

UNITY

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November 4 results inspire hope among Union campaign workers

By Terry Duncan
Editor

Council 220 President Witold Skwierzynski slogged through six inches of snow one day and donned shorts a few days later to convince Union families in Erie, Pennsylvania, to vote their interest. They did: Kathy Dahlkemper claimed the House seat from a two term incumbent.

Atlanta Regional Vice President Jackie Burke rejoiced with other Local 3509 members when her home state of North Carolina sent “Elizabeth Dole back to Kansas,” voting labor-friendly Kay Hagan into her Senate seat.

In Oregon, AFGE activists from the Seattle Region helped fight off an attempt that would have made it illegal for public employees to contribute to their unions and to charities through payroll deduction.

Florida Local 2014 President Janet Winghart still laughs at the memory of 300 waving good-bye to John McCain as “Happy Trails to You” played courtesy of AFGE Fifth District’s Harry Merlet at an election night celebration.

Ohio Local 3448 members Darlene Tinsley and Dave Sheagley welcomed a dozen AFGE members into their home for a chili dinner and telethon: “I think we made about 600 calls that night,” Sheagley told *Washington Post* columnist Joe Davidson.

In city after city, particularly in must-win states for Barack Obama, AFGE paid Union members to leave their Federal day jobs and marshall volunteers to prepare mailings, man

phone banks and knock on doors of Union families. They mostly worked out of AFL-CIO central labor council offices.



A Hug in Grant Park

Agatha Joseph (left) and granddaughter Aminah Joseph pose for a snapshot the evening President-Elect Barack Obama gave his acceptance speech in Chicago.

Joseph said, “We both did not want to miss any part of this history-making event. The crowds were fantastic—it was truly a love fest of goodwill that night. This was truly reminiscent of the ‘sixties’ for me.

“Aminah has been so excited with the whole political process. The only regret she had was not being old enough to vote.”

Local 3937 President Steve Kofahl said, “I am very proud of the Labor 2008 effort made by our local’s activists. Our state legislative coordinators—Tim Roark, Oregon, Andrea Wassner, Idaho, Monica Rodgers, Alaska, and myself—became organizers during the campaign.”

Then the pay-off came the evening of November 4, as the returns from state after state were announced.

“After living so many years in a state that couldn’t seem to vote for a President who cared about working families and their rights to have a Union, I can’t tell you how much it means to see our hard work pay off,” said Burke. “North Carolina was won by approximately 13,000 votes. Labor really helped deliver our state!”

Skwierzynski expects the change in Administration will be noticed by Social Security workers:

“The President-Elect has already made commitments of what he’s going to do for SSA. He’s stated he appreciates the work of SSA employees. Hopefully, he’ll make appointments to top level positions who will commit to the Union.”

The change coming from the heart of the campaign was more clear: “On election night, I’m knocking on doors at night in a low income neighborhood. People were so happy and proud they voted — happy to participate in this election,” Skwierzynski said.

More photos from the campaign, page 6.

Bats and ants the latest challenges

The Social Security Office in St. Augustine, Florida, had to be closed this summer when more than 1,000 brown bats were discovered in the ceiling area.

Tom Moore, whose company was hired to remove the mammals, said the biggest health concern was the excrement left behind by the bats. It's unknown how long they had been living in the ceiling or how they managed to get there and stay inside.

Employees were sent to nearby offices to work and no injuries were reported. Jim Richardson, the President of AFGE Local 4056, said over 500 ceiling tiles would have to be replaced. A business adjacent to the SSA office stayed open during the ordeal.

According to the Centers for Disease Control (CDC), several steps should be taken once a hazard like this is discovered:

"If a colony of bats or a flock of birds is allowed to live in a building

or a stand of trees, their manure will accumulate and create a health risk for anyone who enters the roosting area and disturbs the material. Once a roosting site has been discovered in a building, exclusion plans should be made, and the extent of contamination should be determined. When an accumulation of bat or bird manure is discovered in a building, removing the material is not always the next step. Simply leaving the material alone if it is in a location where no human activity is likely may be the best course of action."

At the same time that bats were a problem in Florida, an employee attending a training class in Dallas was attacked by ants while she was in bed in her hotel room. Howard Egerman, Chairman of the Council 220 Health and Safety Committee, wrote to a number of people about the incident and received an e-mail response from Regional Commissioner Ramona Schuenemeyer.

"(The employee) was not hospitalized for the ant bites," Schuenemeyer wrote. "She did receive outpatient services from a nearby medical facility, and the hotel will assume full responsibility for these medical charges. In addition, as an extra measure to ensure (the employee's) well-being, she was examined by the onsite medical staff in the Dallas Regional Office.

"To the best of my knowledge, no other medical issues exist, but (the employee) was asked to complete a CA-1 workers compensation form for further evaluation by the Department of Labor."

The employee was moved to another room within the same hotel.

"The staff in the regional training facility are evaluating our continued use of (the hotel) as a housing option for local trainees," Schuenemeyer explained. "In our review, we will take into account many variables, including this incident."

Hurricane affected employees short-changed

A grievance filed against the Social Security Administration because the agency refused to help employees who were recently affected by Hurricanes Gustav, Hanna, and Ike may be resolved more quickly than expected.

The grievance was sent to Commissioner Michael Astrue and was signed by Dana Duggins, Litigation Chairwoman of the SSA General Committee. She alleged that high-ranking agency officials violated several articles in the National Agreement, as well as guidance from the Office of Personnel Management (OPM).

"We had hoped that SSA admin-

istrators learned from Hurricane Katrina back in 2005," Duggins told **UNITY**, "but they didn't. They made all the same mistakes and very, very few of them did anything to help employees and their families who were impacted by these hurricanes."

She also claimed that Social Security failed to:

- Coordinate benefits with FEMA for the employees and their dependents;
- Properly implement travel and per diem;
- Treat employees fairly and equitably in terms of Administrative time and other leave

procedures;

- Help with counseling services, and
- Provide relocation expenses when necessary.

As part of the grievance, Duggins asked that members of the bargaining unit "be properly compensated in accordance with OPM guidelines...this includes but is not limited to evacuation payments, hazardous duty pay, overtime pay, night pay and compensation time for travel."

The Union also wants all members of the bargaining unit who were affected by the hurricanes and

See Hurricane affected, p. 3

Conrad retires, not fired, in settlement

By John Oertel
Staff Writer

Susan Conrad can now say that she *retired* from Social Security.

She was originally fired from the agency last December after nearly 32 years of service (see the January 2008 **UNITY**), but Conrad quickly sought help from AFGE, which filed a grievance and then took the matter to arbitration.

A financial settlement of the grievance/arbitration case was later reached and Ms. Conrad retired from the agency. She still serves as Executive Vice President of Local 1164 in Boston.

"Management thought they were going to get rid of me," Conrad said recently. "I am not going anywhere. Instead, I promise to continue to serve as an effective advocate for the members of my Lo-

cal."

Her Union attorney, Kirk Bigelow, has long claimed that Conrad was terminated because she was an outspoken representative for the bargaining unit. She had been a full-time Union official from 1991 until 2005, when a change in the National Agreement reduced her official time and she again started taking SSI claims part-time.

"Once the current contract went into effect," Bigelow told **UNITY**, "management came down hard on several active unionists. That resulted in serious disciplinary action being taken against them, and Susan was certainly on the receiving end of their wrath."

Bigelow said Conrad had scored impressive victories in EEO complaints, unfair labor practices, and



Susan Conrad

promotions.

Other Union officials who worked on her termination case included: Louetta Keene, Area Vice President for Local 1164; Council 220 President Witold Skwierczynski; John Riordan, Council 220 Representative; and Local 1164 Steward, Wilson Osorio.

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Hurricane affected must wait Cont'd from p. 2

whose homes are considered "uninhabitable" to be given a special subsistence allowance to help with their expenses, including lodging.

Witold Skwierczynski, spokesman for the SSA General Committee, also wrote to several members of Congress about Commissioner Astrue and his refusal to deal with AFGE on a number of key issues. Among them were the agency's failures during the most recent hurricanes.

In a letter to Senator Max Baucus (D-Montana), chairman of the Senate Finance Committee, Skwierczynski noted that "although Commissioner Astrue made a commitment to you during his confirmation hearing to improve communications and work

with AFGE, he has not honored this commitment. The relationship with AFGE and SSA management has continued to erode under his leadership. SSA's lack of concern for employees affected by Hurricanes Ike and Gustav are perfect examples of the eroded relationship."

However, Astrue did respond to Baucus on November 3, that the Agency "would pay approximately \$680,000 in travel and per diem to employees evacuated as a result of the storms." Astrue blamed the delay in responding to employee needs on limited Agency resources due to the continuing resolution:

"Consequently, we must scrutinize our expenditures carefully..." Astrue wrote.

Clients, workers suffer through mold, fumes

By John Oertel
Staff Writer

Working conditions in the Colorado Springs Social Security Office recently went from bad to worse, as employees and their claimants first had to suffer through noxious fumes and then a ceiling that collapsed in several parts of the building.

The manager of the office is Connie Cookson.

The problems began when a crew began tarring the roof, said Pam Baca, the President of Local 1802 and the AFGE Denver Regional Vice President.

“For almost three weeks, several employees reported severe headaches and nausea from the fumes, in addition to constant burning in their nose, eyes, and throat,” she told **UNITY**. “Several asthmatic employees suffered constant nosebleeds and many left work due to illness. Others reported migraine triggers, including loss of vision and extreme dizziness.

“The Union repeatedly requested that management, both locally and regionally, provide us with the names of the chemicals used in tarring the roof. We also wanted the material safety data sheets for those chemicals. All of the requests were refused.”

Baca pointed out that members of the public suffered as well.

“Several claimants and customers have complained to SSA personnel about the smell in the office and reported feeling ill while they were there,” she said. “Many customers filed formal written complaints after becoming ill. At least two people became seriously ill—one who needed a breathing inhaler and a second



Ceiling tiles missing where rains poured in, soaking Colorado Springs field office.

who was receiving chemotherapy treatment.

“Many of SSA’s customers are elderly or frail. They’ve been especially vulnerable to these fumes and they deserve better from this agency.”

Several weeks after that problem surfaced, employees in the Colorado Springs office had to deal with another issue.

“The city got monsoon rains and rain covers on the building failed,” Baca said. “The entire ceiling was saturated. The rain soaked the insulation, tiles, supports and electrical fixtures. As a result, the ceiling was basically collapsing in several parts of the office. Several light fixtures were also leaking water and others collapsed and fell. The carpet was completely saturated. Three counters were unusable and the entire break room closed because the ceiling and light had fallen.”

According to Howard Egerman, chairman of the Council 220 Health and Safety Committee, about 40 tiles from the ceiling came down. Mold and mildew were also a problem.

Management’s solution was to close the office for just two hours on a Friday afternoon. Employees were then expected to report to work on Monday morning, but at press time, Baca said many of them were still feeling ill and a majority had gone home sick at various times.

The situation was not expected to end for awhile because even after work on the SSA building was complete, tarring would begin on an adjacent building, with noxious fumes continuing to permeate the area.



Union questions GAO findings on ISBA

A recent study prepared for the Social Security Administration claims “frontline employees generally support the Internet retirement application,” but a review of that document reveals a serious flaw.

The report was prepared by the agency’s Office of the Inspector General (OIG) and sent to SSA Commissioner Michael Astrue.

No members of the bargaining unit were interviewed as part of the study, which read in part:

“We interviewed operations supervisors in 54 FOs (field offices) ...on their experiences with processing the Internet retirement applications. In general, their responses confirmed that front-line employees supported the Internet retirement applications despite some of the challenges identified...”

Jim Campana, the Second Vice President of Council 220 and a Claims Representative in Lansing, Michigan, wrote to Patrick P. O’Carroll, Jr., after looking-at the report. O’Carroll is the agency’s Inspector General. Campana’s e-mail was also sent to Astrue and Deputy Commissioner of Operations, Linda McMahan.

“Your reliance on FO supervisors for information on problems and attitudes of the employees who use ISBA (the Internet Social Security Benefit Application), and process claims from it, is reliance on second-hand information. It is also reliance on information from those whose job is, in part, to trumpet the positive aspects of ISBA, and to downplay its negatives.

“If you wanted to find out what the employees who actually use it think about ISBA, you should have gone to those employees...My guess is that you would have re-

ceived very different answers.”

Campana acknowledged that some members of the bargaining unit may have felt intimidated and would not have offered their candid advice to the OIG staff, but he said there was a way to deal with that problem: devising a survey that would have been truly confidential.

If for some reason that wouldn’t work, he thinks “they (the OIG personnel) should have talked to the Union because most of us do this claims work ourselves, plus we hear what our co-workers tell us, and we are the employees’ exclusive repre-

sentative,” he told UNITY. “We would not have held back.”

The study also alleged that Internet retirement applications saved Claims Representatives an average of 13 minutes (over having to take the claims themselves), an increase from nine minutes in 2006.

“The agency keeps coming-up with these phantom statistics,” Campana said, “and the people who run SSA will apparently say and do *anything* to get more Americans to file online, whether or not they disadvantage themselves .”

Study examines DDS turnover

A 103-page report prepared for the Social Security Administration shows nationally many Disability Determination Services (DDSs) suffer high attrition rates and many of their employees earn substantially less than their counterparts in other government agencies.

“This has resulted in the DDSs serving as a training component for public and private agencies and created DDS recruitment and retention problems and gaps in key knowledge and skills,” the report stated. It was sent to Linda McMahan, the Deputy Commissioner of Operations for SSA, and Associate Commissioner Ruby Burrell.

Prepared by the Office of Disability Determination and DDS Recruitment and Retention Workgroup, the study identified 147 issues:

“The number one issue identified by the group is ‘DDSs have a critical and urgent need for a proactive strategy to replace staffing losses immediately in order to provide

timely and accurate services to disabled Americans.”

During Fiscal Year (FY) 2006, the DDS attrition rate was 11.2% for all staff and 12.7% for examiners only. Within Social Security, the attrition rate during that same period was just 6.84% of all permanent employees.

“It is important to acknowledge,” the report stated, “the frustration and concern expressed by DDS staff, including Administrators, who participated in this workgroup because of several previous efforts by SSA to address retention and recruitment, without any recognized outcome or deliverable.”

The study also noted that “there is a lack of guidance from SSA in addressing minimal qualification requirements, training, performance expectations, and suitability of critical DDS personnel.”

The report suggests a set of national minimal salaries for key DDS positions.

A look back before Jan. 20, '09 begins a new era



Just a sampling of the folks who hit the '08 campaign trail, not just for Barack Obama, but also in support of Labor-friendly candidates and ballot issues across the nation: Clockwise, from top: Gary Sanders, retired AFGE Local 2014 member, stumps for Obama in Florida. Local 3448 Secretary-Treasurer Darlene Tinsley gathers AFGE friends and family around her, preparing to march in the Cleveland, Ohio, Labor Day Parade; Local 4041 President Josie Marrujo joins AFGE Rep Joel Zamora in the New Mexico AFL-CIO office between rounds of Walk-Knock-Talk '08; Howard Egerman, Council 220 Health & Safety Chairman, enjoys a photo opportunity with Vice President candidate Joe Biden during a California campaign stop.



Employee Free Choice Act needed

Thanks in large part to the efforts of union volunteers around the country, working families won a strong victory on Nov. 4, sending Barack Obama to the White House and electing a stronger pro-worker majority of senators and representatives.

However, winning an election isn't the end of the fight. Now, our elected leaders need to tackle the worst economic crisis since the Great Depression. They have to keep their promises to the people who voted for them—and we have to give them the support they need to make the tough choices.

We need an economic recovery package that will turn around this broken economy for working families with good jobs, green jobs, re-regulation of our financial system and health care that works for all of us. But no matter what else we do, it won't result in real shared prosperity unless we restore workers' freedom to form unions so they can bargain for a better life with better wages and benefits.

That's what this proposed legislation, the Employee Free Choice Act, will do. The Employee Free Choice Act will:

- Put real teeth in the laws that are supposed to bar companies from intimidating, harassing—even firing—workers who want to form unions.
- Allow workers to form their union when a majority signs cards indicating that's what they desire.
- Require arbitration to end corporate foot-dragging when workers try to get a first contract.

The Employee Free Choice Act will level the playing field that today leaves all the power in the hands of corporations, not workers.

And Big Business and the front groups set up by corporations are preparing an all-out, \$200 million propaganda and lobbying war to block it.

Unions have made passage of the Employee Free Choice Act a top priority for this year because it is the key to good wages, benefits, a

voice in the workplace and the amplified political voice unions bring workers. In 2007, the U.S. House passed the measure and it had majority support in the Senate, but a minority killed it with a filibuster, emboldened by President George W. Bush's promise to veto the legislation. Now we have elected a new Congress that has promised to be beside us in this fight and a president who has promised to sign the Employee Free Choice Act.

FMLA deserves a second look for workers who need more time

(Editor's Note: The following letter was written by a member of the bargaining unit and sent to Sylvia Norman, the President of AFGE Local 3172 in Northern California).

"Sylvia, I have an ill brother (with cancer) whom I need to help getting him home and hopefully get some type of help for. I went to my supervisor to ask if I could get some time off so I could help him. According to her, she could only approve for 2 days due to a holiday. She also stated that my brother 'was an adult' and I am not responsible for him. My reply was 'He is still my brother.' I asked if I could (use the) FMLA (Family Medical Leave Act), but she said she could not approve any type of leave. Yes, I'm upset since my brother has no other family to help him."

In response to the letter, Local 3172 responded to the supervisor that she needed to look up the FMLA. Clearly she did not understand the law, and it really didn't matter that the employee's brother was an adult. The employee was granted time off.

FMLA was expanded in 2008 for military families:

(1) New Qualifying Reason for

Leave. Eligible employees are entitled to up to 12 weeks of leave because of "any qualifying exigency" arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation. By the terms of the statute, this provision requires the Secretary of Labor to issue regulations defining "any qualifying exigency." In the interim, employers are encouraged to provide this type of leave to qualifying employees.

(2) New Leave Entitlement. An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to 26 weeks of leave in a single 12-month period to care for the servicemember. This provision became effective immediately upon enactment. This military caregiver leave is available during "a single 12-month period" during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.



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Inside:

November 4 inspires hope pg 1

Bats and ants bug SSA pg 2

Conrad no longer fired pg 3

Union questions ISBA report pg 5

Photos of Campaign 08 pg 6

Employee Free Choice Act pg 7

Manager named in EEO complaint awarded

Albert Alvarez, the manager of the Social Security Office in Odessa, Texas, continued to receive large amounts of award money even after being criticized in an EEO complaint, according to information obtained by **UNITY**.

"This should send a very strong message to the bargaining unit," said Debbie Fredericksen, the Executive Vice President of Council 220. "Management officials really do look after each other."

UNITY submitted a Freedom of Information Act (FOIA) request to SSA in December, 2007 to determine if Alvarez was given any performance awards after the EEO issue was resolved. A final response was not received *for nearly seven months*, even though the agency's own guidelines state that information should be provided within a month.

During that seven month period, numerous phone calls were made to the FOIA staff at Central Office in Baltimore, but their automated telephone system would just hang-up on the **UNITY** reporter. There was no way to leave a message.

According to the agency's own re-

cords, Alvarez received an individual performance award in March, 2005 (less than a year after the EEO complaint was resolved). He was given two more in 2006 for \$1,450.00 each.

In 2007, Alvarez was selected for a detail as Deputy Area Director.

Administrative Judge Robert L. Powell issued his decision in the EEO complaint in April, 2004:

"What the evidence clearly establishes is that District Manager Alvarez likes to put his hands on female employees or come into bodily contact with them," Powell wrote in the 17-page ruling.

"I heard evidence that he bumps into females passing in the hallway at work. He puts his arms around female employees. Standing behind, he leans over seated female employees. And he pinches employees. He embraces and hugs female employees. He likes to startle them by leaping out from behind cabinets or sneaking up behind female employees and poking them in the ribs.

"The assistant district manager, Debbie Almond, testified that she has seen Mr. Alvarez walk up behind females

standing at the copier and, quote, 'goose them...'

"What I have described above is not acceptable behavior for a GS-14 manager," Powell continued. "It violates the agency's own sexual harassment prevention policy. What is disturbing is, that until I critiqued Mr. Alvarez at the hearing, I did not get the impression that he saw anything wrong with his conduct in the workplace; neither did the assistant manager, Mrs. Almond."

Powell ordered the Social Security Administration to pay \$5,000 to the female employee who filed the EEO complaint. He also mandated comprehensive EEO training for all of the employees in the Odessa office, including Alvarez and Almond.

"Let's imagine a member of the bargaining unit had engaged in this type of behavior," Fredericksen said. "The agency would have shown them no mercy – none – but when a manager is involved, the rules are completely different. As far as I'm concerned, SSA's sexual harassment policy doesn't have any credibility at all."