

The Professionals Guild of Ohio



PGO UNION NEWS

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Partisan Judges Keep Campaign Promises

By Paul Henry,

PGO Field Representative

In a 5-2 decision, the Ohio Supreme Court ruled that packing the budget bill with side items did not violate the Ohio Constitution. For some background, the Ohio Constitution contains a provision that limits what can be brought in a bill to a “single-subject.” This rule is to prevent lawmakers from combining multiple unrelated proposals in a single bill to ensure the passage of some of the more unscrupulous items they have proposed.

This provision of the constitution was utilized by the Ohio Civil Service Employees Association (OCSEA) to challenge a budget bill that allowed for the sale of a state prison, privatizing approximately 273 OCSEA represented positions. Unfortunately, this challenge was recently rejected by the Ohio Supreme Court.

Justice Judy French explained the court’s position on the single-subject rule. She stated that in order to provide deference to the General Assembly’s law-making function, the Court would only invalidate a statute because of the one-subject rule if it contains “a manifestly gross and fraudulent violation.” French cited the case, *Hoover v. Franklin Cty. Bd. of Commrs.*, which

had been decided by the court in 1985 stating, “The mere fact that a bill embraces more than one topic is not fatal as long as a common purpose or relationship exists between topics.” She rationalized this approach by explaining that state budget bills are difficult to challenge because the intent of the legislation is to fund a wide range of state programs and departments.

OCSEA argued that the sale of a prison is not related to appropriating funds to operate the state and therefore is a violation the single-subject rule. The Court majority disagreed and ruled that the primary subject of H.B. 153, the budget bill which allowed for the sale of the state’s prison and resulting privatization, was “balancing state expenditures against state revenues to ensure continued operation of state programs.”

Justice French stated that selling the state’s prison and privatizing its operations related to the overall subject of state expenditures and revenues because the new prison operators were required to operate on a smaller budget, saving the taxpayers five percent of what the state would be required to spend to operate the prison. “A provision that saves the state five percent of the cost of operating a prison facility relates directly – not just rationally – to budgeting for the operations of state government. Obviously, savings in this arena free up funds for



"But if everyone knows we're lying, is that really dishonesty?"

other governmental purposes.” Despite the sale of the prisons not being directly related to the budget bill, Justice French made it clear that in her opinion, it was “close enough.”

This ruling has been met with dismay and frustration within the labor movement. During Justice French’s election campaign, she promised to be a bi-ased political partisan on the bench at a fundraiser when she proclaimed, “Let me tell you something—the Ohio Supreme Court is the backstop for all those other votes you are going to cast. Whatever the governor does, whatever your state representative, your state senator does, whatever they do, we are the ones that will decide whether it is constitutional; we decide whether it’s lawful. We decide what it means, and we decide how to implement it in a given case. So, forget all those other votes if you don’t keep the Ohio Supreme Court conservative.”

Given the circumstances, was French’s decision the result of an unbiased review of the law or her fulfillment of campaign promises to her constituents? It is sad that such a question would ever arise.

Author’s Note: Credit for explanation of decision goes to Trevas, D. (2016, February 11). [Sale of State Prison Constitutional](http://www.courtnewsOhio.gov/cases/2016/SCO/0211/140319.asp#.VyDJDx0rLcs). Retrieved from <http://www.courtnewsOhio.gov/cases/2016/SCO/0211/140319.asp#.VyDJDx0rLcs>.

Labor Notes 2016

By Paul Henry, PGO Field Representative

Labor Notes is an organization that provides a voice and support to rank and file union members all around the world. From its monthly magazines that provide information about what is happening in the labor movement to its books on being a union stew-

ard, Labor Notes provides a wealth of information to union members and those working in the labor movement. One of the great resources Labor Notes provides is the conference it holds every two years. Labor Notes has made it clear that the purpose of this conference is to “put the movement back into the labor movement.” This year’s conference took place in Chicago, Illinois, April 1st through the 3rd.

The conference beat its previous attendance record as thousands of union members, labor activists, and union staff came together to attend more than 125 workshops. PGO had several attendees, including PGO Executive Board President and Council 12 Chief Steward **Eric Kanthak**, PGO Executive Board Vice President and Council 13 President **Joe De-Stazio**, PGO Executive Board Treasurer and Council 12 Treasurer **Dan Rice**, PGO Executive Board Member and Council 12 President **Jane Hay**, PGO Executive Director **Chauncey Mason**, and PGO Field Representative **Paul Henry**.

There was an increased emphasis on organizing this year at the Labor Notes conference. Several workshops highlighted the need to unify workers around important issues and Labor Notes used the very first day of the conference to demonstrate the value of this strategy. On April 1, the Chicago Teachers Union (CTU) staged demonstrations demanding economic and social justice for American workers and to protest the proposed cuts to school budgets made by Mayor Rahm Emanuel. Teachers and activists from the Labor Notes conference went to City Hall later that afternoon where they joined a 28,000 strong march in support of the CTU.



“Find out which is cheaper, Sims—improving our product or expanding our complaint department.”



“I’ve decided to step down as CEO so I can spend more time with my money.”

The general session on Friday included speakers from the CTU discussing their plight in Chicago as well as American and Mexican workers describing the deplorable conditions they are forced to work in and the sub-par wages they are paid while picking berries for American grocery stores. These inspirational speakers urged everyone to pay attention to where their produce comes from and to boycott **Dris-coll’s** (a major corporate offender) berries until its suppliers provide acceptable conditions for their workers.

The 2016 conference provided a great opportunity to learn strategies and meet other union activists. The only possible criticism is that there were so many great workshops that there wasn’t enough time to attend them all!

Teachers and Technicians Strike For Better Deals

By Paul Henry, PGO Field Representative

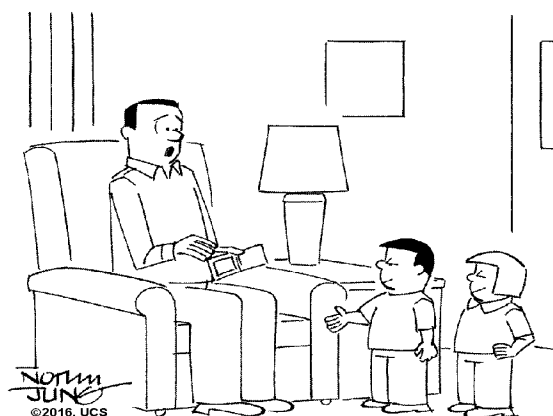
Strike season is apparently upon us. The Chicago Teachers Union (CTU), the International Brotherhood of Electrical Workers (IBEW), and the Communication Workers of America (CWA) have gained national attention with their strikes. The CTU has been engaged in a long-term battle with Chicago Mayor Rahm Emmanuel. Emmanuel has called for budget cuts for Chicago Public Schools several times during his tenure, asking an already strapped school system to give more. The CWA and IBEW represent Verizon workers that have been in contract negotiations since June of 2015. Since Verizon has refused to provide any job security for its workers and has

threatened to outsource jobs, close to 40,000 workers have gone on strike in an attempt to get a fair contract.

The CTU took to the streets on April 1, 2016, to protest against the city’s threat to cut education funding, bust open the union’s contract, and slash teacher pay. The strike lasted only one day but the teachers may be back out by the end of the month. The CTU rejected a fact-finder’s recommendation which supported the school board’s proposal to phase out the practice of picking up 7 percentage points of teachers’ 9 percent pension contribution. With the rejection of the fact-finder’s recommendation, the teachers have set themselves up to be out on strike mid May. The district has already threatened to end the school year early to avoid disruption of classes.

Nearly 40,000 CWA and IBEW workers walked off the job on April 13 to strike for their rights. As mentioned, contract negotiations between the unions and the employer have broken down. Union officials have stated that some of the major issues that remain between the parties include Verizon’s desire to outsource call center work to the Philippines, Mexico, and the Dominican Republic as well as outsourcing line work that includes installing and maintaining telephone poles, to non-union subcontractors. Verizon insists that it is prepared to handle this strike and is in it for the long haul.

It is inspiring to see workers, confronted with negative situations, come together and fight for better situations. PGO will continue to report on developments in these struggles in future issues of the *PGO Union News*.



“The minimum wage increase has nothing to do with your allowance.”

**Right to Work Off
The Table In Kentucky**

By Paul Henry, PGO Field Representative

The last holdout against right to work (RTW) in the South is the state of Kentucky. Corporate interests have persistently pushed their agenda to get RTW passed, but the Kentucky legislature has held strong in its opposition. Fortunately for the workers in this state, a special election was held in March and three of the four candidates elected were endorsed by unions. This has allowed the Democratic Party to hold a majority of 53-47 in the Kentucky state house. Because of this majority, State Senate President Robert Stivers (R) announced that the Kentucky right to work act "is off the table this session."

House Speaker Greg Stumbo credits the labor movement for allowing the Democrats to hold on to the state legislature. "I don't think you can overstate just how important organized labor was in the special elections," he said. "They gave us a strong foundation to work from, and they were crucial for our ground game."

Kentucky State AFL-CIO President Bill Londrigan thanked "all of those who worked so diligently and effectively in the four special elections. Our opponents thought they had all four of them won. Our labor program and grassroots and workplace efforts won these elections and the hard work and dedication of so many union members, representatives, released staff and national staff gave the Kentucky labor movement a great win and a chance to win again in November."

Despite this win, RTW continues to lurk in the shadows so it is crucial that everyone get out and vote their interests come November. Without the support of

union members, states can fall prey to special interests pushing their agendas and face regressive legislation such as RTW.

In Flint, Unions Unite

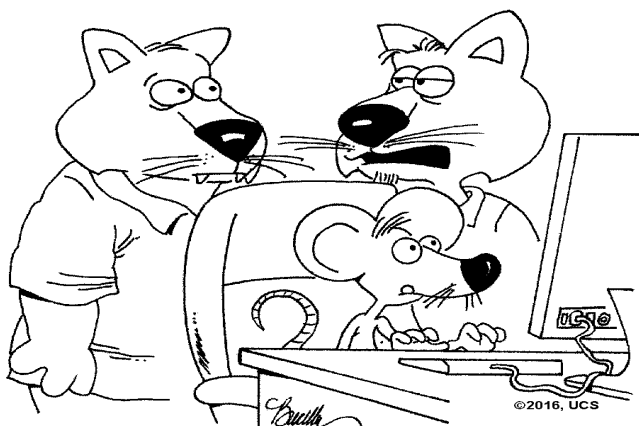
By Paul Henry, PGO Field Representative

The ongoing Flint water crisis has shown the world the worst aspects of corporate America. There is something unsettling about a group of businessmen deciding it is more important to save money than it is to insure the safety of an entire city. Even though there are impending criminal charges for some of those responsible, the people of Flint continue to suffer and will likely face lifelong health issues due to the lead exposure. Governor Rick Snyder's administration recently released a projected cost of \$60 million to fix the pipes—it was also estimated that the project could take up to 15 years. So what are the residents of Flint to do? Fortunately the brothers and sisters of the labor movement have mobilized to help the struggling city.

Unions from around the country have rallied to help the people of Flint by providing donations of water and services. Several plumbers' unions have volunteered countless hours providing filters to residents to keep lead out of their water. Nurses' unions have volunteered to test residents for lead exposure. The citizens of Flint, Michigan have received a faster response from labor than they have from their own governor.

Ed Schroeder, Financial Secretary of UAW Local 3000 helped organize donations from his local union. When asked about his thoughts about unions rallying to the city of Flint, he stated "This is union members helping a community that, frankly, desperately, needs it. When its people have to bathe in bottled water and can't use their faucets for basic needs because the city and state governments failed them, they need a human response, not another failed politician to offer a handful of nothing."

Unions have long been demonized by the Wall Street elite as corrupt organizations that interfere with the operation of business and provide little benefit to employees. As a member of a union, it is important to remember that YOU are the union. A union's strength comes through the actions of its members. Sometimes, those actions can truly help those in the community. Just ask the residents of Flint who have received more help from their union brothers and sisters than they have from Governor Snyder.



"I'd eat him, but do you know how hard it is to find a good tech guy?"