

The Professionals Guild of Ohio



PGO UNION NEWS

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Issue 2 = Good Government

This year, Issue 2 isn't about collective bargaining. Issue 2 in 2012 is about the way legislative districts are drawn in Ohio. Every ten years, the legislature is charged with the task of reviewing the census numbers and, based on the increase or decrease of the population, redrawing legislative districts to reflect changes in population. A problem has emerged over the years with politicians gerrymandering congressional districts. Gerrymandering is illegal but the law is toothless and it continues to happen every time.

Issue 2 seeks to amend the state Constitution to provide for a non-partisan citizen commission that will determine how the Congressional map is drawn in Ohio. Politicians, lobbyists and political insiders would not be permitted on the commission and could not appoint or remove commission members. The commission would be made up of four registered Republicans, four registered Democrats and four citizens who are not a member of either party. The members of the commission would be chosen from a large pool of applicants by appellate court judges. Any issue in the selection of the commission members will go before the Ohio Supreme Court.

A "Yes" vote on Issue 2 is a vote to approve Issue 2 and amend the Ohio Constitution to create this new commission. **PGO encourages you to vote yes on Issue 2.**

Voting Update

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

By now you should have received an application for an absentee ballot. If you have not received an absentee ballot application, you can request one from the board of election in the county in which you live. After you mail in or drop off your application for an absentee ballot, you will receive an absentee ballot in the mail sometime after October 2, 2012, which is the start date of absentee and early voting in Ohio. Applications for absentee ballots must be received by your county board of election by Saturday, November 3rd.

If you complete and send in an application for an absentee ballot, but change your mind about voting absentee and decide to vote in-person, you will be asked to complete a provisional ballot at the polls. A provisional ballot, if it meets the criteria, will be counted ten days after the election. A provisional ballot will be counted if you forgot to sign your name on the ballot, or if you voted in the wrong precinct.

Please be aware of changes in early in-person voting. Boards of election will be open for early in-person voting on the following days:

- Tuesday, October 2 through Friday October 5 from 8 a.m. until 5 p.m.
- Tuesday, October 9 from 8 a.m. until 9 p.m. (Last Day to Register to Vote!)
- Weekdays starting Wednesday, October 10 through Friday, October 19, from 8 a.m. until 5 p.m.
- Weekdays starting Monday, October 22 through Thursday, November 1, from 8 a.m. until 7 p.m.
- Friday, November 2 from 8 a.m. until 6 p.m.
- Election Day is Tuesday, November 6th and the polls will be open from 6:30 a.m. until 7:30 p.m.

A law passed by Ohio's legislature last year eliminating early in-person voting on the weekend before the election was recently ruled unconstitutional by a federal judge. The federal judge ordered Secretary of State Husted to restore early in-person voting the weekend before the election, but Husted has appealed the decision and has urged boards of election to not set early in-person voting hours the weekend before the election. However, two counties, Wayne and Jefferson, have already moved forward and set those hours. Husted is expected to issue a directive soon about early in-person voting the weekend before the election.

We must be vigilant about our voting rights: we need to know what we will need to vote, where we can vote and when we can vote in the weeks to

come. Continue to check with your county board of election for changes to early in-person voting schedules. To ensure your vote counts and you have the time to vote, vote early or absentee.

The City of Big Shoulders: Chicago Teachers Strike Back

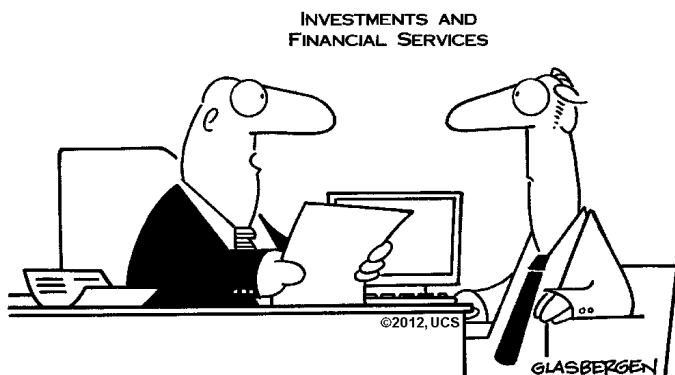
By John Campbell-Orde, Esq., PGO General Counsel

Chicago teachers and support staff, represented by the Chicago Teachers Union (“CTU”), recently made national headlines by striking in response to drastic concessions demanded by the city. Just as the massive protests that erupted in Wisconsin and Ohio over anti-collective bargaining laws in those states energized the national labor community, the outcome in the Chicago strike is an important national statement from the labor movement.

In recent years, public-sector and private-sector unions have, in different ways, been under relentless assault. Public employees have been scapegoated and demonized by politicians—mainly by those in the Republican Party. We saw this in Ohio. Backed by a Republican-controlled legislature, our Republican governor blamed public employees and their supposedly lavish benefits for Ohio’s economic woes. Based on this unfair and inaccurate portrayal, they enacted legislation that would have drastically undermined the ability of public employees to unionize and engage in good-faith negotiations with employers over crucial workplace issues. Fortunately, Ohioans saw through this smokescreen and resoundingly overturned Senate Bill 5.

In the private sector, labor laws have remained more or less unchanged. In short, private-sector law has remained broken and unfair to employees. What has changed is that private-sector employers have become increasingly brazen in exploiting its weaknesses. As discussed in previous articles, private-sector employers have been pushing extreme economic concessions on their employees, all while earning record profits and granting huge pay increases to their executives.

Given the all out assault on unions in both the private and public sectors, the Chicago teachers strike was important not just locally but also nationally. Even when backed up by strikes, few negotiations conclude with complete victory for employees.

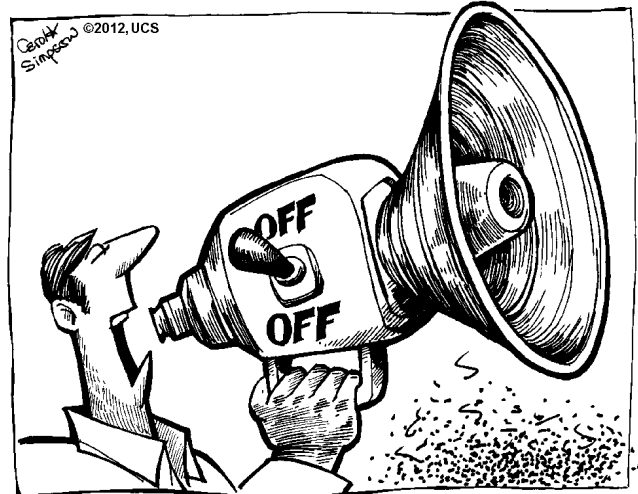


“The good news is, nobody will ever hate you for being rich.”

Like all negotiated contracts, collective bargaining agreements are instruments of compromise, with neither party getting everything that was wanted. Success in collective bargaining is measured both by the benefits gained and, particularly in difficult times, the losses avoided. By that measure, the strike in Chicago was successful. CTU did not get everything it sought, but CTU managed to make some important gains under difficult circumstances, while protecting employees from major concessions sought by the city.

Among other gains, CTU negotiated good pay increases for employees and increased job protections for laid off staff. Equally important, CTU fought off major concessions. The city had sought to dramatically increase how many hours teachers worked without compensating them in proportion to the increase in hours. Even though teachers were prohibited by law from negotiating over work hours, they had the ability to negotiate over pay, which they used as leverage. In the end, the city did increase the school day. Crucially, however, the city did so by hiring additional staff rather than making teachers work additional hours without proportionate compensation. In exchange for the consideration extended to employees, CTU agreed that to some extent teacher evaluations could be linked to test scores.

The biggest lesson to take away from the Chicago teachers strike? Members make the union. We have said this before, but it cannot be emphasized enough. Union staff are responsible for the technical aspects of negotiating and enforcing collective bargaining agreements. But how much power the union has in negotiations depends on how active union member are. When the city stuck to its unreasonable demands in negotiations, CTU members overwhelmingly voted to go on strike. Over twenty thousand staff went on strike, and thousands stood on picket lines and engaged in community activism during the strike. That is how the strike was won. Being an active union member starts with simple things, like reading this newsletter, attending union meetings, and talking about your workplace concerns with your local union representatives. If you are reading this, you are on your way!



FREE SPEECH IN THE WORKPLACE

Is “Liking” a Political Candidate on Facebook Free Speech?

By Amelia Woodward, Esq., PGO Field Representative

As the November election draws near, how often do you stop to consider whether the political candidate you “Like” on Facebook could cost you your job? A district court judge in Virginia ruled last month that “liking” a Facebook page is not a form of speech protected by the First Amendment.

In the case, a deputy sheriff had “Liked” the political campaign Facebook page of his boss’s opponent in the primary election. After the incumbent Sheriff was re-elected, he fired the deputy sheriff who had liked his opponent’s Facebook page. The Sheriff maintains he fired the deputy sheriff for reasons other than his political expression, however, the deputy sheriff disputes that claim.

Although the case does not carry any legal weight here, it is worrisome that our free speech rights could be so easily tossed aside when we use Facebook, Pinterest, Twitter, or the myriad of other forms of new social media that may not have been designated as venues of free speech by our legal system.

The case is being appealed and will most likely be overturned, but as social media continues its progress as the preferred form of communication, courts will continue to weigh in on the changing landscape of free speech through new media forms like Pinterest, Twitter and Stumble.

Hunger for Justice: Columbian Auto Workers Take Bold Action

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

Discharged workers for General Motors (GM) Colmotores have physically sewn their lips shut as part of a hunger strike protesting their inhumane treatment. The discharged workers went on hunger strike in early August to protest unsafe working conditions, GM Colmotores’ practice of firing workers who are injured on the job, and its refusal to provide injured workers with medical treatment or compensation for their injuries. Unable to afford medical treatment, injured workers cannot find other employment, leaving them unable to support themselves and their families.

The hunger strike has been intermittent as the workers have temporarily suspended it several times in order to participate in mediation efforts with GM Colmotores. The Federal Mediation and Conciliation Service (FMCS), which helps to mediate labor disputes in the U.S., as well as the U.S. Consulate in Columbia has been involved in the mediation efforts. It was recently reported that GM Colmotores has agreed to resume talks with the injured workers.

The actions taken by these workers are both sad and inspiring. It is sad that a company would drive its workers to take such drastic action. But the resolve and courage shown by these workers in their attempt to remedy an injustice should inspire all employees to stand up for what is right.

The Housing Settlement Could Benefit you

By Amelia Woodward, Esq., PGO Field Representative

As the economy continues its slow recovery, there are still many families struggling to make ends meet. But financial help is out there for families experiencing hardship that could use a little help with paying or refinancing their mortgage. A program called HARP (Home Affordable Refinance Program) established through the Save the Dream initiative to prevent foreclosures has been expanded to help struggling homeowners that are not necessarily on the brink of foreclosure, but are having a hard time making their mortgage payments because of an involuntary reduction of their income. The program was expanded after the attorneys general of several

states settled a lawsuit with banks and other home loan lenders for \$25 billion dollars. Yes, you read that right, \$25 BILLION DOLLARS!

Now, homeowners that are struggling with household income reduction by virtue of a layoff, a reduction in work hours, a divorce, the death of a wage earner in the household, long-term or permanent disability or some other qualifying hardship can apply for financial assistance through the program. Those qualified for the program could get up to \$25,000 to refinance their mortgage, or receive direct payment of their mortgage from the program to their mortgage servicer, or other assistance through the Restoring Stability program.

Many middle class families facing a financial hardship will likely qualify for the program because the program has income limits of roughly \$70,000 a year, depending on in which county the family lives. For example, the income limit to qualify for the program for families of up to four persons in Montgomery County is \$72,795 and in Lucas County it is \$71,990.00. Families of five or more people have higher income limits. Please see the Restoring Stability website, www.restoringstability.org, for information on how to apply for the program.

Cuyahoga Falls Annual Picnic is a Big Success

PGO members at the Cuyahoga Falls Library and administrative staff recently enjoyed the annual staff picnic at Waterworks Park. Attendees enjoyed hot dogs, the “famous” broccoli salad, baked beans, veggies and many other goodies on a cool and slightly rainy September day. But the weather didn’t spoil the fun. Folks enjoyed playing volleyball and corn-hole, among other games. All had a good time and look forward to continuing the tradition for many more years to come.

