

# The Professionals Guild of Ohio



## PGO UNION NEWS

**June 2011**

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### **Senate Bill 5 Update**

*By Amelia Woodward, Esq.,  
PGO Field Representative*

Senate Bill 5, the new legislation that deprives public employees of their basic rights under the collective bargaining law, is close to being sent to voters in November. However, work still needs to be done to gather enough signatures by June 30 to get it on the ballot. When that goal has been accomplished, we will need to continue discussing the referendum with our friends, family, neighbors and coworkers to get their support for the November election.

Many PGO members have volunteered to circulate SB 5 Referendum Petitions and we thank them for their efforts. It is not too late to sign a petition if you haven't done so yet. Every county in the state has a location where you can sign a petition. For a list of those locations, please go to <http://www.ohaficio.org/sb5petitionreturn.html>.

To date, a total of 214,399 signatures have been gathered towards the minimum goal of 231,149. However, the more difficult goal is gathering the required number of signatures of registered voters from at least 44 counties in Ohio. We are asking every member who has any contacts in the more rural counties (Henry, Muskingum, Guernsey and others),

to either volunteer to circulate petitions in those counties, or direct registered voters to a petition signing location.

The deadline to turn in petitions to one of the locations listed at the website <http://www.ohaficio.org/sb5-petitionreturn.html> is June 25, but the sooner we can get the petitions turned in, the better. If We Are Ohio, the organization leading this effort, can count and validate the signatures a few weeks prior to the deadline, then we will know where we need to concentrate efforts to meet our goals.

Keep up the amazing work and if you have any questions or concerns, please call PGO Field Representative *Amelia Woodward*.

### **Ohio's Fight for Workers' Rights**

*By Chauncey M. Mason,  
PGO Executive Director*

The fight for workers' rights and middle class quality of life is on. Working Americans are at war! The corporate sponsored attack on public employee collective bargaining, the looting of public assets by big business cronies, and the massive effort to destroy public institutions created to serve and protect middle class interests are nothing less than a declaration of war on working class Americans.

The battle has been joined, and Union members across the country are leading the fight to protect and defend the middle class. As I write this, an important battle is being waged on the Ohio front in this war. We Are Ohio, the coalition formed to repeal SB 5, has launched a counter-attack to take-back the rights of public employees to organize and bargain collectively with their employers. Petitions are being circulated to place this issue on the ballot in November and the latest reports are encouraging.

When the news of the progress of the referendum drive reached Governor John Kasich, his response was unnerving. When informed that it appeared likely there would be a vote on SB 5 and that a recent poll showed that a majority of Ohioans do not support his union-busting, Kasich shrugged and said, and I paraphrase here, so what...it's only May and we have a long time until voters decide the issue in November. He then went on to remind the reporter that he was down to his opponent by double-digits in the polls at this same point in time and then his big money corporate buddies began throwing millions of dollars into his campaign... You know the rest of the story.

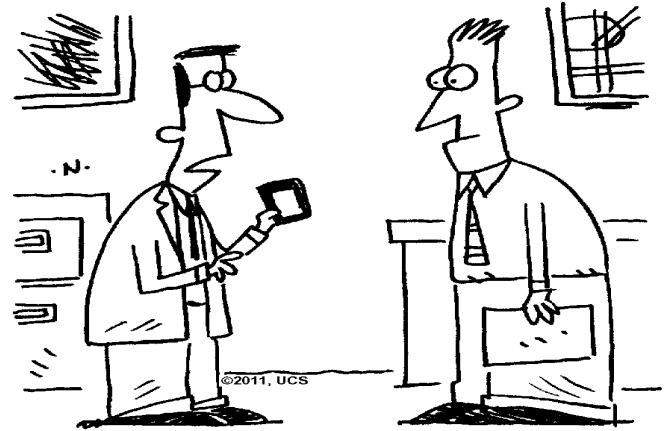
Unfortunately for the good guys, Kasich is right. Big money corporate bosses will use their massive financial resources to unleash an unrelenting mass media blitz to brainwash Ohioans into believing that SB 5 is good public policy. We will need to counter this campaign by investing our time and money to get the truth out to the public.

The Professionals Guild of Ohio and its members are part of the army of volunteers fighting for the middle class in America. When the battle to put SB 5 on the ballot is won, let's show Kasich and his corporate bosses that we have just begun to fight!

**There's an App for That: New Smartphone Application for Tracking Hours Worked and Overtime**

*By John Campbell-Orde, Esq., PGO General Counsel*

The Department of Labor recently announced the release of an application for the iPhone that will help employees track the time that they have worked so that they can verify that they are being paid correctly. The app allows users to track the hours they have worked, break time, and any overtime worked. Users can then view a summary of the hours they have worked in a daily, weekly, or monthly format.



"I'm sorry, Peterson. Your department has been replaced by an app."

The Department of Labor is considering updates that could enable the same app to work with different cell phone operating systems, as well as possibly adding additional features that would enable the tracking of tips, commissions, and the like.

The app could be useful under various circumstances. Under federal law, for instance, employers are required to keep track of the hours worked by employees who are subject to the Fair Labor Standards Act (FLSA). If an employer fails to do so, then an employee's best recollection about how many hours were worked is presumed to be correct absent evidence to the contrary. Thus the Department of Labor app could be used by the employee in proving how many hours were actually worked where an employer has failed to keep adequate records. The free app can be found at: <http://www.dol.gov/whd/>.

**PGO Settles Contract With Lucas County CSB**

PGO Council 13 and the Lucas County Children Services Board have reached agreement on a wage re-opener for the last year of the agreement. The Union has agreed to maintain the current salary schedules without a general increase provided that other employee groups within the agency do the same. If finances improve, and wage increases are provided to agency employees, PGO bargaining unit employees will receive the same increase. Employees eligible for salary schedule step increases will receive these raises.

The Union bargaining committee included *Joe DeStazio, Lynn Pinkleman, Becky Davenport, Dave Rudebock, Melinda Meehan, Vonda Williams, Nancy Reineke*, AFSCME Regional Director *Sally Powless* and PGO Executive Director *Chauncey Mason*.

**Election Results in PGO Councils**

Congratulations to the following members upon their election to office in their respective councils. We look forward to working with all of you over the next two years.

**PGO Council 3, Cuyahoga Falls Library:**

President: *Barb Holdren*  
Vice President: *Joni Kennedy*  
Secretary-Treasurer: *Amy Walker*  
Steward/Professional: *David Parvin*  
Steward/ Para-Professional: *Donna Imhoff*

**PGO Council 4, Hamilton County Educational Service Center:**

President: *Debbie Clyde*  
Vice President: *Terri Densford*

**PGO Council 6, Lucas County Veterans Service Commission:**

Chief Steward: *Sonya Glover*  
Steward: *Chuck Coe*

**PGO Council 7, Butler County Board of Developmental Disabilities**

President: *Kelly Ray*  
Vice President: *John Ferrando*  
Secretary: *Rhonda Rice*  
Treasurer: *Terri Elms*  
Executive Board Delegate: *Chris Jasper*  
AFL-CIO Delegate: *Chris Jasper*

**PGO Council 8, Guernsey County Children Services:**

President: *Roy Higgins*  
Vice President: *Hilaree Homko*  
Secretary-Treasurer: *Elissa Mallett*  
Executive Board Delegate: *Maria Neiswonger*  
Steward: *Melanie Lauer*

**PGO Council 10, Greene County Children Services:**

President: *Chad King*  
Vice President: *Nicole Larson*  
Secretary-Treasurer: *Kate Mazera*  
Executive Board Delegate: *Greg Yoxthaimer*  
AFL-CIO Delegate: *Kelly Muhammad*

**PGO Council 12, Montgomery County Children Services:**

President: *Eric Kanthak*

Vice President: *Dan Rice*  
Secretary: *Jane Hay*  
Treasurer: *Clarissa Gresham*  
Executive Board Delegate: *Joe Atkinson*  
AFL-CIO Delegate: *Dan Rice*

**PGO Council 14, Aurora Academy:**

President: *Amanda Weygand*  
Vice President: *Lindsey Wagner*

**PGO Council 17, Clark County Board of Developmental Disabilities**

President: *Gregg Fry*  
Vice President: *Frank Raynor*  
Secretary-Treasurer: *Carolyn Oliver*  
Executive Board Delegate: *Gregg Fry*  
AFL-CIO Delegate: *Frank Raynor*

**PGO Council 18, Henry County Children Services:**

Chief Steward: *Ruth Hershberger*  
Assistant Steward: *Jen Rowe*

**PGO Council 19, Northridge Local Schools (Montgomery County):**

President: *Cathy Larson*  
Vice President: *David Davis*  
Secretary-Treasurer: *Desiree Schirack*  
Executive Board Delegate: *Desiree Schirack*  
AFL-CIO Delegate: *Desiree Schirack*  
Steward: *Desiree Schirack*

**PGO Council 20, Montgomery County Board of Developmental Disabilities:**

President: *Chad Maness*  
Vice President: *Dave Szkudlarek*  
Secretary-Treasurer: *Shelia Brannon*  
Executive Board Delegates: *Sharon Goecke and Pierre Winninghan*  
AFL-CIO Delegate: *Hosea Woods*  
Chief Steward: *Ronald Bonner*  
Stewards: *Darnell Davis, Sharon Goecke and Shawanna Price*

**PGO Council 21, Butler County Board of Developmental Disabilities (EIS Unit):**

President: *Mindy Flora*  
Vice President: *Diana Taylor*  
Secretary: *Jenny Vogelgesang*  
Executive Board Delegate: *Bev Nagel*  
AFL-CIO Delegate: *Bev Nagel*

**Summer Vacation: Don't get Caught Patronizing a Business on the Boycott List**

As you plan your summer vacations, please check the AFL CIO website for its list of national boycotts against businesses that are either facing strikes by employees or committing other offenses against its workers.

If you are taking a vacation to Boston, try booking at a hotel other than the Hyatt Harborside Logan: Hyatt Regency. The workers at the Hyatt Regency in Boston are hoping that a boycott of the hotel will force the company to re-think its elimination of jobs, replacing full time employees with contract workers and enforcing unmanageable work loads on employees. The corporation made these decisions to deny workers decent wages, while the corporate heads pocketed \$900 million in one day when the company became publicly traded.

If you are traveling to the other side of the country to Long Beach California consider booking your hotel stay at the Hotel Maya. This hotel was recommended by the Hotel Workers Rising organization as a company that treats its employees fairly. Avoid the Hilton Long Beach: Hyatt Regency Long Beach hotel in Long Beach California. This hotel remains on the boycott list.

Visiting the beautiful state of Hawaii this summer? Book your stay at any of the hotels recommended by Hotel Workers rising at <http://www.hotelworkersrising.org/HotelGuide>. If you are plan-

ning a trip to Waikiki, don't book at the Pacific Beach Hotel on Waikiki as it is on the boycott list. However, Waikiki Resort Hotel and Queen Kapiolani Hotel are recommended lodgings for anyone wanting to patronize businesses that continue to offer decent wages and benefits to their workers.

Please check the full and complete list of boycotted hotels at [http://www.unionlabel.org/?zone=/unionactive/view\\_article.cfm&HomeID=150708-&page=Boycott](http://www.unionlabel.org/?zone=/unionactive/view_article.cfm&HomeID=150708-&page=Boycott).

**An Injury to One: Retaliation Against Close Relatives Over Discrimination Lawsuits**

*By John Campbell-Orde, Esq., PGO General Counsel*

The U.S. Supreme Court recently concluded that it is illegal to fire someone's fiancé or spouse because the person claimed illegal discrimination. In the case, a female supervisor filed a discrimination claim with the EEOC. She alleged that her employer was not paying her fairly because she was female. A few weeks after learning about her claim, the employer fired her fiancé, who was her coworker as well. Her fiancé then filed his own claim, alleging that the employer was retaliating against him based on the claim filed by his fiancé.

The Supreme Court concluded that it is illegal to fire a spouse in retaliation for bringing a discrimination claim. The Supreme Court also concluded that an employee who is fired because a close relative filed a discrimination claim has the right to sue the employer. The Supreme Court reasoned that a rational employee would be discouraged from filing a discrimination claim if the employee knew that by doing so his or her fiancé would be fired. Ultimately, the Supreme Court concluded that firing someone because their 'close relative' has brought a discrimination claim is illegal, and that the fiancé involved in the case qualified as a close relative and, therefore, could sue the employer for retaliation.

**PGO Executive Board Meeting**

The next PGO Executive Board meeting is scheduled for Saturday, July 16, 2011, 10:30 A.M., at the Lucas County Children Services offices, 705 Adams Street in Toledo, Ohio.

