



STEEL POWER

OFFICIAL NEWSLETTER OF USW LOCAL 9265

MESSAGE FROM YOUR PRESIDENT

PAST, PRESENT & FUTURE.

The past few years we have seen USW 9265 welcome many new members. While we are in the midst of negotiating a new contract, I think it is important that we take the time to understand how we got here and why it is important that we continue this fight.

Our local was formed shortly after PEF became certified in 1979. Prior to the formation of our local, about 30 administrative staff and field representatives were working without any standards for salary, travel allowances or benefits. In October 1979, to address these discrepancies, the staff union formed. Our Union was originally called, United Field Representatives and Staff Union (U.F.R.S.U.). From the beginning, one of our goals was to affiliate or merge, with either other independent unions or a larger International Union. In 1989, this goal became a reality when we affiliated with the United Steelworkers (USW).

When we negotiate a contract, we are not only negotiating for our benefit, but we are continuing the hard work of our predecessors and building a solid foundation for future members. It is through contract negotiations that we maintain a standard of living that all employees deserve.

We are not alone in this contract fight. This is our first negotiation with an active USW SOAR (Retiree) Chapter. The support of our SOAR Chapter allows our retirees to remain active in our local and provide us with a wealth of experience and history in our fight for a fair contract.

As with any Union, our strength comes from the unity of our membership. Without unity, the gentlest breeze would push us around like a tumbleweed, but our strength in unity allows us to withstand even the strongest wind. It is this strength in unity that gives our negotiating team what they need to get a fair contract. Let's start showing our unity by wearing our USW shirts or pins on Fridays.

In Unity Always,

Ed Bradley

President, USW Local 9265



President's Message	1	SOAR	4
Bargaining Update	2	Photo Gallery	5
Grievances in General	3	Remembering Harold Eisenstein	6

BARGAINING UPDATE

Hello USW Sisters and Brothers,

I wanted to take this opportunity to provide to you a full update on the status of the contract negotiations between USW and PEF. As we turn the page into 2023 I can report to you that negotiations are moving along, they are moving along fairly well, and while we would like to have had a deal done by now, we are optimistic that a deal will be reached soon.

Our bargaining with PEF started with our USW Executive Board selecting an excellent and diverse negotiations committee. The committee is representative of all of us in the bargaining unit. On the committee are professional and administrative members, members from various locations throughout the state, members with a lot of seniority and more junior members, and members from a variety of departments, including MBP, Field Offices and Headquarters. I was honored to then be asked to be the chief negotiator for this round of negotiations.

Our first order of business was to provide to the committee training and education in how collective bargaining works. Last spring, the executive board authorized the hiring of a professional labor educator with years of experience to come to Albany and provide a multi-day in-person education program to the committee. Following that training, the committee put out an extensive membership survey to gather input from every USW member on our priorities for this round of negotiations with PEF. Our committee took your input and got to work preparing initial proposals and planning our bargaining strategy.

This summer we began negotiations with PEF in person in Albany. Since then, we have been at the table with PEF, generally, 2-3 times per month, give or take. The sessions have been cordial, professional, and generally productive. While there have been disagreements at times, and while the sides are still far apart on some items, overall, I am comfortable reporting that negotiations are progressing well. There was a lull in bargaining around the end of the year due to a few sessions being cancelled due to illnesses in both USW and PEF's bargaining teams, as well as challenges arising out of scheduling around the holiday seasons.

Recently, we were back at the table in December and January, and, in addition, we scheduled a few small-table breakout sessions with a smaller group of negotiators from each side. This has been a productive exercise to discuss and resolve a number of "lower priority" items.

So, where does bargaining stand currently?

The major items are still on the table. As reported out before, USW stands committed to addressing our top priority items of a real telecommuting plan for all staff, wage increases that address the rising inflation we all are struggling with, and holding the line against increases to our health care costs - particularly in a time of excessive inflation. PEF understands that these are our priorities as we have communicated that to PEF at every step along the way.

PEF has expressed concerns that they need to keep wage increases down in relation to what they expect their dues increases will be in their next round of bargaining with the State, and in the face of slightly lower membership numbers, and PEF has expressed concern over the rising cost of health care they face in providing our coverage to us.

These issues are not a surprise to anyone and we are working hard to try to bridge the gap on these issues.

We will continue to provide updates regularly along the way. But we ask you to remain strong and solid in your support of your union. Recently, the administrative staff of NYSUT banded together to fight for a strong contract. NYSUT was attempting to not allow administrative employees to telecommute fully - and was unjustly and unreasonably trying to limit which administrative staff could telecommute and how much telecommuting time those that were allowed access to the program could use. Their solidarity and willingness to stand together ultimately won the day and NYSUT was forced to address their very real and very legitimate requests. As we head into the second half of our negotiations with PEF, I ask each and every one of you to remain in solidarity with your negotiations team. We will be asking you to take actions in the coming weeks to show your support. Whether it be something as small as wearing a USW shirt to work, or something larger like leafleting on or off site, attending events in the community, or some other action, your support is what will ultimately win us the contract we deserve.

We showed up for PEF and for PEF's members over the last three years of the pandemic. Now is the time for us to show up for ourselves.

In solidarity,

Shaun Francis

Steward and Chief Negotiator

GRIEVANCES IN GENERAL & GRIEVANCES SPECIFICALLY (MBP)

Merriam-Webster Dictionary defines a “grievance” as “a cause of distress (such as an unsatisfactory working condition) felt to afford reason for complaint or resistance.” This definition notes that “unsatisfactory working condition[s]” are not the only “cause[s] of distress” that give us “reason for complaint.” In Seinfeld, “festivus” was a fictitious holiday where one of the main celebratory events included the “airing of grievances” – although fictitious, this was an example of how grievances exist in life beyond the workplace.

In the workplace, that Merriam-Webster definition is accurate, and, oftentimes, “airing” grievances is done informally. We might complain because the last person to use the stapler left it jammed or without staples. We might complain amongst ourselves because our supervisors want work performed a certain way and we believe their method is inefficient or nonsensical.

Grievances, however, can have a more formal process of expression, especially in a unionized workplace. Here, Article 3 of our collective bargaining agreement (“CBA”) includes a “grievance procedure,” and the CBA defines “grievance” as “a dispute concerning the interpretation, application, administration or violation of the terms and provisions of [the CBA].” So, unlike the Dictionary definition of “grievance,” our formal grievances cannot be tied to any “reason for complaint or resistance” – there must be a connection to the “terms and provisions” of our CBA.

Additionally, under our CBA, grievances may proceed to final and binding arbitration in front of a neutral arbitrator. Prior to arbitration, the grievance is presented in writing and it must be presented within a certain timeframe. Likewise, after the grievance is presented, PEF has a certain amount of time to respond in writing.

Grievances also stem from Article 6 of our CBA, which gives permanent USW members the right to file a grievance in response to disciplinary action proposed by PEF. These grievances are intended to contest specific charges lodged against an employee and, assuming the employee is guilty of any charge, contest the proposed disciplinary penalty. Like contract interpretation grievances, these grievances are presented in writing and must be presented within a certain timeframe.

Since I began serving USW as a Steward in August 2022, I have primarily worked with our members in PEF’s Membership Benefits Program (MBP). Hands down, the majority of the issues brought to my attention involve leave time. And with respect to most of those leave time issues, no grievance filing was needed: with or without my intervention, most issues are resolved without formal action.

Still, even with an informal resolution, members are (1) first denied leave and (2) fighting for that eventual approval. Also, management’s rationale for denying leave time appears to be echoed from individual denial to denial: “operational need.” Without any further explanation from PEF regarding the operational need for a single day of leave, the concern is that members may be discouraged from submitting a leave slip if they believe it will be met with a denial that will only be reversed with their justification for wanting to take leave.

In September, this ultimately escalated to a rule implemented by MBP that established blackout dates during certain weeks, including the week leading up to Convention and Family Days, for everyone in MBP (again, due to “operational need”). This was the first time that blackout dates were instituted. In response, we filed a grievance challenging this across-the-board prohibition. Proceeding through the grievance procedure, it became clear that arbitration would be necessary. It also became clear that PEF could identify no changes between past years and 2022 or 2023 that might have explained their position that employees could not take leave for vacation.

Arbitration was scheduled for January 10, 2023, but a few weeks before arbitration, PEF essentially abandoned the blackout dates via memorandum to MBP. USW provided input to PEF regarding the memo to ensure that blackout dates would be lifted and no further grievance would be necessary. Accordingly, the matter was resolved and there was no need for arbitration.

While individual issues and the “blackout dates” grievance may be resolved, I am still concerned that leave time may be an issue with our MBP members. I hope that everyone in MBP will alert us if problems arise. Please reach out to me or another USW representative if necessary.

And, again, thank you to everyone who helped us prepare for arbitration. Without evidence (testimony and exhibits), we would have a difficult, if not impossible, task of proving that PEF violated your contractual rights.

In solidarity,

David Friedman

Mid-State Steward

UNITED STEELWORKERS

SOAR

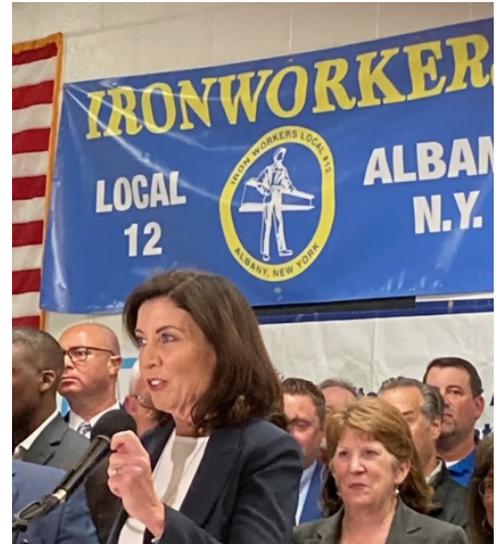
STEELWORKERS ORGANIZATION OF ACTIVE RETIREES

In September of 2021, SOAR Chapter 4-17 was established! Prior to this, in Atlantic City in 2021, President Priscilla Marco was presented our Certification plaque to make Chapter 4-17 official. We had our 1st meeting on September 23rd. This has been a busy year for our fledging chapter. We have continued to grow in membership as people from USW 9265 retire, and have been meeting bi-monthly on Zoom with a guest speaker each meeting. In November 2021, District 4 Director Del Vitale spoke to us regarding Infrastructure and we asked SOAR Chapter 4-17 and USW Local 9265 members to fill out We Supply America post cards in support of the Infrastructure Bill. In January 2022, we began the year with a virtual visit on Zoom from USW Secretary Treasurer John Shinn who explained the Build Back Better Bill, The Pro Act and Voter Rights and Justine Medina, an organizer from the Amazon Labor Union. In March 2022, we had Congressman Paul Tonko discussing the fight to preserve Social Security benefits. In May 2022, Mark Emanation from the Capital District Area Labor Federation (CDALF) provided information about CDALF and what they provide to communities and the middle/working class. In more recent meetings, we discussed applying for Medicare, which now is such a complicated process that PEF has its own navigator to assist members in deciding which supplemental plan to get. We also have discussed why Medicare Advantage plans may be a bad idea as there is a lot that they do not cover. President Priscilla Marco was privileged to be asked to be a delegate from SOAR District 4 to the SOAR International Convention in Las Vegas in August. Bradley Kolb, USW Next Gen Coordinator for District 4, and Treasurer for Local 9265 was also in attendance at the USW Convention. It is a testament to our activism as a local that we were both able to attend our conventions.

Officers from our chapter attended the Local's Conference Day in Albany and we helped with registration. And in September 2022, officers and members attended not one but two Labor Day parades!

(Albany and NYC). We have been posting labor news on the local's Facebook page to show solidarity, most recently when former USW member Milena Pisano asked for support for the union she now belongs to. SOAR membership is open to retirees and current members who are over age 45 for the low price of \$12 annually. If you would like to join SOAR, please contact Nancy Holford (nholf@aol.com) or Lisa Pinkard (lisapinkard9@aol.com) for an application form. The more members we have, the more dues we can get back from the International. We are active retirees, which means we help in political campaigns. SOAR 4-17 and 9265 members attended a rally for Governor Hochul. In her speech, Hochul stated that she comes from a working-class family and that Labor will have the most friendly and supportive governor in our history. The USW International asked active and retired members to fill out postcards to union members and in our local communities to encourage them to vote in support of middle/working class family issues. We have had 6 meetings to date. Our meetings are short (generally one hour) and we try to give information that you need. Join us! Our Officers for SOAR Chapter 4-17 are: Priscilla Marco- President, Gary Cunningham- Vice President, Nancy Holford -Treasurer, Lisa Pinkard- Secretary, Andrea Coton , Lenny Mangano, and Blair Burroughs-Trustees.

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REMEMBERING HAROLD EISENSTEIN



On August 13, USW Local 9265 lost a union brother to a years-long battle with cancer. Harold Eisenstein dedicated his life to working people and justice. He was a committed labor attorney, working both at the Public Employees Federation and the New York State United Teachers.

He was passionate about educating others on the need for social justice, equity, and equality. He taught others about his parents' experiences as slave laborers and survivors of the Holocaust, using these experiences to draw comparisons with the current political climate in the United States. Harold had a passion for history, specifically, the Civil War, Reconstruction, and Black history. Although he was upset by the current state of the world, he was always optimistic. He believed in the power of organizing and community.

Harold was a frequent face at USW meetings and on picket lines, rallies in support of striking workers and activities to support organizing drives. He took inspiration from Dr. Martin Luther King's fight for a future that would provide a better life for all working people. Harold recognized that economic and social justice will only be achieved when all working people have the right to join a union. Speaking with one voice, we increase our political power and ability to obtain fair pay, benefits, working conditions, and a secure retirement.

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TARA BENTLEY
Vice President, Administrative Unit

MARTIN BLAIR
Vice President, Professional Unit

MEGHAN KEEGAN
Financial Secretary

NIKI GRABO
Recording Secretary

BRADLEY KOLB
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BLAIR BURROUGHS
DOMINICK MANNINO

Mid-State:
SHAUN FRANCIS
DAVID FRIEDMAN

Western:
BOB BECKWITH

