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21 NEWS

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21 News is a periodic publication of USW (United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union) Local 2-21, 1201 Sheridan Road, Escanaba, Michigan 49829. The views and opinions expressed in this publication are not necessarily that of the International Union, the Local 2-21 membership, or the officers of these bodies. The editor reserves the right to refuse any article that is detrimental to the Local Union or the USW. Article accuracy and content is the responsibility of the author.

Important Information & Events

Employee Assistance Program (EAP)

www.freckmanandassociates.com (800) 331-3226

Retiree Get Together 1st Wed 10am - Union Hall

Union Meeting: 2nd Wednesday - 7 pm – Dinner 6 pm

Steward’s Meeting: 4th Wednesday - 3 pm at the Hall

Welfare Club Meeting: 1st Monday of the month - 7 pm at the Mead Rod & Gun Club

Total Benefit Solutions: Union Hall hours on the first two Wednesdays of each month from 9:30 to 3:30. Call 1.877.265.2212 to schedule an appointment.



Committee Members

		Work	Personal
President	Steve Benoit	233-2529	399-4195
1st Vice	Chuck Way	233-2705	280-1698
2nd Vice	Bob Larson		420-2256
3rd Vice	Jeff Skorupski	233-2556	399-5472
Insurance	Gerald Kell	233-3135	869-7943
Comp	Ross Strand	233-2531	280-1494
Secretary	Brandon Stromberg	233-2714	284-1604
Treasurer	Guy Trudell	233-2534	399-9143
Hall Rental	Steve Kennedy		789-1933



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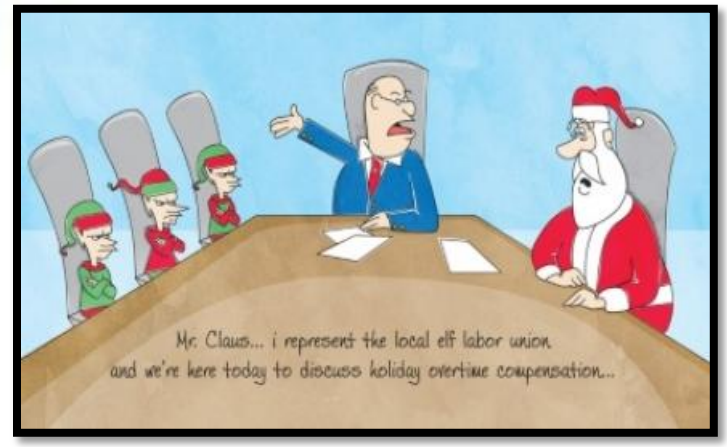
Master Contract

Steve Benoit, President

A return to the table for Master Contract negotiations is still undetermined. Our fellow USW Luke facility in Maryland is now beyond their local Collective Bargaining Agreement (CBA). Luke’s CBA expired on December 1st. Verso recently sent a letter to Stanely Biggus, District 8 Staff Representative, requesting that their local negotiations be delayed until we know if Master Negotiations will move forward.

“.....Based upon on those discussions we all agreed that it would probably be best to allow the Master Agreement bargaining process to run its course, which would give us a better idea of what local bargaining would look like, i.e. bargaining economics & language, language only, etc. We also agreed that if it did not look like a master agreement would get done by the end of the year we would discuss dates to begin local bargaining.....”

Be sure to sign up for text message updates, log into the Local’s Message Board, follow us on the USW Local 21 Facebook page, and check out the website to get the most up-to-date information on negotiations and all other important information!



Anti-Union Fervor

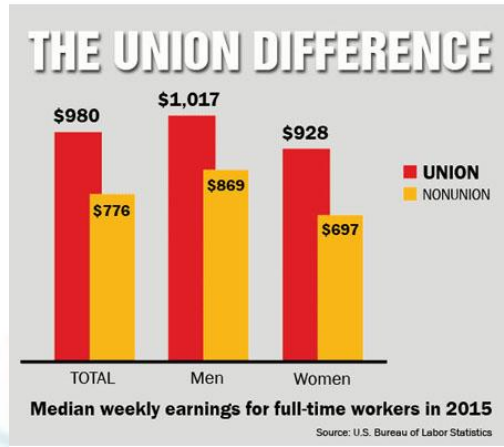
Gerald Kell, Rapid Response

It's barely been a month since we saw our National Election deal a significant blow to the labor movement and union membership across the United States. Undoubtedly there are some who will read that and disagree and there's no question that support for anti-labor candidates was far too prevalent among union members throughout many facilities and industries. What remains to be understood is why—especially in regards to our ability to protect employee rights and make economic gains through contract negotiations. It's simply undeniable that the new administration will be detrimental to millions of union employees; coupled with a lack of protection from the halls of Congress and we're really set to witness one of the most fervent campaigns against our unions in most of ours' lifetime. Consider the following:

“The incoming chair of the congressional panel that oversees labor issues on Monday questioned the need for unions and said she wants to repeal various Obama administration labor policies. Organized labor has “sort of lost its reason for being” because of the many laws in place to protect workers, said Representative Virginia Foxx, a 73-year-old Republican from North Carolina who will become chair of the U.S. House of Representatives Committee on Education and the Workforce in January...”

The fact is that we will now face federal right-to-work legislation, impending anti-labor Supreme Court/NLRB appointments, a veritable war on our public union brethren—we should all be aware that while we're not public sector, what transpires in public sector typically meanders over to our neck of the woods rapidly. We've heard the incoming president publicly layout an ostensible plan for automakers to move their plants elsewhere so they could break unions and leave the employees begging for their jobs back at a lower wage. I know there are those of you who believe the incoming administration will help bring back jobs and/or protect ours, but even *if* that was the case, at what cost? Do you honestly believe this president would be on your side when it comes to your

premium pay, overtime pay, vacation pay, pyramiding? Or if you were unfairly terminated, or your benefits slashed, denied an earned pension or 401(k) match, etc? This is not an effort to divide based on who you did or didn't vote; it's simply offering perspective. There is, however, some very minimal optimism on the horizon in regards to our battle with unfair trade



agreements and it would be irresponsible not to support that platform suddenly out of partisanship. But, we must remain diligent and not let political promises fall to the wayside. There has already been significant rescinding of campaign trail rhetoric from the incoming administration.

We recently witnessed a deal that purportedly saved the jobs at a Carrier plant in Indiana from moving to Mexico—we now know that hundreds of those jobs are still headed to Mexico.

A deal that involved large sums of tax incentives and was, at minimum, influenced by Carrier parent company, UTC's multi-billion dollar government defense contracts through a sister company, Pratt & Whitney. We certainly shouldn't be irrationally critical in the face of good news and I for one am glad for our 730 USW brothers and sisters at the plant. But until proven otherwise we cannot allow lone, highly publicized semi-victories keep us distracted from the overall picture. For instance, 173,000 jobs were added to the economy last month with no apparent jubilation or celebration. Maybe because it was just under the 180,000/month average we've seen so far this year? It's not uncommon, but be wary of unwarranted credit being taken by individuals who are undeserving.

Despite several obvious setbacks like right-to-work in the last few years we've seen relatively promising victories on the side of labor that will now be rolled back before we even get a chance to capitalize on those gains. It's fair to say that anyone reading this should be hopeful for a fair and prosperous contract for the membership; an unfortunate truth to the effectiveness of negotiating a contract relies on progressive macroeconomic policy from local legislation all the way to the White House. Verso is the current proprietor of Escanaba Paper Company and you can be assured that their board members and negotiating team are elated by the election of anti-labor representatives.

Yard, maintenance, and E/I

Chuck Way, 1st Vice

The two insubordination grievances within the Maintenance group were arbitrated and won by the union. Both of these cases have mitigating circumstances and should not be considered as an excuse to not be available for work on overtime. We settled several grievances, one on snowplow callout procedure which awarded quite a few people with payments and hours banked for days off. An E/I Tech received another for an improper callout. A 3rd step answer granted self managed pay to an E/I craftsman in a non-precedent setting manner. We continue to move forward with the Company on the resolution of all grievances and hope to have an amicable settlement. The delay pay for maintenance bidders continues through the grievance procedure outlined in the contract. Several meetings are scheduled with human resources for Yard grievances. The Company has come forward with a proposal for restructuring the Yard but there are still many questions that have to be answered before any details are released. We will be talking with crews for their input to see what they would like to see from the talks. At this time there is no meeting scheduled but I am sure there will be, as parts of it provides relief to the spotter job manning situation.

Union members who are applying for FMLA must ensure that the paperwork they fill out, or have filled out for them is complete. The law allows the Company to deny FMLA for incomplete paperwork. They are required to notify you in a timely manner on reason for denial, you will only have so much time to reciprocate the papers back to them. Ross Strand and myself have the details or you can look them up online at www.dol.gov/whd/fmla.

Jerry's Body Shop

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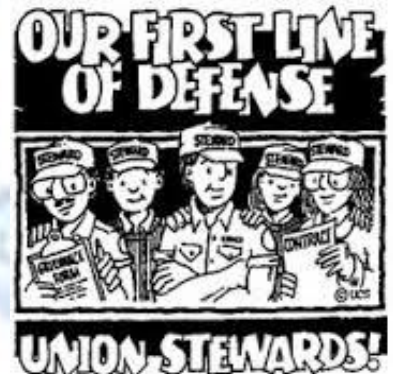
Jamie Sebeck
Owner/Operator

Steward Sign-up

Jeff Skorupski, 3rd Vice

It's officially that time of year again when we ask members to consider becoming a Union steward for 2017. It's especially important that members get involved in the areas currently lacking a steward. Can being a steward be a headache at time? Yes. However, for those who seek positive change, it can be very rewarding. There tends to be a bit of a misconception that you would need to give up a bunch of personal time to be a steward; fortunately, that simply is not the case. Of course, the more steward coverage we get, the better the distribution of workload. Most of the time it just involves getting answers for questions from your area co-workers or the occasional filing of a grievance if the situation warrants. We hold an 8 hour steward class at the Hall for new stewards, so don't be nervous. The job does not require extensive knowledge of contract language, just a willingness to inquire, learn, communicate, and a penchant for solidarity.

Please consider signing up this year, there are several areas that could really use some additional representation, and if your area has a lot of issues, maybe it's time to be the squeaky wheel. If you have questions or concerns please reach out to myself, another steward, or any other committee member. The area sign-up sheets should be posted in your areas. If you don't want to sign the sheet to show your interest, feel free to shoot me a text with your name and area or message me on the website. Have a safe and joyful holiday season!



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Modern Times, Old Tactics

Brandon Stromberg, Rapid Response

American politicians have been arguing with each other for a couple hundred years. They are competitive, ambitious, petty, and they are *always* right. A look back on the actions of Thomas Jefferson, John Adams, Alexander Hamilton, Aaron Burr and additional founding fathers during the election of 1800 demonstrates how they pummeled each other in a similar manner. They employed dirty tactics that would be eerily familiar to the modern constituent. The Federalists said Jefferson would threaten “liberty, religion, and the Constitution of the United States.” The Republicans told voters to choose between “peace or war, happiness or misery, opulence or ruin!” Pulitzer prize winner, Edward Larson, declared, “They could write like angels and scheme like demons.” Thomas Jefferson had such a distaste for the rivalry he told his daughter Martha, “Politics are such a torment that I would advise everyone I love not to mix with them.”

Is this what the founders of our country had intended? Underneath all the ambition and pettiness, their purpose was to create a nation and ensure its survival. Flash forward to the year 2016 and we have the same rivalries, but why? Could it be that the richest of individuals, colloquially known as the 1% want (or need) us fighting amongst ourselves? For the 1%, the system works. They rule, oppress, exploit, and dominate. They make massive profits, pay little to nothing in taxes, and then proclaim the government doesn’t work. They love fueling “us vs them” mentalities across a litany of issues because when we fight with each other we don’t question them. They keep the media talking about all of our differences. All we have to do is turn on the television to hear about racial divide, religious zealotry, ethnic oppression, jobs lost, stagnant income, defunding of education, climate change denial, or social status difference. Our tribal nature forces us to choose: Democrat or Republican, pro-life or pro-choice, Black Lives Matter or Blue

Lives Matter, or even all lives matter, capitalism or socialism, etc. We become further entrenched into an indefensible position and often find ourselves wondering, “How did I get to this point?” Yet, when we come to work something unexpected occurs; we put aside those differences to coexist, interact, and create thousands of pounds of paper. Are those political or social divisions miraculously gone? Of course not, but we come together for the common good to progress ourselves and our occupation.

We are now in the midst of a very important contract negotiation that directly impacts each of us more than a political candidate’s platform. Our opponent thrives when we divide ourselves and they’re certainly aware of such. Among ourselves we have a great many nuances, but together we are one distinct unit. Now, more than ever, we need to put our subtle differences aside and focus on that which makes us similar. We have similar goals; work hard, work safe, and live well. It’s time to unify. Let’s put our differences aside. **UNITY AND STRENGTH = SOLIDARITY!**



WOS Meals for Members

Steve Benoit, President

All too often our Union brethren go through difficult times due to sickness, injury or even the loss of a loved one. Local 21’s USW Women of Steel chapter is looking to step up and make a difference for these members. The Women of Steel will be working on an initiative to demonstrate we are a union that believes in solidarity not just in the workplace, but in our community and homes as well. “Meals for Members” will bring a meal into the homes of members that are going through a difficult time. The meals will be made by members and volunteers of the Women of Steel program and then delivered to the member’s home.

Local Women of Steel Rep Donna Dams is looking for members interested in helping with “Meals for Members”. She can be contacted at 906.384.6356 or 906.282.3430. On a rotating basis, you would be asked to prepare a meal and deliver to the home of the member in need.

Thank you for your help and for your continued commitment to helping others.

PPE Coverage

Ross Strand, Comp Advocate

I hope everyone had a great Thanksgiving and successful hunting season. Due to the recent work injuries, I'd like to ask everyone to take your time and remember to work safely, these injuries seem to run rampant at times. I recently had a conversation with some Winders folks that offered a question on the new policy for “no holes in pants”. If you're not already aware, Verso recently edited another policy stating no holes in pants that expose skin, I explained the new policy and they asked a great question, “Then wouldn't that make it PPE? And if so, shouldn't the Company have to supply us with our work pants?” Good question. I think they should since they have to supply us with all PPE. Then I was thinking, “It shouldn't stop at pants, they also changed the shirt policy to require sleeves for PPE.” My feeling is they should have to supply us shirts too. They supply us with safety glasses, steel-toed boots, gloves, hard hats, etc. We also had a member receive a reprimand for having holes in his pants that we are grieving. I will address this at the next Union/Management meeting. Be safe.

Our Future

Steve Benoit, President

Recently, while watching a documentary, I was further enlightened on how much the labor movement has provided what we have here in Escanaba and for millions of others across the nation. Our ancestors fought for workers' rights, fought to build better communities, battled unsafe working conditions, sought benefit for all workers, aimed to better the lives of families and the overall working environment. We strive daily to continue this movement each and every day, but especially now as we negotiate the Master Agreement and prepare for local negotiations. We have a responsibility to bargain in good faith for our



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communities, workers, families, and the Union. These groups depend on this. By holding on to the benefits and wages that we and others have fought for, we provide.

Our forefathers worked hard to provide what we have today. Some of those ancestors were children. Some of them the same age as our children or your grandchildren. The belief of companies back in the day was, why hire a man for \$1.00 when you can hire a child for a dime. Many of our ancestors worked 12 hour days, 6 days a week for \$1.00 per day in horribly unsafe conditions. These people believed that even though it was industry standards to work in unsafe conditions, for \$1.00 a day next to children; they knew it was wrong. They believed they could change the future.

We can change the future. Many of our fellow unions have given up their benefits to supposedly keep the doors open only to have those doors closed and find themselves without a job. We must change the future for the sake of our families and our community. We can do this by holding strong on issues. We need to push the Company to manage every aspect of the mill appropriately. I have spent time with many of you as you've shared examples where money could be saved within our mill. We have to encourage management to clean up at our mills, finding ways to save before they come knocking at our doors for money.

It's important to remember that our ancestors fought to better the communities they lived in, to better our working conditions, for our families and against unfair labor practices. They fought for every worker, union or not. They envisioned a better future that included OSHA, NLRB, Child Labor Laws, the weekend, FMLA, sick leave, paid vacation, overtime pay, holiday pay, etc. We need to progress into the future the same way they did. I see that future, do you?

Arbitrations

Steve Benoit, President

We recently received answers to three of the four arbitrations that were heard in the past several months. Below is a review of these arbitrations and their outcomes.

The first arbitration involved the company's claim that a member was insubordinate for leaving early after covering his shift and then being forced over when they claimed the supervisor gave him a direct order to stay.

Company's Position

The Employer argues that whether there was just cause for a one-week suspension "is dependent on whether the Grievant's behavior constituted insubordination under Misconduct Rule 19 of the labor agreement." The "Grievant's deliberate decision to defy his duty to work mandatory overtime and his profane and aggressive exclamation of his defiance," the Employer contends, "compel a finding that his behavior was in clear violation of Misconduct Rule 19 and Rule 11 of the Escanaba Mill Rules."

Union's Position

The Union contends that the discipline in this case did not satisfy the seven tests of just cause. It argues, first, that the degree of discipline administered by the Employer was not reasonably related to the seriousness of his actions. Discipline, the Union asserts, should be corrective, not punitive, in nature. The Union expresses its belief "that the relevant evidence shows that the grievant informed his Supervisor, albeit colorfully, that he was not feeling right, and did not feel that he could stay for an additional shift." The grievant, he Union argues, "was open and honest in the investigation, informing the Company of the altercation between himself and another employee." His testimony, the Union contends, "clearly showed that he was upset, and he believed that he needed to diffuse the situation that had occurred approximately an hour prior."

Arbitrator's Award

The Company did not have just cause to issue a one week suspension to the Grievant. The suspension is hereby reduced from one week to one day. The Grievant shall be made whole for the difference. Overtime hours missed shall not be included in calculating the amount of money due the Grievant. In addition to the reduction in the discipline, the violation shall not be listed on the Grievant's personnel record as Insubordination but as Inappropriate Conduct or something of that nature.

The second arbitration involved the Company's claim that a member was insubordinate for leaving when being forced over when they claimed the supervisor gave him a direct order to stay. In this case the member had received a burn to face earlier in the shift.

Company's Position

The Company's position was that the Grievant's suspension was fair because even though he was injured

while working, his injuries were very minor and he could have remained at work after being forced over to complete necessary work.

Union's Position

The Union's position was that the grievant was not insubordinate that evening and had a valid medical reason due to the pain he was experiencing from the burn to leave work and not perform mandatory overtime.

Arbitrator's Award

The grievance is SUSTAINED. The company is ordered to pay the grievant all lost time and contractual benefits as the result of the discipline in this matter and to expunge the record of discipline from his file.

The third arbitration involved a drug test. The member had tested positive prior resulting in the Company to claim they had the right to discharge.

Company's Position

The Company contends that it had a reasonable suspicion under the CBA to test the Grievant. The purpose of the Company's Alcohol and Drug Policy is "to provide a drug free, safe working environment to promote the health, well being, and productivity of its employees and to clearly establish its intolerance for illegal behavior". One way to meet this purpose is to test employees when there is a "reasonable suspicion " to believe they are under the influence, based upon 1) the Anonymous Call and 2) the discussion with the Grievant and the Union representative about the Anonymous Call during which no one denied the accusation. The CBA does not say how much evidence is required to establish "reasonable suspicion."

Union's Position

The Union maintains that the discharge of the Grievant was unjust due to the circumstances surrounding how information and evidence was obtained. In the opinion of the Union, there are two components upon which the assertion that the termination of the Grievant was unjust is based. First, the Grievant has approximately twenty years of service with the Company. Second, the case arises due to the misapplication by the Company of the Drug and Alcohol Use Policy.

Arbitrator's Award

Grievance must be denied in its entirety.

Interesting note on the third arbitration was that the Union was first and foremost concerned with the member's discharge, but through the investigation it was clear that a call to the Code of Conduct line prompted the entire situation—something that really concerned us. The Union was concerned that in the future this could become common practice. But in the Arbitrator's answer he states, "However, as in this case, the Company cannot simply rely on an anonymous call, but the Company does have a duty to investigate the allegations of such a call."

THIS MONTH IN LABOR HISTORY

-The U.S. Department of Labor reports employers slashed 533,000 jobs the month before—the most in 34 years—as the Great Recession surged. The unemployment rolls had risen for seven months before that and were to continue to soar for another 10 months before topping 10 percent and beginning to level off late the following year - **2008**

-United Hatters, Cap & Millinery Workers Int'l Union merges into Amalgamated Clothing & Textile Workers Union - **1982**

-Delegates to the founding convention of the National Nurses United (NNU) in Phoenix, Ariz., unanimously endorse the creation of the largest union and professional organization of registered nurses in U.S. history. The 150,000-member union is the product of a merger of three groups - **2009**



**Registered Nurses and NNU Co-Presidents:
Jean Ross, Karen Higgins, Deborah Burger**

-Ratification of a new labor agreement at Titan Tire of Natchez, Miss., ends the longest strike in the history of the U.S. tire industry, which began May 1, 1998, at the company's Des Moines, Iowa, plant - **2001**

-Twenty-five unions found the American Federation of Labor (AFL) in Columbus, Ohio; Cigarmaker's union leader Samuel Gompers is elected president. The AFL's founding document's preamble reads: "A struggle is going on in all of the civilized world between oppressors and oppressed of all countries, between capitalist and laborer..." - **1886**

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