

# The Professionals Guild of Ohio



## PGO UNION NEWS

August 2015

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Published by  
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### **Governor Kasich Strips Workers' Rights**

*By Nicole D. Jackson,  
PGO Field Representative*

Since the successful repeal of the anti-worker Senate Bill 5 ("SB5"), Ohio Governor John Kasich has looked for new ways to attack the collective bargaining rights of workers. One of his latest efforts to take away union rights in Ohio was an executive order rescinding orders that his predecessor, Ted Strickland, put in place to give home healthcare and childcare workers the ability to unionize in 2007.

This action by the governor back in May, was executed right before the collective bargaining agreements covering over 10,000 home healthcare and childcare workers were set to expire on June 30.

It is reported that Kasich's main argument for busting the unions of home healthcare and childcare workers was simply that "the key union benefit of health insurance coverage is now widely available elsewhere." Kasich's executive orders cites the Affordable Care Act marketplace exchanges and Medicaid, claiming that union membership is no longer one of the few ways for contractors to access health insurance.

Kasich's executive order ignores the fact that by losing collective bargaining rights, these home healthcare workers and childcare workers will inevitably soon see lower pay, fewer benefits, loss of the ability to address workplace grievances, and a loss of thousands of jobs held by mostly women and minorities.

This move by Kasich fits the pattern of many conservative governors in the Midwest following the recent U.S. Supreme Court's ruling in *Harris v. Quinn*, which held that home healthcare workers in Illinois were only "partial" or "quasi" public employees, and thus don't have to pay union dues for representation.

### **Economy Better, But Not For Young Workers**

*By Paul Henry,  
PGO Field Representative*

The economy has continued to gradually improve since the Great Recession. Unemployment has dropped to 5.3 percent which is comparable to pre-recession levels. Though it appears everything may be getting back to "normal," the statistics are misleading when it comes to those entering the workforce. New college and high school graduates are continuing to face the long lasting consequences of the Recession.



Young graduates are facing an unemployment rate higher than the national average. Recent college graduates face an unemployment rate of 7.2 percent while new high school graduates are facing rates of 19.2 percent. Even the graduates who have been able to secure jobs are facing significant under-employment due to the fact that many entry level positions are paying the same wage rates they did in 2000. College graduates are facing rates of 14.9 percent under-employment and high school graduates 37.0 percent. Even though job prospects have improved in recent years, young graduates are unable to follow the major paths which lead to successful future careers. They are unable to pursue further schooling and better employment and end up stuck in any position which they can get.

In discussing the predicament confronting new workers, Will Kimball of the Economic Policy Institute stated “[g]raduating into a weak economy means that, through no fault of their own, the Class of 2015 faces weaker job opportunities, lower wages, and lower overall earnings. Young workers might be a unique group, but the solution to these problems is not unique to them. The same policies that will improve job prospects and wages for young graduates are the ones needed to generate broad-based demand and wage growth for all workers.” To put it simply, anything which benefits those new to the workforce will also benefit those currently in it.

### Right to Work. . . For Less

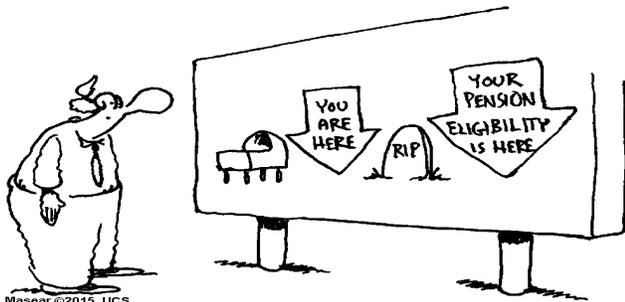
By Paul Henry, PGO Field Representative

Collective bargaining allows employees to negotiate higher wages and better benefits. Without union representation, employees are at the mercy of their employers. This has become glaringly apparent in right to work states. Many employers tout right to work as beneficial to the economy as it allows more employees to be hired because less time is spent dealing with pesky unions. In fact, only employers have benefited because they end up paying their employees significantly less because of right to work.

In general, employees in right to work states earn about 3.1 percent less than unionized employees. This means right to work employees earn on average about \$1,500 less each year than unionized workers. Wages are not the only benefit that suffers. Workers in right to work states are less likely to have employer sponsored health insurance or pension coverage. If right to work eliminates so many benefits to workers, what can be done to increase benefits? The answer is simple—strong unions.

Will Kimball, a research assistant at the Economic Policy Institute, stated “[p]olicymakers who are concerned by the three-and-a-half decades of wage stagnation that have plagued workers should be trying to strengthen unions. Collective bargaining is a clear way to raise wages, and right to work laws undercut it.” The misleading name of right to work has led some to believe that this type of legislation is beneficial, as it would “give them the right to work.” The truth is, it is clear that the only group which benefits from right to work are the bosses at the top. In order for workers to succeed, strong unions and the right to bargain are necessary.





### Hybrid Pension Plans and 401Ks - Not Worth the Gamble

By Paul Henry, PGO Field Representative

Over the years, employers have attempted to move away from traditional defined benefit pension plans. We've heard time and time again that pensions are too expensive. They have even been cited as one of the main reasons for Detroit's bankruptcy. Employers have scrambled to come up with "safer" alternatives. Hybrid plans, such as cash balance plans that combine elements of a 401(k) and the traditional defined benefit plans, have been touted as the future and a much safer alternatives to "highly expensive" defined benefit pensions. As time goes on and more employers move to this model, it does not appear that the projected savings they anticipated are actually coming to fruition.

Despite the rush to do away with pensions, employers have failed to show that these hybrid plans lead to any savings or provide a better benefit to employees. Monique Morrissey, an Economic Policy Institute economist, has reviewed many of these hybrid plans and stated "[t]hey're less predictable and transparent than traditional pensions, and they make it harder for workers to anticipate what they will get at retirement, without reducing risks for taxpayers. The cash balance plans introduced in recent years are more expensive than proponents claimed. Some have even increased turnover by giving more valuable benefits to young workers who leave their jobs."

So instead of providing a savings to the employer, these hybrid plans can actually cost more. Pensions have provided employees a reason to continue employment with a particular employer. If this benefit is no longer offered, then employees will no longer have a reason to stay in a particular job. Turnover of highly qualified personnel is not conducive to a productive workplace.

### Ohio Implements New Fair Hiring Policy for State Jobs

By Nicole D. Jackson, PGO Field Representative

Following a national trend toward successfully integrating ex-offenders into society, the State of Ohio recently became the 17th state to implement a fair hiring policy that includes "ban the box" on state applications. "Ban the box" fair hiring policies removes questions about arrest and convictions from state employment applications and postpones such inquiries until later in the hiring policy.

The goal of this policy is to give ex-offenders a "fair-chance," and is designed to ensure the applicant is evaluated based on qualifications first, and not solely on past convictions or mistakes. It is estimated that 70 million U.S. adults, which equals about one in three adults, have a criminal record, creating a huge barrier to employment. Without such fair hiring policies, businesses can automatically exclude people that "check the box" noting they have a criminal conviction. Instead, applicants now have a chance to compete and sell themselves in the application process.

Additionally, Ohio's Department of Administrative Services will now require that every hiring decision-maker weigh important relevant factors such as the age of the offense, its relatedness to the job, and evidence of rehabilitation before rejecting a qualified worker because of a past record. Essentially, an individual can get through the entire interview process, get offered the job, then go through a background check. At this point the state will weigh the above factors to determine whether the applicant should officially be hired. Studies have shown that employment can effectively aid in preventing recidivism.

State government is Ohio's largest employer.



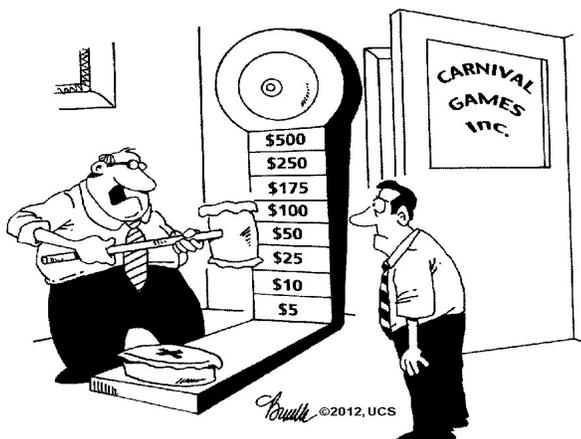
## Right to Strike— A Constitutional Right In Canada

By Paul Henry, PGO Field Representative

Back in 2008, Canada faced its own attacks on the working class. While American workers wrestled with sweeping right to work attacks throughout the country, the conservative anti-labor party in Saskatchewan passed a law that allowed the government to basically designate any position they wanted as “essential services.” If a position was deemed essential, it no longer had a right to strike.

As soon as this law was passed, additional attacks on labor began. The Canadian Union of Public Employees (CUPE) immediately felt the effects at the bargaining table. Tom Graham, President of CUPE, stated “[t]he public employers were taking full advantage of it. They were demanding concessions on things, in my view, that didn’t matter very much, and offering very small wage increases below the cost of living.” Much like the argument here has been in the States, the Saskatchewan government insisted that these types of reforms were necessary to promote economic growth and competition.

The Saskatchewan government, convinced that it had a mandate from the people, refused to consult with the labor unions on any issues pertaining to their ability to strike. With nowhere else to go, labor took the fight to the courts. After several years of litigation, as well as an appearance before Canada’s Supreme Court, labor finally received the ruling that it had been waiting for: that the government could not take away a worker’s right to go on strike.



“Before I determine your raise, I should warn you that I’m really out of shape.”

## Our Future Without Unions!



“If you want paid holidays we can refer you to a temp agency on your days off.”

At first glance, it would appear that the Supreme Court’s ruling simply overturned the legislation of the province of Saskatchewan. Fortunately for the workers, it has a far deeper impact. Canada recognizes collective bargaining as a fundamental right. With this ruling, the ability to strike is now recognized as part of this right. In coming to this decision, the Supreme Court made it clear that the law should be there to protect the workers, not the employers. “In essentially attributing equivalence between the power of employees and employers, this reasoning, with respect, turns labour relations on its head, and ignores the fundamental power imbalance which the entire history of modern labour legislation has been scrupulously devoted to rectifying.”

Though the assault on Canadian workers has been slowed, the threat still exists—the attacks are not just on the provincial level, the Canadian Parliament is mulling over restrictions specifically targeting labor unions. There is hope that there is light at the end of this tunnel, however. With elections this year, the Canadian labor movement hopes that these anti-labor politicians will be voted out of office. Hopefully, America will also move towards protecting workers rights rather than diminishing them.

