



The Advocate

We Are Making a Difference in the Workplace

Spring 2012

WELCOME COMMACK SCHOOL DISTRICT MEMBERS!



UPSEU was recently certified by the New York State Public Employment Relations Board for the 95 member Commack School District Operations and Maintenance Unit. Represented previously by another union, the group felt they wanted a different level of representation. After the other union disclaimed interest in the unit, UPSEU presented its majority status to PERB for certification.

“UPSEU now steps into the shoes and contract of the former union and has continued the ongoing bargaining process and as well will begin its work enforcing the unit’s contract,” stated UPSEU President Kevin E. Boyle, Jr.

UPSEU welcomes our new Commack School District members and we look forward to working for them.

Commack Operations & Maintenance Shop Steward Todd Raplee, James Guendel, Unit President Robert Van Allen, Thomas San Martin, Sean Keenan, Michael Massa, Vice President Sean Abrams and Joseph Duffy

After learning of UPSEU’s efforts to assist their co-workers in the Operations and Maintenance Unit, the Commack Secretarial Unit reached out to UPSEU. The unit had been part of its own association for many years. Finding it difficult to go head to head with the District, the group overwhelmingly voted to join UPSEU.

UPSEU’s Labor Relations Representative Amanda Barker together with assistance from UPSEU’s Brandon Nasierowski and Patrick DeFelice brought about the positive vote.

“The unit has a great leadership team in place and together with the support of UPSEU, we will have a winning team,” commented Barker.



Commack Secretarial Unit First Vice President Chris Farino, Corresponding Secretary Fran Farrell, President Margaret Alexandrovich, Second VP Barbara Galacz, Negotiating Chair Doreen Cipoletti, Treasurer Joann Waggoner and Recording Secretary Jean Fitzpatrick



**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.
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Executive Vice President

Kimberly Nowakowski
Vice President

Randy Tillman
Secretary/Treasurer

James Gangale
Recording Secretary/
Trustee

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A Message from President Kevin E. Boyle, Jr.



Most workplaces today use computers in some capacity to get the work done. In many cases, it is very common for employees to have a variety of software programs and electronic tools available for their use to do their jobs. Oftentimes these programs and tools also can be utilized for personal use and entertainment, and it can be very tempting to tap into these electronic resources while in the workplace and on work time.

As computers have saturated the workplace, we have seen a rise in employees counseled, progressively disciplined, and even formally disciplined for using their employer's computer programs and electronic tools for entertainment and personal reasons. We have seen significant attention focused on the use of email systems and also web browsing and visits to non-work-related webpages on working time. In most cases, employers have negotiated computer use policies with the UPSEU outlining appropriate and inappropriate uses of the equipment and electronics features of their computer systems. These policies are generally communicated to the membership through written copies of the policy given to the employee, often requiring a signature to show that it was received. At membership meetings we often remind members to be careful about their computer use for personal reasons during working hours including visiting the UPSEU website!

With respect to the email system, no one should ever embrace the belief that the emails they send on their employer's email system are private and cannot be accessed. Nothing could be further from the truth. Emails circulating through an employer's email system are the property of the employer and are accessible by the email administrator. Moreover, in the case of a public employer, an email is considered a business record, and under the Freedom of Information Law is considered a public document that may be released to the public upon request. Therefore, there is no cloak of privacy for any emails received, sent, forwarded, or replied to on an employer's email system. Some employers red flag emails to and from the UPSEU or your stewards.

The best way to avoid getting into a bind over the use of an employer's email system is to familiarize yourself with the computer use policy and try to keep your emails for work purposes only. If however, the computer use policy or practice permits use of the email system for personal use, keep your use to a bare minimum and remember nothing is private. Also, don't open attachments that are attached to personal emails. If you receive a personal email with an attachment on your employer's email system, forward it immediately to your personal email address, delete it from inbox after forwarding it and open it with your own personal computer. This eliminates all of the problems that can occur when an attachment is infected with a virus or some other electronic bug.

The other area that has emerged as being problematic for employees is the temptation to surf the internet, visit social network sites or access webpages while on duty. As with the email system, there is a gateway for the employer to track, second by second, the use of each of its computers on its network. Network administrators can provide very specific and detailed reports for each computer on the network, and these reports identify what webpages are accessed by the user, when the pages were accessed, and the amount of time spent viewing the webpages. They can also determine how much time a webpage runs in the background and how long it is inactive. I have witnessed firsthand an employer dropping a log on the table showing time spent surfing the web by a member who complained there was too much work for one person to effectively do.

As is the case with the employer's email system, there is no cloak of privacy that protects an employee's access of webpages, whether for personal use or for work related reasons. Therefore, the best way to avoid any difficulties in this area would be to surf the internet or visit social network sites with your own equipment on non-work hours.

Never forget, when you use your employer's computer equipment, you leave electronic footprints everywhere and the last thing you want, is to have those electronic footprints lead you to trouble. Remember an ounce of prevention can prevent a pound of trouble!

Welcome to UPSEU

Southington BOE Paras Leave CSEA/SEIU to Join UPSEU



Southington BOE Stewards Sherri LaRose, Mary Lynn Wild, Cynthia Gagliardi, Cynthia Page, Unit President Wendy Borkowski, Sue Topper, Maureen Kristopik, Barbara Perretta, and Unit Secretary Donna Rossignol
Missing from picture: Unit Vice President Deborah Stevens, Mary Cannan, and Rosemary Pelletier.

A group of 217 paraprofessionals from Southington Board of Education voted this past February in a Connecticut State Board of Labor Relations secret ballot election to be represented by UPSEU. The group was previously represented by CSEA/SEIU 2001 for over twenty years. One day prior to the election, CSEA/SEIU 2001 removed their name from the ballot and walked away from the membership.

“On behalf of the Southington BOE Paraprofessionals, we would like to express our sincere appreciation for UPSEU and their support thus far, in this new and building relationship. It has been a refreshing experience to move forward towards a new negotiation period with confidence and the assurance that the best possible outcome is not only our expectation, but that of our union as well. We look forward to a long-standing and mutually beneficial relationship with UPSEU!” stated Unit President Wendy Borkowski and Unit Vice President Debbie Stevens.

UPSEU Welcomes New Canaan BOE Teacher Assistants

UPSEU is proud to announce that in a recent Connecticut State Board of Labor Relations secret ballot election, the unorganized New Canaan BOE Teacher Assistants, comprised of 109 employees, voted to join UPSEU. Over 70% of those who voted cast their ballot for UPSEU!

UPSEU Labor Relations Representative Matt Geer stated, “The New Canaan BOE Teacher Assistants decided that after many years of not having a union, they needed a strong union presence to help protect their rights. They witnessed firsthand the highest level of representation that UPSEU has been providing the New Canaan BOE Food Service Employees and the New Canaan BOE Secretaries.”

UPSEU Labor Relations Representative Roger Stolen added, “The large group of employees who started the attempt to unionize should be commended for their efforts. The entire group will now have the protection and representation from UPSEU that they have so rightfully deserved for many years.” UPSEU welcomes the New Canaan BOE Teacher Assistants to the UPSEU family and looks forward to working for them!

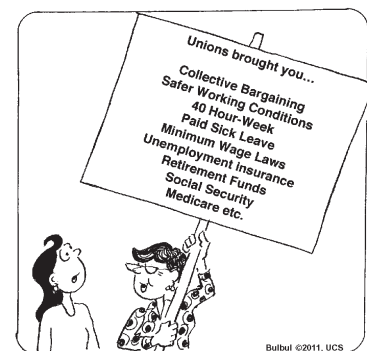
Hamden BOE Supervisors Join UPSEU

UPSEU is proud to announce that on March 20, 2012, in a Connecticut State Board of Labor Relations secret ballot election, the Hamden Board of Education Supervisors voted to be represented by UPSEU. Once again, the group was previously represented by AFSCME. Welcome to the UPSEU family!

3 Elections, 3 Unanimous Votes over CSEA/AFSCME

Over a three week period, workers in three separate units voted unanimously in New York State PERB elections to leave CSEA/AFSCME to join UPSEU.

Nurses in Eastport/South Manor Central School District, Food Service Workers in Bayport/Blue Point School District and Food Service Workers in Sewanhaka School District voted for UPSEU, without one single vote cast for CSEA/AFSCME. UPSEU welcomes the employees in these units.



“Did I hear you question the need for unions?”

UPSEU Continues to Grow

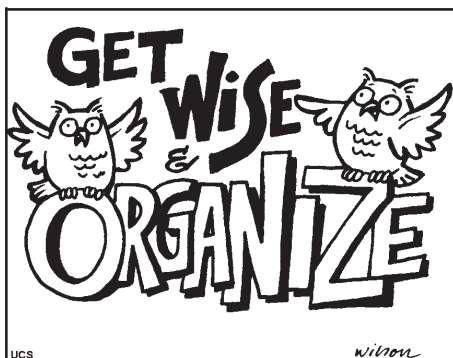
Welcome Massena Police Department

UPSEU would like to extend a welcome to the newest members to the UPSEU COPS Division. This full time department consisting of twenty members, patrols both the Village of Massena and the Massena Airport, located near the Canadian border. We are about to begin negotiations for a new contract which expired on May 31, 2012. We look forward to representing these new members.

UPSEU Makes Clean Sweep in Redding, CT

In a recent election process the Connecticut State Labor Board concluded the last of four elections in Redding, Connecticut. The unionized members of the Redding Department of Public Works and the Board of Education Custodians both voted to leave AFSCME and join UPSEU.

“With these two additional victories, UPSEU now represents four separate bargaining units in Redding. The Police Officers, Custodians and Highway Employees were previously represented by AFSCME since 1977. Each group had enough and grew tired of the lack of representation, thus ending a thirty five year relationship with AFSCME. The total number of years these groups were with AFSCME equaled one hundred five years,” stated UPSEU Regional Director Ronald Suraci. “I am confident we will make a difference and provide them with the representation they are long overdue,” Suraci concluded.



City of Meriden Supervisors Vote to Leave AFSCME and Join UPSEU



Meriden Supervisors Executive Board Members Alexis Burgess and Wilma Petro, Unit President Pietro Galluzzo, and Vice President Mark Mason

UPSEU is proud to announce that in a Connecticut State Board of Labor Relations secret ballot election, the City of Meriden Supervisors comprised of forty six employees, voted for UPSEU. Nearly 90% of those who voted, cast their ballot for UPSEU! The Meriden Supervisors were previously represented by AFSCME for many years and received only 3 total votes in the election.

Welcome Town of Granby DPW Employees and Dispatchers

This group was previously represented by MEUI/SEIU. A petition was filed on behalf of the membership by UPSEU recently and a petition hearing was held on February 16, 2012. At the petition hearing where an upcoming election date and time was to be decided, a turn of events took place when MEUI/SEIU decided to walk away from the membership and turn the group over to UPSEU without an election. We look forward to working for the members in Granby.



Granby Unit Vice President Rick Maffioli, Lorraine Morelli, Unit President Stuart Young, Jane Capps, Scott Chamberlain, and UPSEU Labor Relations Representative Roger Stolen

UPSEU Hempstead Members Unanimously Approve New Contract



**Hempstead Custodial, Grounds and Maintenance Members
at a recent membership meeting for Shop Steward nominations**

After going through the mediation and fact-finding process, UPSEU Hempstead members now have a new agreement. With over two and one-half years of retroactive pay increases, negotiations will again begin with the contract bargaining in 2012. No other changes were made in the agreement and most importantly, health coverage remained as is under the agreement, a significant issue raised by the District.

Special thanks to UPSEU Labor Relations Representative Brian Honahan for his work throughout the process, and the work of the negotiating team led by Unit President Ishan Rahman and the team of David Delvalle, Curtis Hewitt, Dwayne Thomas, and Aloysuis Elvin. Long time UPSEU advocate and Hempstead Unit President Ishan Rahman retired in June 2012. "Mr. Rahman was a tremendous advocate for our members and he will be missed by UPSEU and his co-workers," stated UPSEU President Kevin E. Boyle, Jr.

First Ever Labor Agreement for Westhampton Beach School District

Until recently, food service workers in the Westhampton Beach School District had its food service provided by a private contractor whose employees were unrepresented. When the District took the food service in house, they reduced and eliminated the benefits that were previously provided for these workers. The employees became increasingly frustrated by the lack of wages and benefits and sought out UPSEU, who represents several units within the District.

UPSEU negotiator Ron Cleary was able to reach an agreement with the District to substantially increase wages for all members retroactive to the date of certification adding a grievance procedure, increasing paid time off, adding holidays, uniforms, bereavement, jury duty and a reimbursement plan for fingerprinting. Negotiator Cleary stated, "We have brought this represented group of employees to a place where they are now competitive with other food service units. With these increases in wages and benefits, the District should be able to attract and keep the kind of talent they are looking for in providing a district run food service program." The employees nearly unanimously voted to approve the agreement. Special thanks to the committee members and Steward Hark (Foley) Ebsen, for his hard work and dedication to seeing this transformation through.

Town of Hurley Highway Department Achieves New Agreement

After rejecting the first contract proposals from the town, the negotiating team of Chief Steward William Nyulassy, Rita Eckstein, Harry Jansen and Labor Relations Representative Michael Kutski went back to the table armed with new ideas that benefitted both sides in the long run.

Knowing what the town was facing in these hard economic times, the team worked with the town to change healthcare coverage to save both the town and the employees money. Thus, the town was able to agree to wage increases for both 2011 and 2012. "This was a win/win situation for our members. Congratulations to all for a great job," stated Kutski.



Town of Fairfield Highway Department members Bob Haynes, Scott Phillips and Dave Mueller recently achieved their first union contract with the help of Labor Relations Representative Phil Sedlock. Improvements included longevity, a new boot allowance, an increase in benefit time, and benefits for seasonal workers. Most importantly they held on to their current level of insurance. Good work, guys!

First Contract for Little Falls Highway Department

The Town of Little Falls Highway Department joined UPSEU last year and recently reached their first union contract. Led by Labor Relations Representative Phil Sedlock, members George Gay, Ken Gardinier and Bill Miles fought hard to achieve new benefits including longevity, a medical buyout, a tool allowance and an additional holiday as part of their first agreement.

Lakeview Library Reaches Agreement

A new three year agreement that will increase wages annually was overwhelmingly approved by UPSEU Lakeview Library members. The agreement, as well ensured part timers the ability to carry over accrued leave time and to obtain pro-rated bereavement leave. Full time employees also were ensured the ability to carry over unused sick time towards retirement.

UPSEU Labor Relations Representative Amanda Barker, who headed up the negotiations, thanked the negotiating team of Jacinta Bowman and Mamta Mehta for all their work and dedication throughout the process.

Rensselaer County Members Overwhelmingly Ratify Agreement

A two year agreement for county members provides modest gains and security while implementing a new three tier HMO premium insurance rate plan. This plan will positively impact many of our members by reducing their healthcare contributions significantly. Additionally, the current PPO health plan will be replaced with NYSHIP (Empire Plan) that delivers significant savings to employees as well. Moreover, the employees who had utilized the CANPHARM Plan (Rx Program) and who enroll in the NYSHIP will be provided a reimbursement of \$500.00 per year toward co-pays under the Empire Plan, thus reducing their out of pocket prescriptions costs during the term of the agreement.

The team was adamant about obtaining a job security guarantee. In light of the current local government economic climate, the team successfully secured no layoff, no privatization clauses for the first year of the two year agreement. Initially, the County Executive's proposed 2012 budget called for a number of position and service cuts throughout the County, as well as privatization of a number of services in the county-owned and operated nursing home. This security provision will stave off those cuts and almost all of the privatization efforts. UPSEU President Kevin E. Boyle, Jr. stated, "The team was outstanding and did a great job." Certainly, it couldn't have been done without the assistance of UPSEU's Kathy Wright, who Boyle called "instrumental in bringing the agreement to closure." Special thanks to the committee of Mark Burton, Evelyn Carter, Jamison Facticeau, Glen Foster, Vickie Halse, Gary Hebert, Lee Hilderbrand, Suzanna Manning, Susan McAvoy, Jeff Romano and Harry Theopheles for their outstanding efforts.

Town of Marbletown Ratifies New Deal

The Town of Marbletown General Unit have recently voted to approve a short term deal. Labor Relations Representative Michael Kutski together with unit negotiator Suzanne Kurman secured an agreement that provides increased wages and an increased clothing allowance for all unit employees.

Hauppauge School District Overwhelmingly Approves Pact

A new agreement that increases wages annually, improves shift differentials, maintains district paid health coverage, improves bereavement and adds a holiday for part-time monitors was overwhelmingly approved by our Hauppauge School District members. The 150 member Hauppauge School District was our first public sector union, joining us in 1986. This unit includes custodial, grounds, maintenance, monitors, teacher aides, security, transportation and technical employees. UPSEU President Kevin E. Boyle, Jr., who has been involved in each of the negotiations since 1987, commended the outstanding work of the negotiating team.

The team included Andy Parrucci, Steve Nelson, Maureen Fery, Doreen Malloy, Joann Schweit, Mike Ruffini, Gary Gumin, Michael Enrico, Joseph Sgueglia, Karen Abbondondelo, Dave Russo and Jay Berti.

Monroe Board of Education

UPSEU recently completed negotiations with the Monroe Board of Education for four separate collective bargaining unit contracts. The contracts were for the custodial/security, nurses, paraprofessionals, and secretaries. Each of the contracts achieved above average gains to their respective wage grids with significant improvements made to the language in all contracts.

The custodial and security contract added layoff bumping rights and two new positions to the unit. UPSEU was able to compress the steps in both the secretaries and paraprofessionals' contracts. The nurses' agreement went an additional year beyond the other three contracts, guaranteeing a fourth year of above average wages. The nurses and secretary units were new to UPSEU this year, and members commented on the professional manner in which negotiations were carried out. Members were extremely happy with the end results and all contracts were overwhelmingly ratified.

Islip Clerical Unit Approves New Pact

UPSEU's Islip School District Clerical members overwhelmingly approved a new agreement that will provide wage increases, while reducing health contributions by employees. The agreement as well provides increased longevity, an increase in off step increments, four additional days off with pay in each year of the pact, and includes an additional pay adjustment for off step employees. A retirement incentive that will provide employees with three choices that best fit their needs, was implemented in the agreement as well. Special thanks to the negotiating team of Laura Lucas, Robin Bauer, Yolanda Alvarez, Debora Perino-Chambers and Patricia Wilson for their work in forging an agreement during these difficult economic times.

2 Harborfields Units Approve Agreements

A new four year agreement was reached by UPSEU Harborfields' CGM members that will raise salaries in each year of the agreement while maintaining employees' contributions towards health coverage. UPSEU's Patrick Passaretti, who headed the negotiations, commended the work of the negotiating team of Edward Ryan, Chester Vesloski, Robert Cheshire, William Murphy and Steven Claus.

An agreement with annual wage increases and a continuation of a cap on health contributions was unanimously approved by Harborfields Clerical unit members. Special thanks to the leadership of Unit Co-Presidents Paula Francis and Dale Lerner, and Labor Relations Representative Amanda Barker for their work in bringing the agreement to closure.

Danbury Members Nearly Unanimously Ratify Pact

By a vote of 67 to 1, Danbury Municipal employees approved a new four year agreement that will increase wages and includes several improvements to contract language. Special thanks to the leadership of the group including Unit President Fran Sequenzia and the negotiating team of Jim Schullery, Michael Safranek and Ann Devine for their outstanding work.



The Town of Salisbury Highway Department gathered by the town's highway barn to celebrate a long and hard-fought battle to obtain a first agreement. Pictured above are Kitt Paatz, Larry Williams, Jr., Carl Nichols and Larry Williams. Missing from the photo are Shop Steward Brian Scheuerman and Andy Sportello. Labor Relations Representative Phil Sedlock stated, "All the men fought very hard, stuck together and represented themselves well during negotiations." The agreement kept current levels of health insurance intact, as well as increased paid time off. Congratulations!

COPS Division Update

New York UPSEU COPS unit headed by Labor Relations Representative Jack Rogers recently completed negotiations for the Washington County Communications Officers and Supervising Communications Officers. Together with the team of Tim Hardy and Les Gorden, we were able to negotiate money up front for the members and as well secured a reopener for 2014 wages.

UPSEU COPS also completed negotiations for the full time members of the Whitehall Police Department. We were successful in receiving yearly raises together with longevity increases, additional personal time and an increased clothing allowance. We would like to thank the team of Richard Lachapelle and Daniel Price, who along with Labor Relations Representative Jack Rogers completed this successor contract prior to the expiration of the current collective bargaining agreement.

Officers of the Clinton Police Department voted unanimously to ratify a new four year agreement. We made some major changes in shift bidding, scheduling, and order-in procedures that worked for both officers and the department. Included in the contract were increased wages, longevity and education incentives.



UPSEU Wins Interest Arbitration for Region 16 BOE Employees

Shortly after defeating SEIU in an election to represent employees in Regional School District No. 16, UPSEU and the Region 16 Board of Education entered into negotiations for a successor contract. Through mediation, the parties were able to reach a settlement on all issues except those surrounding the pension plan. The 118 member unit had been participating in the SEIU National Industry Pension Fund, a multiemployer defined benefit pension plan. With the recent change in union representation from SEIU to UPSEU and the poor financial condition of the SEIU pension plan which continued to be in critical status, the parties agreed that the Board of Education would withdraw from the SEIU pension plan and all of the members would move into a 403(b) defined contribution pension plan. The major difference between the parties' last best offers at arbitration was the amount of the employer's contribution for employees who worked for Region 16 for at least five years and were therefore vested in the SEIU pension plan. The Board of Education's last best offer was a drastic reduction in the amount it contributed for vested employees to the new 403(b) plan, compared to what it had been contributing to the SEIU pension plan. The three member panel of arbitrators selected the union's last best offer, thereby securing greater pension benefits for the employees.

UPSEU would like to thank the negotiating committee members Sheila Brennan, Sheree Cherry, Debbie Conte, Michelle D'Amico, Robin Hankey, Brenda Richard, June Rydzik, John Serdy, and Fred Smith and specifically Unit President Steve Martoni, for all of the hard work and effort put in to secure victory for the membership.

UPSEU Wins Grievance for 5 Hamden Members

Five Town of Hamden Parks and Recreation members who have been back on the payroll for more than six months, finally will get back pay from when they were laid off (over a year in back wages). UPSEU won a grievance against the town, which was ordered to rehire them, and make them whole for what they would have made were they never laid off, minus unemployment benefits or other earned wages. A July 5, 2011 agreement between the union and the town said the back wages had to be paid by February 15, 2011. Because they were not, UPSEU filed a prohibited practice complaint with the State Board of Labor Relations.

"Unfortunately, the town decided to violate the agreement with the union, and the union is hoping to resolve the matter. In fact, the union has successfully resolved this matter with the town and was able to secure additional monies for those formerly laid off employees," stated UPSEU's Matt Geer. One of the affected members, Deborah Gaiolini commented, "I cannot thank UPSEU and specifically Matt Geer enough for the effort and time which was spent in securing our proper back pay. The Town of Hamden tried to short each of us money and UPSEU Labor Relations Representative Matt Geer fought with the town for weeks and was able to secure our proper money due to us. He even was able to get us extra money, since the town violated the agreement as to the date the town would pay us. I am extremely thankful and appreciative of UPSEU and Matt Geer in standing up for each of us and the positive results that occurred." Special thanks to Attorney Andrew Morrissey and UPSEU staff Wayne Gilbert and Matt Geer in securing this terrific victory on behalf of UPSEU Hamden members.

Rensselaer County Worker Receives Time Accruals

A Rensselaer County worker has finally been reimbursed owed time from his workers compensation case thanks to the efforts of UPSEU. "During one of my regular visits, I was informed of the difficulties the member was having getting his time restored," said Kathy A. Wright, UPSEU Regional Coordinator. Wright contacted the County immediately and within several days the matter was resolved and the employee's time was re-credited. "I was very glad the County was so responsive in taking care of the situation and I know the employee appreciated it as well," stated Wright.



UTICA RECYCLING CENTER

UPSEU member Ron Zalocka, a twenty one year employee of Oneida Herkimer Solid Waste Authority, operates a front loader at the Utica Recycling Center. After a temporary shutdown for renovations, the center became fully operational in early 2012 with a new single stream system. Employees returning to work in January maintained their health insurance during the temporary layoff due to an arrangement worked out between the Authority and UPSEU. Employees returning to work will pay back their prorated portion of health and dental insurance premiums over a twelve month period, lessening the impact for our members.

Promotion Restored

A Rensselaer County Department of Social Services member has had her promotion restored to her through the efforts of the Grievance Review Committee. "We had settled a grievance wherein the County had to restore an employee to their old job and in doing so, displaced another employee and revoked their promotion. We then filed another grievance on behalf of the displaced and demoted employee," said Kathy Wright, UPSEU Regional Coordinator.

The Grievance Review Committee, which consists of representatives of the County administration, UPSEU Regional Coordinator Kathy Wright and the three UPSEU Co-Chief Shop Stewards, resolved the grievance and restored the employee's promotion. "It wasn't fair that she lost her promotion because the County had violated the contract," said UPSEU Co-Chief Shop Steward Sue McAvoy.

Fighting and Winning

Supreme Court Justice Confirms Arbitrator's Awards

UPSEU recently received Supreme Court Justice McGrath's decision wherein he confirmed the arbitrators' awards on two grievances UPSEU won in 2011. In his decision, Justice McGrath ordered Columbia County to move an employee to the position he was improperly denied and to reinstate overtime rosters and make whole all facilities employees who lost overtime due to the elimination of the rosters. "We were very pleased with Justice McGrath's decision and we are even more excited that the County has already taken the steps to comply with the orders," said Regional Coordinator Kathy A. Wright.

Just prior to the issuance of the decisions, the County had contacted UPSEU President Kevin E. Boyle, Jr. indicating their desire to meet to discuss settlement of outstanding grievances through a labor/management committee instead of constant litigation. "We have always wanted to have a less litigious relationship with the County. It's refreshing to see that the new administration concurs with our belief that continually litigating issues serves only to damage the relationship between the employees and management. We are hopeful that this is a new positive beginning for labor relations in the County," said Boyle.

Immediately following the meeting, the County complied with the judge's orders and moved Jason Tompkins to Automotive Maintenance. Additionally, the Human Resources Department was also simultaneously tasked with reconciling UPSEU's proposed estimation of the amount of money owed to facilities employees who were due wages for lost overtime. At present, UPSEU and the County are calculating and close to the final numbers of the amount of money due to the affected employees.

"This has been a long process for the affected members to endure, but we are hopeful that we are heading on a much more positive and productive track to resolving issues," stated Wright.

UPSEU Secures Arbitration Victory for City of Springfield Member



Unit President Timothy Woodward and UPSEU Counsel John Connor

UPSEU secured a huge arbitration victory for one of its members in the City of Springfield, Massachusetts, specifically in the Fire Department. The issue revolved around a member not providing the City of Springfield with a reason of illness for two separate sick days. The collective bargaining agreement clearly outlines that an employee must provide a reason for illness, once the employee has been out of work for three days or more.

The City of Springfield argued that the UPSEU member who works in the Fire Department shall be ordered to follow all rules and procedures of the City of Springfield Fire Department and must provide a reason for illness, for all sick days. The City of Springfield also went on to say in the arbitration hearing that they believe the member should consider Family Medical Leave Act (FMLA) due to the use of sick days. The member had utilized the FMLA protection in the past, however the City exposed the members name and nature of illness to the entire department, to their own admission in the arbitration hearing.

In the end, justice prevailed for the UPSEU member. The arbitrator, Susan R. Brown, issued an award that stated, "The City of Springfield violated the collective bargaining agreement by failing to pay the grievant sick leave benefits on two occasions. Within 30 days of the date of this award, the City shall pay the grievant 15 hours of back pay at the relevant rate." The arbitrator, Ms. Brown, also referenced the City's position on FMLA in her award. Ms. Brown stated, "The City might be well served to educate itself on the privacy protections afforded employees by the FMLA which require specified employees who are not supervisors to handle protected medical information in accordance with HIPAA and other statutory protections."

We would like to thank UPSEU Counsel John Connor and UPSEU Labor Relations Representatives Matt Geer and Roger Stolen for their preparation, research and execution to ensure justice prevailed. In addition, UPSEU would like to thank UPSEU Unit President Timothy Woodward for his hard work and dedication to this case.

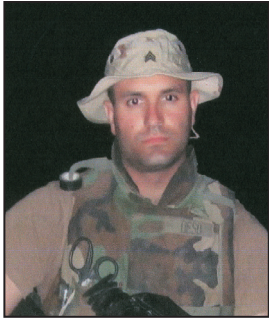
PERB Sides with UPSEU

The New York State Public Employment Relations Board rejected Columbia County's attempts to overturn two decisions in favor of UPSEU. In two recent decisions by the Board, the Board confirmed that the County violated the law when it unilaterally subcontracted out certain carpentry work in the County Jail facility and when it also transferred snow and ice removal coordination duties to non-bargaining unit employees. The County has been directed to post notices in all County facilities advising employees of the violation and to make whole all affected employees.

"In the case of the snow and ice removal duties, there are monies owed to certain bargaining unit employees and we are working with the County to identify the amounts due as well as the recipients. We hope to have that wrapped up in the near future," said UPSEU Regional Coordinator Kathy A. Wright.

Member Highlights

UPSEU MEMBER NICK DESO RECALLED TO DUTY



UPSEU member Nick Deso has been called to duty for his second tour in the War on Terror. Nick is a Town of Guilderland paramedic and is the UPSEU Chief Shop Steward for that unit.

Nick is a Sergeant in the US Army National Guard where he has served fourteen years as an Army Combat Medic. Sergeant Deso is an Iraq war veteran, where he served with the 27th Brigade, 2nd Battalion, 108th Infantry Unit.

Nick is considered an exceptional paramedic in the Town of Guilderland and is an exemplary combat medic. He is highly respected in all the groups he works with. As a Shop Steward for UPSEU, he has always been a proactive union leader with a vision for the future, as well as having a reputation for watching out for all of his co-workers. While serving his country overseas, his loving wife Carolyn and two children Natalie and Roman remain at home. Nick is a proud family man, good friend and strong union brother. He will truly be missed while he is away fighting for our country. Our thoughts and prayers will be with Nick and his family throughout his deployment. Special thanks to all of our UPSEU brothers and sisters who have served in the United States Armed Forces.

WAY TO GO, GREG!

Congratulations to UPSEU Town of Windham Police Officer Unit President Greg D. Thorp. Greg is also a volunteer fireman for the Windham Hose Co. #1 Fire Department, where he recently received a commendation from the Greene County Legislature for his heroic deeds in saving the life of a woman. Thank you Greg for your untiring work toward the safety and well-being of the residents of Greene County during and after Hurricane Irene and Tropical Storm Lee.

CONGRATULATIONS SOUTHWINGTON BOE PARAPROFESSIONALS

Unit Steward Barbara Perretta (pictured) was selected as the Southington BOE Paraprofessional of the Year and is now eligible to win the State of Connecticut Paraprofessional of the Year Award which will be announced during the annual conference on November 14, 2012. The award winner will then become a member of the School Paraprofessional Advisory Council and will represent Connecticut at the annual National Resource Center for Paraprofessionals Conference. Principal Linda Lackner called Perretta an "unsung hero who will never seek recognition, but constantly works for the betterment of the students." Barbara Perretta stated, "The students are really great. All the paraprofessionals deserve a pat on the back, along with the student body and staff." In addition, Unit Secretary and Treasurer Donna Rossignol was awarded the Southington Profiles and Professionalism Award. UPSEU congratulates both of these individuals on their recent accomplishments.



MAHWAH SHOP STEWARD PEDALS FOR A GOOD CAUSE!

Ann Pope, one of the Shop Stewards for the Mahwah White Collar Unit, is riding in the 2012 Tour de Cure to raise money and awareness about Diabetes. The Tour De Cure is sponsored by the American Diabetes Association and is now held in 44 States. In 2011 over 55,000 'Red Riders' raised over \$18 Million Dollars. This will be the second year that Ann will participate in the Tour De Cure. Although Ann has always enjoyed biking, she would not have considered herself a 'cyclist'. But when her good friend and team captain Dorothy Schulze asked her to lend a hand, she couldn't refuse. "I've always enjoyed biking and I love taking my grandson on bike rides," Ann said. Ann won't be able to bring her grandson along though for the thirty miles she is attempting in Princeton this June. "I'm up to 12 miles in my practice runs," Ann said with an optimistic smile.

"Diabetes is an insidious disease. We need to find something to slow it down and to educate Americans to make healthier nutritional choices," emphasized Ann, whose brother was just diagnosed with Type 2 Diabetes. Globally as of 2010, an estimated 285 million people had diabetes, with Type 2 making up about 90% of the cases. Both genetics and environmental factors such as obesity and lack of exercise appear to play roles in the cause of Type 2 diabetes. When Ann contacted UPSEU and asked for support, President Kevin E. Boyle Jr. responded immediately, "We would be proud to help out. It is a very worthwhile cause." If you would like to become a Red Rider or donate and show your support, the website is <http://tour.diabetes.org>. If you want to show your support for Ann (and Team Hope Riders) click on 'Donate' and type in her name. Nice work, Ann! Good luck and keep up the good work!

UPSEU Mailbox



Dear Kim,
Thank you so much for all your hard work on our behalf. I'm very happy with our new contract. I know it wasn't an easy journey.
Rosalie Nast
Islip Clerical Unit

Dear UPSEU,
I would like to thank the union for the Scholarship Award. I am so grateful. I received the first half and used it towards my books and it was a great help!
Tessa LaBounty and family

Dear Kevin,
I would like to take this time to thank you for the opportunity to represent the members of our unit at Hewlett-Woodmere. It was an honor to represent my friends and colleagues. It was also an honor to represent the United Public Service Employees Union.

Working with you and your staff will always be one of my best lifetime memories. Kevin, I will always be grateful for your personal support, guidance loyalty and patience... especially with my family.
Diane McCloat
Hewlett Woodmere Unit

Dear Mark,
I want to thank you and UPSEU very much for all your assistance and time needed to help me keep my job, title and salary. Your efforts were extraordinary and your dedication was phenomenal to get the results needed for me during this horrendous experience. I could not have accomplished this without your guidance, concern and perseverance.

It was a pleasure working with you and I will always appreciate your efforts on my behalf!
Pete Chabora
Bergen County Parks

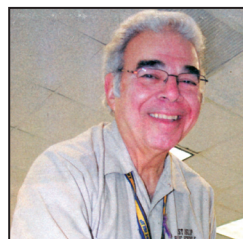
Dear Kevin and Amanda,
On behalf of Harborfields Professional Office Personnel, (HPOP) Paula and I would like to extend our gratitude to both of you for all the work you have done regarding our recent negotiations. Your help was undeniably the cornerstone for the successful culmination of our newly approved contract.

We have always been able to rely on your expertise to guide us, and this was just one more example of how fortunate we are to be represented by UPSEU. Again, please accept our appreciation and we look forward to many more years of working together.
Dale Lerner
Paula Francis
Harborfields Professional Office Personnel

Snapshots

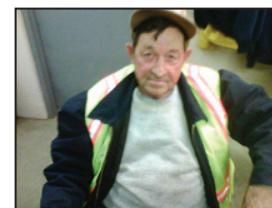


DVMNTR\SMineola Members
Frank Giordano and Nick Martone



UPSEU West Islip member Jerry Mangone was recently featured in an article in the school's magazine "Paw Prints." Mangone's optimism helps to better the school through his involvement in custodial work and his love of graphic design, which he shares with the design teachers and students in the high school.

William J. Tetreault, Jr. works as a laborer/truck driver for the Town of Plainfield Department of Public Works. He has worked there full time since 1956 when he was just 17 years old and getting paid 90 cents an hour. Now in his 55th year of working for the Town, Junior may consider retirement this year.



North Wildwood Members
Kirt Redburn and Rose Holliday



Plum Benefits is an exclusive, cost-free benefit for UPSEU Members that saves you time and money – providing you with access to hard-to-get tickets and discounts on great seats for theater & arts, sports, concerts, family events and more.

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For Work: With a wide variety of events from which to choose, Plum Benefits is a perfect way to plan memorable office outings without blowing your budget.

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1. Log in 24/7 to www.plumbenefits.com. Use your UPSEU access code **ac0727255** with your **personal email to create an account!**
2. Browse and search the current offers. Select the event you want to attend!
3. Purchase tickets as you normally would – online, by phone, or in person at the box office – using the code provided in the offer.

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Zarkana from Cirque du Soleil limited engagement begins at Radio City June 6 - Orchestra seats from \$75.

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Big Apple Circus: See “The World’s Greatest Circus” in Queens - Save up to \$15 per ticket.

NJ Devils: Save time getting tickets to this must-see event.

Anything Goes: Great seats available this spring - Orchestra tickets from \$69.

Monster Jam: Monster Jam arrives at MetLife Stadium. Buy now to save up to 50%. **And Much More...**

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