30, 1985

The Employee Relations Division of the Board of Regents has received several complaints relative to the use of "Form 30's". Please be advised that it is the position of this office that "Form 30's" are to be used as an "information gathering" tool and should not be used to replace existing job specifications either in postings or advertisements.

In the 1983-1986 Collective Bargaining Agreement, we have agreed with AFSCME that the "classification structure and the accompanying job specifications have been created by the Commonwealth through its Department of Personnel Administration for the purposes of describing the duties and responsibilities of each job title." (Article 23, Section 1.C.).

However, as you are aware, these job specifications are descriptive rather than restrictive and employees may be assigned incidental, related or emergency duties.

If you have any questions in this regard please contact me.

cc: Erika Pinault
Sharon Fiske



Public Safety Protection Program: PORAC LDF PLAN II

GENERAL

- Providing representation to public safety officers since 1974
- Run by peace officers for peace officers
- The largest and oldest legal plan in the nation
- No cap on benefits
- Panel of experienced attorneys

Coverage for Acts or Omissions Within The Scope Of Employment

CIVIL

- When your employing agency defends and indemnifies you, the Plan will provide you with an experienced attorney to monitor your case to ensure you receive quality representation, free of any conflicts of interest between you and the employer or other involved officers. The civil monitor will also be available to answer your questions and address your concerns about the case throughout the process. If your employing agency refuses to defend you, then you will be provided with your own experienced, independent civil attorney to represent you in the case.

- If there is:
 - A legal conflict of interest between you and your employer
 - Inadequate representation by your employer
 - A considerable likelihood that punitive damages could be awarded against you
 - If your employer refuses to represent you for an act or omission within the scope of your employment

- You will be provided with independent counsel by the Legal Defense Fund.

AFSCME PSPP members can contact the LDF plan at (888) 556-5631 for any incidents covered. The AFSCME Advantage Coordinator can be reached at (800) 588-0374.

CRIMINAL

- Full representation by an experienced criminal attorney from the onset of the investigation through trial
- This benefit is available no matter what agency does the investigation:
 - Local
 - State
 - Federal
 - FBI

CIVIL AND CRIMINAL COVERAGE:

- Customary and Usual Services:
 - Investigators
 - Expert Witnesses
 - Polygraphers
 - Court Reporters
 - Court Costs
- Conflict coverage - each member gets separate counsel

NO CAP ON BENEFITS -- The PORAC Legal Defense Fund prides itself on a long history of providing unlimited access to attorneys, experts, and investigators when reasonably needed to protect its members.

EXPANSIVE LIST OF EXPERIENCED PANEL ATTORNEYS -- The PORAC Legal Defense Fund only engages highly experienced and well-qualified attorneys, with a history of representing public safety personnel. If you have an existing relationship with a local attorney and would like to submit their information for inclusion on the panel, please contact the PSOAA Administrator at admin@psoaa.org.

24-HOUR COVERAGE -- The PORAC Legal Defense Fund has attorneys available 24 hours a day, 7 days a week to handle emergency or critical incidents: (888) 556-5631.

- Criminal – All PSOAA members will receive representation by an experienced criminal defense attorney from the first indication of potential criminal exposure (e.g. shooting, death in custody, use of force resulting in serious physical injury) arising from an act or omission within the scope of employment.
- Civil – All PSOAA members will receive representation by an experienced civil attorney when a member is sued for an act within the scope of employment, but the employing agency refuses to defend the member. When the member's employing agency defends, but fails to fully indemnify that member, the Plan will provide an experienced attorney to monitor the case.

AFSCME PSPP members can contact the LDF plan at (888) 556-5631 for any incidents covered. The AFSCME Advantage Coordinator can be reached at (800) 588-0374.

NEED TO FILE A CLAIM - As a PSOAA member and you need to file a claim simply call PORAC at (888) 556-5631. You will briefly speak with a case coordinator who will determine your eligibility for benefits. If your case is coverable you will be referred to an attorney or law firm in your area. Most calls take no more than four or five minutes.

BEEN INVOLVED IN A CRITICAL INCIDENT OUTSIDE OF NORMAL BUSINESS HOURS? - The 24-hour a day, 365 day-a-year PORAC hotline is available for all critical incidents such as shootings, deaths in custody, and vehicle pursuits resulting in death or serious injury. When you call (888) 556-5631 outside of normal business hours your call will be answered by an answering service and then transferred to a representative from the Legal Administrator's office. In most cases the Administrator's office is able to get an attorney to respond within 10 to 15 minutes.

DISCLAIMER

The PORAC Legal Defense Plan (LDF) is a non-profit ERISA trust fund, and the coverage it offers is separate and apart from any other plan offered through the Public Safety Officers of AFSCME Association (PSOAA) and the AFSCME Public Safety Protection Program. LDF is not related to any other PSOAA benefit provider. LDF has not entered into any relationship with any other PSOAA benefit provider. LDF is not the representative of any other PSOAA benefit provider and is not responsible for any representations or benefits which may be offered by another benefit provider. If you have any questions about LDF, please contact the LDF Legal Administrator or the Administrator's designated representative. Only they may answer questions regarding the benefits and coverage LDF provides.



AFSCME PSPP members can contact the LDF plan at (888) 556-5631 for any incidents covered. The AFSCME Advantage Coordinator can be reached at (800) 588-0374.

Note:

<https://www.psoaa.org/faq.php> website.

Group: AFSCME Public Safety locals can elect to sign up their entire local or segments of their local for the Public Safety Protection Program.

Sign-up and payments are handled by the local.

The per-member cost for this option is \$15.75 per quarter (\$5.25 per member per month).

As stated in previous newsletters the Local is willing to pay for the first six months.

Happy Holidays!

My wish for you is that you are blessed with the best of joy and love in this holiday season with your friends and family members. Thank you for all that you do!

~President Kearns



Weingarten Rights!

Weingarten Rights. Know them, Use them! (SAVE THIS INFORMATION)

If you are unsure if they apply, ask for them anyway. Better to be safe than sorry.

Know your rights! Please read below!

Employee Rights in “Weingarten” Meetings – Know Them, Use Them!

Beware that management ***is not*** obligated to inform employees of their Weingarten rights – employees must ***ask for them***. Unlike Miranda rights –where police are required to tell a suspect of his/her right to an attorney, etc. – employees must ask for their Weingarten rights.

Weingarten – State the following:

“If the discussion in this meeting could in any way lead to my being disciplined or terminated or impact on my personal working conditions, I request that my steward, local officer or union representative be present.

Without union representation, I choose not to answer any further questions at this time.

This is my right under a Supreme Court decision called Weingarten”.

Weingarten rights apply during investigatory interviews when a supervisor ***questions*** an employee to obtain information that could be used as grounds for discipline for either you or a colleague. When an employee believes such a meeting may lead to discipline, he/she has the right to request union representation.

These basic Weingarten rights stem from a Supreme Court’s decision.

- The employee must request representation before or during the meeting.
- After an employee makes the request, the supervisor has these choices:
 - grant the request and wait for the union representative’s arrival;
 - deny the request and end the meeting immediately; or
- give the employee the choice of either ending the meeting or continuing without representation.

(Never, ever, ever, continue without representation! EVER!)

If the supervisor denies the request and continues to ask questions, the employee has a right to refuse to answer!

In addition, the supervisor is committing an unfair labor practice.

As always, call your Chief Steward if you have questions or if you are unsure!

Please note: Do NOT think that you are bothering your steward if you have a question or a problem with your supervisor and/or management. That is what we are here for.

Table officer contact information is on the front cover.

Remember...

My Union is my Voice

Local 1067



AFSCME®



**"WE don't need a union.
Why, last year we got off one whole day."**

Don't leave your **rights** to **chance**...

Recommit to your Union **TODAY!!!**

Give your Union a fighting chance...

JOIN PEOPLE

(Public Employees Organized to Promote Legislative Equality)

Contact a table officer or your union steward!



Monthly Executive Board Meetings
take place on the second Tuesday of every month,
except in January and September.

NOTE: Meetings now take place at:
The Educational Association of Worcester, Inc.
397 Grove Street
Worcester, MA 01605
9:30 a.m.

Questions? Please contact a table officer.

