

ON THE MOVE



Publication of
CWA Local 1032, AFL-CIO



ELECTION 2004: CWA for KERRY



What You Should Know about John Kerry:

CWA has endorsed John Kerry for President and would like you to know more about Sen. Kerry and why CWA believes he should be the next president of the United States. No one can tell you how to vote, but please learn about the issues and the candidates' positions on the important issues that affect your job.

Since he was elected to the U.S. Senate in 1984, Kerry has earned a 91 percent lifetime AFL-CIO voting record on important working family issues. Just in 2003, Kerry voted to:

- Protect workers' right to overtime pay from the Bush administration's assault on the Fair Labor Standards Act that could cut paychecks for 8 million workers;
- Extend and expand federal unemployment insurance benefits for long-term jobless workers;
- Protect millions of retirees from the loss of their employer provided prescription drug coverage threatened by the recently passed Medicare prescription drug law.

Kerry has an **economic plan** to reverse the incredible job loss of the Bush administration years: more than 1.4 million jobs gone.



*"If you don't think your vote counts...
just count the number of jobs this country has lost."*

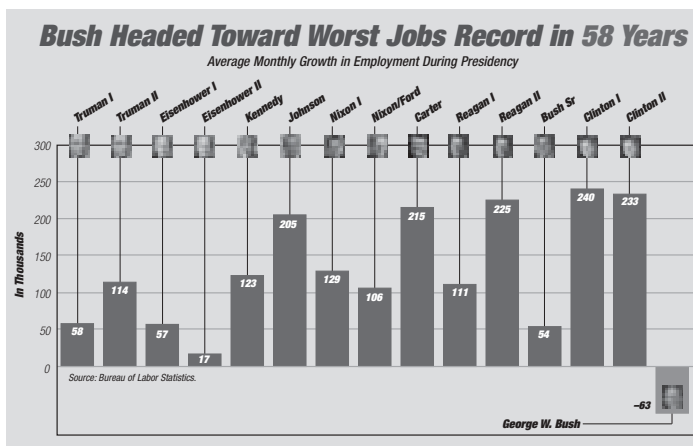
On March 26, Kerry unveiled a detailed plan to create 10 million jobs in the United States in four years. The plan centers on tax reform and credits to encourage job creation in the United States, a new emphasis on education and training and restoration of fiscal discipline to reduce the record \$543 billion deficit the Bush administration has run up since inheriting a \$5.7 trillion surplus from the Clinton administration.

"If a company is torn between creating jobs here or overseas, we now have a tax code that has American taxpayers paying to ship jobs overseas. That makes no sense. And if I am president, it will end," Kerry says.

Although Kerry supported the North American Free Trade Agreement (NAFTA) and trade with China, he now acknowledges their problems and says he will address every unfairness and fix them. Kerry also says he will insist on strong worker protections in new trade agreements.

On health care, Kerry proposes a comprehensive health care plan, including ways to restrain health care costs, provide health insurance for every child in the country and make it possible for all Americans to receive the same health care as any member of Congress. His plan includes help for employers to provide quality health care coverage for their workers.

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From The Shoulder

by President Jim Marketti

Close readers of this newsletter will have noticed that the new editor is Patrick Kavanagh. Patrick is the newest addition to our staff. He was hired as the Education Director of Local 1032 in January of this year. He has quickly gotten an educational program up and running for our stewards and activists. Classes for stewards on the new state worker contract were successfully held in the early spring. Classes have also been conducted for newly organized groups. Patrick is now turning his attention to classes for stewards and bargaining committee members in local government units.

Stewards who have completed the classes have been full of praise for the information provided. On our part, we learned that even long experienced stewards needed an update on basic union rights and contract provisions. Labor education is a life long learning project. We cannot wait until we have stewards going through classes for the second and third time. This is not just an enriching

experience for those involved. Educated leaders are good leaders.

Patrick has a great deal of union experience and is well educated for the task. He is a former member of Local 1032, serving as a shop steward himself at our AAUP unit. He worked for Local 1037 in Newark for a year. He completed the course work requirements for a PhD in English at Rutgers University before deciding on full-time union work. He grew up in Buffalo, New York where his father retired from the US Postal Service and his mother is a nurse.

I have often said to members that the strongest two words in their union contract was the protection from discharge or discipline except for "just cause". Those two words – "just cause" – fill volumes of law books and decisions with their definition. What they mean is that the boss has got to have a really good reason to fire an employee if the employee is represented by a union.

Patrick was able to come up with a one-page leaflet that explained the seven criteria that go into defining "just cause." I was impressed as I'm sure our stewards were impressed. It only goes to show that even old dogs like me can learn new tricks. □

Kerry *cont. from page 1*

Kerry will fight to roll back Bush's tax cut for the wealthy while expanding middle-class tax breaks to help cover health care and college tuition costs.

Workers fighting for a voice at work will find an ally in Kerry, who has a long record of supporting **workers' freedom to form unions**. Kerry supports card-check and employer neutrality, in which employers recognize workers' choice if a signed authorization card asks for union representation. Kerry has co-sponsored the Employee Free Choice Act (S. 1925) and supports measures to restore the bargaining rights of hundreds of thousands of workers in the federal Defense and Homeland Security Departments that are under attack by the Bush administration.

How you vote is a personal decision, but after carefully examining the candidates' records, your union has endorsed Sen. John Kerry for president of the United States.

For more information on John Kerry and where he stands on other important working family issues, visit: www.aflcio.org/issues/politics/politics/candidates_kerry.cfm.

Get the latest information on CWA's election activities by visiting: www.cwa-cope.org □

Summer is Here

Members can stop by the office to receive discount coupons for the following parks and attractions:

- Great Adventure
- Sesame Place
- Dorney Park
- Hershey Park
- Dutch Wonderland
- Peddler's Village
- Busch Gardens
- Universal Studios Florida
- Sea World

We also have discounts for car rentals as well. All discount coupons are based on availability. Call 1-800-882-1032 for more information.

Have a great summer! □

ON THE MOVE is a publication of Local 1032, Communications Workers of America, AFL-CIO.

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TRENTON OFFICE STAFF: Maureen Baughman, Ruth Bauer, Sharon Schwaeble

SUSSEX OFFICE ASSISTANT: Nancy Holleran

NEWSLETTER EDITOR: Patrick Kavanagh

LOCAL 1032 OFFICES:

Main office	Newark Office	Sussex County Office
67 Scotch Road	290 Ferry Street	61 Spring Street
Ewing, NJ 08628	Newark, NJ 07105	Newton, NJ 07860
(609) 434-1032	(973) 589-1544	(973) 579-7539
FAX (609) 883-8184	FAX (973) 589-5304	FAX (973) 579-5649

or call 1-800-882-1032

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Local 1032 Launches New Education Programs



Shop Stewards from DOT pose with President Marketti following an all day training session on the new contract.

This spring, Local 1032 initiated a series of new education and training programs aimed at helping shop stewards better understand and perform their role within the local union. Patrick Kavanagh joined the staff in January to direct the Local's education programs and began conducting steward trainings in conjunction with a series of organizing victories.

In March, Taxi Dispatcher stewards from Gateway Security, Inc. at Newark Airport met for an all day session that served as both an introduction to Local 1032 and a review of their newly ratified contract. In addition to receiving training on how to appeal disciplinary actions, evaluate and file grievances, and represent workers in investigatory interviews, the new stewards learned about their rights on the job and how best to educate members about their new contract.

Several stewards had been Local 1032 activists when Unique Security, the company that held the contract at the airport prior to Gateway, employed the Taxi Dispatchers. Throughout the



PVWC Stewards Mike Marotto and Tim O'Brien listen in on the discussion of mobilization plans.

session, experienced stewards helped the newer stewards understand the importance of enforcing the contract and all came away with a commitment to building the union on the job.

A training session was also held for stewards from the newly organized blue-collar and supervisory units at the Passaic Valley Water Commission (PVWC). Unlike the Taxi Dispatchers, stewards from the PVWC were focused on the fight for a fair contract. Management's failure to respond to the Union's proposals had led to a stalemate at the table and the training session had a dual purpose: to help PVWC stewards understand the duties and responsibilities of a Local 1032 shop steward, and to begin planning mobilization activities to support the bargaining team at the table.

Executive Branch stewards attended training in April to review changes made to the contract that was ratified last year. The CWA bargaining team was victorious in negotiating significant language changes covering the grievance procedure, disciplinary appeals, union rights, privatization, and many other areas and the session helped stewards understand the new language so they can be better prepared to enforce the contract at the worksite.

General steward training for Local 1032's local government units will take place in September and planning has also begun for more specialized sessions devoted to topics including: handling health and safety complaints, signing up new members, the Family and Medical Leave Act, and labor and politics. We hope to expand our programs so that stewards and members will have the opportunity to receive training and educational materials on issues that are important to them on the job.

This is a new and developing program for Local 1032. If you have any ideas for sessions, or would like more information, contact Patrick Kavanagh at the Local office. □



Taxi Dispatcher Stewards from Gateway Security, Inc. are ready for action after learning about the power of their new union contract.

State Budget and Legislation – the Good, the Bad and the Ugly

The recently completed New Jersey state budget and legislation passed prior to the summer legislative recess was mixed for working families and Local 1032 members.

Here is what happened on issues that are key to Local 1032:

- **“Millionaires” Income Tax Increase/Increased Rebates – Good.** A key element of CWA’s economic program was achieved with the enactment of an income tax increase for very high-income residents of New Jersey. The money raised will be used in its entirety for increasing tax rebates to homeowners, renters, and seniors.
- **Constitutional Convention on Property Tax Relief – OK.** A task force will be established to plan a constitutional convention on property tax relief. Obviously, any such action could have a profound impact on public workers; we will monitor this closely.
- **Caps on County and Municipal Budgets – Bad.** As part of the Governor’s income tax/property tax reform package, legislation was passed to limit the increase in municipal budgets to 2.5 or 3.5% a year and the increase in county budgets to 5% a year. With double-digit increases in employee health insurance and the need for pay raises, this legislation could be a problem for Local 1032 local and county government members when negotiating new contracts. Legislative leaders promised to “fix” this legislation in the fall. We’ll see.
- **Ethics Reform – Really Ugly.** While the Democrats’ ethics reform package achieved a few noteworthy reforms such as stricter rules governing lobbyists and a pilot program of public financing for legislative elections, it struck out when it came to limiting Pay to Play (the practice of government contractors financing political campaigns.) No limits were placed on campaign contributions by engineering or information technology contractors who take potential state worker jobs. Indeed, the package was a step backwards in that it halts the efforts of municipalities to end Pay to Play at the local level. Again legislative leaders promise legislation in the fall to ensure that municipalities and counties can end Pay to Play if they choose.
- **No Off-Shore State Contracting – Excellent... so far.** Senator Shirley Turner’s bill to prevent state contractors from performing work associated with state contracts outside the US passed the state Senate overwhelmingly. Local 1032 is working with the state AFL-CIO in an expanded effort to move this legislation through the Assembly. To send a message to Assembly leaders asking that they move this legislation go to: <http://www.unionvoice.org/campaign/nooffshoring>
- **Stop Privatization/Cost Analysis Legislation – Needs Help!** Has not moved yet in this legislative session. Local 1032 is exploring a new initiative to overcome the opposition of engineering contractors and their allies to this legislation.

(Cost Analysis legislation would require state and county governments to determine if contracting out services is less or more expensive than allowing government employees to perform the work in question).

Take action on this issue by going to:

<http://www.unionvoice.org/campaign/privatization>

NASHTU Convention



From left: Paul Pologruto, Treasurer, Congressman Robert Menendez, 13th District, Vince Anepete, VP Higher Level Supervisors, Bob Parker, Branch 3 President, and Local President Jim Marketti at the 2004 National Association of State Highway and Transportation Unions Conference.

Houston, We Have a Problem



Former NJDOT Commissioner Frank Wilson was hired to head the Houston, Texas Metro System. The system oversees the \$7.5 billion expansion of the light rail and bus systems in Houston. Readers of the Houston Chronicle were treated to divergent views of Wilson. Metro Chair David Wolff called Wilson a “visionary, who we are very fortunate to have joining us.” The Chronicle also quoted Local 1032 President Jim Marketti who said Wilson “is an arrogant f_____ prick.”

The Chronicle also reported on Wilson’s ethics violations in New Jersey, the \$500 million E-Z Pass debacle, and the fact that Wilson racked up \$70,000 in travel expenses in two years at the San Francisco rapid transit agency (BART) he headed, including trips to Paris and Stockholm.

The Chronicle characterized Wilson as “a high-flying bureaucrat with a history of over-promising and a fetish for the magic of the private sector,” and concluded, “How is this guy ever going to fit in Houston? Just fine, we reckon.” HOUSTON YOU DO HAVE A PROBLEM.

Meet Migdalia Santiago – Organizer



Migdalia – “Mickey” – Santiago recently joined the staff of Local 1032 as a full-time organizer and has already organized 5 new bargaining units. A former Local 1032 worksite activist, Mickey attended the AFL-CIO Organizing Institute and worked on several campaigns with the National Union.

“I come from the ranks; I had worked at Newark Airport since 1995, first for Unique Security and then for Gateway Security. I worked for the Ground Transportation unit and also the Taxi Dispatchers Program for which I was a supervisor. Management was breaking every rule conceivable – and I witnessed it first hand. One of my first campaigns with Local 1032 was to organize the taxi dispatchers who now have a Union contract. I couldn’t leave behind my ex co-workers from Ground Transportation, now known as Customer Service Reps, so we organized them as well. They are waiting for negotiations to commence. Having the experience of working in these groups makes me want to fight for those who are not organized and give them a voice at work. I am proud to be with CWA Local 1032 and committed to helping our organizing program grow.”

If you know someone you think might be interested in forming a Union at their job, or just wants to have an initial conversation about the benefits of unionization, please call Mickey at 973-589-1544. She will be happy to set up a meeting with an individual or a group of workers interested in the possibility of forming a Union at their worksite. □

More Organizing Victories

- Ninety-three customer service representatives employed by Gateway Security at Newark Liberty International Airport voted to join Local 1032. They join fifty-one taxi dispatchers employed by the Gateway company who joined our union last year. Local 1032 organizer Migdalia Santiago and senior staff representative Mario Rivera headed the organizing team. The taxi dispatcher contract was completed and ratified on March 18. Negotiations for the customer service contract are just beginning.
- Twenty-one employees of the Passaic County Board of Elections voted to join Local 1032. Setting a near record, senior staff representative Mario Rivera negotiated a contract for this group (which was ratified) within a month of the election. The outgoing Superintendent of Elections was apparently anxious to complete the contract before he left office.
- Local 1032 members approved a referendum to permit Local 1042 of Hamilton, N.J. to merge into our local. The vote was 699 to 76. The merger agreement hit a snag when members of Local 1042 asked for more time to consider the tentative merger agreement signed by their officers. □

Around the Local: Hazlet Ratifies New Contract

The white-collar workers in Hazlet Township voted to accept a new three-year contract. The contract provides for increases of 3.75% in the first year and 3.5% in the second and third years. In addition, improvements were made in longevity, sick leave pay upon retirement and job posting procedures. The Public Safety Communicators will receive a special adjustment of an additional \$2000 each year in recognition of the special skills and responsibilities they have. □

Rutgers AAUP Staff Settles

The staff of the American Association of University Professors at Rutgers successfully negotiated a new contract. The AAUP CWA Local 1032 members agreed to a contract that provides for 17% in increases over the four-year agreement. Other improvements include increases in the longevity plan, pension plan and reimbursement for cell phones used for business. □

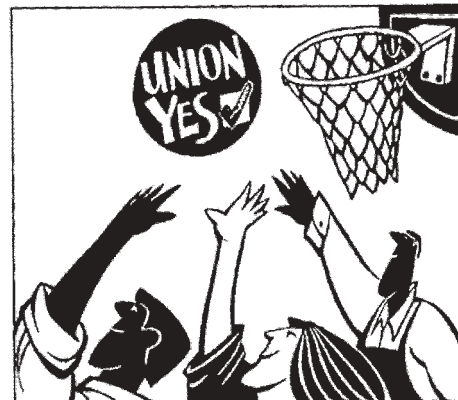
Middletown Library Negotiations

Negotiations for a new contract have been ongoing since the beginning of December. On December 19th management agreed to language on medical coverage for dependents, but has since refused to sign-off on the language. Management also refused to sign-off on discipline language despite the fact that it was their modification that was agreed to.

Aside from wage increases, the main stumbling block is management’s decision to open the library on Sundays and their insistence on paying straight time for this work. The employees work 35 hours per week and management’s position is that they should work 31 hours from Monday through Friday and then work 4 hours on Sunday, in effect making it a 6-day workweek. Our members are seeking to be paid double-time for work on Sunday. The Union filed for mediation on May 27, 2004 and a session is scheduled for August 16.

Hiring Rate Grievance

The contract provides that management must negotiate the salary for any new job classification with the Union. On June 20, 2004,



Middletown Library advertised for two new job titles and set the salaries without notification and negotiation with the Union. On June 21st, the Union filed a grievance against Middletown Library for violating the contract. □

Local 1032 Holds Public Affairs Dinners



OIT Members enjoying the dinner

Local 1032 held 2 Public Affairs Dinners on the eve of New Jersey's primary and in the midst of the FY 2005 state budget debate. In keeping with tradition, invitations were sent to all candidates for state and national office. According to Tom Miller, Local 1032 Legislative Committee Chair and event organizer, the vision for the dinners has been the same since they began nearly a decade ago. "We try to bring people together so that members can have access to and hear from their representatives. This is especially important in an election year and at a time when there are many important issues being discussed in Trenton – the Budget, ethics reform, privatization. Members want to know where legislators stand and what their priorities are. Just as important, we want the politicians to know what's important to us."

President Jim Marketti began each dinner with a pointed critique of the war in Iraq. Noting that the Local Executive Board passed a resolution against the war more than a year ago, President Marketti told the crowd that the "time has come when we can no

longer stand by in silence while the administration wages a war based on lies, for which there is no exit plan, and which puts our troops unnecessarily at risk."

While some of the politicians present chose to respond to President Marketti's critique, most focused on their legislative priorities and stressed their commitment to continuing to work with Local 1032 to help working families in New Jersey. "These dinners are just the beginning of the conversation," Miller points out. "Our dialogue continues throughout the year and well into the future." □



Assemblyman Bill Baroni, District 14



Jim Marketti speaks out on the war in Iraq



Tom Byrne representing the Kerry campaign



Assemblyman Patrick Diegnan, District 18

UPDATE: New Overtime Rules Set to Take Effect. Urgent Action Needed.

As we reported in the last issue of *On The Move*, the Bush administration's proposed overtime rule changes create new job classification exemptions that will jeopardize the overtime rights of millions of workers. The Department of Labor finalized the changes to the Fair Labor Standards Act in April and the new rules are set to take effect on August 23. The changes broaden the category of "learned professionals" – traditionally reserved for doctors, lawyers, and workers with advanced degrees – to include workers who have received the equivalent knowledge by means other than the traditional college degree. This can include general work experience, technical training, and military training, among other forms of specialized training. The result would be the exemption of over 80 million workers currently eligible for overtime pay under the Act with an immediate impact on approximately 8 million workers and their families.

In May, the Senate approved an amendment that would protect overtime pay, but Republican leadership in the House of

Representatives has blocked a vote and even denied requests to allow debate on the issue. At the beginning of July, 15 House Republicans joined Democrats in calling for a vote on legislation that would provide overtime pay protections. In a letter to House Speaker Dennis Hastert, the 15 Republicans – including Frank LoBiondo, Mike Ferguson, Jim Saxton, and Chris Smith from New Jersey – expressed concern about the impact of the new regulations and asked for a meeting to discuss options for a vote. Republican House leaders have not shown any signs of changing their position and it is not clear whether the Senate amendment will survive when the legislation goes to a House and Senate conference committee.

For up-to-date information and to sign a petition to save overtime pay, visit: www.saveovertimepay.org.

Information is also available at www.aflcio.org and www.cwa-union.org. □

Local 1032 Scholarship Winners

Congratulations to the 2004 CWA Local 1032 Scholarship Winners. Each recipient will receive \$1000 towards the 2004-2005 academic year. Information on 2005 scholarships will be available next spring. For more information, call the Local office at 1-800-882-1032.

Scholarship Winner	Member	Employer
Claire Joyal Pigula	Susan J. Pigula	DOT
Haley Lynn Ward	Jean Ward	West Windsor Twp
Jenna C. Steele	Anne C. Steele	Port Authority
Melissa Ann DiPento	Michael A. DiPento	DOT
Yusuf Kwesi House	Connie House	DOT
Srinivas Putta	Sujatha Putta	OIT
Yasmeen Chaudhary Afzal	Mohammad Afzal	OIT
Jessica Rachelle Vazquez	Yvette Moleffe	Port Authority
Allison Lopreato	Matthew Lopreato	DOT
Amanda Marlene Tkacs	Annette Tkacs	DOT
Dhiren Patel	Barindrakumar Patel	DOT
Matthew Ryan Weinreb	Diane Weinreb	West Windsor Twp
Jay J. Patel	Jayesh Patel	DOT
Arpit Gandhi	Pravin Gandhi	DOT

Log On and Visit Our Website:

<http://members.aol.com/cwa1032/>



Local 1032 Members Receive NJ State Public Service Recognition Awards

On May 7, 2004, several Local 1032 members were honored at a ceremony hosted by Governor McGreevey and Department of Personnel Commissioner Ida Castro. Award recipients are, from left to right: Mike Costaldo, DOT, Customer Service Excellence; Lisa Ritzo, DOT, Customer Service Excellence; Connie House, DOT, Community Service; Commissioner Castro; Alan Hardy, OIT, Teamwork Partnership; Tony Guerrieri, DOT, Exceptional Service. □

KNOW YOUR RIGHTS Weingarten Rights: The Right to Representation

One of the most important rights a worker has on the job is the right to have a union steward or representative present when being questioned by management on a matter that could result in disciplinary action. A 1975 U.S. Supreme Court Case, NLRB v. J. Weingarten, Inc., gives workers that right. However, in order to exercise his or her Weingarten Rights, the following criteria must be met:

- **The meeting must be an investigatory interview.** An investigatory interview is one in which a worker is expected to answer questions as part of an inquiry into possible wrongdoing. If you are unsure, you should ask outright if the meeting might lead to disciplinary action.
- **You must reasonably believe that disciplinary action may result from the meeting.** If the meeting or interview may result in disciplinary action, you have the right to union representation under Weingarten.
- **You MUST make a clear request for union representation before or during the interview.** This is the most important part of exercising your Weingarten rights. Management does not have to inform you of your right to have representation before questioning begins. If the above conditions are met, however, you have a right to ask for representation and cannot be punished for making the request.

The Weingarten Declaration

For your protection, you may want to read the following statement to management before the start of any meeting that you believe to be investigatory and may lead to discipline.

"If this discussion could in any way lead to my being disciplined or terminated, or affect my personal working conditions, I respectfully request that my Union representative, officer, or steward, representative or officer be present at the meeting. Without representation, I choose not to answer questions."

If you have any questions about these rights, see your shop steward or call the Local office: 1-800-882-1032. □

KNOW YOUR RIGHTS: ASK FOR A UNION REPRESENTATIVE

CWA LOCAL 1032

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CWA Local 1032

General Membership Meeting

Thursday, September 23, 2004

6:00 P.M. - Dinner

6:30 P.M. - Meeting

The Palmer Inn

3499 Route 1 South, Princeton, New Jersey

***The Local's FY 2005 Budget will be discussed and voted on at this meeting,
as will plans to build a new meeting hall at the Local's headquarters.***

RSVP: Please call the Local office by September 21, 2004 if you plan to attend the dinner,
or need directions. CWA Local 1032: 1-800-882-1032
