

The Professionals Guild of Ohio



PGO UNION NEWS

November 2018

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**Published by
Professionals Guild
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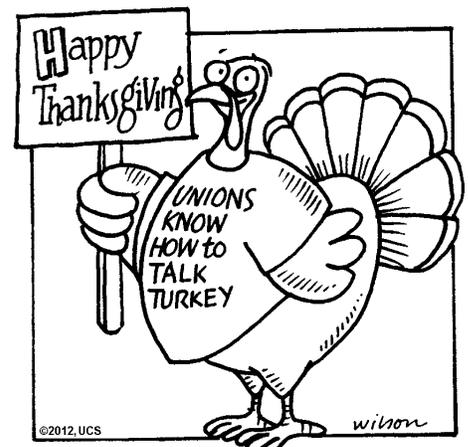
Keeping Up With the Rising Cost of Living

As workers fight for higher wages, the cost of living continues to increase—out of reach for the average American. The cost of living is the standard to maintain your basic expenses such as housing, food, taxes, and health care. The cost never fails to increase, regardless of the inability of wages and benefits to keep up. From 2017 to 2018 alone, prices climbed 2.9 percent, which was primarily attributed to higher housing and food costs.

Although the country seemingly has a relatively low unemployment rate of 3.7 percent, that figure does not paint a complete picture of living standards. Most Americans are working to maintain the bare minimum. A study showed that 30 percent of jobs are “hardship jobs,” meaning they don’t allow a single adult to make ends meet. Thirty-two percent are “living wage” jobs—meaning just enough to get by, or living check to check. Middle class jobs make up 23 percent, which gives those people some room to dine out, take modest vacations and save some money. Lastly, 15 percent account for professional jobs, which allow for a more upscale lifestyle. In sum, 62 percent of people hold jobs that do not meet a middle class standard, al-

though they are considered gainfully employed. Those people face difficulty in affording life beyond the basic necessities, including childcare, health care, car related expenses, phone and internet.

One solution offered to keep up with rising costs is to increase minimum wages. Wage standards across the country have been unable to keep up with the price of living increases over the past few decades. The standard in the United States is set by federal labor laws and is currently \$7.25 an hour. Individual states and localities have the ability to determine their own minimum requirements and Ohio is slated for an increase to \$8.55 an hour on January 1, 2019. That figure, however, still is barely above the state’s poverty line for a family of two. In fact, many low-wage earners are forced to hold multiple jobs to make ends meet.





There is a push among some groups and politicians to raise the federal minimum wage to \$15—a figure that would lift the pay rate out of poverty levels. Several states already have ballot initiatives to raise their respective minimums in the upcoming midterm elections. Unfortunately, not everyone agrees with increased wages across the board. Opponents believe that an increased minimum would result in more job automation and layoffs. Even more hostile individuals think that workers in certain industries, such as food service, are undeserving of higher standards. Despite this, studies show that an increase would be more beneficial to workers in the long run—resulting in improved living standards for all and a decrease in inequality.

The harsh reality is that our expenses are growing faster than our wages. The wage gap keeps increasing with heads of companies earning thousands times more than their lowest paid workers, yet refusing to pay them accordingly. In order for the average person to achieve the “American Dream,” we have to make our voices heard by being vocal and voting on the issues that affect us all and demanding that our employers compensate us fairly.

PGO Gets Court Victory In Arbitration Decision

PGO recently received an order from the Court confirming an arbitration award issued on July 12, 2017. In 2016, Montgomery County Children Services (PGO Council 12) unilaterally removed a Secretary 1 job from the bargaining unit, added some duties to the position, changed its classification, and

hired a new employee—all actions contrary to collective bargaining agreement and the employer’s duty to bargain with the union.

PGO filed a grievance based on the county’s actions requesting a make-whole remedy that would return the position to the bargaining unit or if there was a new position, it be placed in the bargaining unit with a negotiated wage rate. The grievance was ultimately submitted to arbitration, where the arbitrator decided for PGO, stating that “the position or classification shall remain or otherwise be returned to the bargaining unit.”

The county refused to take actions to implement the arbitrator’s award, prompting PGO to file an application in court to confirm and enforce the arbitration award. The court found that PGO timely filed an application to confirm the arbitration award, supported by arbitration agreements and the award itself and the court entered a judgment in PGO’s favor. As a result, the county has been ordered to comply with the arbitrator’s written award.

Marriott Workers Strike

The waves of strikes across the country continue! For nearly a month now, close to 8,000 workers associated with Marriott are on strike against the world’s largest hotel chain. Most of the company’s labor contracts expired between July and August, and negotiations proved unsuccessful and broke down this past summer. The impasse ultimately resulted in strikes amongst hotel workers in several





“I’m disappointed in my promotion to plant supervisor.”

major cities including Honolulu, Boston, San Francisco, San Diego, and Detroit.

Although the issues that plague the workforce vary across the locations, workers are generally concerned over the issues of improved job security (especially during the low tourist seasons) and wages. Employees are additionally concerned about future plans for automation in hotels, which include check-in kiosks that would replace human front desk workers. There are also “green” initiatives in place which would discourage the need for housekeepers. These future possibilities have workers rightfully concerned that their services would no longer be required and eventually force wages into decline.

The strike’s slogan “One Job Should be Enough,” encompasses these various problems while highlighting what workers are striving for. People believe that they should not have to maintain multiple jobs while dealing with the ever-increasing cost of living. Despite returning to the bargaining table, Marriott and the union have not reached an agreement to the satisfaction of its workers, therefore, the strike presses on.

When workers strike, members of other unions can stand in solidarity by not crossing picket lines to give those companies their business. For more information, or to learn which hotels to avoid that are currently on strike, visit MarriottTravelAlert.org. Also, to make sure you are visiting a socially responsible union hotel, visit www.FairHotel.org.

PGO Contract Settlements

PGO Council 6

PGO members working at the Lucas County Veteran Services Commission have reached agreement on a new 3-year contract. Base wages on the salary schedule will increase by 3 percent effective January 1, 2019 and 2.5 percent in each of the remaining two years. In addition to the general wage increases, employees that have not reached the top of their pay ranges will receive step increases on their anniversary dates during the contract. Other enhancements include the granting of one day of additional personal leave for military service up to ten years and another additional day for military service beyond ten years. Council 7 chief steward **Jana Oyerbides** and PGO executive director **Chauncey Mason** represented the Union during these negotiations.

PGO Council 16

PGO members working at the Athens County Board of Developmental Disabilities negotiated through SERB fact finding to get a new 3-year contract. The 2017 wage schedule will remain in effect during the three years of the contract. Workers that have not reached the top of their pay ranges will get a 2.5 percent step increase in September each year. Workers at the top or beyond their pay ranges will also receive a 2.5 percent wage increase each September. The Union was represented by Council 16 president **David McNelly**, vice president **Margaret Casey**, second vice president **Kathleen Carlson**, PGO field representative **Jada Walker**, and PGO executive director **Chauncey Mason**.



“I told my boss I wanted to spend more time with my kids, so he fired me.”

Was There Just Cause?

Most people should know that a manager or supervisor cannot write you up just because they do not like you or are having a bad day. You also should not be suspended or terminated from your job arbitrarily because someone wants to get rid of you or hire a different person in your place. In issuing discipline, most contracts have a standard known as “just cause”- in other words, your employer should have a legitimate reason for handing down any punishment.

Next time you might be faced with workplace discipline, keep some of these basic principles of Just Cause in mind.

Fair Notice: An employer may not discipline an employee for violating a rule or standard whose nature and penalties have not been made known.

A person should not be punished for violating a rule or policy of which they were unaware. Rules and standards must be evident—they are usually shown in handbooks, bulletin boards, or through announcements. This does not mean an employee should feign ignorance of an established rule, but that employers should not be able to make up a rule on the spot to justify some sort of punishment.

Lax Enforcement: An employee may not be penalized for violating a rule or standard that the employer has failed to enforce for a long period of time.

If a workplace infraction or behavior is tolerated for months or years, in the eyes of employees, it seemingly no longer has any consequences. Therefore, if discipline is ultimately issued, it would have the same effect as if there was no fair notice. Lax enforcement issues usually arise when a new supervisor or boss comes on the scene and decides to start enforcing rules that weren’t being enforced in the past.

Due Process/Fairness: The employer should conduct an interview or hearing before issuing discipline, take action promptly, and list charges precisely. Once issued, discipline may not be increased.

To put it simply, an accused person should have the opportunity to tell their side of the story. There should not be an unreasonable amount of time between the alleged action and the imposition of punishment. If a union employee believes they are

about to be disciplined, they also have the right to union representation.

Substantial Proof: Charges must be proven by substantial and credible evidence. Disciplinary decisions must be based on reliable evidence, not rumors, suspicions, speculations, or hearsay.

Equal Treatment: Absent extenuating circumstances, an employer may not issue a considerably stronger punishment against one employee that it issued against another known to have committed the same or similar offense. An employer cannot levy a substantially lower penalty without reason for similar behavior. There should be no favoritism in handing out discipline; therefore, employees who commit the same or similar offenses must be treated alike.

Progressive Discipline: The employer must issue at least one level of discipline that allows the employee an opportunity to improve. The objective of workplace penalties should be to correct conduct, not punish. Employees must be given a chance to correct behavior before more serious discipline is imposed. Most progressive discipline typically includes a verbal warning, followed by written reprimand, suspension, and ending with termination.

Mitigating and Extenuating Circumstances: Discipline must be proportional to the offense, taking into account any mitigating, extenuating, or aggravating circumstances. Employers must consider whether the employee’s actions were intentional or an honest mistake, whether they caused damage or potential damage, and whether they were isolated or part of a pattern. The employee’s time on the job and past record should also be given consideration as well as other circumstances surrounding the behavior.

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VETERANS

★ **DAY** ★

Thank you for your service and sacrifice