

UNITY

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Council delegates elect officers, agree to fund contract campaign

Look for more information from AFGE Council 220 on negotiations in the next year, thanks to a modest per capita increase passed at the council's convention in Reno, NV, in August.

"We have to be 48,000 at the bargaining table, not just the few negotiators," said Council 220 President Witold Skwierzynski. "If we have a membership of 45 to 50 percent, the Agency is going to say, 'the members don't support the Union.'

"If we have 70 to 80 percent membership, the Agency is going to back off. We need employees to mobilize, to get out of the office with their signs and picket if necessary," he told the 95 delegates and alternates attending the convention.



David Sheagley/UNITY

Witold Skwierzynski addresses delegates at Council Convention

The delegates passed a 50-cent per month per capita increase starting in 2010. The increase will be used to help fund more issues of **UNITY** and additional membership-building initiatives.

In other business, delegates elected officers, including five by acclamation:

President **Witold Skwierzynski**, Maryland;

Executive Vice President **Debbie Fredericksen**, Minnesota;

First Vice President **Charlie Estudillo**; California

Second Vice President **Jim**

Campana, Michigan;

Third Vice President **Dana Dugins**, California.

Ken Keillor, Secretary, and Rita Pyle, Treasurer, did not seek another term of office. Of the two candidates for Secretary and three for Treasurer, the following were elected:

Secretary **Rosendo Rocha**, Michigan;

Treasurer **Debbie Dodd**, also

from Michigan.

In other business, a resolution to add a new TSC Vice President position on the Council's Executive Committee was passed. The selected



Terry Duncan/UNITY

New Council 220 officers take oath: Secretary **Rosendo Rocha** (left) and Treasurer **Debbie Dodd** are sworn in to new responsibilities.

individual must work in a teleservice center and will address concerns of on the 800# workers. The position will be filled by appointment of the Council President until the next Council 220 convention in 2012. As of press time, Skwierzynski had not announced his selection.

For more convention photos, go to afgec220.org



Region IX Management Training Forum

July 7-9, 2009

Managers enjoy good life at taxpayer expense

“Known throughout the world as the ‘Jewel of the Desert,’ the Arizona Biltmore provides a restful oasis of 39 acres covered with lush gardens, glistening swimming pools, and Frank Lloyd Wright-influenced architecture. Set in the heart of Phoenix, the Arizona Biltmore has been a favorite of celebrities and U.S. Presidents throughout its colorful history.”

-- Arizona Biltmore website

While members of the bargaining unit were processing claims and dealing with a sometimes irate public, an estimated 700 management officials from Social Security were recently treated to a three-day extravaganza at the Arizona Biltmore.

San Francisco Regional Commissioner Pete Spencer sponsored the meeting, which he entitled the “Management Tango.” **UNITY** obtained a copy of the agenda and it included door prizes, skits, a disabled dance troupe, and a lunch time comedian. The apparent purpose of the meeting was training.

“There were a lot of half-hour breaks and a lunch on day two which lasted one and three-quarter hours. Where were the managers?” asked Witold Skwierczynski, Council 220 President.

FOX News Reporter William Lajeunesse covered the event and he estimated its cost at \$750,000 (or approximately \$1,000 for each of the attendees, who came from all over the West Coast, Hawaii, and other parts of the Pacific). He noted the agency has interactive conferencing facilities which could have been used but weren’t.

When FOX tried to film SSA man-

agers lounging by one of the resort’s eight swimming pools, agency officials managed to convince the Biltmore to bar a camera crew from the hotel.

“SSA’s high-ranking executives apparently didn’t want taxpayers to see what was happening,” Skwierczynski believes, “especially in the middle of the worst economic downturn in 80 years.”

One office in the San Francisco Bay Area posted a sign while its management officials were attending the “Tango” in Phoenix. That sign told the public Immediate Payments would not be available for several days (because no one was there to authorize them).

“Informing impoverished members of the public that SSA can’t issue them emergency payments because management is partying at a lavish Arizona hotel is outrageous,” Skwierczynski said. “Pete Spencer should have required that a manager remain in each office to properly serve the emergency needs of the public, but he chose not to. His callous disregard for the public indicates that he has no concept of public service.

“He should be fired for putting on such an ostentatious display of management excess. The crooks of AIG would be proud of him. Every office should have a contingency plan, in case someone needs help – but the SSA officials in that office were obviously more interested in having fun than serving the public.”

He believes the agency’s priorities disadvantage the bargaining unit.

“Two years ago, Commissioner Astrue decided to stop sending 40-year employees to Baltimore for the recog-

inition they deserve,” Skwierczynski said. “Astrue said the agency didn’t have the money, so I have to ask: where did the money for this lavish get-together come from? And why did Commissioner Astrue, five Deputy Commissioners and their entourages participate in and endorse this waste of taxpayer money?”

“New and promoted SSA employees in the field are trained for months at a time by way of interactive video training,” Skwierczynski continued.

“These employees sit in an office day after day and watch IVT while trainers

[See TANGO, page 3](#)

UNITY

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Member: AFGE Editors Association

Political hero



Darlene Tinsley, Local 3448, accepts recognition as an activist during the 2009 AFL-CIO national convention. Tinsley

gave a brief description of her political activities during the 2004, 2006 and 2008 campaigns for the Ohio AFL-CIO.

Not happy with appraisal? File a grievance!

Very soon, members of the bargaining unit will be receiving their annual appraisals. If 2009 is like the last several years – and many Union officials believe it will be – outstanding employees will not be recognized for their achievements.

“Too many SSA employees are given a rating of ‘3’ when they actually deserve a ‘5,’” says Dana Duggins, the Third Vice President of Council 220. “Managers and supervisors have done a very good job of convincing their staffs that a ‘3’ is OK and they shouldn’t fight

it. That’s *very bad advice* which employees should ignore.

“I want everyone who’s unhappy with their appraisal to talk to their Union Rep and consider filing a grievance. That’s the only way this deplorable situation is going to change.”

Duggins noted that management officials are continuing to receive large bonuses based on the work their employees have done.

“If your manager or supervisor is rewarded for their ‘hard work,’ you should, too,” Duggins said.

TANGO

Cont’d from page 2

instruct them from remote locations. Apparently the folks who run SSA feel that bargaining unit employees should be trained through IVT but managers deserve the amenities of the Arizona Biltmore when they get some instruction. Besides the eight swimming pools, the hotel luxuries included seven tennis courts, two 18-hole golf courses, a spa and five restaurants.”

Earlier this year, Social Security received more than \$1 billion from Congress in stimulus money to hire more staff, speed-up disability appeals and improve SSA’s systems processes.

“I don’t know how much of this money may have been diverted to management conferences,” Skwierczynski told **UNITY**, “but is it coincidental that approximately \$750,000 in conference expenses were approved shortly after SSA became the recipient of those billion dollars?

“Why have 38 percent of respon-

dents to a recent survey in the San Francisco region indicated they have to use their own money to purchase office supplies because of a lack of office supply budget?”

As part of the stimulus legislation, Congress increased the transit subsidies that federal agencies can pay their employees to a maximum of \$225 a month. AFGE requested that SSA begin paying the higher amount, but Commissioner Astrue refused to increase the subsidies.

“However, he apparently sees nothing wrong in using SSA’s administrative resources to finance management’s conferences,” Skwierczynski said.

The Union has learned that SSA has sponsored numerous, similar events across the country. One contract for nearly \$22,000 was awarded to the Hyatt Regency in Bellevue, Washington for a Regional Award Ceremony and Management Conference, but that amount did not include the costs of per diem, lodging, travel and salaries for the hundreds of employees who went to the meeting. Week-

long conferences with hundreds of managers are scheduled or have taken place in the Atlanta, Philadelphia, Dallas, Kansas City, and New York regions.

UNITY has submitted a Freedom of Information Act (FOIA) request to the Social Security Administration, asking for the total cost of the Phoenix meeting. Those figures will be published at a later date.

“Commissioner Astrue is responsible for allowing this gross misuse of taxpayer dollars for the Management Tango in Phoenix and for those other unnecessary regional management conferences,” Skwierczynski concluded.

“By attending the Biltmore Tango, Astrue condones and endorses the AIG philosophy of excess corporate rewards for managers. Unfortunately for taxpayers this reward is funded by all of us. Commissioner Astrue’s condoning of this conference constitutes malfeasance. President Obama should fire this Commissioner and replace him with someone who is committed to spending tax dollars appropriately.”

SSA response to swine flu

Too little, too late?

“It’s all about grinding out the work.”

Loni Schultz, the President of AFGE Local 1346, believes that’s one of the reasons management at the Social Security Administration has done almost nothing to deal with the swine flu epidemic which erupted several months ago and continues to be a problem nationwide.

“It’s a failure of the agency to deal with any kind of emergency,” Schultz said recently. “They don’t react appropriately or efficiently. They’re slow, they’re fearful to take any action, and they just want employees showing-up for work.”

Wisconsin, she told **UNITY**, has the highest rate of confirmed H1N1 (swine flu) cases in the United States. As of mid-July, that number had jumped to more than 6,000 “which is more than border states like California and Texas. Mexico is apparently the place where the virus started.”

Earlier this summer, she asked Area Director Robert Pagan to close three Wisconsin offices: Downtown Milwaukee, Waukesha, and Greenfield. Schultz told him that one employee had been diagnosed with the virus and three others in a Claims Representative (CR) training class were sick.

Pagan refused to shutdown those facilities, even though Schultz told him that “one of the employees who is sick has a one-year-old child at home whose immune system has not developed fully. It is incomprehensible that management could fail to take necessary action to protect employees’ lives in such a manner.”

‘Lion’ will be missed

Howard Egerman (right) shakes hands with Sen. Ted Kennedy (D-Mass.), known affectionately as the “Lion of the Senate.” Kennedy passed away recently at the age of 77. He had a lifelong commitment to organized labor and working families and was an early sponsor of the “Employee Free Choice Act.” That



measure would make it easier for Americans to join a Union.

“His achievements were legendary,” Egerman said. “He pushed for immigration reform early in his career, the Occupational Safety and Health Administration (OSHA), civil rights, family medical leave, improvements to the minimum wage, the Freedom of Information Act, and health insurance for all Americans.”

That sentiment was echoed by Robert Haynes, president of the Massachusetts AFL-CIO:

“Ted Kennedy was the biggest champion of the ‘little guy’ to ever serve in the United States Senate.”

A similar incident occurred at the Frank Hagel Building in Richmond, Calif., which houses a Payment Center, the San Francisco Regional Office, and other departments. One person there was also diagnosed with swine flu, but Local 3172 President Sylvia Norman said SSA officials took almost no action to curb the threat, even though the building has about 1,000 employees.

Schultz also told **UNITY** that the manager of the Downtown Milwaukee office, Mark Kulinski, refused to close that facility in late 2008 after it received a bomb threat and there were bomb-sniffing dogs searching the outside of the building.

The Union was never formally notified of that incident.

“Kulinski said he forgot,” Schultz said with amazement.

She later reminded the agency that she and her Health and Safety rep were to be told of all serious incidents. When employees got sick from swine flu earlier this year, SSA officials did not contact her.

“They apparently didn’t think it was an emergency,” Schultz believes.

“We deal with an elderly population and with people who have autoimmune disorders. If they are exposed to H1N1, it could be fatal. That’s why those offices should have been shut down.

“It’s also been recommended that some employees wear face masks because of the risk they face, but SSA won’t pay for anything that will benefit the bargaining unit. They’d rather spend their money on management meetings like the one they had in Phoenix.”

TSR wins back pay; agency has no case

An arbitrator has thrown out a two-day suspension imposed by the Social Security Administration against a Fort Lauderdale, Florida Teleservice Representative (TSR).

The agency claimed the career employee (who will not be identified by **UNITY**) was discourteous to a female caller on September 28, 2007. She insisted several times that her SSI check was mailed on the last day of the month, while the TSR explained they were actually due on the first day of the month.

“(The grievant) was aware she had a mental disability,” Arbitrator Douglas F. Coleman wrote in his decision.

The employee was represented at the hearing by attorney Patti McGowan, as well as Janet Winghart, the President of AFGE Local 2014 in southern Florida. Winghart was also the Technical Assistant on the case.

“The Local did a very good job in gathering information,” McGowan said.

The agency’s investigation, however, consisted of a ‘fact finding interview’ conducted by a Unit Supervisor identified only as R. Torres.

“Mr. Torres informed the grievant (the TSR) that Mr. Pierre-Lewis, an Operations Supervisor in the Jamaica, New York office received a complaint from a client of discourteous service,” the Arbitrator stated.

“The Union’s investigation stated there was no such person as Pierre-Lewis working in the Jamaica, New York office; however, there was a Ms. Rita Pierre-Lewis working there and she stated she had no recollection of a call...

“The agency reported they do not have a written statement from the reporting supervisor in the Jamaica, New York office nor a written statement from the (female) caller.”

“The agency had *nothing* to back up its claim that this employee was rude or discourteous,” McGowan told **UNITY**. “They didn’t even call this Mr. Torres to testify – and he was the only witness Social Security had. I don’t know why the agency pursued this case. It was just arrogance.”

She also said that she has successfully challenged similar cases over the last four years because the agency didn’t have any hard evidence to bring against employees.

Because Social Security lost the arbitration, it will have to pay the employee for the grievant’s two days of lost wages and remove the suspension from the personnel folder. The agency will also have to pay McGowan’s attorney fees, as well as her costs for lodging and travel.

AFGE remains important part of labor movement in U.S.

Federal employees have long been at the forefront of this country’s labor movement, even during depressed economic times and political administrations that have been hostile to Unions. Because it’s important to remember the sacrifices made by past generations – and the hard work that continues today – **UNITY** wanted to outline some of the successes we have experienced since the mid-19th century.

1862: Employees of the Government Printing Office went on strike for an eight-hour workday. It lasted seven weeks, and in the end, the two sides reached a compromise: the employees received a pay raise, but their working hours were not decreased.

1868: An eight-hour workday was established for mechanics and laborers in the Federal Government, and they did

not suffer a drop in pay.

1916: The Federal Employees’ Compensation Act was adopted; it provided death and disability benefits for civilian employees in the federal sector who were injured on-the-job.

1932: The American Federation of Labor (AFL) charts the American Federation of Government Employees (AFGE), which begins with 562 members. By 1935 that number had grown to 20,000 members.

1943: The AFL adopts AFGE’s legislative program and campaigns for those issues on Capitol Hill.

1963: The Equal Pay Act is passed and it mandates that men and women who perform essentially the same work must be paid comparable wages.

AFGE’s membership had now risen to more than 108,000.

1972: AFGE establishes a Women’s Caucus at its national convention.

1973: The Rehabilitation Act of 1973 requires each federal agency to develop an affirmative action plan for the hiring, placement, and advancement of handicapped individuals.

1985: AFGE launches an extensive media campaign promoting Government employees as “Dedicated Americans Keeping Our Country Strong.” Union members and officers marched in demonstrations and rallies that year, protesting South Africa’s policy of apartheid.

1991: SSA mega-teleservice centers in Baltimore; Auburn, Washington; and Albuquerque, New Mexico are organized by AFGE.

2009: The Union begins negotiations with the Social Security Administration over a new National Agreement.

Officers 'retire' after years of service



Rita Pyle

29 years strong

Since she joined Social Security as an employee in 1965, Rita Pyle has been "active with the Union every minute."

Treasurer of Council 220 since 1980, and charter member of Local 3302, Rita stepped away from her Council position, but is not yet ready to retire from the Union: she is still her

Local's President. Deborah Dodd was elected as her replacement.

"I have stuck with Union members continuously. I have never been in management's back pocket," Pyle said.

Pyle negotiated two contracts with Regional management for her Local before the bargaining council was formed of SSA component Locals.

Council President Witold Skwierczynski is the only other officer whose Council experience comes close to the 29 years Pyle served as Treasurer.

"She's a character. Funny. Passionate about the Union. She kept a tight rein on Council funds for 29 years," Skwierczynski said.

Passionate about the Union may have been an understatement, particularly to the members of her family, some of whom made it to Rita's last convention as Treasurer this past August.

Pyle recalled one event in particular:

"My daughter brought home a paper from school for me to sign that sat for two days. When she reminded me to sign it, she told me 'if this was a Union paper, it would have been signed immediately.'"

She said her husband George often traveled with her and served as an unofficial secretary until his death in 2008.

Pyle said retirement will give her more time for family. But those who know her best know she won't be far from a Union office.

Time for new blood

"I did the job for 23 years and I thought it was time for new blood."

That's how Ken Keillor describes his decision not to seek re-election this year as Secretary of Council 220. Rosendo Rocha was chosen as his replacement at the Council convention in Reno last August.

"The Union has been good to me," Keillor told **UNITY**, "and I went to eleven conventions. I thought I made a contribution but I could feel it was time, kind of like a ballplayer. You want to quit when you are at the top of your game."

Keillor will remain as President of AFGE Local 3272. He is also a T2 Claims Representative in the Grand Rapids, Mich. Social Security Office, and he plans to keep both jobs for awhile.

Since being hired by SSA in August, 1975, Keillor has seen a lot of changes within the agency.

"It's less employee friendly, especially with the crowd that was brought in by the 'Bushies.' Even with Obama in office, it won't affect us until we see a change in SSA leadership," he believes.

Before arriving at Social Security, Keillor spent three years (1971-74) with the Peace Corps. He was stationed on the remote island of Palau, in the Pacific Ocean.

"It was interesting," he said fondly. "It's good to get out and see the world – but not as a tourist."

Married with two adult sons (both of whom were adopted), Keillor remembers when he and his family were featured in the SSA publication *Oasis*.

"They never mentioned that I was a Union rep," he recalls. "Never."



Ken Keillor

Awards program mismanaged? Agency does not account for large sums

By John Oertel
Staff Writer

Serious discrepancies have been found in Social Security's awards process.

While high-ranking officials continue to receive large bonuses each year (see the July, 2009 **UNITY**), members of the bargaining unit are not being properly recognized for their contributions. Because of that, the AFGE General Committee recently filed a grievance against the agency.

Spokesperson Jim Marshall noted in the grievance that more than 14,000 employees were eligible for a Recognition of Contribution (ROC) award, but only about 11,000 were granted. Information obtained from the agency also showed that just 571 employees were approved for a Quality Step Increase (QSI).

"The data reflects approximately 20% of the ROC eligible employees were not approved (for) an award for reasons unknown," Marshall stated, "notwithstanding the fact that some of these employees had appraisal averages higher than other award recipients..."

"In fact, employees with lower appraisal element averages were approved (for) higher awards than employees with higher element averages."

More than 57% of Technical Experts (TEs) received ROC awards, an average much higher than other positions. Only about 20% of Claims Representatives were given a ROC; for Services Representatives, it was 10.3%; 9.8% of Teleservice Representatives (TSRs) and 8.7% for Development Clerks.

"The data clearly shows that lower graded employees were significantly disadvantaged in their opportunity to receive a ROC award based on management not recognizing their outstanding contributions," Marshall told **UNITY**.

"It is vital to note that the agency acknowledged it did not spend more than \$2.2 million of ROC award funds for field office and teleservice center employees but allegedly transferred that money to the ECSA (Exemplary Contribution or Service Award) funds," he continued.

"The agency has stated it is unable to provide any specific information regarding how these transferred funds were reallocated to FO/TSC employees. Also, the agency unilaterally transferred slightly less than \$6

million in ERA (Executive Recognition Award) funds to the ECSA funds and cannot provide information on where the funds were reallocated."

Marshall also noted that bargaining unit employees who were awarded a ROC were not treated equitably. The amounts they received ranged from \$200 to \$3000, a violation of the AFGE/SSA National Agreement because employees are to be treated the same in all aspects of personnel management, including the awards process.

The Union has also discovered that while \$31.3 million was allocated for all awards during Fiscal Year (FY) 2008, less than \$30 million was actually handed out to bargaining unit employees. Approximately \$2 million is unaccounted for – funds which the Social Security Administration has still not been able to find (or will not disclose where it has been spent).

"It's possible those unaccounted funds were used to pay the high-ranking officials their large bonuses," Marshall said.

Another problem concerned the amounts given to bilingual employees. In every position, their top cash awards were smaller than non-bilingual workers.

The agency denied the General Committee's grievance by stating, "our position is that (we) did adhere to the contractual obligation in both the CBA (Collective Bargaining Agreement) and MOU (Memorandum of Understanding)."

"This matter is now set for arbitration and it will be interesting to see how the agency will try and defend its violative conduct," Marshall said.

UNITY recognized at AFGE National Convention

AFGE's Communications Department awarded Council 220's **UNITY** with the Clyde M. Webber Award for excellence in serving AFGE members through journalism. Council President Witold Skwierczynski received the award on behalf of the Publications staff at the National Convention in Reno, NV, in August.

UNITY was also recognized for Best Union Feature/News Story and Best Layout or Publication in its division.



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Inside:

<i>Convention wrap-up</i>	<i>pg 1</i>
<i>Tango in Phoenix</i>	<i>pg 2</i>
<i>Appraisal blues?</i>	<i>pg 3</i>
<i>Swine flu</i>	<i>pg 4</i>
<i>TSR wins back pay</i>	<i>pg 5</i>
<i>Officers retire</i>	<i>pg 6</i>
<i>Awards mismanaged</i>	<i>pg 7</i>

Arbitrator sides with Union on TSC issue

Bargaining unit employees at the Auburn, Washington teleservice center will benefit from a recent arbitration decision.

The issue involved requests for unanticipated leave and when employees could call and ask for time off. Management officials with Social Security said they would have to wait until the beginning of their shift to make that request. The Union contended that Teleservice center representatives (TSRs) could call as soon as the facility was open.

Arbitrator Michael E. Cavanaugh agreed with AFGE.

“Any agency policies to the contrary are inconsistent with the terms of the (National) Agreement and are therefore null and void,” he wrote in his 19-page ruling.

Tim Roark, the First Vice President of AFGE Local 3937 in Region X (Seattle) of SSA, represented TSRs at the arbitration hearing.

“We thought the language of the contract was clear when it came to talking about employees being able to call in for unanticipated leave,” he told UNITY.

Roark also praised the work done by Carrie Kitchen-Kofahl, the Union official who filed the original grievance over the matter.

“She did a great job and it really helped me,” Roark said.

Labor and management will have to develop a plan to identify employees who were harmed by the agency’s misinterpretation of the contract.

Cavanaugh also ordered SSA to rescind all disciplinary actions or AWOL letters issued after August 15, 2005 to any TSR who called and made a legitimate request for unexpected leave.

“Any employee who lost pay as a result of such discipline is entitled to back pay and/or to have his or her leave accounts adjusted accordingly,” Cavanaugh stated.

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