

# The Newsette

Local 310

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IUOE

## Business Manager's Report

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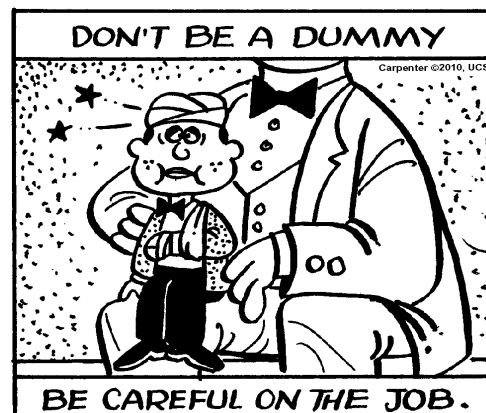
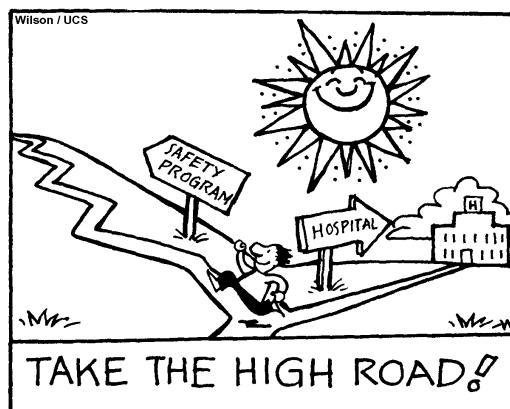
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A new year and a new decade bring a time to reflect on the past and look forward to the future. As the new millennium began, there was plenty of optimism with the economy firing along and a balanced budget. We started with an anti-labor administration in Washington but that didn't seem, at the time, anything we couldn't live with. Then came September 11, 2001 and the effects from that have profoundly changed the way that we live. Some would even say that the terrorists won with the loss of many freedoms along with a major hit to the economy. As always, we started down the road to recovery but at the same time that Administration was deregulating everything they could on the premise that Corporate America would regulate itself and we saw how that worked. Now we start a decade in some state of recovery again, but as long as the corporations have more power than the people we will continue to fail. It appears that legitimate Health Care Reform has been high jacked by the insurance company's and next on the agenda is the Employee Free Choice Act and if we are willing to sit back and let Corporate America do their thing, this too will become another thousand pages of toilet paper. The current Senate version of the Health Care bill calls for plans like ours to be taxable as income. And as much as I heard from the membership on a \$100 increase in our deductible, if we are taxed, it will make our deductible look like chump change. If you don't get involved now you will be looking back in ten years thinking how good this past decade was.

For me looking back at December with ratified contracts with WPSC, Algoma Utilities and Sturgeon Bay Utilities, as well as a very favorable arbitrator ruling on Layoff with the City of Green Bay, it brought an end to a year that I was just happy to live through. Now we start a year that appears to be a slow motion train wreck in the making. Layoffs, Job Abandonments and any other cost cutting measures that head our way. When a corporation looks on its employees as numbers in their financial statement, instead of recognizing that those numbers are people with families and puts more concern in its ever increasing dividend, they are no better than the people who brought you Enron, AIG, Citigroup, Goldman-Sachs and Bernie Madoff. If you look on the internet under "Corporate Culture", you will find signs of a losing organizations with the following: Discouraging Culture; no shared values; lack of trust; blame culture; focus on problems, not opportunities; diversity is not celebrated; failures are not tolerated; people lose confidence in their leaders and systems. Sound familiar?

We as a Union at this time more than ever must remain unified. Solidarity is recognizing all of the needs for all of the members and making decisions that are in the best interests of all.

In Solidarity  
Steve McFarlane



## A History Lesson on John L. Lewis

John L. Lewis dropped out of school at 12 and became a coal miner when he was 17. Self-educated, Lewis became a leader of coal miners and, by 1920, was elected president of the United Mineworkers of America (UMWA). Lewis grew to become a forceful and eloquent leader during the most turbulent times of unionization.

In 1935, wanting to organize mass production industries, he broke away from the American Federation of Labor and joined the Committee of Industrial Organizations, which later became the Congress of Industrial Organizations (CIO).

In 1942, the UMWA split from the CIO, partly because of antagonism between Lewis and the CIO's new president, Philip Murray, that grew out of Lewis's support of presidential candidate Wendell Willkie, who ran against Franklin D. Roosevelt.

In retaining the loyalty of the miners, Lewis ignored unions' no-strike World War II policies, politicians' pleas, and public

sentiment. He led strikes during and following the war that won substantial medical and retirement benefits for his miners and worked on the campaign to establish the first Federal Mine Safety Act in 1952.

Lewis was famous for his flaming oratory, often quoting Shakespeare and the Bible. He retired in 1960 after serving 40 years as president of the UMWA.

Four years after his retirement from the UMWA, Lewis was awarded the Presidential Medal of Freedom by President Lyndon Johnson, his citation reading: "[An] eloquent spokesman of labor, [Lewis] has given voice to the aspirations of the industrial workers of the country and led the cause of free trade unions within a healthy system of free enterprise."

*Great Labor Quotations  
Sourcebook and Reader*

Peter Bollen  
Redeye Press, Inc

A worker was forced to take a day off to appear for a minor traffic summons. He grew increasingly restless as he waited hour after endless hour for his case to be heard.

When his name was called late in the afternoon, he stood before the judge, only to hear that court would be adjourned for the rest of the afternoon and he would have to return the next day.

"What for?!?!?" he snapped at the judge.

His honor, equally irked by a tedious day and sharp query, roared out loud: "Twenty dollars contempt of court! That's why!"

Then, noticing the man checking his wallet, the judge relented:

"That's all right. You don't have to pay now."

The young man replied, "I know. But I'm just seeing if I have enough for two more words."

## Harley Plant to Stay in York, Pa., But at High Cost in Union Jobs

At the cost of about half the workers at Harley-Davidson's York, Pa. plant, the company and Machinists Local 175 have agreed to a seven-year contract that will keep production there rather than moving it to non-union, low-wage Shelbyville, Ky.

The union workforce will drop to about 1,000 hourly employees, 700 to 800 of whom will be full-time, from about 1,950.

As part of the new agreement, Harley will invest \$90 million in plant improvements in York. Workers facing layoff can choose severance pay and a \$10,000 payment, or they can decline the money and be eligible for recall.

The company also gets \$15 million in incentives from Pennsylvania for capital improvement and worker training.

"This is not the first time that Machinists at Harley-Davidson have stepped up to bail this company out in times of trouble," said Lynn D. Tucker, Jr., IAM Eastern Territory General Vice President. "It was a partnership with the IAM and other unions in the 1980s that revived the brand when it was left for dead.

"The workers who ratified this contract today did not cause the global recession, nor are their paychecks or pensions responsible for the dramatic decline in motorcycle sales," said Tucker. "Their extraordinary sacrifices, in the 1980s and again this week, are why this company is here today and why it will still be here tomorrow."

*UCS News Service*

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**Member of the Midwest  
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## President's Report

Welcome to 2010! I hope everyone had a wonderful holiday season that included an opportunity to spend time with family and friends. Deb and I now have grandchildren which makes Christmas even more special. We did not go to Michigan this year, but did venture around northeast Wisconsin visiting our family. Now it is back to work.

### Loose Ends

The last 6 weeks have been very productive for Local 310. Our contracts with the City of Algoma, SBU and WPSC are now ratified. This is good news as it did not look very promising. We prevailed on an arbitration with the City of Green Bay which is a great way to start our new alliance with attorney Mark Sweet. We also completed our contract for Office Administrative Assistant Cheryl Renard. And most recently, we received word from IUOE Local 266 of Manitowoc that they are considering a merge with Local 310. This is especially good news as it would bring us a step closer to forming a state wide stationary local. While adding these new members would mean another labor agreement to administer, the additional members would mean more people that should allow Local 310 to do more for the membership.

### Bylaws

The International has some questions that we need to address before our latest Bylaw changes are approved. Business Manager Steve McFarlane and I are working on a response that he can take to the Executive Board meeting in Florida in February. Once we have approved Bylaws, Local 310 can move forward on the district design question.

### Layoff Notice

I still have issues with the layoff notice. I am troubled that Local 310 has not received answers and that we are now presented with a furlough option at the 11<sup>th</sup> hour. Without answers, veiled attempts to justify actions and mixed signals, we are left to try to figure this out for ourselves. What it seems to be boiling down to is money; about \$75M worth of money.

So what does that mean? Well, it means again that Integrys, and even more so, WPSC is no longer a company, it is a business. I cannot fathom a company doing or even suggesting what is being done to the employees. I can see a business doing this. The only thing that matters is the bottom line and that again looks like a business.

We recently saw a newspaper article that reported Larry Weyers' compensation at \$7.2M. At another utility I am familiar with, the individual in the equal position was compensated \$14.5M. That is a lot of money, but this other

utility is not laying off employees. In fact, this utility is doing well and is not facing a financial shortfall. So what is the point? Well, recall that these individuals can command these wages because they are so important to the business and cannot be lost. When looking at these two compensation packages, I would rather increase the compensation another \$7M to show a positive bottom line. A \$68M return on \$7M seems like a good investment. Heck, make it \$21M and show a \$68M profit. The point here is that some of these individuals and teams do well while others do not. If the stock dividend is not affected, how will anyone ever ask the tough questions?

We all know the answer to that question, but why must the employee be the solution and why must Local 310 shoulder the burden? I have been led to understand that Local 310 may be looking at a reduction of 150 people. Not the same with our brothers and sisters to the south in Chicago, to the west in Minnesota, and to the north and east in Michigan. I thought the acquisition of People's Gas just about doubled our size. If that is the case, why aren't they sharing equally in the search for the \$75M? There is more to the story that is not being told.

### More Staff Reductions

On January 4<sup>th</sup>, Business Manager Steve McFarlane, Vice President Paul Beimborn and I were told of the decisions to stop collecting bills at the pay windows of the local offices (except in Green Bay and Wausau), expand retail warehousing, and consolidate coordinator duties. The combination of these efforts will save the business money. Some at the meeting estimated as much as \$5M. When I asked if this savings would be reflected in lower utility bills, Vern Peterson responded yes. So while we are losing jobs, we at least can see reduced bills. Of course, if WPSC is a regulated utility that garners a guaranteed rate of return, why reduce amounts that have been successfully put in the budget? Yes money can be saved, but the business also gets less return. I am clearly missing something here.

When asked how many supervisors this would affect, we were informed that it was premature to speculate on that. We weren't even given a range or idea. Interesting that a number to the person can be determined for a layoff of the union work force, but an estimation cannot even be offered for supervisory.

When all is said and done, this business cares more about the dividend than the employees. It has convinced some that they are part of that business, but in the end they are just as expendable. It is the union that cares about the employees and those without representation are left to the whims of the business. It is actions like these that make labor stronger.

*Greg Veith*

Three things in human life are important. The first is to be kind. The second is to be kind. And the third is to be kind.

*Henry James*

The game of life is the game of boomerangs. Our thoughts, deeds and words return to us sooner or later, with astounding accuracy.

*Florence Shinn*

## a **Local 310 Members Make a Difference**

Local 310 members across Northeast Wisconsin again made a huge difference in some families lives. Delivering food baskets over the holidays has become a yearly tradition in many sites and members have taken collections to purchase presents for children of the less fortunate in our service territory. A total of 36 baskets were delivered this holiday season with members delivering as many as 5 to needy families in their area.

Many of the families are touched by our generosity and send us letters. Here are just a few that we received this year:

“To the International Union of Operating Engineers Local

310, Thank you very much for your generosity at Christmas, it was a nice surprise. We hope the new year brings you good health and happiness. A grateful family.”

“Dear Local 310 members, I want to thank you for the gift basket you have given my wife and I. We appreciate it very much. I hope you all have a wonderful holiday. Thank you”

“Thanks to everyone who donated money towards the holiday dinners and other food delivered to us before Christmas. My children and I appreciate your kindness.”

“May all the joys of the season be yours now and through the new year. Thank you for the holiday basket.”

## **Workers Suffer While CEOs Thrive**

Comedian Bob Newhart used to do a comedy bit in which he portrayed a commanding officer addressing his troops on the eve of a big battle. The commander spoke bluntly about the bloody horror the troops would face and the certainty that many of them would not survive. The officer rallied them with appeals to courage and sacrifice, then concluded by saying, “My only regret is that I, personally, will not be able to go with you.”

That’s a perfect expression of today’s corporate ethic as practiced by chief executive officers. With bloody ruthlessness, CEOs constantly sacrifice workers in the name of global competitiveness, but the chiefs never seem to join in the sacrifice. We’ve recently been given another example of this disparity in a report on corporate pensions by the Government Accountability Office (GAO).

The GAO found that four of the largest corporate bankruptcies of the last 10 years were disastrous for the employees’ pension funds. Prior to their bankruptcies, United

Airlines, US Airways, Polaroid, and Reliance Insurance had underfunded their employees’ retirement plans by \$11 billion – money essentially stolen from the workers.

The corporations then abandoned any responsibility for the pensions, turning the obligation over to the federal government under a program that pays only a fraction of what is owed to the employees.

But guess which employees did not suffer any cut at all in their retirement money? Right – the four CEOs. Indeed, as they were underfunding and axing the workers’ pension plans, the four chieftains quietly pocketed a total of nearly \$50 million in retirement pay for themselves.

Bob Newhart’s joke has become a nightmare for millions of workers. It’s time for congress to tie CEO pensions to the value of their employees’ retirement funds.

*Jim Hightower*

## **Social Safety Net Failing Millions; Changes Needed, New Study Says**

A national study by four progressive social and economic policy groups concludes that the economic crisis is still on the rise for millions of Americans, rather than easing. At the same time, the study “Battered by the Storm” says, the social safety net is failing to support many of them.

Among the key findings of the study by the Institute for Policy Studies, the Center for Community Change, Jobs with Justice, and Legal Momentum:

- Levels of long-term unemployment, underemployment and discouraged workers are reaching historic levels;
- The percentage of poor children receiving temporary assistance under Temporary Assistance for Needy Family (TANF) (the main federal “welfare” program) has fallen from 62 percent in 1995 to 22 percent in 2008;
- TANF benefits are far from sufficient to support the families that depend on them: 2008 assistance payments averaged only 29 percent of the money needed to bring families up to the official poverty line;
- Even while labor force participation of mothers has increased, the supply of affordable child care has lagged behind,

creating a significant barrier to employment for many, especially single mothers; and

- Only about 57 percent of unemployed people are receiving unemployment compensation; for those receiving benefits, amounts are less than half of wages, and many are losing work-related health benefits.

The study’s authors declared that just as Hurricane Katrina exposed the weakness of the nation’s physical safety infrastructure, “this economic storm has exposed the weakness of our nation’s social safety net.”

“The social safety net has eroded over the past 30 years, failing millions of Americans. Short-term fixes such as the Recovery Act are rescuing only a small percentage of those who need help.”

The authors recommend an emergency relief package to help the hurting get through their immediate needs, and outlined a comprehensive series of policies to stabilize the economy in the future.

The full study is available at [www.ips-dc.org/](http://www.ips-dc.org/)

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## 10 Ways You Can Cut Health Care Costs

While reforming our nation's ailing health care system remains a national priority, those efforts are likely to flat line unless spending is brought under control. Serious reform and belt tightening can't happen without new policies from Washington, but individual responsibility and action can both set an example and make a contribution. Here are 10 suggestions for helping curb unnecessary health care expenses.

**1. Develop a good, working relationship with your primary care physician.** A primary care doctor who knows you, your medical history, and your circumstances stands a better chance than a relative stranger of making decisions and giving you advice that will keep you healthy, out of the hospital, and in no need of specialized medical care. She or he can take care of you in context.

**2. Use emergency care only for emergencies.** Call your doctor for his service and try to get some advice over the phone—or, better yet, in person. Emergency care is fantastically expensive.

**3. Get—and stick—with the program.** Most of American health care these days is devoted to treating chronic conditions—like arthritis, diabetes, heart disease, and high blood pressure. Taking medication as prescribed, getting regular check-ups, and adhering to lifestyle changes can keep those diseases under control at relatively modest cost.

**4. Check with your primary doctor first.** Medical care is increasingly specialized, but as much as possible, you should let your primary care physician coordinate that care. If she or he doesn't know what's going on, it can lead to wasteful—and possibly harmful—overtesting and duplication of treatments.

**5. Ignore the drug ads.** New drugs may have real advantages over older ones, but the virtues of the old standbys,

which don't have big ad budgets behind them, often get overlooked. Older drugs are frequently just as effective (if not more so) and safer—and almost certainly cheaper.

**6. Go generic.** Most insurers have higher co-pay for brand-name drugs, so using generic medications can mean a cost savings both for you and for the health care system.

**7. Fight inertia.** If you're taking a medication, discuss with your physician how long you've been taking it, whether it's working, and if it isn't, not taking it anymore. Get some instructions about signs if the drug is working and see the doctor if it's not.

**8. Question the need for expensive tests.** Don't push to get new, expensive tests just because you think new is better. And if a doctor orders an expensive test like an MRI or CT scan, you can ask why it's necessary and how it will make a difference. The number of imaging tests being done in the United States has exploded and by some reckonings, almost a third of them are unnecessary.

**9. Use good judgment.** Often it's critically important to get medical care straight-away. Prompt treatment of a heart attack or stroke can save your life or prevent devastating disability. But people frequently get tests and treatments for aches, pains and other discomforts that might have gone away on their own. If you are feeling sick, by all means get evaluated, but if your doctor suggests the test of time, take the test.

**10. Stay healthy.** Not needing health care is perhaps the surest way of spending less money on it, both yours and society's. So don't smoke, eat a good diet, and exercise.

*International Operating Engineer*  
Winter 2009

Keeping score of old scores and scars, getting even and one-upping, always make you less than you are.

*Malcolm Forbes*

You cannot live a perfect day without doing something for someone who will never be able to repay you.

*John Wooden*

## Tentative CWA - AT&T Southeast Contract Would Cover 35,000

Communications Workers of America members in nine states were voting in December and January on whether to accept a new tentative agreement with AT&T's Southeast Region.

The three-year pact would cover 35,000 workers and would be just about the last big contract to be bargained in the current round of talks between CWA and AT&T.

Many of the provisions in the tentative agreement are similar to those approved by CWA members in five other AT&T wireline contracts approved since summer. Wages would increase 3 percent in the first year, another 3 percent in the second and 2.75 percent in the third.

For the first time, employees would contribute to premiums for their health care benefits. Starting Jan. 1, 2011, the CWA-

represented workers would pay a monthly health care premium of \$35 for single coverage or \$75 for family coverage.

The agreement covers workers at AT&T (formerly BellSouth), Utilities, BAPCO and Billing in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina and Tennessee.

"In these very difficult economic times, CWA was able to maintain the job security provisions that were currently in the contract, along with quality health care. The team worked very hard to achieve a fair and equitable contract," said CWA District 3 Vice President Judy Dennis.

The CWA bargaining team voted unanimous support the agreement and recommended ratification.

*UCS News Service*

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## 2009 Big Buck Contest & Wild Game Feed

I will have to say this year topped all the years I've been doing this. It seems to get better and better. We had a record of 62 members sign up. I want to thank all who entered and for supporting a fun event. We raised a lot of money so my goal is to have 3 guns at the Wild Game Feed next year.

The Wild Game Feed was a huge success with almost 50 people in attendance. Most of them went home with a door prize. The eats were great and we even sent some canned goods to the food pantry.

I would personally like to thank Tina Webb from Rhinelander and Cheryl Renard, our Union Administrative Assistant for their much-needed help. They did a lot of the paper and computer work that I need to make everything run smoothly.

If I didn't have the help of Joe Blaser and his wife Becky, Rob Morien, Mark Kopetzky, and Rob Harteau, this would not have went as smooth and fast as it did. Thank you for your much needed help too. I'll be looking for you next year. Back to the Big Buck Contest. The big winner was Mark Evrard. Second place was Tyler Beran and third was Rob Morien. Again, like the previous eight years, the winning buck was shot not up here, but in the south. Well, I guess you can say the East won it again. Mark took the \$200 top prize and the travelling trophy. Post it with pride for all to see.

Last but not least, I would like to thank Local 310 and all the districts for their support and donations of door prizes. I hope I can continue this event and continue with your support. Thanks to all the members and hope to see you next year at the Wild Game Feed.

*Shawn Tingley*

Here is the large list of winners:

.22 guess raffle – Gene Steffen  
50/50 raffle – Job Lesperance \$95.00  
Guess My Rack Score – Tyler Beran (off by 1 inch) Bow target & 15' ladder stand

### Bucket Raffles

Ladder stand & lock – Chancey Lehmann  
Pheasant hunt & vest – Jon Friedland  
Booze sled – Steve McFarlane  
243/20 gauge – Mark Senoraske  
Fishing trip – Shawn Tingley  
USA & Principal sponsored Remington 12 gauge – Rob Harteau

### Raffle Winners

Pistol case—Shane Sarkkinen  
Scent-a-way—Jon Lesperance  
Knife sharpener—Mark Evrard  
Boot dryer—Rick Krawze  
Rifle case—Jeff Boh  
Shotgun case—Jason Baker  
Shore Lunch jerky mix—Justin Veeseer  
Scent killer—Sam Krainz  
Shore Lunch jerky mix—Alan Janquart  
Camo backpack—Matt Teeters

Orange hat—Mitch Kostrova  
Hunt socks—Cade Heikkien  
Scent killer body wash—Dan Barfknecht  
Walky talky—Jeff Andrews  
Camo gloves—Tee Jay Lansin  
Hat light—Tim Federer  
Rifle case—Jeff Weller  
Walky talky—Jesse McDonald  
Shore Lunch jerky mix—Bill Van Camp  
Yellow hat—Gene Vann  
Scent dispenser—Joe Blaser  
Camo gloves—Dave Lehman  
Ice fishing pole—Dewey Schreiber  
Deer cocaine—Mike Haubert  
Gander Mountain sweatshirt—Rob Grefe  
\$50 Gander Mountain certificate—Chuck Toms  
2 headlights—Rob Harteau  
\$50 Gander Mountain certificate—Lee Przybylski  
\$25 Gander Mountain certificate—Jeff Weller  
Knife & sheath—Lyle Banser  
Union shirt—Tyler Beran  
Bait box—Dennis Bachmann  
Pistol case—Mark Golomski  
Scent killer body wash—Shane Sarkkinen  
Wing sauce—Joe Blaser  
Scent killer dispenser—John Hall  
Scent killer spray—Mike Teeters  
Boot dryer—John Lund  
Knife sharpener—Shawn Tingley  
Scent killer wipes—Sam Krainz  
Tree stand lock—Tina Webb  
Marinade kit—Mike Breivogel  
\$25 Gander Mountain certificate—Dave Laehn  
Shore Lunch jerky mix—Chris Petterson  
\$25 Gander Mountain certificate—Jon Lesperance  
Spot light—Steve McFarlane  
Back pack—Rob Morien  
Bow case—Tee Jay Lansin  
\$25 Gander Mountain certificate—Mark Grubb  
Shotgun case—Kevin Dessell  
Rifle case—Mark Senoraske  
\$25 Gander Mountain certificate—George Henrich  
\$25 Gander Mountain certificate—Paul Nohr  
\$25 Gander Mountain certificate—Gene Steffen  
\$25 Gander Mountain certificate—Jeff Boh  
\$50 Gander Mountain certificate—Jon Friedland  
\$50 Gander Mountain certificate—Jake Janis  
\$50 Gander Mountain certificate—Rob Grefe  
\$50 Gander Mountain certificate—Jason Baker  
T-shirt—George Henrich  
Picholla's Pub & Grub chicken dinner—Pat Kelly  
Picholla's Pub & Grub chicken dinner—Greg Veith  
Soft side tackle box—Mark Kopetzky  
Ice fishing pole—Roger Zimmerman  
Union t-shirt—Chancey Lehmann

## Aging Workforce Brings More Injury Concerns

The growing population of older workers faces more severe health risks on the job, according to a report recommending legislative and workplace action to improve conditions for them.

Writing in MedPage Today, reporter Crystal Phend said nurses were a key risk group identified in the report, which was based on the Healthy Aging for Workers conference organized by the Association of Occupational and Environmental Clinics (AOEC) and the Society of Occupational and Environmental Health (SOEH), held in Silver Spring, Md.

Specific recommendations in the report included better enforcement of workplace ergonomics and incentives for workplace wellness programs and flexible scheduling, although the emphasis was on further research.

The report largely affirmed recommendations from a 2004 National Academy of Science committee report, but those recommendations remain largely unimplemented, Denny Dobbin, president of the SOEH and co-chair of the conference planning committee, and colleagues wrote in the conference report.

If anything, the situation has become more critical, they

cautioned.

“With the 2008 economic crisis, the decimation of millions of retirement plans and the coinciding loss of home value from the imploding housing market, it became clearer than ever that baby boomers would stay in the workforce longer than earlier predicted,” they wrote.

Although older workers often have valuable institutional experience and knowledge to pass on to younger workers, they are also at greater risk for workplace injury.

Elizabeth Rogers, of the Bureau of Labor Statistics Office of Safety and Health Statistics, reported at the conference that work-related injury and illness was more severe for older workers based on census and survey data from her bureau.

They took longer to recover and their workplace injuries were more disabling, she said.

Although just over 10 percent of all deaths from work-related injury in 2007 were among workers 65 and older, their fatality rate (9.9 per 100,000 workers) was about triple that of younger workers.

*UCS News Service*

## Presenting: The Best Lie of 2009

“The Lie of the Year Award” for 2009 has gone to...” Death Panels,” the right-wing claim that Pres. Obama’s health care overhaul bill would have government bureaucrats deciding who’s too sick or unproductive to let live. Six of every 10 voters in the St. Petersburg Times’ PolitiFact.com contest said that was the most outlandish lie of the year. It got its start on Sarah Palin’s Facebook page.

Coming in second: With 12.3 percent of the vote, a claim by conservative talk show host Glenn Beck that John Holdren, President Barack Obama’s top science adviser, “has proposed

forcing abortions and putting sterilants in the drinking water to control population.”

A couple of other good ones:

- A data-storing microchip “would be implanted in the majority of people who opt to become covered by the public health care option.” (Circulating on the Internet)
- “President Obama... wants to mandate circumcision.” (A declaration of Rush Limbaugh)

*UCS News Service*

## Wal-Mart Forks Over \$40 Million To Cheated Workers in Massachusetts

Wal-Mart has settled a class action suit filed by tens of thousands of its Massachusetts “associates,” agreeing to pay the workers nearly \$40 million in back wages for meal and rest breaks they were denied, overtime that was never paid, and management manipulation of time cards.

Under the terms of an affidavit filed in Middlesex Superior Court by the attorney representing the workers, people employed by Wal-Mart between August 1995 and 2009 will receive payments of between \$400 and \$2,500, depending upon their years of service with the giant retailer.

Some 87,500 workers will share in the settlement.

Under terms of the settlement, neither side can comment on specifics of the deal.

But, lead plaintiffs attorney Carolyn Beasley Burton said in

an affidavit, the deal “will not only provide real cash to hard working Wal-Mart employees, but should also provide a mini-stimulus to Massachusetts as the money is distributed and spent... around the state.”

Also in an affidavit, Wal-Mart spokeswoman Daphne Moore said that “resolving this litigation is in the best interest of our company, our shareholders and our associates. These cases were filed years ago, and the allegations are not representative of the company we are today.”

The lawsuit was one of many filed against the company across the country in 2001. In December, 2009, the company agreed to pay as much as \$640 million to settle 63 lawsuits over wage-and-hour violations.

*UCS News Service*

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## **\$41 Million in Back Pay Awarded Beer Truck Drivers**

Justice came slowly for 2,000 employees of southeastern Michigan beer distributors, but when it came it had a nice ring to it: \$41 million.

In one of the biggest back pay awards ever ordered by the National Labor Relations Board (NLRB), individual employees will collect amounts ranging from a few dollars to \$282,000.

The case involved an illegal pact the five distributors made for negotiating with the union in 1991. After a period of bargaining, each employer would declare an impasse and impose a new contract with what the NLRB described as “substantially lower income and reduced benefits for employees, particularly the (truck) drivers.”

“They had a plan, basically, to bust the union,” said James Radulski, the \$282,000 awardee. “They said, basically, ‘Fight us in court.’”

Teamsters Local 1038 filed charges of bad-faith

bargaining and sought back pay from April 1991 through June 1998. A subsequent investigation uncovered the illegal mutual aid pact among the companies. An NLRB administrative law judge ruled on the Teamsters’ behalf and the employers’ appeals failed. The U.S. Supreme Court declined to hear the employers’ appeal in 1999.

All the distributors but one agreed to settlement terms six years ago, and much of the \$41 million has been paid out in the intervening years. The NLRB said the fifth distributor continued to litigate how the back pay payments were to be calculated but once its last appeal failed in 2006, the agency moved to locate the 300 workers left to be covered and set payments.

With all payments now made, the NLRB has closed the case.

*UCS News Service*

## **A Day in the Life of Joe Middle-Class Conservative**

Joe gets up at 6:00 am to prepare his morning coffee. He fills his pot full of good clean drinking water because some liberal fought for minimum water quality standards. He takes his daily medication with his first swallow of coffee. His medications are safe to take because some liberal fought to insure for their safety and they work as advertised.

All but \$10 of his medications are paid for by his employers medical plan because some liberal union workers fought their employers for paid medical insurance, now Joe gets it too. He prepares his morning breakfast, bacon and eggs this day. Joe’s bacon is safe to eat because some liberal fought of laws to regulate the meat packing industry.

Joe takes his morning shower reaching for his shampoo; his bottle is properly labeled with every ingredient and the amount of its contents because some liberal fought for his right to know what he was putting on his body and how much it contained. Joe dresses, walks outside and takes a deep breath; the air he breathes is clean because some tree-hugging liberal fought for laws to stop industries from polluting our air. He walks to the subway station for his government-subsidized ride to work; it saves him considerable money in parking and transportation fees. You see, some liberal fought for affordable public transportation, which gives everyone the opportunity to be a contributor.

Joe begins his workday; he has a good job with excellent pay, medical benefits, retirement, paid holidays and vacation because some liberal union members fought and died for these working standards. Joe’s employer pays these standards because Joe’s employer doesn’t want his employees to call the union. If Joe is hurt on the job or becomes unemployed, he’ll get worker compensation or unemployment check because some liberal

didn’t think he should lose his home because of his temporary misfortune.

It’s noontime, Joe needs to make a bank deposit so he can pay some bills. Joe’s deposit is federally insured by the FDIC because some liberal wanted to protect Joe’s money from unscrupulous bankers who ruined the banking system before the great depression.

Joe has to pay his government underwritten mortgage and his below market federal student loan because some stupid liberal decided that Joe and the government would be better off if he was educated and earned more money over his lifetime.

Joe is home from work. He plans to visit his father this evening at his farm home in the country. He gets in his car for the drive to dad’s. He arrives at his boyhood home. He was the third generation to live in the house financed by the Farmers Home Administration because bankers don’t want to make rural loans. The house didn’t have electricity until some big government liberal stuck his nose where it didn’t belong and demanded rural electrification. Those conservatives would still be sitting in the dark.

He is happy to see his dad who is now retired. His dad lives on Social Security and his union pension because some liberal made sure he could take care of himself so Joe wouldn’t have to. After his visit with dad he gets back in his car for the ride home.

He turns on a radio talk show, the host keeps saying that liberals are bad and conservatives are good. He doesn’t tell Joe that his beloved conservatives have fought against every protection and benefit that Joe enjoys throughout his day. Joe agrees. “We don’t need those big government liberals ruining our lives. After all, I’m a self-made man who believes everyone should take care of themselves, just like I have.”

*John Day*

a

## Student Labor Activists Call on UW to Drop Nike

Action on the UW campus is sparking a national campaign to hold Nike accountable for cheating Honduran apparel workers out of more than \$2 million in unpaid wages and severance pay.

The UW's Labor Licensing Policy Committee (LLPC) voted on November 13 to recommend that Chancellor Buddy Martin begin the process of terminating the university's licensing agreement with Nike. If Chancellor Martin accepts the recommendation, Nike would have 90 days to implement a remediation plan and if the university isn't satisfied with the results, the school would cut Nike's licensing contract.

Last February, the UW cut a contract with Russell Athletics after its contractors fired workers and closed two of its Honduran plants in response to union organizing efforts. There were recently organized unions in the factories where Nike apparel was being produced, as well. The labor movement in Honduras is under increasing pressure since a right-wing coup took over the government this past June, ousting the country's popularly elected president, Manuel Zelaya.

According to local news reports, Nike paid UW \$48,726 this year to use university insignia and logos like Bucky Badger. The sale of Badger apparel products, made in about 3,300 factories in 47 countries, generated a record \$3.8 million in royalties last year.

The LLPC's action comes after the Student Labor Action Coalition raised concerns that the two Honduran factories, Hugger and Vision Tex, abruptly shut down in January and since then has withheld over \$2.5 million in legally mandated severance and back pay to 1,800 workers. As a licensee of UW's insignia, Nike is bound by a code of conduct requiring apparel producers to maintain certain labor standards and act in accordance with local labor laws.

Chancellor Martin wrote Nike asking for its plan and a timetable to remedy the problem, insisting on a response before the LLPC's November 13 meeting. Nike ignored the Chancellor's letter, but issued a statement to the collegiate licensors in general, saying that its own reporting on the factories had been incorrect—collegiate licensed apparel had not been produced in the plants in question, after all. A

monitoring group, the Workers Rights Consortium, quickly reported that interviews and documentary evidence show that Nike's claim was, in fact, a bold-faced lie.

"We've seen this over and over. There is evidence that Nike is not involved in remediation and they are blind to what's going on in their factories," said LLPC member Lydia Zepeda, a UW professor in consumer science.

Students, staff and faculty representatives on the LLPC argued that initiating the process to cut Nike's contract without delay was essential, given the urgent nature of the situation in Honduras.

"Nike has had more than enough time to pay its workers—it just doesn't want to. It's been eleven months since the factories closed, and in that time Nike has done nothing more than make excuses," said Han Van Told, student LLPC member and SLAC member.

"These are real people's livelihoods we're talking about—not some abstract theory," said Jonah Zinn, student LLPC member and SLAC member. "If the University of Wisconsin is truly committed to respecting workers' rights, then it is essential that the Chancellor cut the Nike contract without delay."

The committee concurred, voting 7-2 to recommend that Chancellor Martin give Nike notice that it is in breach of contract.

Students remain optimistic that workers will be paid the money they are owed, but emphasized the need for swift action. "SLAC takes this case very seriously, and we will not tolerate Nike's games any longer. The Hugger and Vision Tex workers cannot wait another eleven months, and so we intend to escalate our campaign until Chancellor Martin follows through and severs the contract," said Zinn.

"It's quickly becoming a national issue," said Zinn. The action at UW is only the first and it is expected to precipitate student action on the campuses of Georgetown, Purdue, Rutgers, UCLA, Miami, Cornell and the universities of Washington and Montana.

*Union Labor News*  
December 2009

Minds are like parachutes—they only function when open.

*Thomas Dewar*

Life is an escalator: You can move forward or backward; you can not remain still.

*Patricia Russell-McCloud*

## Nice to Know You're Appreciated

President Veith received the following note from an employee at KPS on December 11:

"Greg, I saw on the news that the linemen were out overnight repairing downed lines. As always, the linemen work

in the worst of weather, it's either blizzards or tornados and thunderstorms. Anyway, when you see them, tell them they are much appreciated and tell them thanks."

*Editor*

a **The Winning Case for Fair Trade**

To our nation’s peril, the free trade orthodoxy continues to ignore a fundamental economic fact: It matters where things are made.

Over the past decade, the U.S. industrial base has suffered an unprecedented decline. The loss of more than 5 million manufacturing jobs and the closure of over 50,000 manufacturing facilities have undermined our technical capacity to innovate and ,make things, while decimating our middle class.

Flawed trade and tax policies and a financial system focused on short-term profits drove good jobs offshore, and left the economy in ruins. With the manufacturing share of the nation’s gross domestic profit (GDP) withering to 12% (from 15.9% in 1995) and the financial sector growing to 22%, the structure of the economy looks more like Monaco than Germany. This growth model of asset bubbles, low wages, credit pyramids, toxic assets and unregulated, out-of-control global capital has been a recipe for disaster.

There is a reason every other developed and advanced developing nation has a manufacturing strategy. Most governments see it as key to long-term growth, and they target investment in technology. In contrast, the U.S. government abandoned strategy to market forces and left workers and communities hanging without a safety net.

There was a time this nation thought big—investing in its people, infrastructure, technology and manufacturing. We

must do so again but we need to recognize that the world has changed. For example, the rest of the world leads in mass transit technology and the United States is home to only two of the 10 largest solar photo-voltaic producers, only one of the top 10 advanced battery manufacturers and only two of the top 10 wind turbine producers.

Over the next decade our nation is poised to invest \$2 trillion in health care, infrastructure and a greener economy. If we want to be world leaders in clean technology and have transportation systems to match, then we must think strategically and at scale.

Governments must restructure and regulate financial systems so that long-term investment is rewarded and gambling is not subsidized.

We must use our financial resources to develop and deploy domestically-produced technology and, if there is better technology overseas, use our financial leverage to get those production systems located here.

We must think strategically and regionally about industry development so we utilize existing pools of displaced workers, engineering talent and idled plants.

And, finally, we must never again lose sight of the fact that it matters where things are made.

*Rich Trumka*  
President  
AFL-CIO



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## **Welcome New Members**

**Susan Metzger**

Green Bay

## **Membership Anniversaries**

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**David Kass  
Mark Wehmeier**

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