

Tony Tiscareno
President

Mark Valdez
Vice President

RANK & FILER



Jack Lenhart
Recording Secretary

Linda Doppe
Financial Secretary

Buzz Enea Jr.
Treasurer

September 2008 Edition

Local 1440

Letter from the President

Brothers and Sisters,

Contract negotiations are continuing this week with several local issues still up in the air. Some of our issues are related to language that was pending from basic steel; therefore, we had to hold submitting until we got word on their outcome. From the time basic steel tentatively agreed and ratified its contract, your committee was working diligently making sure any language agreed on would be added to our local issues if it made sense to do so. We have done that and will be submitting our remaining proposals to the company this week. As I have stated from the onset of negotiations, seniority or let me say it this way, company recognizing seniority has been a top priority for all of us. I believe basic steel has addressed this and I know we work towards the same. Some of our Line of Promotion Box Structures has been addressed as we felt there were some necessary changes to be made. We will also address manning levels for maintenance, contracting out and safety. Our International lead negotiator is due to arrive around the first week of October. We will then start addressing healthcare and pensions along with other economics that we believe we are entitled too.

As you are aware by now, the company has stated that Sheet orders are down and they plan to shut down the No. 1 CC Line and reduce crew sizes on the KMCAL and CC2 for the remainder of the year. They are also talking about layoffs for the first time since the fire at the PLTCM back in 2002. I have mixed emotions on their intent due to the profits they have attained the first three quarters of the year. They project to lose about 15 million the last quarter which would still make UPI profitable for 2008, nevertheless, the union

Signed contributions are invited by Members of Local 1440. Other contributions may be accepted. All material is subject to general interest to the membership and space availability, and may not be returned. Articles, opinions expressed, and statements made are not necessarily the opinion or the policy of the Union. The union does not endorse any advertisers

will continue to aggressively bargain for a fair and equitable labor agreement. This is still our time to gain back what we lost in 2004 and we will not settle for anything less.

Your Negotiating committees are as follows:

Dan Gutierrez - Staff
Tony Tiscareno - President
Mark Valdez – Vice President
Linda Doppe – Financial Secretary
Buzz Enea Jr. – Chair, Grievance Comm
Jim Harrington – Contracting Out
Marty Perez – Wage & Rate
Sam Navarro – Training Coord.
Tennyson Berry Jr. – Contract Coord.

In Solidarity

Tony Tiscareno

Visit ICD's website @ www.icdclasses.com

**Our Union Meetings are held every
2nd Thursday of the Month.**

**Our Next Meeting will be on
October 9th
7:30 PM at the Union Hall**

VACATION SHUTDOWN

ALL PRODUCTION, MAINTANANCE, AND CLERICAL EMPLOYEES, EXCEPT THOSE DESIGNATED BY MANAGEMENT, WILL BE ON VACATION SHUTDOWN DURING THE ONE WEEK PERIOD BEGINNING NOVEMBER 23, 2008.

Grievance Committee

Buzz Enea Jr. -	Chairman -Reliability
Mike Orlando -	Rolling
Dina Miller	Sheet
Frank Ochoa	Tin
Stephanie De La Rosa	M&I

Call Hall at 432-7396 for Grievance Person Phone No.

New Grievance Person For Rolling Division

Congratulations to the new grievance person for the Rolling Division, **Mike Orlando**. The Union would like to thank everyone that applied for the position. Thanks to **Jack Lenhart**, who worked hard as grievance person for the Rolling Division and best of luck to him in the electrical learner program.

Hello Union Brothers and Sisters. I have been getting a lot of you asking about the 56/60 hr. work opp. forms and rules. First of all we are currently manned as follows: 64 MTE's op. tech 5 as of 9/22/2008, 85 MTM's op. tech 4 as of 9/22/2008. All of the JBA's (joint binder agreements) state that as long as the company maintains a total of 64 MTE's and 70 MTM's the company can exercise their right to use contractors so long as you are given the opportunity to work 56 hrs. The hours only go to 60 when we fall below the manning numbers for more than 90 days and the company still uses contractors. The next issue that is repeatedly being brought to my attention is that some of the area maintenance mgrs. have been bending the written rules that will allow you to get your 56 hrs. Without working the whole 8hr. block

deal, even if it means they have to give the individual a 4 hr. block to work after his/her 8 hr. shift. This isn't exactly a bad thing for those of you trying to obtain your 56 hrs. However there seems to be a couple of rouge mgrs. who still feel they need to "deny" work opps. Due to the written "8 hr." block and trying to say it will put you over your 56 hrs. They seem to think they can have their cake and eat it too. If you are one of the many MTM's/MTE's that were "denied" work opp. on Sept. 1st (or any other day) and haven't seen/contacted me, please do so. That way I can file and get your lost money back in your hands where it belongs. I also know that your area mgrs. have told you that "there will be no contractor here on that day" especially the last holiday. Well I'm going to let all of you know that a year ago this past August Buzz Enea and myself where in a 2nd. step mtg. with M. Connally, D. Floyd and B. Clay. During this mtg. Buzz and I were fighting 8 grievances for the MTE's in the F/S group for a "Denied" holiday work opp.(7/4) We where both asked by M. Connally what would be a remedy for the settlement of the grievances. We asked for full pay on all. What we settled for was a guarantee from M. Connally that "Nobody (MTE's/MTM's) would be denied from that day forward if they requested to work any holiday or Sunday, and that they would also be allowed to work up to 16 hrs, if so requested during the duration of the 2004 labor agreement." The 2007 Sept. 1st. holiday was worked by all who requested along with the remaining '07 holidays and even into the 2008 year. Apparently the company has seen it fit to not follow the agreement made between the Union and labor relations. So if you where denied to work on the Sept. 1st. holiday please contact me and have a copy of your "denied" work opp. form. Lastly, I have been contacted about certain mgrs. denying workers there requested work opp. for a certain day and then when that certain day comes around asking the person if they still want to work the day and then have them fill out a work opp. form for that day and work that day. It appears that certain mgrs. are setting a precedent in their areas. It cracks me up that after 4 years of "not following the rules" of the work opp. forms, all of the sudden the company wants to clamp down and try to follow the rules they agreed to 4 years ago!!!! It must be contract time!!!!

Work Safe and watch out for your fellow Union worker!!!!

Just Say No to Snitching!!!!!!

In Solidarity,

Jim Harrington
Chairman Contracting Out

RETIREMENTS

August

Jan Martin – 36 years service, worked as an Entry Operator at the PL-TCM.

Congratulations and good luck to our Brother on his retirement.

FINANCIAL SECRETARY' S REPORT

Sheet orders have dropped off. This will cause a reduction in force in the Sheet department. For information on how the layoff process works, read section 13.7 in the contract book. If you don' t have a copy of the contract you can get one at the Union Hall, Employment Office or read it online at our website. We have had many layoffs in the past. We got through those ones and we will get past this one.

If John McCain gets elected we are screwed! He would tax employer sponsored health insurance. If McCain gets elected your taxes would go up at least \$2406. Yes he will to give you a tax credit, but it is to buy your own insurance. He will give you a \$5000 tax credit to pay for \$12000 health insurance policy. We can' t afford McCain to be President for many reasons; this is just one of them.

*Fraternally yours
Linda Doppe*

LOCAL'S WEBSITE



www.usw1440.com

Once again the company wishes to blame the worker for an incident instead of resolving the problem. Let's make uncle Sal happy and pass the blame to the employee. Then the manager of that area writes a reprimand and puts the supervisors name on it. Then the employee must get a hold of his or her grievance man to file on behalf of this individual. One of the reasons this is not been taken care of during the safety investigation is due to the employee not asking if this could lead to discipline and asking for his or her grievance man at that time. Remember certain managers of the plant usually try to make it an accusatory investigation instead of a safety investigation. We put your Weingarten Rights in a lot of Rank and Filers and have pocket size ones available at the Union Hall. You need to know them, but more importantly, you need to use them. Also read section 14.11 in your contract to make yourself even more knowledgeable.

WEINGARTEN RIGHTS

"If this discussion could in any way lead to my being disciplined or terminated, or affect my personal working conditions, I request that my union representative, officer, or steward be present at the meeting. Without representation, I choose not to answer any questions."

During an investigatory interview, the Supreme Court ruled that the following rules apply:

RULE 1: The employee must make a clear request for union representation before or during the interview. The employee cannot be punished for making this request.

RULE 2: After the employee makes the request, the employer must choose from among three options. The Employer must either: grant the request and delay questioning until the union representative arrives and has a chance to consult privately with the employee; deny the request and end the interview immediately; or give the employee a choice of having the interview without representation or ending the interview.

RULE 3: If the employer denies the request for union representation, and continues to ask questions, it commits an unfair labor practice and the employee has a right to refuse to answer. The employer may not discipline the employee for such a refusal.

We all must know these and use these in the correct way. It's our right and we need to stop those frivolous reprimands'.

In Solidarity

Mark Valdez

Workers' Compensation, Social Security and the “Donut Hole”

For workers with prolonged disability lasting at least a year they may be eligible for Social Security Disability (Title II) benefits. If your condition is work related and you are receiving WC benefits you still may be eligible for SSD with, depending on your earnings level, a potential partial set off or lowering of your SSD benefit because of WC payments. If your condition is not work related or your disability is a combination of work related and non industrial conditions – a work related back problem and non industrial hypertension for example – you may also be eligible. The cause of the disability, for Social Security Disability purposes, doesn't matter in other words.

Some people, who are settling their workers' compensation cases and giving up their future medical because they have Medicare coverage as they have been on Social Security Disability for at least two years, should be aware of the “ donut hole “ in Medicare Part D prescription coverage. The mistake is to think that Part D will cover all or most of your medication expense. It will not.

First, there is a \$265 deductible. Then you pay 25% from \$265 to \$2,400. Then the “donut hole” kicks in where you pay 100% of the charges between \$2,401 and \$5,451. Medicare then comes back in and pays 95% above \$5,452. So, if you have \$10,000 annual medication expense, you will pay \$4,076.15. If you have a 30 year life expectancy, you will pay \$122,284.50 even with Medicare Part D just for meds absent changes in the law and not counting inflation for rising medication expense.

Contact John Harrigan or Julius Young at Boxer & Gerson LLP at 510-835-8870 or 925-754-9900 with any Social Security Disability questions.

John Harrigan, Esq., Boxer & Gerson LLP, Oakland, Antioch, Burlingame and Santa Rosa

UNEMPLOYMENT INSURANCE

- To file a claim call: 800-300-5616 or visit website www.edd.ca.gov/unemployment .
- 1 week waiting period
- Maximum benefit - \$450 per week

SUB BENEFIT

- You must have over 2 years seniority.
- You must apply for unemployment to be eligible for SUB pay.
- \$100 payment for waiting week.
- Maximum benefit - \$180 per week

MEDICAL INSURANCE

- 2 years or less – you have benefits until the end of the month you are laid off.
- 2 – 10 years- you have benefits for 6 months
- 10 – 20 years – you have benefits for 1 year.
- Over 20 years – you have benefits for 2 years.