

# The Professionals Guild of Ohio



## PGO UNION NEWS

**April 2015**

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### **Right to Work Draws New Battle Lines**

*By Paul Henry*

*PGO Field Representative*

The American Legislative Exchange Council (ALEC) has been instrumental in pushing the so-called “right to work” agenda throughout the country. Though ALEC has been successful over the past several years, its momentum may have stalled. Just recently, an attempt to push a right to work bill in Missouri stalled and failed in the legislature.

Unfortunately, right to work, much like a virus which mutates over time, is now seeking newer and weaker places to take root, namely small and local government. This new approach by ALEC allows it to bypass the expensive and lengthy campaigns which it must engage in to pass the law on the state level.

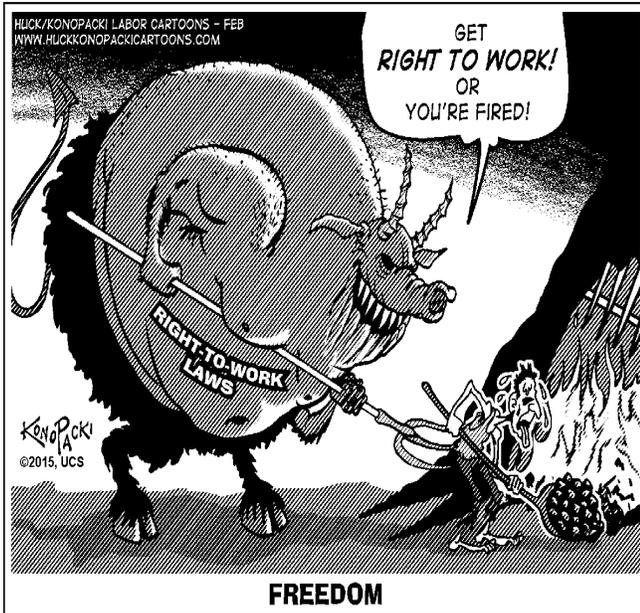
As long as it is not prohibited by state law, local governments can allow right to work to take root through a local initiative petition and sometimes by passing a local ordinance through the city council. One of ALEC’s subsidiaries, American City County Exchange (ACCE), has already set its sights on cities in Washington, Kentucky, Pennsylvania, New Mexico, and yes, even Ohio.

So far, ACCE has experienced little success in actually passing a local right to work law. In the three cities in Washington where it was presented to city councils, it was voted down.

It is not even clear whether or not this push at the local level is legal. Most legal experts agree that the Taft-Hartley Act requires that all right to work laws be passed on the state level. Andrew Kloster, a legal scholar for the Heritage Foundation has stated that the issue of local governments choosing to be right to work was simply not mentioned in Taft-Hartley, which has led scholars to assume that the legislation must be promulgated at the state level.

It is in Mr. Kloster’s statement that the more sinister plot is revealed. Though ACCE and ALEC are interested in pushing the right to work agenda wherever possible, the fact of the matter is, they want to get as many anti-labor cases as they can in front of the U.S. Supreme Court. With no legal precedent out there, as well as a potential question on the interpretation of federal law, a case pertaining to right to work at the local level could very well end up before the Supreme Court.

In *Harris v. Quinn*, the most recent challenge to the union fair share fee, there were rumblings among the conservative judges about whether or not the fair share fee made sense. Smelling the blood in the water, ALEC has chosen to attack labor on all fronts. This new brand of right to work on the local level is just that. Though labor fought and won against SB5 here in Ohio, it is important that we not let our guard down. The next big push to take away your rights in the workplace may come from a city near you.



## Unions Attacked by New Illinois Governor - Unions Fight Back

By Nicole Jackson, Esq., PGO Field Representative

Just three months after being elected to his first term as governor of Illinois, republican Bruce Rauner has attacked public sector unions in Illinois by issuing an executive order that mirrors anti-union legislation known as "right to work."

The sponsors of these so-called right to work bills and related executive orders like the one passed by Governor Rauner seek to perpetuate the lie that they are "saving" employees from "forced unionism" by outlawing fair-share fees. However, the real reason behind right to work legislation and the executive order introduced in February 2015 by Governor Rauner is to bust unions by cutting off their funding.

In addition to issuing his executive order, Governor Rauner took the extra step to sue in federal court to force a ruling on the matter. This lawsuit is currently pending in federal court.

Similar to Ohio, the unions in Illinois are strong, and they pledged to stand together to reverse the order. More than two dozen unions sued to halt Governor Rauner's executive order. Governor Rauner subsequently tried to move this matter to federal court, however, the federal judge refused to hear the case on procedural grounds, stating that it should be dealt with at the state level. It is not surprising that

Governor Rauner tried to move the case to federal court, since he has publicly stated that his legal team plans to ask the U.S. Supreme Court to declare fair share fee provisions unconstitutional.

Governor Rauner is attempting to make right to work a national issue. Let us not forget the 2011 attempt to implement right to work in Ohio's public sector (Senate Bill 5), which was defeated at the polls in 2012. Since then, governors in Michigan and Wisconsin have successfully implemented anti-union right to work legislation in their states.

Governor Rauner publicly criticized organized labor during his campaign, spewing empty rhetoric about overly generous salaries, pensions, and benefits of unionized public sector employees creating a "financial crisis" in Illinois. Unfortunately, low voter turnout led to a republican governor being elected in President Obama's democratic-leaning home state.

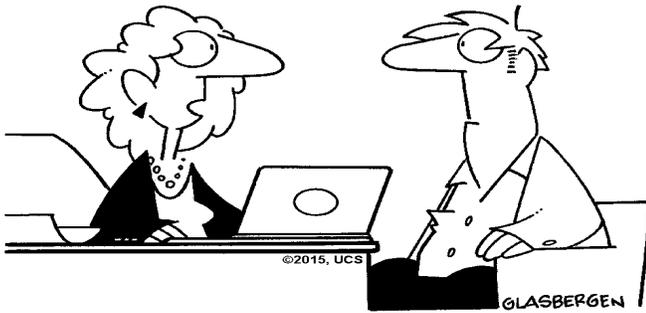
## PGO Election Scheduled

The PGO Constitution requires an election of state union officers this year. Nominations for officers must be made by a Nominations Committee composed of one member chosen by each PGO Council. Additional nominations may be made by a petition signed by one percent of the membership and presented to the executive director by April 15. The candidates for the various union offices will be finalized during the Nominations Committee meeting following the April 18 executive board meeting. Ballots will be mailed to members in May and must be returned by June 15.



"Ms. Forbes, if I said, 'Have a nice day' to you, I'd have to say, 'Have a nice day' to all employees."

**Investments and Financial Services**



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 “Are you ready to start investing or do you want to keep throwing your money away on food, clothing, and shelter?”

**Ohio Women Earn Less Than Men**

*By Nicole Jackson, Esq., PGO Field Representative*

The Bureau of Labor Statistics released a study on women's earnings in Ohio as compared to their male counterparts. The study revealed that women in Ohio earn 82.7 cents for every dollar their male counterparts made in the year 2013. According to the report, the ratio of women's to men's earnings in Ohio has ranged from as low as women making 71 cents to every dollar men earned in 1999 to a high of 83.6 cents to every dollar men made in 2011.

Among the fifty states, Vermont had the highest female-to-male earnings ratio among the states at 91.3 cents for every dollar their male counterparts earn. Wyoming had the lowest, at 68.6 cents for every male dollar. According to the report, some of the differences among the states can be attributed to variations in the occupations and industries found in each state and in the age composition of each state's labor force.

Another key factor that causes variations in the female-to-male earnings ratio among the states is the number of workers represented by unions. As we know, there is no variation in earnings among women and men in unionized workforces. Both genders make the same, according to their individual position, seniority, or level of education. This is one benefit of working in a unionized workforce.

Wages for women have been on an upward trend since the Equal Pay Act was passed in 1963. This key legislation was passed in an attempt to close the gender wage gap. In 2013, the U.S. National Equal Pay Task Force issued a report which

stated that female and minority workers earn significantly less than white male workers.

All earnings used in the Bureau of Labor Statistics report were based on data from the Current Population Survey, which provides information on the labor force, employment, and unemployment.

**Paid Sick Days for the Poor**

*By Paul Henry, PGO Field Representative*

Working with a Union contract, it is easy to take sick leave for granted. The truth is, around 40 percent of all workers don't get paid sick days. Unfortunately, this disparity gets significantly worse the lower a person's income. Only about 20 percent of low wage workers receive paid sick days from their employers. On the other hand, almost 90 percent of "high wage" earners have paid sick leave. Why is this so important? If an employee is sick, do we really want to make them choose between coming to work to try to fight through it or losing their job? This is the dilemma that many of these folks face every single time they get sick.

The good news is that this isn't a problem which has gone unnoticed. President Obama addressed this issue publicly in his most recent State of the Union address. He proposed that earning sick leave should be a right available to all workers. Hopefully this idea will catch on. No worker should have to face a situation where they must go to work sick or they may lose their job.

**PGO Executive Board Meeting**

The PGO Executive Board is scheduled to meet April 18, 2015 at 10:30 a.m. at the Montgomery County Children Services offices, 3304 North Main Street, Dayton, Ohio.



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 “Let me present the company's new health plan.”

**Longshore Work Dispute Ends**

*By Paul Henry, PGO Field Representative*

After a grueling nine months of negotiations, the International Longshore and Warehouse Union (ILWU) work dispute has finally come to an end. After the expiration of their contract back in July, management cut the ILWU workers night shift. Rather than cave out of fear for losing their jobs, the ILWU workers chose to stand up against their employers bullying tactics. Produce meant to be shipped overseas sat rotting in the sun. Electronic imports from China and Japan sat bobbing out in the ocean in their containers. There were no workers or equipment willing to load or unload any of these goods.

Though management raised objections to what it called the ILWU’s “questionable tactics,” the ripple effects of the work slowdown could be felt across the country. In Washington, one of the largest apple crops in recent years was grown. The farmers had to dump their excess crop into valleys and ravines as there was nowhere it could be shipped. Auto workers for Honda at the factories located in the US had their hours cut as there were simply not enough transmissions making it to the factories for them to assemble any vehicles. The North American Meat Institute stated that the meat industry was losing \$85 million every week when no exports were going out. Needless to say, the external pressure on the management to resolve this dispute was immense. After nine months an agreement was reached.

The ILWU workers stood true to their union motto, “an injury to one is an injury to all.” In doing so, they were able to end this dispute in their favor as they locked out any potential scabs from performing their work. Even when its tactics were called into

question, the ILWU stood strong against the criticism and refused to back down.

We could all take a lesson from the ILWU. Though there may be personal disagreements amongst workers, we are all one union. If we all stand together and work together, we can achieve great things. It is important that we remember, “an injury to one is an injury to all.”

**US Refineries Strike May End**

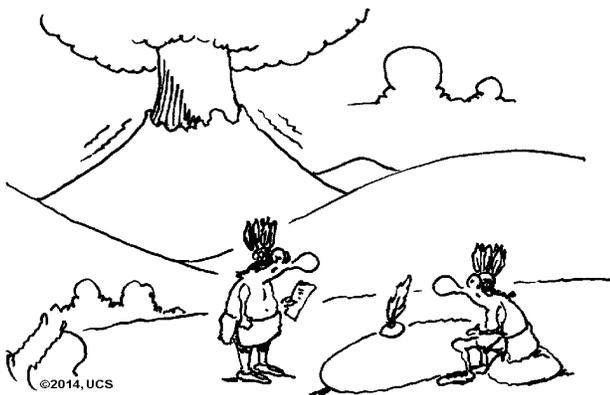
*By Paul Henry, PGO Field Representative*

The biggest battle between the oil companies and union workers in 35 years may finally be coming to an end. The United Steelworkers (USW) launched a strike on February 1, 2015 just as the previous collective bargaining agreement expired. The strike encompassed over 7,000 workers at 15 plants from Texas, Louisiana, California, and even Ohio.

Bargaining came to an impasse when the parties could not agree on several maintenance/safety issues at the refineries. The oil companies saw no reason to have a full time staff (represented by the USW) when it could instead employ non-union maintenance workers who travel from job to job. The USW members who have been in charge of the maintenance at these facilities have been on the front-lines when things have gone wrong and have specialized experience handling them. By providing their expertise, they have been able to keep the plants running. Chad Coburtson, president of the USW local at the Toledo refinery, stated “[t]he steelworkers are like the nails in the frame; without us the structure will fall.”

After almost two months of being on strike, a tentative agreement has finally been reached. The new agreement, which would cover upwards of 30,000 workers, would last for four years. The USW was able to address some of the major safety concerns it had within this agreement, namely worker fatigue which has led to accidents in the workplace. The USW also negotiated a 2.5 percent increase for the first year, a 3 percent increase for the second and third, and a 3.5 percent increase for the fourth year.

Though the USW is hopeful that the strike has been resolved, there are still concerns about the implementation of some of the bargained changes. Though the fight is now winding down, it is refreshing to see the brothers and sisters of the labor movement stand in solidarity and accomplish what they have set out to do.



“The workers, and apparently, the gods, are angry with this contract offer.”