



The Advocate

We Are Making a Difference in the Workplace

Fall 2011



Westhampton Members Debbie Sorady, Diane Hoefer, UPSEU Regional Director Kim Nowakowski and Carole Hillman.

Westhampton Beach School District clerical employees, under the leadership of UPSEU member Terry Barrett, spent a Saturday at a local Waldbaum's Supermarket collecting non-perishable food donations. "Terry has been spearheading this for a few years with great success," remarked Unit President Evelyn Overton. "It gives us an opportunity to help the community in which we live and work." UPSEU Regional Director Kim Nowakowski volunteered for a shift and said "I'm really impressed with Terry and her co-workers dedication to make a difference for those less fortunate. The food drive brought in several carloads which were delivered to the local food pantry. Helping others is what union is all about, an injury to one, truly is an injury to all as they say; I was proud to pitch in and help these amazing and humble women make a difference for many." Thanks also to volunteers Diane, Debbie, and Carole along with Hallie Cooper, Geri Nigg and Gloria Meyer for all their assistance in making this event successful.



United Public Service Employees Union

Making a Difference in the Workplace

Our Mission

UPSEU is committed to being the preeminent organization representing public sector employees by providing professional, on-site representation, superior negotiations, and adherence to democratic principles which maintain the integrity of the union for the benefit of our members and their families.

UPSEU Officers

Kevin E. Boyle, Jr.
President

Gary M. Hickey
Executive Vice President

Kimberly Nowakowski
Vice President

Randy Tillman
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Congratulations 2011 Scholarship Winners

Paul T. Burch \$1,000 Awards



As a speech pathologist, I not only want to help individuals speak better but I want to provide them with ways in which to effectively communicate.

Carolyn Mahon
Speech Pathology Major
Daughter of Irene Mahon
Lynbrook School District



My desire is to work with children who struggle with emotional and psychological issues that become stumbling blocks for their success.

Jeena Cool
Psychology Major
Daughter of Roy Cool
Town of Stratford

Dependent Child \$500 Awards

Patricia Alessi's son Zachary
Pauline Aumick's daughter Jessica
Randall Backuws' daughter Sarah
Gina Beach's daughter Alyssa
Andrea Bischof's son Brian
James Brockway's son Cody
James Brockway's son Jared
Julia Buch's daughter Nicole
Ann Delaney's daughter Meghan
Mary Donofrio's son Andrew
Patrick Dunning's son Kyle
Kathleen Fabrizio's daughter Kayla
Alexis Figueroa's son Chasen
Ann Fitzmaurice's son William
Eric Hill's son Michael
Michael Hirschman's daughter Amanda

Carolyn Kmiotek's son Anthonyww
Elaine LaBounty's daughter Tessa
Barbara Loesche's son Richard
Rich Mammone's daughter Kerry
Terese Mandell's daughter Jessica
Jacquelyn Mason's daughter Simone
Laura Morrissey's son William
Ann Marie Noel's daughter Kimberly
Mark O'Carroll's son Michael
Sharon Perez' son Laurence
Cindy Reynolds Tremblay's daughter Samantha
Catherine Rogers' daughter Carina
Jeanine Sheppard's daughter Carmen
Lisa Todman's son Nicholas
Ann-Marie Villafane's son Miguel
Gerald Ward's daughter Ashley
James Wright Sr's son James

Member \$500 Awards

George J. Bryce, Jr.
Marianita Cleere
Linda Jones-Pettis
Antoinette Khalil
Anna Lynch

Carolyn Muller
Glenis Najera Trejo
Stacey Sansone
Paul Schumann
Erin Vandenburg

Sincere thanks to the 2011 Scholarship Committee

Vice President Kim Nowakowski, Regional Coordinator Kathy Wright, Labor Relations Representative Linda Kirnan, with UPSEU members Barbara Bancke, Jay Facticeau, Randy Helt, Laura Lucas, and Kathy O'Brien

A Message from President Kevin E. Boyle, Jr.



As public employees and union members, we may all want to jump on the bandwagon looking for the “bad guys” to blame for our country’s economic woes. Although I understand the desire to do so, there are too many targets to distract ourselves with. If we want immediate change then we must first look at ourselves. Not as the public servant bad guys for our wages and benefits, but as consumers who all too often look for the cheapest price and not where the products are made.

The call to “Buy American” has been made by UPSEU for years. Of course UPSEU isn’t the only union having urged members to think before they buy.

Not too long ago, a news program showed a family what in their home was “Made in America.” They used a great visual effect by removing all foreign made products from the home. The family thought that there would be a few items removed but were shocked to see only a few items remained!

If you looked through your home, how much would be removed for not being “Made in America”? Can we all make more of an effort to buy American? Absolutely. Might we pay more for “Made in America” and “Union Made,” perhaps. We must think about the bigger

picture of providing decent wages, benefits, and working conditions. When we choose to buy American even when it might cost us a bit more, we are buying American economic stability and growth. When we buy economic stability and growth, we protect our retirement investments, the value of our homes, the ability for our children to find decent jobs, our health and the well-being of ourselves and of the environment.

I know it may seem overwhelming at times to find “Made in America” because sadly we have allowed manufacturing to move overseas, but you can access a great resource for finding out what is in fact “Made in America.” The UPSEU website (www.upseu.org) has links to “Made in America” websites to help you find nearly everything you shop for.

Visit our website and you can find on the left hand side, a link to “Buy USA Products”. This link will bring you to the Buy USA Products page which gives links to “Americans at Work”, “Buy American” and “Made in the USA” amongst other links.

The “Americans at Work” provides an alphabetical directory of companies who make products in the USA. The list is a wide array of everyday items and not so everyday items, from apparel to

bridal, from jewelry to pet products, from household gadgets to uniforms, it covers it all. It also lists products by state if you want to support local vendors.

Take the time to look at the “Other American Made Resources” at the AmericansWorking.com site. It gives you other sites such as Patriot.com, a marketplace for American products and “How Americans can Buy American”. It also links to “Support USA Buy American”, the “Alliance for American Manufacturing”, and “I only Buy American”.

“Made in the USA” website encourages the “recycling” of American dollars by creating a searchable website of more than 300,000 American businesses for products made in the USA by American workers. The site also educates you on the importance of protecting American manufacturing jobs. For example, it states that each manufacturing job creates five to eight additional jobs, such as suppliers, accountants, technical support, distributors, and retail personnel who sell the products. Is that what you think of when you see manufacturing jobs gobbled up overseas? Or do you think of it as not directly effecting you or your family? How many college students might be able to find work if more manufacturing came back

to the USA? How much of our national debt is attributed to the loss of manufacturing jobs?

Just as the health of oneself is dependent on the health of individual body parts, so too is our economy dependent on all economic entities—including manufacturing. As a public employee, you may not see the immediate connection between the loss of manufacturing jobs and the difficulties ahead in negotiations and cutbacks in local and state public employment, but it’s there. Fewer manufacturing jobs in the USA, means less taxes to support public programs from education to public services.

The internet has not only made the world smaller and easier to buy from anywhere in the world, but it has also made it easier to BUY AMERICAN too!

UPSEU is proud to make it even easier by having links on our website to help you. Please do your part and visit our “Buy American” page and its links and most importantly BUY AMERICAN. Be an educated consumer - research your options and choose “Made in the USA” whenever possible. Let’s all not forget to buy union made whenever you can!

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Columbia County Members Approve Pact

UPSEU Columbia County members approved a new multi-year agreement that will increase wages in accordance with the Consumer Price Index-U or Consumer Price Index-W, whichever is greater. A minimum and maximum was established to ensure that both sides were protected in the event of a significant spike or reduction in the CPI. A full time and part time employee bonus was included as well.

A new health plan which will increase coverage opportunities while containing costs was included in the agreement. The percentage paid by UPSEU members, the lowest in the county will remain unchanged throughout the agreement.

UPSEU President Kevin E. Boyle, Jr. who headed up the talks for the union stated, "The process was professional and each side put a strong effort forward toward reaching a fair agreement. Mediation has been the norm for these county negotiations in each of the previous agreements, so reaching a fair agreement without mediation was a tribute to the negotiating teams of both sides."

UPSEU thanks the committee of Cindy Tipple, Barbara Stedge, Patricia Moskaluk, Phyllis Higgins, Betty Bednar, Jane DeGennaro, Chip Ball, Edsom Folmsbee, Dot March and Ann Delaney for their outstanding efforts.

Hewlett Woodmere Members Approve Pact

By a vote of 97 to 3 Hewlett Woodmere Assistants, Monitors, Aides and Security personnel voted to approve the terms of a new four year agreement.

After three mediation sessions the union and the district proceeded to fact-finding hearings where UPSEU presented the unit's case. The fact-finder's recommendation provided the members with a framework for a contract which ultimately led to an agreement.

Special thanks to the leadership of the negotiating team of Diane McCloat, Ellen Moreo, Josephine Panzarella and Joseph Whitney for their work throughout the process.

Windsor Locks BOE Food Service Ratifies Contract



Windsor Locks Members Ellen Welch, Barbara Egan, Theresa DeLuco, Patricia Rulnick and Colleen Tirio

The Windsor Locks Board of Education Food Service Unit ratified a new three year contract. The new agreement added one additional holiday, two additional personal days and an additional bereavement day. Other improvements include increased life insurance, an increase in sick day accumulation, as well as a new retirement provision providing a payout upon retirement. The negotiating team consisted of Labor Representative Roger Stolen, Ellen Welch, Patricia Rulnick, and Barbara Egan.

Mahopac Supervisors Unanimously Approve 4 Year Agreement

In the first negotiations since ousting the Teamsters, UPSEU secured such a solid deal that the members unanimously approved it! Unit President John Russell stated, "Our team wanted to show that improvements are possible even in these hard economic times." The team was composed of John Russell, Mike Twardy, Jerry Ward, Labor Relations Representative Rich Cormier and Chief Negotiator Executive Vice President/Regional Director Gary M. Hickey. Highlights in the new five year deal included annual wage increases, increased longevities, new binding arbitration, improved grievance procedure, increased shift differential, and new increased bereavement leave and contract language improvements.

"With the economy rapidly declining, we were determined not to have our members bear the brunt of it. And we succeeded," said Hickey. Hickey went on to say, "I can't thank the committee enough for their strong will and very entertaining negotiating sessions. When you look around at the doom and gloom that surrounds us every day, the guys made difficult negotiations quite light hearted, while achieving fantastic results. We told them when we took over from the Teamsters that we were going to succeed and we did."

Westbury Nurses Secure Agreement

A new three year agreement will provide UPSEU Westbury School District nurses with annual increases, while maintaining healthcare costs under the terms of the agreement.

The contract follows recent UPSEU settlements for two other units in the district. UPSEU's Kim Nowakowski led the negotiations on behalf of the unit. The members unanimously ratified the agreement. Special thanks to negotiating team members Robbin Brenker, Regina Craven and Diane Musso for their achievement.

UPSEU and Town of Islip Resolve Dispute and Reach Agreement

The long protracted process in securing an agreement in the Town of Islip resulted in a satisfactory resolution to the numerous disagreements between UPSEU and the Town. UPSEU's 380 member unit approved the agreement by a 10 to 1 margin.

The new agreement that mirrors the previous union's settlement, which was the subject of the parties' dispute, brings closure to the process. UPSEU had maintained that despite its dissatisfaction with the previous union's agreement, we were bound by its terms. The town differed, which led to several charges pending before the Public Employment Relations Board.

"While the Teamsters negotiated some horrific givebacks, the parties were legally tied to those terms," stated UPSEU President Kevin E. Boyle. That agreement included wage increases in four of the six years of the agreement and a bonus for the other two. New hires will begin paying for health coverage but UPSEU was able to delay contributions for seventeen months, saving 35 employees up to \$1,800 each, an improvement over the former union's agreement. Implementation dates of other provisions which reduced benefits for new employees were delayed as well.

Overall, we were working with little, but in the end we achieved the objective of having the town implement the terms of the former union's agreement, something they were not willing to do. Both parties worked together to find a satisfactory resolution to this dispute. A dispute concerning the benefit fund was resolved as well with employees remaining in the UPSE benefit plan with improved benefits.

Members received their raises within days of the Town Board ratifying the agreement and all retroactive pay has been paid. Members have also seen a significant reduction in dues, as compared to their dues with the Teamsters.

As we approach the one year mark of UPSEU becoming the representative for the Town of Islip Blue Collar employees, members have noticed the difference we've made in the workplace. Grievances have been processed and heard, members have seen their representatives on a regular basis, the number of charges and suspensions have been significantly reduced, attendance at union meetings is significantly improved, and the members have been represented at hearings by experienced professionals. UPSEU will continue to be a strong advocate for its Town of Islip members.



Sayville School District Clerical Unit Negotiation Update Meeting

Orange Ulster BOCES Para Educators Ratify 4 Yr. Pact

By an overwhelming amount, the paras at Orange-Ulster BOCES approved a successor four year deal. "The 338-4 vote count not only reflected the high interest of the membership in this settlement, but the welcome acceptance of our negotiating team's efforts," said Unit President Christine Bankston. Labor Relations Representative Rich Cormier offered, "The new agreement called for wage increases, in addition to new dental/vision for employees and dependents, increases in longevity amounts, increased unused sick day payout, increased health insurance buyout amounts, increased sick leave accumulation, increased bereavement leave and increased substitute pay."

UPSEU Executive Vice President/Regional Director Gary M. Hickey who led the negotiating committee of Christine Bankston, Gayle Ballard, Laura Romano, and Labor Relations Representative Rich Cormier, said, "The team wanted to bring back the best deal we possibly could and we definitely did. Regardless of the fact that these times are not the best for securing superior settlements, we accomplished incomparable results. The team worked long and hard for well over a year and we have a lot to show for it. It was heartwarming to hear the gratitude expressed by the members," Hickey added, "As Christine said, we were just doing our jobs."

Castleton on Hudson Approves Contract

The Village of Castleton-on-Hudson and the United Public Service Employees Union membership reached a three year agreement. Leading the negotiations was Executive Vice President/Regional Director Gary M. Hickey, along with Labor Relations Representative Michael Kutski. UPSEU members David Sager and John Shortsleeve served as representatives for the membership.

Through these hard economic times, negotiating was very challenging. The Village however was willing to work with the membership and navigate the hurdles and obstacles faced throughout negotiations. In the end, the membership and the Village were pleased with the results. The negotiating team did a great job of achieving gains with no givebacks. They have years of service and expertise that keep the Village and the membership moving towards the future. Congratulations to all that helped in bringing this deal together.

UPSEU Family Continues to Grow

City of Springfield Employees Join UPSEU

The latest clash between two major unions vying for representation of public employees in Western Massachusetts ended in another victory for UPSEU. In an election held this summer, the American Federation of State County and Municipal Employees (AFSCME) lost an election for over 200 clerical employees in the City of Springfield. Seventy percent of participating employees voted to change unions in favor of UPSEU. UPSEU's Labor Relations Representative Matt Geer, who spearheaded this campaign along with UPSEU attorney Barbara Resnick, commended the group in making the decision to vote for the highest level of representation by casting a ballot for UPSEU. This most recent election represents the second time in two weeks that Western Massachusetts public sector employees have moved away from AFSCME in favor of UPSEU. Employees of the Holyoke Water Commission voted unanimously in favor of the UPSEU in an earlier election.

"I think it comes down to a fundamental difference in representation philosophy," said Kevin E. Boyle, Jr., President of the UPSEU. "We are committed to providing the necessary resources and the personalized, professional day to day support to our local unit members. Our members see that and that's why we have been so successful," Boyle added.

Welcome Redding Dispatchers

The Redding Emergency Dispatchers recently voted unanimously to decertify from NAGE/IBPO and join UPSEU. The members were tired of a non-existing union and wanted to make a change.

"We have started the process of putting together a new Collective Bargaining Agreement and will be ready to start the negotiation process just before the start of the holiday season," said Regional Director Ron Suraci.

We welcome the Redding Emergency Dispatchers and look forward to providing the group with a strong union presence in the workplace.

Commack School District Employees Join UPSEU

UPSEU is proud to be welcoming the 97 member unit of custodial and grounds members employed by the Commack School District. The unit sought to change unions from their current union and approached several unions including the CSEA and the Teamsters. The Teamsters didn't bother to call the group back.

CSEA and UPSEU held separate meetings with the group to discuss the benefits of each union. After discussing the results of the meeting, the unit decided that UPSEU was the union for them. The incumbent union disclaimed interest in representing the unit which will result in PERB certifying UPSEU due to its vast support from the employees.

Mahopac Monitors Boot CSEA/AFSCME

In a New York State PERB conducted election, Mahopac Central School District Monitors voted 43 to 1 for UPSEU. A story that former CSEA members are all too familiar with, this group had enough years of no representation.

"Representing two other units in the District gave these employees a chance to see first hand that our style of representation is second to none," stated Executive Vice President Gary M. Hickey, who led the organizing drive, along with Labor Relations Representative Rich Cormier. A hearty welcome to Mahopac Monitors!

UPSEU Welcomes Westhampton Beach School District Food Service Unit

Previously unrepresented and run by a private company, the workers employed in the food service program of the Westhampton Beach School District sought out UPSEU when the District took over the program earlier this year.

Initially the District sought to combine them with an existing UPSEU represented unit, but UPSEU prevailed upon the District at a PERB conference to grant the unit status as a single bargaining unit. The group will now move forward as a single unit with negotiations to convene shortly. UPSEU welcomes the Westhampton Beach Food Service Workers Unit.

Passaic Valley Sewerage Commission Professionals Vote to Affiliate with UPSEU

The PVSC Professionals are an integral team of employees that manage Northern New Jersey's sewage treatment and ensures water quality in local streams. They are employed by one of the largest treatment plants in the United States. The unit is predominantly made up of engineers and chemists. As an independent association, the unit felt that the actions of the Commissioners warranted a strong approach at the bargaining table and sought out UPSEU's assistance. The PVSC, having been taken over by Governor Christie who has appointed new leadership, will be a difficult fight, but UPSEU is ready for the battle.

The unit saw our work on behalf of White Collar Unit that joined UPSEU earlier this year. Both units were previously unrepresented. At a recent meeting, one association member stated "When I need my sink fixed, I call a professional plumber. This is my job and I need a professional union here to protect my job." The association voted unanimously to affiliate with UPSEU.

Connecticut Update

Naugatuck Members Overwhelmingly Approve Pact

UPSEU Naugatuck White Collar employees recently reached a settlement on a new three year agreement. The negotiating team has been working with the Borough over the past six months to make sure discrepancies in the contract were addressed and corrected.

Despite current economic conditions, the group received wage increases in each year of the contract. Other improvements in the contract include a new pay grid that gives members a simplified method to apply for upgrades. Improvements were also made to the seniority language. The ratification vote for the new agreement resulted in an overwhelming approval by the membership. Special thanks to the negotiating team of Jim Michalek, Allison Hurley, Pam Ruccio, Rachel Brainard, Norma Lisieski and Sheryl Kimiecik for a job well done.



Naugatuck Negotiating Team

Front row: **Pam Ruccio, Sheryl Kimiecik**, Back row: **Rachel Brainard, Unit President Jim Michalek, and Norma Lisieski** (not pictured Allison Hurley)

New Canaan BOE Clerical Unit Ratifies First UPSEU Contract



New Canaan BOE Clerical Unit Members

Lynda Pescatello, Linda Benware, Vice President Lisa Pernek, Beth Calandrelli, Treasurer Floriana Jones, and President Jennifer Van Degraff

The New Canaan Board of Education Clerical Unit unanimously ratified their first contract with UPSEU. Formerly with AFSCME, the group had commented that they had never been through negotiations that were done so professionally, as their past negotiations under AFSCME had resulted in strong disagreements and a lack of progress at the bargaining table. This time, their negotiations through UPSEU resulted in annual wage increases for each year of the three year contract, along with improvements in bereavement leave, union leave, and a change in summer hours. All improvements were achieved without unnecessary confrontation.

Under the leadership of Labor Relations Representative Roger Stolen, the negotiating team members consisting of Unit President Jennifer Van Degraff, Unit Treasurer Floriana Jones, Lisa Granite, Kristina Bell, Michelle Vallely, and Irene Picchione achieved an excellent contract for their co-workers.

Darien BOE Secretaries and Aides Reach Agreements

The UPSEU Board of Education unionized members both ratified their contracts in the Town of Darien. This was the first time that the two groups were able to negotiate their own contracts separately. The two groups were formerly in a contract that encompassed both groups, and at our members request, we filed a petition last year to separate the group in two. Under certain conditions, Connecticut allows this type of petition. Now the members are able to pursue their own interests during the negotiation process.

“During this economy, both groups were able to achieve higher wages, improvements in sick time, bereavement and pension issues as well as minimal increases on insurance costs,” stated Regional Director Ronald Suraci. Special thanks to the Secretaries Negotiating Team members Cindy Fraioli, Barbara Andrianus, Joann Couture, Christy Guarino, Marilyn Dunleavy and the Aides Negotiating Team members Elaine Stinchfield, Debra Satter, Barbara Plank, Susan Lattin and Janet Frasca.

Branford Police Union Reaches New Pension Agreement

UPSEU members of the Branford Police Union have reached a new pension agreement that included an increase in pension benefits for the officers. It took some time, but in the end the agreement was a successful one that provided our members with a greater pension upon retirement. “The town and the union both made some changes, but in the end the agreement was a fair one. The agreement was passed overwhelmingly by the police officers,” stated Ronald Suraci, Regional Director for UPSEU/COPS Division.

UPSEU Fighting and Winning

Sewer District Operators Get 12 Hour Shift Schedule

The operations staff at the Rensselaer County Sewer District are celebrating UPSEU's victory in convincing the District administration to try an experimental 12 hour shift schedule.

"These guys were working the most bizarre rotating shift schedule that left their heads spinning," said Kathy Wright, UPSEU Regional Coordinator. For better than 25 years, the operators worked a four week rotating schedule with a mixture of 8 hour days, two 12 hour weekend shifts and 7 days straight at one point. It was an exhausting schedule that their old union, CSEA had allowed to be implemented. To add insult to injury, CSEA had allowed the District to designate a specific workweek (only for Operations) to minimize the amount of overtime the employees should have received, and then surrendered the union's right to negotiate any future schedules.

"If CSEA had done their job, these guys would not have lost millions of dollars in overtime over the 25 plus years the old schedule was in existence, and we would have been able to negotiate this schedule when we took over the contract," Wright stated. There was a renewed interest by the operators to pursue the 12 hour shift schedule when the chief operator retired at the end of last year. "I was contacted by some of the operators, made the proposal to the County, and pursued the County tirelessly until they would agree to give it a try," said Wright.

Finally after several months, Wright's persistence paid off and the District agreed to give the schedule a try. After a two month trial period, the operators unanimously agreed to continue the schedule and the administration realized how beneficial the new schedule was for district operations. Congratulations to Wright and the operations staff!

UPSEU Files Overtime Grievance in Columbia County

UPSEU recently filed a grievance regarding the County's failure to rotate recent overtime opportunities to employees in the Columbia County Highway Department. "I was contacted shortly after the flooding that resulted from Hurricane Irene and the additional rains that followed the week after. The County had unilaterally selected certain individuals to continually receive overtime, while disenfranchising others from having the same opportunity," said UPSEU Regional Coordinator Kathy Wright.

The UPSEU contract provides that overtime opportunities will be offered on a rotating basis based upon job classification and where the overtime exists. In this case, it existed in Greene County. Wright continued, "I don't believe the fact that the overtime existed outside the County gives them the right to do what they want regarding a negotiable term and condition of employment. After all the grievances UPSEU has won regarding overtime, you would think the County would follow the contract." Due to the County's failure to resolve this issue, the grievance is currently in arbitration.

UPSEU Secures Huge Victory for Hamden Members

UPSEU secured a significant arbitration victory on behalf of its Hamden Parks and Recreation members that will return five employees back to their positions with full back pay in a decision reached by the Connecticut State Board of Labor Relations.

The case centered on the town's decision to sub-contract out the Hamden ice rink to a private contractor last year. At the time UPSEU made clear to the mayor and town council that we visioned his actions as illegal, and that the rink could be operated more efficiently in town hands. The town and the union met roughly a dozen times to attempt to work out this issue prior to a formal decision being reached by the Connecticut State Board of Labor Relations. The town rejected numerous reasonable offers by the union to resolve this issue over a year ago, however, in the end justice prevailed.

The victory comes on the heels of another UPSEU victory for the Hamden Public Works members concerning the town recycling. There the town laid off employees while the recycling work was being sub-contracted out. UPSEU secured a victory on behalf of these members by filing a grievance and a similar decision returning these employees with full back pay. The union finds it very unfortunate that the town wasted the taxpayer's money by appealing the Hamden Public Works decision that was issued by the Connecticut State Board of Mediation and Arbitration. The public works appeal cost the town thousands and thousands of dollars. It should also be known that approximately 95% of the Connecticut Labor Board decisions that are appealed are not overturned. In the end, justice prevailed and UPSEU secured another victory in the appeal process for the Hamden Public Works case. The town conceded to the ice rink decision and never appealed it. "This is not only a victory for the Town of Hamden union members, but also a victory for the Town of Hamden residents who will have the services that they so rightfully deserve and pay for," stated UPSEU Labor Relations Representative Matt Geer. These services associated with the ice rink provided to the Hamden community include, but are not limited to, the Hamden Figure Skating Association, Hamden Youth Hockey and much more.

UPSEU Regional Director Wayne Gilbert stated, "The Connecticut State Labor Relations Board is the oldest and one of the most esteemed labor boards in the United States. They cited roughly six previous decisions in reaching their findings in this ice rink case. Clearly with such strong foundational cases, the town must now concede its actions were illegal." It should be noted that the union had told the town over five years ago that its rates charged for use of the ice rink were too low to sustain quality operations. The first thing the outside contractor, MAB did when it took over the rink operations was to more than double the rates. If the rink had stayed in the public hands, the rates charged to Hamden citizens could have been modest and still create a break even or better financial situation for the town!

Our lives begin to end the day we become silent about things that matter... Martin Luther King

Advocating for our Members

UPSEU's COUNTLESS VICTORIES for Monroe BOE Secretaries



Monroe BOE Secretary Unit Members Sharon Williams, Roxana Castro, Unit Vice President Linda Smeraglino, UPSEU Labor Relations Representative Matt Geer, Unit President Carolyn D'Andria and Carmen Mancuso

Since the Monroe BOE Secretaries voted unanimously for UPSEU in March 2011, we have been hard at work advocating for the rights of our members. Prior to the start of the 2011-2012 school year, two secretaries were laid off with recall rights. UPSEU immediately contacted the Monroe BOE to investigate several openings that appeared to be remaining vacant. Matt Geer, UPSEU Labor Relations Representative, presented numerous facts to the District which not only led the vacancies being filled, but also ensured that the BOE fill those vacancies with the members who were recently laid off. Sharon Williams stated, "I couldn't be happier with how things turned out. I feel Matt, UPSEU and our union president have been very instrumental in getting me back to work after a layoff and have been by my side the whole time. Prior to UPSEU, it was quite the opposite. Matt even called me to see if I'm happy and how things are going so far. I feel so represented by the union, and I'm thrilled!!"

The next issue that UPSEU tackled was an issue that went untouched for numerous years by the Monroe BOE Secretaries former Union, IFPTE. The paraprofessionals in the District (now represented by UPSEU as well) had four members who were performing secretarial bargaining unit work. Matt Geer met with both the Paraprofessionals Unit President and the Secretaries Unit President to make sure that everyone was on the same page prior to moving forward. After several meetings with the superintendent, he finally agreed to offer to move those four paraprofessionals to the secretary bargaining unit. Each of them agreed to move to the secretary bargaining unit with a substantial pay increase, ranging from \$6,000 to \$12,000. In addition, UPSEU was able to get retro pay back to the start of the school year, which equated to \$1,000 to \$2,000 for each as well. "I have been a paraprofessional since 1998 in the classroom at Stepney Elementary School and transferred to Fawn Hollow working as a clerical paraprofessional in the office. Last school year I inquired about my position (as well as any other clerical paraprofessional spots) to be made into a secretary position. Matt Geer, who has fought tremendously on our behalf, achieved getting this change for us. I am very grateful for this opportunity since it came with a generous raise and the added benefit of having a pension and extra personal days. I thank Matt Geer, as well as the Monroe Board of Education for making this possible," stated Roxana Castro. Another former Paraprofessional, Carmen Mancuso, who benefited from the move to the secretaries bargaining unit had this to say, "I really appreciate the timely work and outcome. No smoke and mirrors, but actual changes."

The Monroe BOE Secretaries contract which UPSEU inherited has a wage grid that places the secretaries into either a Grade III, Grade II, Grade I, and a Grade A (with A being the highest salary grade). Numerous secretaries in the District are misplaced into lower grades than the work that they are actually performing and many have contacted Matt Geer from UPSEU to have their voices heard. Since March 2011, UPSEU has been able to convince the District on separate occasions that five members should be upgraded to higher grades due to the work that they are performing. Linda Smeraglino stated, "I personally have gained from UPSEU's hard work and perseverance, I am in my seventeenth year as a secretary and was feeling frustrated by the lack of advancement in my position. I very much enjoy my job but was feeling unappreciated for the level of responsibility and the difficulty of the work that was involved. I tried with our previous union to have my position upgraded to no avail. When UPSEU took over this spring, I spoke with the union representative and gave him all my documentation from the past of my fight with the past president and union. UPSEU read over my case, interviewed me and scheduled a meeting with the Board of Education personnel to plea my case. The ending of the story is a happy one. I did advance, and even more than I anticipated."

The Unit President, Carolyn D'Andria had this to say about the representation their membership was receiving from UPSEU, "Being president for the first time was made easy having Matt Geer as our representative. Matt has been outstanding and is available seven days a week. In the short time that we have been represented by Matt, he has had numerous accomplishments. Not only does he take an interest in work related issues, but if Matt knows you have personal problems he calls to ask how is everything going and to let you know he is there for you if needed. He is outstanding and I cannot say enough about Matt. He made sure our entire membership had all his contact numbers and email address. All our members are allowed to contact Matt directly and he is always in contact once an email or phone call is made. We have Wayne Gilbert for negotiations and he is amazing. Wayne has taken the time to educate the negotiating team and will answer all our questions with patience. I have a great deal of respect for Wayne. So all in all, I am happy to have UPSEU as my representative and I look forward to the future with confidence knowing that UPSEU is in our corner."

UPSEU Making a Difference

UPSEU WINS COURT CASE Judge Orders Town of Colonie To Return 2 Workers To Jobs



**Town of Colonie Members
John Reardon and Daniel Torpey**

Acting Supreme Court Justice Roger D. McDonough issued a decision dated August 30, 2011 ordering the reinstatement with full back pay and benefits for Town of Colonie Civil Engineer John Reardon and Town of Colonie Fire Protection Specialist Daniel Torpey. Both Reardon and Torpey's positions are represented by the United Public Service Employees Union.

"To say we were ecstatic is an understatement," said Kathy Wright, UPSEU Regional Coordinator. The UPSEU attorney who represented Reardon and Torpey, Mark Walsh of Gleason, Dunn, Walsh & O'Shea was equally pleased. "We were confident that the law did not support the town's actions," Walsh added.

In his decision, McDonough rejected the town's argument that the Ricket Decision, handed down just prior to removal of Reardon and Torpey, compelled the town's actions. The Ricket Decision pertained to the residency of the newly appointed Town of Colonie Commissioner of Public Works and the fact he is a public officer and did not live in the Town of Colonie. The distinguishing features between a public officer and a public employee are significant. A public officer, as defined by

Supreme Court Justice McDonough's decision is a "person whose position is created, and whose powers and duties are prescribed by statute and who exercises a high degree of initiative and independent judgment." According to the judge's decision, neither Torpey nor Reardon were public officers.

"Between John and Dan, they have over 55 years of stellar service for the town; they deserved better treatment from the town than this," concluded Kathy Wright, UPSEU Regional Coordinator.

UPSEU Resolves Grievance

The UPSEU/Rensselaer County Grievance Review Committee have reached an agreement to promote an employee who has been performing the duties of a higher position for the past eleven months. "There had been a retirement in one of the County departments at the end of last year and one of the subordinate employees had stepped up and assumed the duties of the retiring employee," said Kathy Wright, UPSEU Regional Coordinator.

While the employee had been performing the duties of the higher position, however, his pay had not been adjusted to reflect such, so UPSEU filed a grievance on his behalf. "We were very pleased that we were able to reach an agreement with the Grievance Review Committee that corrected the situation," said Wright.

The employee was provisionally appointed to the higher position and will be required to take a promotional examination once ordered and offered by Civil Service.

UPSEU Protects Members Privacy Rights

Some Oneida County UPSEU members received threatening directives from the County ordering they provide copies of their personal drivers' licenses or the County would withhold certain contract rights.

"We received a couple of inquiries from our members when they got this threat because employees have never been required to provide copies of their drivers licenses except at time of hire for purposes of complying with the naturalization laws," said UPSEU Labor Relations Representative Linda Kirnan. She went on to say, "This raised an immediate red flag to us, especially in today's day and age where identity theft is so prevalent."

Accordingly, Kirnan immediately contacted the County administration for an explanation of the directive and gave them notice that they cannot hold hostage employees' contractual and legal benefits or arbitrarily ask employees for personal information simply because they want something. The County has since ceased the practice and the request for employees' personal information has been rescinded.

UPSEU Mailbox



Member Snapshots

Dear United Public Service Employees Union,
I am writing to thank you for your generous \$500 UPSEU Children's Scholarship Award. I was very happy and appreciative to learn that I was selected as the recipient of your scholarship.

I am an architectural drafting major. I plan to pursue a career in architecture upon graduating from Island Drafting Technical Institute. I am currently a full-time freshman student and plan to graduate in the fall of 2012. After graduation, I will attend New York Institute of Technology to earn my architectural degree. Thanks to you, I am one step closer to that goal.

By awarding me the UPSEU Children Scholarship Award, you have lightened my financial burden which allows me to focus more on the most important aspect of school, learning. Your generosity has inspired me to help others and give back to the community. I hope one day I will be able to help students achieve their goals just as you have helped me.

Sincerely,
Michael G. O'Carroll

Dear Kevin,
Your thoughtfulness, time and effort is very much appreciated. Thank you so much for all your understanding and hard work through my very grueling and totally unnecessary experience that fortunately resulted in a productive manner. Hopefully this will be the first and last!
With gratitude and appreciation,
Mine Evicmen
Three Village School District

Dear Mr. Boyle,
I want to sincerely thank you for selecting me to receive your UPSEU Children's Scholarship Award. I greatly appreciate your generosity in helping me with pursuing my educational goals. I will be attending SUNY Geneseo starting this fall and will be studying Spanish education. I plan on earning my Bachelor's Degree and then hopefully pursuing a career as a Spanish teacher. Thank you for this opportunity,
Simone Mason

Dear Kim,
Just wanted to say thank you once again for your quick response. When you said the union responds quickly, you weren't kidding. I know in this short time you have represented us you have done what you said you would! With visiting our worksites, quick responses, and being professionally prepared for negotiations, I think the district is getting accustomed to our new union presence. Thanks again for all your help on behalf of our members here in Hicksville.
Donna Mazzeo, RN
Hicksville RN Unit President



Town of Teaneck Unit Secretary Frank Spector, President Sal Tumminello and Shop Steward Rich Muller



Westbury School District Security Members Jennifer Doyle and Sharon Jones



Wallingford Supervisors Unit Vice President Shelby Jackson, President Rick Vanski and Steward Art Dutra

IMPORTANT INFORMATION REGARDING TYPE-2 DIABETES DRUG ACTOS

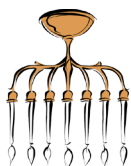
Actos is the most common Type-2 diabetes drug prescribed in the United States, but the FDA recently announced that it may cause harmful side effects. According to the FDA, there is a 40% increased risk of Bladder Cancer for those patients who have taken Actos for more than a year. The drug's manufacturer, Takeda Pharmaceutical Company, who failed to warn users of such enormous risk, may be liable for injuries. Bladder Cancer Symptoms include, but are not limited to: blood in the urine; urinary urgency; pain during urination; back or abdominal pain. If you have developed Bladder Cancer, or have noticed any of these symptoms as a result of taking Actos, our firm may be able to help.

- If you believe you have been injured by medication or a medical device, you may have grounds for a lawsuit against the product's manufacturer. This type of suit is called a products liability lawsuit.
- Before filing a products liability lawsuit, you need to get a diagnosis from a doctor confirming that a medical product caused your illness or injury.
- After you have seen your doctor, you should contact an attorney. Our firm has represented many clients in these types of lawsuits against such drug manufacturers such as Merck, Stryker, and Zimmer.
- Across the country, suits have also been brought against manufacturers of widely used products including: Pain Pumps, Lipitor, Zithromax, Celebrex, Paxil, Depakote, and countless others.

If you have been injured or harmed by a medical product or device, feel free to set up a free consultation with our firm. We have years of experience handling products liability cases and have been very successful pursuing our client's claims.

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Making a Difference in the Workplace



Wishing you and your family a Happy Holiday!



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