

# Newsletter of the AFL-CIO

## Central New York Labor Council

Serving the Mohawk Valley since 1882

May 2013 late edition

*Proud Partners*

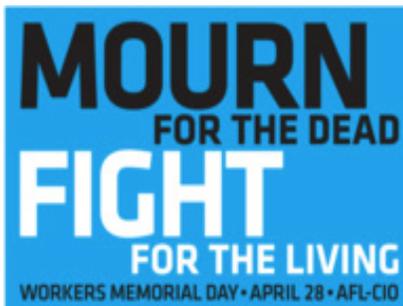


United Way of  
the Valley and  
Greater Utica Area



### *A Day To Reflect And Commit* - B. Perrotti

Each year on Workers Memorial Day, working people throughout the world remember those who were hurt or killed on the job and renew the struggle for safe workplaces. Four decades ago, the Occupational Safety and Health Act (OSHA) and mine safety laws were enacted promising workers in this country the right to a safe job. Since that time we've made great progress in making workplaces



safer and protecting workers. As a result, workplace fatalities and injuries have declined significantly. This progress didn't just happen because the OSHA law and mine safety laws were passed. It happened because workers and their unions organized, fought and demanded action from employers and their government.

Virtually every safety and health protection on the books today is there because of working men and women who came and joined together in unions to win these protections. It is working people through their unions who won passage of the mine safety law and the OSHA law. It is working people through their unions who demanded and won stronger standards to protect workers from asbestos, benzene and other toxic chemicals and safety hazards.

It is working people through their unions who won the right to know about toxic chemical hazards in the workplace and in the community. It is working people through their unions who pushed for stronger laws and regulations to prevent chemical plants from exploding and to protect workers and the community from danger. And it is by joining together through unions via collective bargaining that workers have a voice and a say in safety and health on the job and are able to raise safety concerns and demand that employers protect workers from harm. Through this work, we've made jobs safer and saved lives—not just for union members, but for all workers.

We've done this because we believe all workers should be able to go to work and return home safe and sound to their families and loved ones at the end of the day. We do this because we believe no worker should have to sacrifice life, limbs or health to earn a day's pay. But despite all of our efforts, too many workers remain in danger. There is much more work to be



done. Each and every day in this country, on average 13 workers die on the job as a result of workplace injuries—women and men who go to work, never to return home. In 2011, 4,600 workers nationwide lost their lives on the job and another 50,000 died from occupational diseases. That's 150 workers dying each and every day. Here in New York, that number was 205 workers killed on the job.



Workers Memorial Day is a day when we remember all of them, those who have died and the millions who have been sickened or disabled because of their jobs. Here in central New York, a group of around 60 workers from various unions in our region gathered in Ilion at our labor monument to honor and remember those who have gone before us. Some of us spoke and all of us remembered friends, co-workers, and colleagues who have passed. After that, the group retired to Francesca's in Mohawk to break bread together, to remember our fallen brethren and enjoy the camaraderie of fellow unionists. Yes, we did pray for the dead and we will continue to fight for the living.

### ***Beyond Money - Justin Rahn***

In my numerous talks with people both inside and outside my work regarding my involvement in both the Professional Association of Mohawk Valley Community College (the NYSUT local that represents faculty and professional staff) and the labor movement in general there always seems to be a resounding theme of how much more money union employees, especially those in the public sector, are able to get earn during their time on the job. One of the many misconceptions I have discussed with people concerned over rising taxes and government spending is that public sector unions are “killing the tax payers” by negotiating unsustainable raises and that this has helped lead us to the current depressed economic situation

both locally and statewide. I always have to laugh because most of the time the issue of high wages is used as a jumping off point for the argument that the state or country would be better off without unions, because with lower wages it would be possible to “save” more money by working employees longer and paying them less.

The problem with getting rid of unions, however, is that the benefits to workers organizing goes much further than just better pay and impacts many aspects of the workplace, including sick and vacation time, defined workday hours, grievance procedures, and a host of other aspects of the workplace many people may not even think about. Fundamentally, unions protect employees against a host of abuses that an employer can inflict upon individuals who are not organized and do not collectively bargain. It is surprising the number of commonly assumed workplace practices people feel they have some sort of legal protection for that are not actually in the law books at all.



A perfect example of protection from an employer would be a union's grievance process. New York State is an “employment-at-will” state, which means a person can be terminated at any time and for any reason. Period. Beyond the laws covering blatant discrimination due to race, creed, national origin, age, handicap condition, sexual orientation, and marital status, the employer does not need a “just-cause” to discharge any employee and can do so for what some may consider both “arbitrary and unfair” reasons. Without a collectively bargained contract with rules concerning termination, a twenty-five year employee could simply be let go to make room for the Human Resources Director's nephew who needs a job out of college.

Another amenity many employees seem to think is innately guaranteed to them through some sort of legal protection is breaks. The United States Fair Labor Standards Act does not contain any provision concerning

meal times or breaks (even for bathroom use). On the state level, New York, thankfully, does have a law on the books requiring employees to be given a thirty minute meal period between 11am and 2pm if they work at least six hours starting before 11am. It is important to note, however, that employees are not required to be given bathroom, coffee, and rest breaks during the day. Though the Occupational Safety and Health Administration (OSHA) require access to toilet facilities, it does not explicitly require employers to give workers breaks to use them. Lastly, the idea of being able to read everything in your personnel files seems almost like a given, as that information would seem to be within the realm of reasonable access, but no Federal law requires employers to give employees access to anything in the files. In New York specifically, the only employees who have the right to access their personnel files are public, but private employees' personnel files can remain a mystery to everyone except the Human Resources Office for as long as they like. Without a contract stipulating access to personnel files, private sector employees could easily be fired and have no idea as to why, as they would be unable to review anything in their file that could have led up to the decision.

Yes, unionized employees do, on average, make more money than employees who are not organized, but unfortunately for many against organized labor they attempt to end the debate there, as though money is the one and only issue to be discussed. As a proud union member, however, I know for a fact that money is not my sole concern. My hour-long lunch breaks, vacation and sick time, personnel file access, grievance process, seven-hour workday, and other parts of the Professional Association's contract are what allow me to do my job effectively and provide a stable, orderly work environment. It is my union's decades-long collectively bargained contract, not some federal or state law and certainly not an employer's good will and sense of fairness, that provides much of what many people assume are rather uncommon "workplace rights."

**Local Scene:** *What's up with your local?*

*Do you have a fund raiser coming up? have you just begun negotiations? Has someone in your local reached a milestone or received an award. Whatever it is, please let us know so we can share it.*

## ***Good News for Ilion and the Valley***

In a prepared statement, Teddy Novin, Director of Marketing and Public Affairs of Freedom Group, Inc., the owners of Remington Arms, indicated that Remington will remain in Ilion. That's where Remington began and where it will stay. According to Novin, "While we are unhappy with the misguided acts of our elected politicians, Remington will not run or abandon its loyal and hard working 1,300 employees without considerable thought and deliberation," the statement reads. "Laws can be overturned and politicians voted out of office, but the decisions we make today will affect our people, their families and entire communities for generations." These are the types of good union jobs that allow a worker to support a family and contribute to his/her community. Good news. Good stuff!



## ***United Way Summer Reading Book Drive***

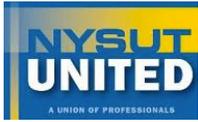
United Way is looking to collect new or gently used books of all kinds for **school-aged children** (pre-K-high school). Just as with other UW drives, local businesses are being asked to collect supplies from colleagues within their workplace. The Summer Reading Book Drive is happening through Friday, June 14. Get your co-workers to participate. When your books are ready to be picked up, call (315) 733-4691 and a volunteer or staff person from UW will gladly come collect your donation. For more information, call United Way at (315) 733-4691 or email AdamL@unitedwaygu.org. You can also bring books to the Labor Council at 287 Genesee St, Utica, or call Enesa at 315-735-6101.

## ***Labor Quotes of the Month***

*The important role of union organizations must be admitted: their object is the representation of the various categories of workers, their lawful collaboration in the economic advance of society, and the development of the sense of their responsibility for the realization of the common good.*

Pope Paul VI

*I am opposed to 'right to work' legislation because it does nothing for working people, but instead gives employers the right to exploit labor.* Eleanor Roosevelt



*Less than a week to go!*

**ONE VOICE UNITED RALLY**  
**Fight for the Future of Public Education**  
**from noon until 2PM**  
**at Empire state Plaza in in Albany**  
**on June 8th**

If you're a K-12 teacher or school district employee, a faculty member or staff professional in higher ed, a parent or grandparent of a student, an interested citizen, or a student at any level, this rally is important and it's for you. A quality public education system is much more than high stakes standardized testing and privatizing it is not a solution. At all levels, schools need to be adequately staffed and funded. In the current climate of under-funding, that's just not happening. We need to be there to express our dissatisfaction with the direction our governor is taking public education. If you have not yet made arrangements to attend, contact the Utica regional office of NYSUT to learn about available busses. The number is 315/768-0131.



***Gompers Dinner Date Changed***

The annual Samuel Gompers Distinguished Service Award Dinner has been rescheduled to Friday, September 13th. It had originally been scheduled a week earlier but that date conflicts with the New York State AFL-CIO convention. We're sorry for any inconvenience this may cause for you. If you have any questions about the Gompers award or the dinner, feel free to contact Enesa Sabanagic, our AFL-CIO Community Services Labor Liaison at the Central New York Labor Agency (315-735-6101) or by email at [cnylaboragen-](mailto:cnylaboragen-)

***To The Editor... from our Council President***

The letter that follows in the next column, submitted to the Observer-Dispatch by Labor Council President Pat Costello, illustrates that an issue important to one group of workers is important to all workers. Each of us should work to cultivate that personal mindset.

I write in response to the letter by officers of the Oneida County Farm Bureau published on May 27, 2013. They provide a one-sided, biased view of what is a human rights issue. Farmworkers' rights are human rights. For support, they cite some of the same tired arguments that surface any time worker protection legislation is considered. Their portrayal glosses over many of the difficult facts: farmworkers are exploited; they often do not have the luxury of picking up and moving on if they're mistreated; and not all workers treat their workers fairly.

The time has come to stop treating farmworkers like farm animals. Farmworkers in this state have long suffered and toiled without fundamental protections that most of us take for granted. Their plight is so desperate that it was seen as a huge success when not long ago farms were required to provide clean drinking water and sanitary facilities for workers. Think about that - clean water and port-a-potties were a colossal advancement.

It is a SHAME on us all that farmworkers in New York State do not have the right to overtime pay, a day of rest, or to organize and bargain collectively. All too often, the people we rely on to produce food for our families cannot afford to feed their families and rarely have the opportunity to share a meal with their families. The time for passage of the Farmworker Fair Labor Practices Act is NOW.

Pat Costello  
President, Central New York Labor Council  
President, International Brotherhood of Electrical Workers, Local 43



This newsletter still needs a name. Send your suggestions to... [bill.perrotti@yahoo.com](mailto:bill.perrotti@yahoo.com)

***Tell us what you think...***

Send newsletter comments to co-editors Bill Perrotti or Justin Rahn c/o [cnylaboragency1@gmail.com](mailto:cnylaboragency1@gmail.com)

**Next Labor Council Meetings:**

June 27 at 6pm, 287 Genesee Street, Utica  
*Join us if you are able.*