



ON THE

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# MOVE

Illinois Council 31—American Federation of State, County and Municipal Employees—AFL-CIO



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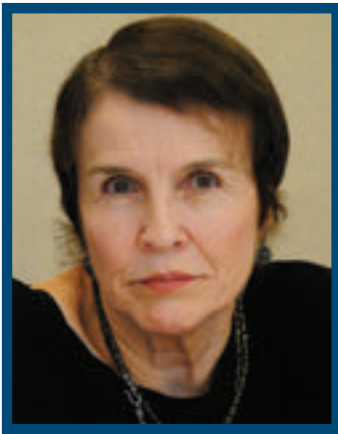
## Court rules for pension fairness

See pages 2 and 3

## EXECUTIVE DIRECTOR'S REPORT

# Standing our ground on pensions

*When attacks on retirement security came to Illinois, public employees fought back*



BY  
ROBERTA LYNCH

**STATE AND LOCAL GOVERNMENTS HAVE FAILED SPECTACULARLY IN THEIR RESPONSIBILITY TO MAKE PENSION FUND CONTRIBUTIONS**

**A**s life expectancy increases and more Americans can assume not years, but decades, of retirement, concerns about how we will sustain ourselves over that time have begun to grow as well.

WHILE SOCIAL SECURITY REMAINS THE BEDROCK OF FINANCIAL STABILITY FOR THE ELDERLY, IT PROVIDES only enough to ward off poverty. To assure that the golden years actually have a little bit of gleam, workers have always counted on supplemental retirement income, primarily in the form of employer-provided pension benefits. This has been particularly true in the public sector where jobs often paid less than in the private sector, but benefits, especially guaranteed retirement benefits, were a key element of the compensation package.

"Guaranteed" is the operative word. The defined-benefit pensions that were once so widespread in this country assure a fixed monthly benefit that cannot be altered no matter how long a person lives. Yet it is a historical irony of the first order that as life spans have steadily lengthened, a concerted effort is now underway to erase such pension plans from the employment landscape.

Over the past three decades, many private-sector employers have wantonly shed their defined benefit plans in favor of risky 401(k) plans that do not provide a fixed monthly income. Not coincidentally, this massive transfer of liability for retirement security from big employers to lone individuals occurred in conjunction with the steep decline of union representation in the private sector, and – another non-coincidence – the rapid growth of a financial sector that made billions off these new forms of retirement investment.

So we come to the pitched battle raging today to preserve defined-benefit pensions – guaranteed retirement security – for millions of employees at every level of government.

Because union representation—with its potential for collective action—remains widespread in the public sector, public employees have not passively surrendered their pensions, but rather have risen up to defend them.

Nowhere is this battle more hard-fought than here in Illinois, where both state and local governments have failed spectacularly in their responsibility to make pension fund contributions – even as employees have faithfully made theirs. Rather than honestly confront the revenue measures needed to pay for government services vital to the well-being of citizens, politicians simply "borrowed" from employees' retirement funds.

Now that the piper must be paid, those officials are singing a different song. Suddenly it's all about fiscal responsibility, with a chorus that seeks to shift the blame onto the only trustworthy party in this whole mess – public employees themselves.

The state's corporate elite, with a multi-million dollar war chest, launched a campaign with a single goal: drastic restructuring, possibly even elimination, of public pension plans. Political leaders of both parties quickly climbed on the bandwagon.

"Illinois is broke" became their mantra – and public employees became their scapegoats. Legislation to slash pension benefits to the bone quickly emerged in the state legislature.

In response, AFSCME helped lead the way in forging an unprecedented coalition of labor unions representing public sector employees. Teachers and state employees, as well as police officers, firefighters and other local government work-

ers came together to form the We Are One Illinois coalition.

Pooling resources and developing joint organizing strategies, the union coalition acted swiftly to redefine the issue in the public mind. It developed a major public relations campaign of its own, with compelling TV ads that put a human face on the nurses, EMT's, teachers and other employees who serve the public every day and making the case that it was politicians, not employees or retirees, who had driven Illinois into such a deep fiscal hole.

The coalition also launched the most massive grassroots lobbying effort ever seen in Springfield, arguing that pension cuts not only harmed workers' retirement security, but also violated the protections embedded in the state's constitution. Union members flooded legislators with phone calls and e-mails, visited them, picketed them and, more than once, packed the Capitol rotunda in protest.

For two years, this intensive pressure beat back the state's entire power structure. And when that elite finally did succeed in pushing through a pension-cutting bill in early 2014, the battle didn't end there. We Are One Illinois immediately headed to court, securing an injunction that prevented the new law from being implemented.

In November, union members won the biggest round yet when the circuit court declared that law null and void "in its entirety," directly affirming that public employee pensions are protected by the state constitution.

As public employees now await a final ruling from the Illinois Supreme Court, it is worth reflecting on how far we've come and how we got here. Working together through our unions, public employees had a voice in the political, legislative and legal systems – and with that voice we have clearly asserted that dignity and security in retirement is vital for all.



### On the Move

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# Union challenge to pension cuts takes quick path to Supreme Court

Even before the General Assembly passed legislation cutting the pensions of state and state university employees and teachers, many predicted the law's fate would ultimately be decided by the Illinois Supreme Court.

THAT PREDICTION IS NOW COMING TRUE: ON NOVEMBER 28, ATTORNEY GENERAL LISA MADIGAN NOTIFIED THE COURT SHE WOULD APPEAL A CIRCUIT COURT RULING THAT DECLARED THE LAW, PASSED AS SB 1, "UNCONSTITUTIONAL AND VOID IN ITS ENTIRETY."

What few predicted, though, was how quickly the case would reach such a point. Thanks to two court rulings that came down decisively in favor of public employees and retirees, a legal battle that once threatened to last years could now be over in a matter of months.

"AFSCME and other unions in the We Are One Illinois coalition always believed

these attacks on public employees' retirement security were unconstitutional," Council 31 Executive Director Roberta Lynch said. "So we are very pleased at how swiftly and decisively the courts ruled in favor of our core argument that the state constitution means what it says."

## Two strong decisions

THE STAGE FOR SUCH A FAST resolution was set in July, when the state Supreme Court overturned a lower court's dismissal of a separate lawsuit challenging a law that allowed the state to set higher premium costs on retirees. The court's decision rested primarily on its support for the "plain language" of the state constitution's pension protection clause, which holds that retiree benefits cannot be "diminished or impaired." (For more on this case, see *Retiree Notes*, pg. 14)

Knowing that a bipartisan majority of the court backed such a strong interpretation of the constitution's language, lawyers for the We Are One Illinois coalition went into action. They filed a motion asking the circuit court judge hearing the lawsuit against the pension-cutting law to



apply the Supreme Court's reasoning and declare that law, which impacts active and retired members of SERS, SURS and TRS, unconstitutional.

Agreeing to such a motion would override the state's attempt to invoke "police powers" based on the argument that the state's fiscal woes were sufficient to justify violating the constitution's pension protection clause.

On November 21, relying heavily on the reasoning used by the Supreme Court earlier in the year, Sangamon County Circuit Court Judge John Belz agreed with the coalition's motion for summary judgment, striking down the law. Belz also imposed a perma-

nent stay on the law's implementation.

"The Court finds that, on its face, the Act impairs and diminishes the benefits of membership in State retirement systems in multiple ways," Belz wrote in his decision. "Illinois Courts have consistently held over time that the Illinois Pension Clause's protection against the diminishment or impairment of pension benefits is absolute and without exception."

Belz also zeroed in on the state's "police powers" argument, finding that it provided "no legally valid defense."

"The Pension Protection Clause contains no exception, restriction or limitation for an

exercise of the State's police powers or reserved sovereign powers," Belz wrote. "Illinois courts, therefore, have rejected the argument that the State retains an implied or reserved power to diminish or impair pension benefits."

## The final step?

AS ON THE MOVE WENT TO press, the Supreme Court had announced plans to take up the attorney general's appeal in March. At that time, AFSCME and its partners in the We Are One Illinois coalition will be ready.

The union is also ready for other attacks on retirement security – the state's pension shortfall remains a serious problem and some politicians, including incoming Gov. Bruce Rauner, have indicated a clear hostility toward defined-benefit pensions.

"We hope that the new governor and the General Assembly will work with organized labor in good faith to solve the problems facing our state," Lynch said. "But make no mistake: Whether it's in the Capitol or the courts, we and our allies will fight any plan that undermines the retirement security of hard-working public employees."

## AFSCME, other unions, sue to overturn City of Chicago pension cuts

AFSCME, and three other unions – along with 12 active and retired employees, including AFSCME members – have filed a lawsuit in Cook County Circuit Court seeking to overturn a law that would cut the pensions of City of Chicago employees and retirees.

FILED DEC. 16, THE LAWSUIT ARGUES THAT ACTIVE AND RETIRED CITY EMPLOYEES EARNED THEIR promised pension in retirement and always paid their share into the pension fund. Meanwhile, politicians failed to make adequate payments and now seek to force workers and retirees to bear the burden of cuts alone.

As is the case in the legal fight against pension cuts for teachers, state and state university employees, the lawsuit chal-

lenging City of Chicago pension cuts argues that the law, passed as SB 1922, violates the state constitution's pension protection clause, which holds that retiree benefits cannot be "diminished or impaired."

"The constitution says clearly that pension benefits cannot be diminished or impaired, but that's exactly what this legislation does to the modest pensions earned by city workers and retirees," AFSCME Council 31 Executive Director

Roberta Lynch said.

The cuts to the pensions of City of Chicago employees and retirees, backed by Mayor Rahm Emanuel, were passed in April over the strong objections of AFSCME and other unions.

The plan would not only cut benefits for active and retired city employees, but also increase employee contributions and raise the retirement age for some workers. The cuts in the law would reduce the value of a pension for many city workers by 30 percent over two decades.

Joining AFSCME in the lawsuit are the Chicago Teachers Union, the Illinois Nurses Associations and Teamsters Local 700, as well as 12 individual plaintiffs – several of them AFSCME members – who work in or are retired from city libraries, schools, and the health, aviation, transportation

and streets and sanitation departments.

However, several other unions, including SEIU Local 73, supported the changes embodied in SB 1922.

The cuts are especially devastating because city employees are not eligible for Social Security – their pension is often the sole source of income during retirement – and because the Emanuel administration has simultaneously pushed to slash subsidies that kept health care affordable for city retirees, particularly those not eligible for Medicare.

"The proposals put forward by the Emanuel administration are nothing less than a complete dismantling of the safety net for many retired city employees," Lynch said. "After decades of service to the city, employees should have more awaiting them than skyrocket-

ing health care costs and benefits that are worth less and less every year."

In the time since SB 1922 passed, the legitimacy of pension-cutting legislation has been cast into doubt. After the state Supreme Court, in a case on state retiree health care benefits, indicated strong support for the "plain language" of the pension protection clause, a state Circuit Court relied on that reasoning to strike down pension cuts for downstate teachers and state and state university employees. That case is now before the Supreme Court (see related story on this page).

Lawyers representing the plaintiffs will seek an injunction to prevent the legislation from taking effect on January 1, 2015 as scheduled. The initial hearing in the case was set for Dec. 29.

# Looming state budget hole puts jobs, services at risk

**T**he clock will be ticking toward layoffs and closures once the new General Assembly convenes and Bruce Rauner is sworn in as governor.

GOV. PAT QUINN'S DEFEAT IN THE NOVEMBER ELECTION TOOK THE WIND OUT OF THE SAILS OF an effort to extend the income tax rates passed in 2011. With that went the opportunity to pass a robust state budget that would have allowed for improved services, more jobs and possible reopening of closed facilities.

Instead, Illinois will confront the prospect of a drastically trimmed-down state government where services and the people who rely on them will suffer – unless the legislature and the new governor can come to an agreement to

substantially boost revenues.

"Too many of the politicians in Springfield see this situation as some kind of gamesmanship," Council 31 legislative director Joanna Webb-Gauvin said. "But we're going to remind lawmakers that there will be real, severe consequences throughout the state if revenues aren't restored."

Without any action, current-year revenue will fall by \$1.6 billion, the impact of which will begin to be felt within a few months. In March, the Department of Corrections will start to run out of personal services funds, which includes money for staff salaries. Personal service dollars in the Department of Human Services will start to run low in May. Some essential services, such as early childhood education, will see steep funding shortages as early as January.

The funding shortfall will dramatically increase after that, hitting \$5 billion in the

following year.

"If we go into the next fiscal year without a solution to provide more revenue, layoffs could be widespread," Webb-Gauvin said.

## Waiting for leadership

DURING HIS CAMPAIGN FOR GOVERNOR, Bruce Rauner said he wanted to see the current income tax rates rolled back. However, he declined to provide specifics on timing, whether he would seek another source of revenue, or what kinds of cuts he would pursue.

Now, only a few weeks from taking office, Rauner has still refused to get into specifics on the budget.

At a press conference in December, Rauner expressed surprise about what he called "booby traps" in the state budget.

"The deficit is far worse than has been discussed," Rauner said. "Our financial

**"We need to make it very clear to lawmakers that the focus here should be on protecting vital services and good jobs our state needs."**  
—Joanna Webb-Gauvin

condition here in Illinois is dire. It is very bad. Worse than has been reported. Worse than has been discussed publicly."

Yet Rauner's feigned surprise rings hollow unless he really hasn't been paying any attention to the state's fiscal crisis – the "booby traps" he's lamented have been widely reported in the media and by several civic groups.

Rauner has been trying to lay the blame for the state's

fiscal troubles on "mismanagement," but the numbers don't back him up. The expiration of the tax increase leaves an enormous hole in the budget that no one could legitimately claim can be made up through better management.

## Time to pay attention

ONCE THE GENERAL ASSEMBLY reconvenes and Rauner takes office, the budget battle could begin to move very quickly. In order to protect services and jobs, AFSCME members will need to pay close attention and be ready to take action quickly.

"We need to make it very clear to lawmakers that the focus here should be on protecting vital services and good jobs our state needs," Webb-Gauvin said. "Whether it's through phone calls, e-mails or visits to the Capitol, that's the message that must get through."

# Community disability agencies fear cuts

**T**he outcome of the race for governor will be felt throughout Illinois, but especially at non-profit agencies that care for people with developmental disabilities.

GOVERNOR-ELECT BRUCE RAUNER HAS INSISTED THAT HE WILL NOT ALLOW THE CURRENT income tax rates to remain in place, opening up a mile-wide gap in the state's budget during the current fiscal year – and next year as well.

So even as AFSCME and disability agencies continue to press for wage increases for direct support personnel (DSPs), those agencies are now facing the very real threat of cutbacks and even layoffs.

"In Springfield, this is a political fight, but it has real, human consequences," Council 31 public policy director Anne Irving said. "A cut in funding to these agencies would force direct support

staff to continue to struggle under the poverty line – if they're able to keep their jobs at all."

With so much on the line, AFSCME will join with other concerned groups to press for restoring the tax rates that expired on January 1.

The union has joined with employers and advocates to form the Care Campaign, an effort that has already succeeded in raising awareness of the vital work performed by direct support providers, the financial pressures placed on them and the importance of retaining quality, experienced employees who form tight-knit bonds with the individuals they support.

When the General Assem-



**Direct support providers may have to lobby legislators again to prevent cuts to funding for community disability agencies.**

bly reconvenes, The Care Campaign will press not only for a responsible budget, but also for a long-term plan aimed at bringing DSP wages above the poverty line. It supports legislation that would immediately raise wages by \$1 an hour and ultimately bring them up to \$13 an hour.

Prior to the legislature's adjournment, The Care Cam-

paign circulated a letter to lawmakers illustrating the difficulties faced by direct support providers.

"Many of these workers and their families have to fall back on public benefits such as Medicaid and food stamps, creating additional expenditures for state government," the letter noted. "The lack of adequate wages for employees who perform the challenging

work of supporting individuals with disabilities results in high employee turnover, which in turn negatively impacts the quality of services provided."

While 2014 is ending on a disappointing note, the effort to bring fair wages to direct support providers will continue in 2015.

"These agencies should not have to compete with fast-food restaurants on wages and should not be put in a place where they have to cut staff in order to survive," Irving said. "Direct support providers and the people who depend on them deserve better."



# State negotiations set to start with new governor

**W**hen members of the AFSCME State Bargaining Committee convened for the first time to prepare for next year's contract negotiations, the outcome of the race for governor was still fresh on their minds – Bruce Rauner had won the contest only nine days earlier.

THOUGH HE'S TONED DOWN HIS RHETORIC SINCE HIS ELECTION WIN, RAUNER SPENT MONTHS OF his campaign vilifying public employees and inveighing against labor unions.

Rauner has said nothing about what approach he'll take to collective bargaining with his own employees, making it vital that the state bargaining committee – and all state employees in the union – be active, involved and informed from the outset.

"This is going to be an immensely challenging time for our union," Council 31 Executive Director Roberta Lynch told the committee. "We have to be prepared for whatever is about to come."

Accomplishing that will depend largely on Member Action Teams within each local, Lynch said.

"We need to be sure that there's a structure in place to keep every member informed of what's happening as contract negotiations get underway," she stressed. "If we do that we will be well-prepared for whatever happens."

## Ready for the challenge

THE BARGAINING COMMITTEE IS composed of more than 200 representatives elected from every state local union.

Much of the committee's first meeting was taken up



Keeping open the lines of communication will be vital.

with reviewing scores of proposals that had been submitted by union members. The committee split into five workshops, each of which was assigned to analyze a portion of the proposals. After voting whether to accept or reject each proposal, each workshop presented its report to the full committee for debate, amendment and approval.

Bargaining committee members walked away from the meeting with a clear sense of purpose and an awareness

of the task confronting them.

"I'm expecting the fight of our life in terms of our contract," said Arnold Black, president of Local 2971. "The new governor has already said we're overpaid and that he wants to do things like they did in Wisconsin."

Black said his local was already putting its Member Action Team to work and distributing a local newsletter as part of a broader strategy to keep members informed.

"The message I'm bring-

ing back to members is to stay informed, to get involved," he said.

Bridget Mittons, a bargaining committee member from Local 2854, said she's confident the bargaining team will stand strong, but doesn't know what to expect from the other side of the table. She believes keeping open the lines of communication will be vital to a successful negotiation.

"I think it's really critical to get the feedback from the

membership to see what they really want and what they're OK with," she said. "What are you willing to fight for? What's most important to you?" Mittons said

The first meeting with negotiators from the Rauner administration won't take place until February. That's when the bargaining team may begin to get a clearer sense of the Rauner administration's approach to negotiating a new contract. And that is when the real work of bargaining will begin.

"We stand on the shoulders of so many people who came before us and helped to improve the lives of countless workers" Lynch said. Our responsibility to them and to each other is to make sure that this union continues to be a force for fairness and progress for all the members we represent."



# Chicago elections stir political debate



PEOPLE delegates from Chicago locals met with and asked questions of city aldermen.



(From left to right) Chicago aldermen John Arena, Nick Sposato and Roderick Sawyer met with PEOPLE delegates on Dec. 8.

**E**ven though the dust has barely settled from the November elections, the Feb. 24 mayoral and aldermanic elections in Chicago will present important choices for union members in the state's largest city.

AS WITH THE RECENT STATEWIDE ELECTIONS, CAMPAIGN CONTRIBUTION CAPS HAVE PROVEN meaningless in the face of über-wealthy individuals who find ways to pour big bucks into the campaign coffers of the politicians who do their bidding.

While Mayor Rahm Emanuel's administration and city employees came to an agreement on a new contract last summer, AFSCME has had a frequently rocky relationship with the first-term mayor, especially in the early days of his tenure when he tried to address budget problems by closing mental health clinics and cutting library hours. AFSCME has also engaged in pitched battles with the administration over privatization and cuts to retirement benefits.

More recently, Emanuel has taken some steps to repair his strained relationship with AFSCME and other unions, including establishing a joint labor-management task force to examine how privatized work can be brought back "in-house" to be performed again by city employees.

Emanuel's popularity in the city is low. But both of his challengers – Ald. Bob Fioretti

and Cook County Commissioner Jesus "Chuy" Garcia – face uphill battles given the mayor's fundraising advantages.

Emanuel's apparent strength heading into the election, however, means that aldermanic elections have taken on added importance – the City Council represents the poten-

tial for real debate on important issues.

"The City Council has the power to alter or even block parts of the mayor's agenda that run against the interests of middle-class families and public employees," said Adrienne Alexander, AFSCME's City Council lobby-

ist. "We need to ensure the allies we have on the council stay there, and elect new aldermen who pledge to stand with us."

The union's PEOPLE program determines which candidates will be endorsed. Those candidates will be eligible to receive financial assis-

tance and have union volunteers help them on the ground.

PEOPLE delegates elected by members of Chicago-based locals met in early December to begin the process of making endorsements. Delegates look at candidates' voting records

Continued on page 13

## Murray Center keeps hope alive

**T**he campaign to save Murray Developmental Center in Centralia has spanned several years, multiple court rooms, numerous public hearings and demonstrations of many kinds. It has been jointly waged by AFSCME, which represents employees at the facility, and the Murray Parents Association, which represents the families of the center's residents.

The Quinn administration began efforts to close the center in February 2012. Working together, AFSCME and the MPA succeeded in blocking the movement of residents out of the center, effectively putting the closure plan on hold.

During the recent gubernatorial election, Bruce Rauner pledged to keep the facility open if he became governor.

"It is irresponsible to close Murray Center unless

we can make absolutely certain that the most vulnerable residents are being cared for in an environment that is as good as – or better than – Murray Center," Rauner said in April. "Right now, Murray Center is the best option for these families."

Soon after being elected, Rauner appeared to reaffirm his commitment to keeping the facility open when he named the president of the MPA to his transition team.

Despite these develop-

ments, many questions surround the facility, the people with developmental disabilities who live there and the employees who support them.

"Rauner's statement may mean only a short-term reprieve until he comes up with his own closure plan and it doesn't rule out closing other state-run developmental centers," said Council 31 public policy director, Anne Irving.

The governor-elect's evasiveness on revenue adds another wrinkle – he will take over state government just as revenues are set to plunge due to his push to roll back the income tax rates set in 2011.

"Without adequate revenue, it would be difficult for the state to continue the same level of care for people with developmental disabilities that exists now," Irving said. "That puts the entire system – including Murray Center – at risk."

### Focused on care

EMPLOYEES AT MURRAY CENTER are handling the uncertainty the same way they always have, by keeping their focus on providing top-level care for the people with developmental disabilities they consider family – something they hope to keep doing well into the future.

Steve Koppen, president of Local 401, which represents frontline employees at Murray Center, said no one knows what to expect once Rauner is sworn in.

"I can't tell you what he's going to do, but it's a scary situation, not just for Murray Center, but all the state-operated developmental centers" he said. "He said he's going to keep us open, but he has not said at what cost. We just hope and pray for the residents that live here."



# Election 2014: Some good wins, but one big loss

**O**n November 4, AFSCME members scored some important wins when legislative candidates who'd stood with public employees on critical issues like preserving pension benefits overcame relentless attacks to hold on to their legislative seats.

BUT UNION MEMBERS ALSO HAD TO FACE UP TO THE FACT THAT THE NEXT GOVERNOR OF THE state of Illinois would be the man who had made a fetish of demonizing public workers.

Judy Baar Topinka and Mike Frerichs both won their statewide races with strong backing from AFSCME. Topinka, a Republican who was re-elected as the state comptroller, has been one of the few politicians of either party to vigorously defend public employee pensions. Sadly, she passed away in early December (see sidebar). Frerichs, a Democrat, was elected as state treasurer, defeating Tom Cross, an opponent with far greater name recognition.

AFSCME-backed candidates also won in several hotly contested state legislative races. AFSCME members in the Quad Cities went all out to help incumbent state Rep. Mike Smiddy, who has a 100-percent AFSCME voting record, defeat an extremely well-funded opponent. Rep. Kate Cloonen, from Kankakee, barely squeaked by to victory with big help from AFSCME members in her district. And new state Rep. Carol Ammons won handily in Champaign with strong backing from AFSCME.

## Top of the ticket

BUT UNIONS DID NOT FARE SO well at the top of the ticket. Despite an unprecedented push by a united labor movement, billionaire businessman Bruce Rauner defeated incumbent governor Pat Quinn. No doubt, Rauner's win was greatly aided by the \$26 million of his own money that he poured into the effort, along with millions more in donations from the wealthy elite.

The work of AFSCME members and others in organized labor definitely played a



AFSCME volunteers hit the streets on Election Day to get out the vote.

role in making the race competitive – Quinn's share of the vote was far above his low approval ratings – but it wasn't able to overcome the deep voter dissatisfaction with the incumbent, especially in the face of a well-funded opposition.

One thing was clear, though: Voters may have rejected the status quo, but they were not embracing Rauner's anti-worker agenda.

"The final tally in the governor's race should by no means be taken as an indication that Illinois residents embrace Rauner's aims – especially his goals of eliminating pension benefits altogether or weakening collective bargaining rights," Council 31 political affairs director John Cameron said.

The proof is in the result of two ballot initiatives that unions worked hard to get passed.

Nearly 70 percent of voters

backed measures calling to improve public school funding through a higher tax on incomes over a million dollars and to raise the minimum wage – far more support than for any one candidate.

"It's clear that most Illinoisans are much closer to the labor movement's call to rebuild an economy that works for all citizens than to Rauner's commitment to aid big business," Cameron said.

Despite the vitriol Rauner directed toward public employees and their unions during the campaign, AFSCME signaled that if the new governor wants to work in good faith on solutions to move the state forward, he'll have a willing negotiating partner.

"If the new governor shows that he values working people, respects our right to have a voice through our unions and truly seeks to find common

ground, we are prepared to work constructively with him wherever possible, just as we

out there and they're not going to stop."

While state and state university employees will feel the strongest impact of whatever agenda Rauner pursues, all public employees should be prepared – Rauner's mentors, Wisconsin Gov. Scott Walker and former Indiana Gov. Mitch Daniels, pursued



did with his fellow Republicans, Jim Thompson, who signed collective bargaining into law in Illinois, and Jim Edgar, who worked to improve the inadequate pensions that state employees had at that time," the union said in a statement released after the election.

Weeks after the election, and only a few weeks from Rauner's inauguration, it remains unclear what path Rauner will take once in office. The governor-elect has continued to evade questions from reporters and others regarding what he will do in office.

"There are a lot of unknowns," said Local 805 President Dave Morris. "He said so many things during the election and then would change his mind later on.

"We have to get organized and we have to get ready," he said. "It's not going away. The Koch Brothers and others are

policies that hurt all public employees, and all unions.

"We've got to take notice and we've got to pay attention. We're going to have to fight right alongside state employees," said Garry Cacciapaglia, president of Local 1058, which represents City of Rockford employees.

The good news is that the union is better prepared for whatever challenges it may face in the coming years.

"AFSCME members knocked on doors, made phone calls, talked to their friends and families, and helped to bring out the vote," Cameron said. "It wasn't enough to overcome the odds in the very tough gubernatorial contest. But it was enough – and then some – to lay a much stronger foundation for whatever challenges the future may hold."

## Remembering two friends of public employees

*AFSCME and the Illinois labor movement are mourning the loss of two elected officials known for their strong support of working people.*

Many throughout Illinois were shocked and saddened to learn of the death of state Comptroller Judy Baar Topinka on Dec. 10. She passed away following complications from a stroke.

Topinka, a longtime Republican officeholder, had won a second term as Comptroller in the November elections. AFSCME proudly endorsed her in that race, citing her willingness to be one of the few public officials to stand with public employees in the fight against pension cuts.

"Judy believed in unions, and often proudly said she was a card-carrying member of two," Council 31 Executive Director Roberta Lynch said. "She told the truth about the

hard challenges facing our state and didn't let anyone of either party get away with falsely blaming them on working people, especially those in the public service.

"Though Judy Baar Topinka is no longer with us," Lynch continued, "her standard of decency, sincerity and respect for working people is needed more than ever and should inspire us all."

Lane Evans, a longtime member of Congress representing the 17th District of Illinois, passed away Nov. 5 after a long battle with Parkinson's disease.

A true man of the people who insisted on being known to all simply as Lane, he was a champion of organized labor.

A Vietnam-era veteran, he was a fierce advocate for all who served in the military. First elected to the U.S. House of Representatives in 1982 at the age of 31, he became a role model to generations of leaders from Jan Schakowsky and Paul Wellstone, who served with him in Congress, through Phil Hare and Mike Smiddy, who worked on his staff.

"He cared about the vets. He cared about blue-collar workers. He'd fight for anyone who needed his help," Lane's friend and legal guardian, Mike Malmstrom, told the Rock Island Argus. "I'd like to think, because of him, we have a greater nation. People on both sides of the aisle, whether

they agreed with him or not, respected him."

In recent years, Lane Evans resided at the Hope Creek Care Center, a public nursing home owned by Rock Island County where the employees are members of AFSCME Local 2025. Lane was a strong supporter of the home as a public safety net for all residents of Rock Island County, and fought those trying to privatize it until his very last days.

"Lane was one of the greatest individuals I have had the privilege of knowing," state Rep. Smiddy told the Argus. "Thank Heaven for Lane Evans."

*In 2012, Chicago residents and mental health advocates protested Mayor Rahm Emanuel's decision to close six of the city's 12 mental health clinics.*



## AFTER THE CLOSURES:

# Mental health safety n

**“There’s no place for people to go, there’s not enough people for them to talk to, there’s not enough resources to allow them to thrive.”**

**— Mindy Zimmerman,  
Choate Mental Health Center**

Two years after a wave of cuts to mental health services throughout the state, the system on which so many depend has yet to recover – and may be about to erode further.

In 2012, over the strenuous objections of mental health advocates and AFSCME, the state closed Tinley Park Mental Health Center in southern Cook County and Singer Mental Health Center in Rockford. That same year, the City of Chicago ignored protests by a coalition that included AFSCME, community and advocacy groups and cut the number of public

mental health clinics in half – only six remain open today.

Those closures were part of a decades-long neglect of mental health services by federal, state and local governments. In Illinois, if lawmakers and incoming Gov. Bruce Rauner do not agree on a way to make up the revenue lost by expiring income tax rates, further cuts could be on the way.

The impact of this disturbing trend has fallen squarely on the shoulders of men and women who are not only coping with mental illness, but also often lack the financial resources or insurance coverage to receive quality care.

“People with mental illnesses have been left out in the cold, sometimes literally, by the steady decline in services,” said Jo Patton, Council 31’s director of special projects. “Meanwhile, the cuts have put a strain on the facilities that remain and the employees who work there.”

## STATE HOSPITALS: UNDERSTAFFED, LACKING CAPACITY

In the past 20 years, the capacity of the state’s psychiatric hospitals has declined by more than 60 percent – from more than 3,200 beds in 1994 to about 1,200 today.

When Singer and Tinley Park were closed, officials promised that money would “follow the patient.” That hasn’t translated into adequate staffing levels at other state hospitals, though.

“There’s been a constant staffing problem,” said Michelle Hubbard, a



**“There’s been a tremendous amount of confusion and a lot of people getting lost.”**



— N'Dana Carter,  
Mental Health Movement

# Net suffers in wake of cuts



social worker at Madden Mental Health Center who had previously worked at Tinley Park. “Right now we’re very short on social workers and nurses. It puts a hardship on all of us. We have to work overtime. The staff morale at Madden is, for lack of a better word, the pits.”

“We’ve had administration that says it cares about staff, but you give them all kinds of suggestions on improving the relationship and they won’t do anything that helps morale,” said Beverly Noble, an activity therapist at McFarland Mental Health Center.

little to make residents aware the services even exist.

“The directors ought to be out in the community making sure people have the benefit of what it is we have to offer,” said Dan Badur, a therapist at the Chicago DPH North River Mental Health Center. “Our administrators do not go out into the community to make sure that those in need of help know where to turn.”

## CHICAGO CUTS HAVE DEVASTATING CONSEQUENCES

### A REVOLVING DOOR

When Mayor Rahm Emanuel’s administration closed six of the city’s 12 mental health clinics, advocates warned that many individuals in need would have a hard time getting access to care.

Those predictions have unfortunately come true. With the closures disproportionately hitting the city’s South Side, many who used the clinics had to change their schedules and routines to travel greater distances – a difficult proposition for individuals who are struggling with mental health issues.

Some who had depended on the clinics stopped using them entirely, sometimes with tragic consequences. For example, Jeannette Hanson, a woman who credited the staff at her Beverly/ Morgan Park clinic with helping her remain employed and fought against its closure, died earlier this year. Her life became significantly more challenging once mental health services became less accessible.

“Her whole support network went away and the city is responsible for that,” said N’Dana Carter, who meets regularly with a therapist at the city’s Greater Grand/Mid-South clinic and is a leader of the Mental Health Movement that is seeking to have the clinics reopened. “She became paranoid and didn’t trust people because the city took her life-line away.”

The clinics that remain open are hamstrung in several ways. They refuse to take patients covered by Medicaid and the administration does

Outside of Chicago, county mental health services are often a primary source of care, particularly for people who have left state hospitals. Recently, though, counties haven’t had the resources to provide the help people need.

“The biggest thing that has happened is that the state has cut back DHS funding for community mental health services,” said Mark Heyrman, a professor at the University of Chicago law school’s Mandel Clinic, which provides legal services to people with mental illness. “When people leave the hospitals there’s almost nowhere else for them to go.”

When individuals with mental illness fall through the widening holes in the safety net, they become more likely to commit crimes and wind up in the criminal justice system, which has become overburdened with inmates who need mental health treatment. In a recent Chicago Tribune column, Cook County Sheriff Tom Dart noted that the county jail was effectively the largest mental health hospital in Illinois.

These developments have left employees who work in the mental health profession frustrated. While the quality of the care at the remaining hospitals and clinics is high, breakdowns throughout the system mean many people come in and out of state hospitals or, even worse, go from the hospital to jail.

“Whether you go back to your apartment or your group home, if you don’t have support within the community – whether it’s transportation or access to medicine or a crisis worker – that’s a breakdown of the system,” said Mindy Zimmerman, a technician at Choate Mental Health Center in downstate Illinois. “There’s no place for people to go, there’s not enough people for them to talk to, there’s not enough resources to allow them to thrive.”



# Maryville Academy employees ratify inaugural contract

**A**fter more than a year at the bargaining table, Maryville Academy employees are now working under the protection of their first union contract.

THE THREE-YEAR CONTRACT ADDRESSES MANY OF EMPLOYEES' REASONS FOR FORMING A UNION with AFSCME. It provides fair standards for discipline, a structured grievance procedure and committees that will give employees greater input at the workplace. It also includes guaranteed pay increases in each year of the agreement.

Though negotiations were relatively smooth, they were also slowed down in March when Maryville, a residential program for troubled youth, announced that it would close its behavioral health hospital. The hospital was eventually sold to US HealthVest, a private firm.

The hospital sale took management's attention away from negotiations, but eventually the two sides came to an agreement that was ratified by

employees on December 3. "I think we had a really good bargaining team," Council 31 staff representative Kathy Steichen said. "They were not on paid time when we met for negotiations so they were committing a lot of their free time to participating. That was a big commitment."

That commitment yielded a contract that bargaining team members hope will boost morale and reduce turnover, allowing employees to focus on helping troubled youth instead of worrying about whether they will have to go another year without a raise, or will be powerless to do anything about safety issues.

"We take care of our girls but there's a lot of stress on us," said Martha Stroger, a youth care worker who served on the bargaining team. "To know that we'll be getting more money down the road helps us out and will make the job a little easier. Once people realize they're going to be getting raises, we're going to have fewer people quitting."

Maryville employees work daily with children and teenagers who often come from broken homes. They've been exposed to domestic violence and addiction at an



early age. Many of them have anger management issues and will lash out – verbally and physically – at staff members.

Those issues will remain, but now employees will have input into how they're addressed. Each of Maryville's three facilities will have a safety committee, as well as a joint

labor-management committee that will focus on matters of mutual concern not laid out in the contract.

The contract also contains language aimed at ending erratic scheduling and inconsistent policies that had made work difficult.

"Some of the policies that

are put into place by the contract won't allow supervisors and management to get away with a lot of the things they were doing in the past," said Margurite Davis, a licensed practical nurse who was on the bargaining team.

## Adjusting to a new reality

MANY MARYVILLE EMPLOYEES are new to the experience of being union members and the rights they have under a collective bargaining agreement.

The contract aims to help employees transition by requiring management to notify employees of their right to have union representation present during any meeting that could result in discipline.

"Before, when we came to our boss or supervisor, we had nothing behind us," Stroger said. "Now we've got the union behind us and we've got rights."

"Just over the last few months, I've heard a lot of people asking for the number to the union rep because people know they can't be mistreated anymore," Davis added. "The morale was once so low and I've seen it shoot back up. You feel like you want to be here and this is the place for you"

# First contract for Milestone employees

**T**hirteen months after voting to form a union with AFSCME, employees at Milestone – a care provider for children and adults with developmental disabilities – are now working under the protection of a union contract.

THE CONTRACT, RATIFIED OVERWHELMINGLY ON DECEMBER 4, INCLUDES WAGE INCREASES, MORE paid holidays, a signing bonus for employees and language that will help protect workers from unjust discipline and suspensions. It also gives employees a voice in shaping the services they provide.

"Before, we didn't have the opportunity to grieve anything or stand up for ourselves," said Lindsay Williams, a direct support provider and

member of the bargaining team. "Pretty much whatever management said, that was it. Now we have room to stand up for ourselves and be treated fairly."

While negotiations with management hit a few sticking points along the way, the two sides were able to work out their disagreements calmly, Council 31 staff representative Sara Dorner said.

"It got a little more difficult when we started talking

about economics, but overall it was an agreeable negotiation," Dorner said.

## A remarkable turnaround

EVEN BEFORE THE FINAL CONTRACT settlement was reached, the bargaining committee was able to convince management to change one of its most troublesome practices – requiring employees to find their own coverage when they had to miss work due to illness.

"We learned that things could be fixed during the process," said Nicole Henson, a direct support provider and bargaining team member. "That was kind of nice

because we'd never had a voice before, not without fear."

Employees adapted quickly to having a union, exercising their right to have representation present at investigatory meetings.

"It's very intimidating having to go to a disciplinary meeting," Williams said. "The members are happy to know they have people who will go with them, keep things calm, and just have somebody there."

The bargaining team backed up its work at the negotiating table with direct

action, paying a visit to Milestone's board of directors to make a presentation showing the tough financial choices employees had to make on wages that hadn't increased in years.

"It was an emotional presentation. We had people breaking down telling their personal stories," Henson said. "We told them how we felt about working at Milestone. We told them we just couldn't make ends meet."

## Taking pride in work

EMPLOYEES ARE HOPEFUL THAT the steadily improving atmosphere at Milestone will help the individuals the agency serves.

"We have awesome long-term staff we want to keep and I think it will help us get people in the doors," Henson said. "We are a stand-up facility in our area. We take especially good care of our clients and give them a family-like setting. We're better able to provide that when the staff is consistent."





# Labor-management initiative strengthens DOC cadet training program

An ongoing project to improve safety and security within the Department of Corrections has spawned a new training program that's helping cadets better integrate into the staff at their respective facilities.

TYPICALLY, NEW CORRECTIONAL OFFICERS ATTEND A SIX-WEEK TRAINING PROGRAM IN SPRINGFIELD. While this program provides cadets with information and training applicable to all DOC facilities, in other respects it was found to be lacking.

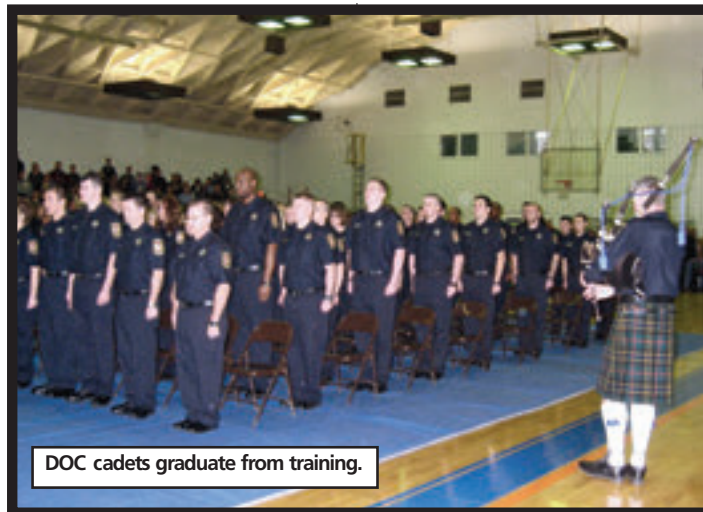
"There's long been complaints that cadets fresh out of the academy weren't getting the information and training

they needed to be safe and effective on the job," Council 31 regional director Ed Caumant said. "We developed a solution with the department that puts cadets in a situation where they'll be getting the best quality training possible."

The mission of the cadet training program is to "provide a quality entry program into Illinois Department of Corrections facilities that establishes guidance, training, staff development, camaraderie, and positive relationships between the cadet, management and the union."

In addition to the training received in Springfield, all new cadets will also participate in a 3-4 week program at their permanent facility. Cadets are guaranteed a meeting with both prison administrators and the leadership of their local union.

The program was first developed by Randy Hellmann, the former president of Local 943 at Pinckneyville CC who also serves on the Joint Safety &



DOC cadets graduate from training.

Security Committee, a labor-management panel that is in the process of reviewing every DOC facility in the state. The committee's work has already resulted in numerous changes – some unique to a particular facility, with other changes being applied system-wide.

Hellmann says the cadet training program was so successful at his facility that the joint committee decided to implement it system-wide.

"I've heard nothing but

positive feedback from both labor and management," Hellmann said. "The cadets are comfortable and we're comfortable because we didn't put them out there in a dangerous situation."

A key goal of the process is to demonstrate to cadets that they are part of a team and have the full support of the department and the union.

"We want them to know they're part of the family from day one," said Ralph Portwood,

president of Local 1866 at St. Louisville CC and a member of the Joint Safety & Security Committee. "We don't just give them a week of training and put them on a shift."

Upon graduation from the academy, cadets report to their facility, where they shadow more experienced staff members who instruct them on the procedures, practices and culture unique to where they work.

"Our seasoned staff is teaching them the nuances of knowing your surroundings, keeping your eyes open and your head up," said Jon McElyea, a correctional sergeant and current president of Local 943. "They learn little things like not walking around with your hands in your pocket – most people take that for granted. If you have your hands in your pocket, you can't defend yourself."

The program exposes cadets to the variety of different tasks performed by correc-

Continued on page 14

# DHS employees rescue woman from burning home

Saving lives is in the job description of many public employees, but even when it's not, AFSCME members are often quick to step into dangerous situations when needed.

THAT'S EXACTLY WHAT HAPPENED ON OCTOBER 23, WHEN FOUR AFSCME MEMBERS AT A Department of Human Services office in Jackson County were alerted to a potential disaster unfolding just across the street from their office.

"A client who had been in the office came in screaming that the house across the street was on fire," said Spencer Sagaskie, a human

services caseworker. "There was quite a bit of black smoke billowing out. The whole back was on fire."

Sagaskie's colleague, Judy Bost, was the first to arrive at the scene. She quickly realized that more than a house was at risk.

"A little girl was yelling that her mom was still in the house," Bost told The Southern Illinoisan newspaper. "I went into the house to look and the mother was near the front door laying on the ground."

Bost and Sagaskie were joined by two other co-workers, Donna Allison and Don Burk. Together, they decided instantly to take action and enter the burning home.

"It was pitch-black inside," Allison said. "We went into the front of the house. We only went a few feet into the living room to where she was on the ground."



From left to right: Donna Allison, Spencer Sagaskie, Don Burk and Judy Bost.

Working together, the four AFSCME members pulled the woman to safety. While the house was lost to the blaze, no one inside was seriously injured – even the family's pet cat was rescued. The woman carried out to safety was treated for smoke inhalation and later released. Sagaskie and Allison briefly went to the hospital for evaluation.

Sagaskie said he and his co-workers didn't hesitate to

act when they saw a life at risk.

"Honestly, I didn't really think about it," he said. "As soon as we knew there was someone in the house and we saw her, there wasn't any thinking. We just went in and grabbed her. We did what had to be done."

Allison, Burk and Sagaskie all have military experience that helped in dealing with such an emergency.

"I think the training for

the military in general prepares you to react and to help whenever help is needed," said Allison, who served in Kuwait and Iraq.

While a typical day at a county DHS office doesn't involve daring rescues, the work performed there serves a similar purpose: Helping members of the public in need. Sagaskie, a former correctional officer, said he and his co-workers are drawn to that kind of work – just as he was drawn to help during an emergency.

"Before corrections I was a combat medic in the Army and I worked drug rehab before that. I've always been into professions that allow me to help people," he said. "This was a natural profession for me. I feel really strongly about advocating for individuals that can't help themselves and for helping the community."



## ON THE LOCAL LEVEL

### Jackson County Circuit Clerk employees prove their worth

Heading into negotiations with Local 2464, management was intent on keeping wage increases to a minimum, expecting the local's bargaining team to accept the same terms agreed to by other unions.

Instead, the local was able to show they deserved more than what management had proposed – and would not back down.

Thanks to the bargaining team's determination, the two sides agreed to a four-year contract under which wages will rise 12 percent, well above management's original proposal.

Local Secretary-Treasurer Jill Stokes said the tone of negotiations shifted when the bargaining team presented management with a detailed analysis of the work performed by bargaining unit members – and how underpaid they were for doing it.

"We had done a bit of research and we brought that to their attention," she said. "It wasn't anything they didn't know, but they didn't realize we knew it too. Once they saw we weren't going to just back down they started working with us."

"We kept showing them

what each individual in the bargaining unit did," Council 31 staff representative Jeremy Noelle said. "Toward the end they saw what service the people in the courthouse are providing to the community and the county."

The bargaining team included Noelle, Stokes, Tammy Ehlers, Lisa Jacquot and Robin Crabtree.

### Contract for 13th Circuit Court employees corrects inequities

A five-year contract for 13th Circuit Court employees includes wage increases for all, including significant adjustments for probation and detention officers whose salaries had fallen behind.

The Local 978 bargaining team won a 3.5 percent wage increase over the first two years of the contract for all bargaining unit members, followed by "me too" provisions in the final three years that will allow Circuit Court employees to keep pace with other employees in LaSalle County.

The agreement also includes equity adjustments for probation and detention officers that will bring their salaries in line with others in comparable positions.

"We showed management comparables throughout the

state of other probation officers and juvenile detention officers," said local President Vickey Leadingham. "We have someone here who's been here for 20-plus years making what a five-year employee makes elsewhere."

The bargaining committee had to take the unprecedented step of threatening to go to arbitration, Leadingham said.

"Enough was enough," she said. "We had a mediator who came to a few sessions and told the county we were in a good position."

Council 31 staff representative Randy Dominic led the bargaining team and was joined by Leadingham and Nancy Anderson Snow.

### City of DeKalb employees make best of a bad situation

Despite negotiating with an assistant city manager more concerned with sending a message than treating employees fairly, the Local 813 bargaining team won a three-year agreement that includes several improvements.

Wages will rise by 6.25 percent over the life of the contract. Local President Tim Shipman said he's especially pleased about a provision that loosened a residency require-

ment that had mandated employees live within seven miles of city hall.

"They were hiring managerial positions that didn't have to live within that area but they wanted us to," he said. "We have a much bigger area now. The other big issue was holding the line on health insurance costs."

Talks hit a major setback when the bargaining team was notified that three building inspectors would be laid off. The local filed a grievance over the layoffs, which is set to go before an arbitrator.

"That eradicates any kind of trust or mutually-beneficial arrangement," Council 31 staff representative Ken Anderson said. "The guy we were negotiating with, the assistant city manager, was trying to curry favor with the new city manager."

The bargaining team, led by Ken Anderson, included Shipman, Mike Taylor and Matt Anderson.

### Smooth negotiations for McLean County employees

The new, three-year contract covering McLean County employees is the product of a longstanding, productive relationship between Local 537 and management.

The bargaining team won

a 6.8 percent wage increase over the life of the agreement and also convinced management to drop its demand for unnecessary language changes.

Local 537 President Phil Bossingham said reaching the agreement wasn't difficult.

"We have a unique situation in that our employer-employee relationship is really good here," he said. "Everyone understands the contract and works together."

Council 31 staff representative Renee Nestler led the bargaining team, which included Bossingham, Adam McKinney, Craig Romine and Kyle Batterton.

### Show of solidarity moves things along in Fox Lake

After a slow start, the bargaining team for Local 3905 was able to win a new contract for Fox Lake sewer and water employees that will increase wages by at least 5 percent and provide for an improved sick leave policy.

The bargaining team found themselves across the table from a group completely different than in previous negotiations: a new city manager, new assistant city manager and a new law firm.

Continued on page 13

## Back pay bill stalls in legislature, but fight continues in court

The budget battle playing out in Springfield has hampered efforts to pay remaining back wages owed to thousands of state employees.

THE GENERAL ASSEMBLY'S REFUSAL DURING THE FALL VETO SESSION TO EXTEND THE income tax increase passed in 2011 – plus the decision to not hold the usual January lame duck session before Gov.

Pat Quinn leaves office – means that any significant spending legislation is on hold for the time being.

"This is a twin failure on the part of the General Assembly," Council 31 legislative director Joanna Webb-Gauvin said. "They not only failed to finish paying off the debt owed to state employees, but also created a revenue crunch that will make it difficult to keep state agencies operating over the coming months."

Thousands of employees in the departments of Corrections, Juvenile Justice, Natural Resources, Human Services and Public Health are still

owed a bit more than half of the increased wages called for in the previous state master contract.

Employees in those departments received about 45 percent of wages owed after a dogged lobbying campaign by AFSCME Back Pay Brigades during last year's spring session. The union made clear then that the fight would continue until all the money owed is paid.

"The principle involved here is fundamental to the collective bargaining process," said Council 31 Executive Director Roberta Lynch. "A union contract is a legally binding document and it can-

not just be set aside based on changing circumstances."

Given the uphill battle for pay justice at the state capitol, the union will continue to pursue a lawsuit to force the state to pay wages owed – a legal strategy that has so far proven successful.

In late September a panel of appellate court judges ruled that employees must be paid what they are owed, even without an appropriation from the legislature.

The appellate court's decision remanded the case back to circuit court for action – action that is now on hold pending a decision by Attorney General Lisa Madi-

son as to whether she will appeal the decision to the Illinois Supreme Court.

"Enough is enough," Lynch said. "First, an independent arbitrator agreed that wages owed must be paid. Then a Circuit Court judge also sided with state employees. Now the appellate court has also weighed in. All of them agree: A contract is a contract and it must be upheld."

"We hope the attorney general will see that another appeal would only postpone the inevitable," Lynch continued. "But if she does not, we will not relent until justice is done for all state employees."



# Rockford rallies behind Rock River employees who seek to form a union

Rockford's reputation as a "union town" has been on full display in the fight by Rock River Academy employees for union recognition.

EMPLOYEES AT ROCK RIVER, A RESIDENTIAL CARE FACILITY AND SCHOOL FOR TROUBLED ADOLESCENT girls, voted in August to organize with AFSCME, despite a vicious anti-union campaign by management.

Since the vote, the administration at the facility hasn't softened its stance. Along with challenging the outcome of the vote, the facility's management has suspended and fired pro-union employees, among other unfair labor practices.

A complaint issued by the National Labor Relations Board alleges that the facility put employees under constant video surveillance in order to crack down on organizing efforts and even threatened that, if the employees chose

to unionize, management would no longer intervene when employees were attacked by residents.

"The CEO spends his entire day in an office with an array of monitors watching people," said Dave Malesky, a behavioral technician. Malesky and six other employees presented management with a petition signed by 39 staff members urging the center to respect the results of the union election and work with employees to improve the facility.

"We call on Rock River to stop spending money, time and other resources on efforts to undermine our Union," the petition read. "Money spent on these divisive tactics



Supporters of Rock River employees fighting to organize held a candlelight vigil.

is money that could be spent on programs, staff development and retention, wages and our facility."

After a confrontation in which CEO Monge Codio refused to accept the petition, the employees who presented it were fired or suspended on trumped-up charges.

## Community support

WITH MANY OF THE MOST VOCAL pro-union employees unable to enter Rock River and those still on the job facing threats and intimidation, the organizing

committee reached out to community, labor and faith leaders in Rockford – and found a wellspring of support.

Dozens of leaders in the community signed on to a letter calling on Rock River's management to

respect the wishes of employees and negotiate with the union.

"We write to ask that you move past previous hostilities and work to improve your relationship with frontline employees," the letter read. "We believe that only by putting aside past differences, treating employees with respect and allowing them a seat at the table, can Rock River move forward."

When the letter went ignored, employees and their supporters took the fight

before the public, holding a candlelight vigil that was covered on TV and in the local newspaper.

"It means a lot to us, especially the clergy being there and having peers there when you're faced with a difficult battle," Malesky said. "It reinforces your convictions and it shows that other people are concerned about this issue, too."

The community is rallying behind Rock River employees in other ways, too. AFSCME and other unions have started an "adopt-a-family" program to support the 11 employees who have been unfairly dismissed since the organizing fight began.

On top of the "adopt-a-family" program, several Rockford-area labor organizations have donated grocery store gift cards that will be given to families based on their size and need.

"Hopefully these men and women get their jobs back soon, but we wanted to help them get through the holiday season," Council 31 staff representative Jay Ferraro said.

## Chicago elections

Continued from page 6

and their level of support for union-backed measures, as well as reviewing questionnaires. The PEOPLE Committee will meet again in January to finalize the list of endorsed candidates.

Susan Linton, president of Local 2946, said privatization of city jobs and services was among her top concerns when considering which candidates to support.

"When we went to the bargaining table we tried to restrict the role of privatization but it still exists," she said. "People get laid off, they lose their jobs, they can't pay their mortgage and their rent. It affects us individually and it hurts neighborhoods."

Linton's also curious what candidates have to say about pensions, especially given recent court rulings that indi-

cate pension cuts for city employees and retirees may be held unconstitutional.

"I'm going to ask them, 'What are you going to do?'" she said. "We want to know if we're going to have a pension to stand on when we retire. We know the system has a problem, but the only way we're going to resolve this is to come together and come up with something that works for everyone. You've got to be committed to working with us."

## Progressive voices face challenges

THIS YEAR'S RACES ARE ESPECIALLY important because most of the City Council's strongest advocates for progressive policies and workers' rights face stiff challenges.

In the northwest side's 45th Ward, Emanuel's politi-

cal operation is hoping to defeat Ald. John Arena, one of the few members of the council with a 100 percent AFSCME voting record. He has two challengers, including one who he beat by only 29 votes in a runoff election in 2011.

Directly south, Ald. Nick Sposato is running in the 38th Ward. His current ward was split in half by redistricting and he now must introduce himself to new voters in order to prevail. Sposato also has a 100-percent AFSCME voting record.

In the 16th Ward – in the heart of the city's south side – Ald. Toni Foulkes is also confronting a ward map changed by redistricting. Foulkes, who has an 83-percent AFSCME voting record, will face off against a fellow alderman, Joann Thompson.

There are also a few chances to elect pro-worker candidates in wards spread throughout the city, particularly on the south and west sides.

## No time to lick wounds

UNION MEMBERS IN THE CITY need to get involved in local races, said Abram Hackman, a member of Local 2060 who works in the Cook County state's attorney's office. He said he's ready to hit the streets in February and hopes others join him.

"We have to think about the people who have a say over our pensions," he said. "We have to look for candidates who will work not only for us now, but for people in the future as well. You have to put candidates you trust in place."

## Local Level

Continued from page 12

"Originally things started slow and they didn't seem to be taking it too seriously," Local President Trevor Warren said.

That's when the negotiating team called in for backup – from the entire bargaining unit.

"We had the whole bargaining unit show up at negotiations and it made a big difference," Council 31 staff representative Matt LaPierre said. "We had just about all of them at every session and we got a lot of lousy stuff taken off the table."

The three-year agreement includes wage increases in the first two years and a reopener in the third. It also allows for unlimited accrual of sick leave.

Continued on page 15



# RETIREE NOTES



## City of Chicago retirees urge action on skyrocketing health costs

CITY OF CHICAGO RETIREES are urging Mayor Rahm Emanuel's administration to take action now to prevent crippling health insurance premium increases set to go into effect next year.

In 2013, the Emanuel administration announced the phase-out of subsidized health care for City retirees. Despite strong opposition from AFSCME Retirees Subchapter 60, the City Council approved the plan, which will result in increases in retiree health care costs of as much as 79 percent.

"The city is abandoning

its responsibility to retirees who devoted their working lives to providing important services to the public," said Mary Jones, president of Subchapter 60, at a press conference in November.

"This is not a question of resources," Jones said. "The city clearly has the resources for private corporations, TIF districts and big projects. This is a question of priorities."

Without any action, health insurance premiums for many retired city employees would end up doubling over the course of two years, hitting more than 2,500 non-Medicare-eligible retirees especially hard. Many would wind up having to pay 25 to 30 percent of their annual pension – which averages a lit-

tle more than \$27,000 – on insurance premiums.

The Emanuel administration has claimed that retirees can "avoid these increases" by selecting an alternate plan. However, the alternate plans offered by the city provide inferior benefits to the original plans, such as dramatically increased out-of-pocket costs or reduced network access.

At AFSCME's urging, the Emanuel administration announced it would double the funding for subsidies to low income retirees. These subsidies only help a very small group of retirees, but the move from City Hall shows that further progress may be possible.

AFSCME is urging all members who live in Chicago

to call their alderman with the message: "The budget has passed but retirees still need help. Work with us for a fair solution to skyrocketing health insurance costs."

## State and university health care premium refunds could come by spring

STATE AND STATE UNIVERSITY retirees could start receiving refunds for unconstitutional health insurance premium increases this spring.

Retirees in the SERS and SURS retirement systems were forced to begin paying larger premiums for health care benefits starting in July 2013. This stemmed from a state law passed in 2012 that effectively ended the guarantee of affordable health care for those retirees by allowing the Department of Central Management Services to unilaterally set rates.

The union immediately challenged the law in court, arguing that it constituted a violation of the constitution's prohibition against diminishing or impairing retirement benefits. This past July, the Illinois Supreme Court sided with retirees and ruled that the law was unconstitutional. A lower court then ordered that insurance rates return to the affordable levels that existed before the law's passage.

Union attorneys are now working to ensure that money already paid for health care premiums is refunded in an orderly and accurate manner. The state has collected, and will likely have to refund, more than \$59 million from state and university retirees for health insurance premiums.

As On the Move went to press, the next hearing on health care premiums was set for December 18 in Sangamon County, where final arrangements for the refund schedule are expected to be put in place.

## Study: Pensions more effective than 401(k) plans

NEW RESEARCH CONDUCTED BY the National Institute on Retirement Security shows that defined-benefit pensions, like the ones earned by most public sector retirees, are more efficient and cost-effective than 401(k)-style private accounts.

The research showed that

pensions deliver the same retirement income at a 48 percent lower cost than 401(k)-style accounts. Defined-benefit pensions achieve these savings through pooling risk among a larger group of workers and generating much higher returns than 401(k)-type plans.

This is evident in states like Michigan, which closed its pension system and began enrolling all new state employees in 401(k)-type plans. Since then, unfunded liabilities have skyrocketed from \$697 million in 1997 to \$5.4 billion in fiscal 2012. The funding status of the plan dropped from a healthy 92 percent to 60.3 percent. The result? Because of their switch to 401(k) plans, Michigan must now cut the monthly pension checks of current retirees.

Similarly, in West Virginia, the state switched from a defined-benefit pension plan for public employees to a defined-contribution 401(k)-style plan in 1991. As a result, the costs of retirement to the state skyrocketed, and the pension funding level dropped to 18 percent. In 2005, West Virginia reversed course and switched back to a defined-benefit pension plan. As a result, the state is projected to save \$1.2 billion and its pension funding level is up to 60 percent.

## AFSCME Retiree subchapter steps up big in food drive

AFSCME RETIREES FROM Southwest Illinois are stepping up in a big way to support their community during the holiday season. In what is now a five-year long tradition, members of Retirees Subchapter 56, which represents Randolph, Washington, Perry, and Monroe counties, organized a food drive to fill the shelves of local food banks.

"We collect non-perishable food items all year and give them away in November, and every year we have surpassed the previous year's goal," said Larry Brown, president of both Subchapter 56 and AFSCME Retiree Chapter 31.

"One of the reasons the local food pantry is so successful is because of the efforts of our members," Brown said. "AFSCME retirees spent their career ably and professionally serving the public, so it is only natural that we continue to stay involved in such a meaningful way."

# DOC training

Continued from page 11

tional officers and, through shadowing more senior employees, creates an environment where cadets are encouraged to ask questions.

"It's nothing but a win-win for everybody," Portwood said. "The cadets feel more acclimated and more comfortable with

the routine. Instead of just being in school for a week and put into the fire, they can ask questions, work different posts, work with a variety of people."

The improved training has had some secondary benefits as well, including making the union stronger.

"We had every person become a full dues-paying

member immediately and everyone became PEOPLE members immediately," Hellmann said of the first group of cadets at Pinckneyville to go through the program. "They became more engaged and felt that we wanted them there."

McElyea said veteran COs have found that, by being put into a teaching role, they're also getting a refresher course of their own.

"It allows that older, seasoned staff to repurpose themselves and train that new staff," he said. "New staff is learning and older staff is teaching and they're kind of teaching themselves, too. It keeps everything fresh."



# State lottery's privatization gamble proving costly

Illinois' first experiment with privatizing the state lottery has been a bust – but it's unclear if public officials have learned any lessons.

IN AUGUST, GOV. PAT QUINN ANNOUNCED HE WAS TERMINATING THE STATE'S CONTRACT with Northstar Lottery Group, a private firm that had managed the lottery since 2012. The company took over operations with high expectations but – as has been the case with so many privatization schemes – fell far short of its goals.

Northstar failed to meet its profit goals three years in a row. According to a Chicago Tribune report, the company fell \$242 million short of its fiscal 2014 goal, and has fallen \$480 million short since it began managing the lottery.

While Northstar took over management of the lottery, AFSCME members continued to work in frontline positions, working with retailers who sold lottery tickets at their stores. They saw Northstar's mistakes up close.

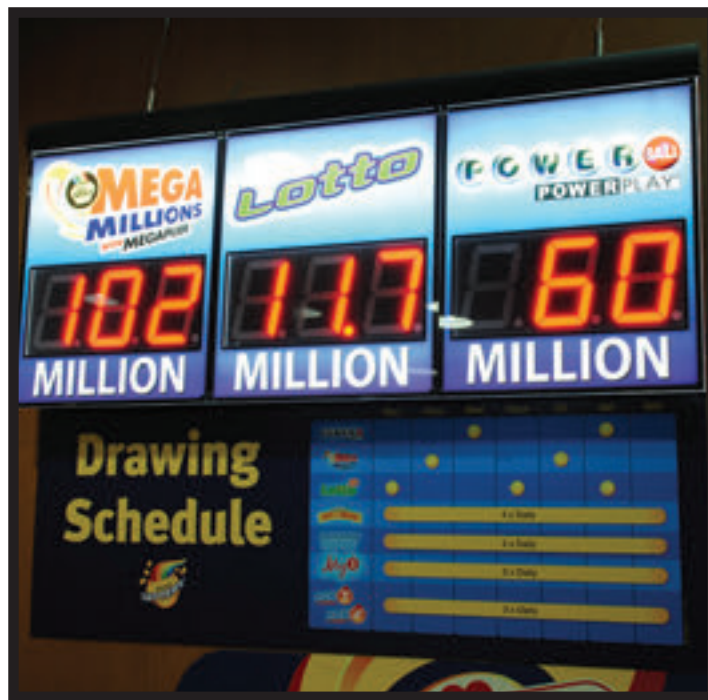
"They had these big dreams of thousands of more retailers they were going to get and they've fallen way short," said Tad Hawk, a lottery sales representative and member of AFSCME Local 1805. "The ones they've brought on board aren't quality retailers. They don't bring in enough money to be worth the time and effort."

Northstar also asked more and more of retailers, Hawk said, without consulting the frontline employees who talk to store owners on a daily basis.

"Decisions are being made without input from the field," he said. "Northstar asked retailers to do more and more as if promoting the lottery is their main responsibility. They just want to cram everything down our throats and the retailers' throats and don't want to listen to people who know the business better than they do."

## Breaking the rules

THE STATE'S ARRANGEMENT with Northstar failed in more ways than one. In November, in response to an AFSCME grievance, an arbitrator found that Northstar employees had been assigned work normally performed by bargaining unit



employees.

The dispute stemmed from the state's decision to use Northstar employees for a "retail optimization project" – the description of which was strikingly similar to work already being performed by lottery sales representatives. In all, more than 1,000 retail locations were placed in the hands of Northstar employees.

In response, the union filed a grievance that eventually went before an arbitrator who found that the state's argument for contracting out

the work was "not persuasive." He ordered that work to be immediately returned to bargaining unit employees.

"It was a threat to our livelihoods," Hawk said. "We were getting them trained and worried that eventually they'd just take over our positions completely."

## A bad habit

DESPITE NORTHSTAR'S FAILURES, the state appears intent on seeking out another private manager for the lottery. AFSCME is using the opportu-

nity to point out that Northstar wasn't the real problem. Instead, it was privatization of an inherently governmental service.

A report released by Council 31 notes the bidding process that led to the Northstar contract – a process that would likely be repeated to find another vendor – lacked transparency and failed to attract a large number of bidders.

"It would take many years of experience to achieve the level of knowledge of public lottery managers," the report notes. "And if a private management contract is rebid, we will have to start the learning process all over again. This was costly to Northstar and it was quite costly to the taxpayers of Illinois. It will remain a drain on revenues for the state."

Hawk said that if the state was serious about addressing its fiscal issues, privatization of the lottery would be off the table.

"We need to keep every dollar we can get, and they're not doing anything we can't do," he said. "It's just padding the pockets of cronies and friends of politicians. It's an extra layer of complication."

## Local Level

Continued from page 15

Joining LaPierre and Warren on the bargaining team were John Thompson and Don O'Boyle.

### Labor-management cooperation set to increase at Smith Village retirement home

SMITH VILLAGE RETIREMENT home employees didn't get all they wanted in a new, three-year contract, but they are hopeful the agreement sets the stage for improvements down the road.

The contract includes a 3 percent wage increase in the first year with reopeners in the following two years. It also establishes a joint labor-man-

agement committee that held its first meeting in December.

"We're hoping that the union and management can work together to try to make things better around the workplace," Local 919 President Charla Swain said. "It's going to be a new experience for us."

Council 31 staff representative Ken Anderson said the committee may help improve relations after a difficult contract negotiation.

"Things got really heated at times," he said. "Hopefully the process of forming this committee will build strength and unity."

Anderson led the negotiations, joined by Swain, Dawn Caldwell, Denise Coleman, Sheila Jenkins and Carleta Hale.

### New wage structure for City of Mattoon employees

NEWLY-HIRED EMPLOYEES IN Mattoon will enjoy increased wages under a new four-year contract negotiated by the Local 3821 bargaining committee.

Average wages will rise by at least 8.5 percent over the lifetime of the agreement, though health insurance costs will rise somewhat as well. The contract also expands vacation time and bereavement leave.

The contract was not won easily, Council 31 staff representative Michael Wilmore said.

"They've got a conservative city council that doesn't want to do anything about raising revenue," Wilmore said. "We went to city council with a petition and eventually got them to back way down from what they wanted to do. And we were even able to make some gains."

The contract helps lock in overtime pay for water and sewer employees, said Tim Ritter, the local's former president and a member of the bargaining team.

"They didn't really have a schedule and the superintendent was just kind of making up stuff as he went along," Ritter said. "Now the overtime will be there and they know what their schedule is."

Along with Wilmore and

Ritter, the bargaining team included Kevin Hamilton, Ethan Ervin and Rob Lecrone.

### O'Fallon EMS employees win wage increase

EMS WORKERS IN O'FALLON will see wages rise 9 percent over three years thanks to a new contract won by Local 2817.

Local president Marty Nungesser said the contract's solid economic package is a contrast from previous agreements.

"This was the first year where the financial part of the contract wasn't an issue and we were able to secure a three-year contract with the best financial package we've gotten in 10 years," he said. "In exchange, the bargaining team agreed to alter their scheduling regimen: Instead of being on-shift for 48 hours followed by four days off, employees will now work two 24-hour shifts over four days, followed by two days off."

The contract also includes an increased uniform allowance and language

meant to ensure higher wages for certified paramedics.

Council 31 staff representative Ed LaPorte led the bargaining team, which included Nungesser, Jason Butler and Pat Battoe.

### Monmouth 911 operators make gains

WAGES FOR 911 OPERATORS IN the City of Monmouth will rise by 4.5 percent under a two-year contract ratified in September.

Local 3071 President Greg Sage said the final agreement was much better than management's initial proposal.

"The city just didn't want to budge on anything," he said. "They wanted to take stuff away but things got to where pretty much everything stayed the same with a small increase in wages. The insurance didn't go up, which was a big thing in our favor."

The bargaining team was led by Council 31 staff representative Randy Lynch and included Sage, Kelly Lant and Becca Blackman.



# U OF I LOCALS BUILD strength AS CONTRACT TALKS CONTINUE



After months at the bargaining table, talks between two AFSCME locals and the University of Illinois Urbana-Champaign have made little progress.

But while university administrators seem intent on dragging their feet, Locals 3700 and 698 are on the move, keeping members active, organized and unified in order to win the best contracts possible.

Negotiations over the two contracts began in August. From the outset, management indicated it wasn't interested in reaching a deal quickly with either local by putting dozens of non-economic proposals on the table.

"I've never seen so many proposals from management ever," Council 31 staff representative Dave Beck said. "They are trying to gut the contracts of anything different, unique or extra over the minimum required by civil service rules. That was a clear signal this was going to be a hard fight."

Some of management's proposals are completely "off the wall," Beck said. For example, the university has proposed that employees in both locals undergo routine drug testing, be required to provide – at management's whim – medical documentation of their mental and physical fitness for work, and have their out-of-work conduct monitored.

"We asked if they had problems with our locals and drugs or conduct and they said no. So then why do they need it?" said Nadja Robot, a member of the bargaining committee for Local 3700, which represents support staff. "The academic professionals don't have any kind of that monitoring going on. The administration doesn't respect the work we do."

## Widening wage gap

University employees also feel disrespected by the administration's willingness to hand out large bonuses to high-profile professors and administrators while at the same time offering little in the way of wage increases to those toiling day after day on the frontlines.

"The Board of Trustees gave the outgoing president a \$180,000 bonus as a thank-you, I guess," Ward said. "He had already gotten a 3.5 percent raise in September."

One year ago, a Council 31 study of university salaries found that total salaries paid to the top 1 percent of earners at the university in

2013 nearly equaled salaries paid to the bottom 10 percent of earners. What's more, the value of raises paid to the top 1 percent over the last three years could have provided a \$3,128 pay increase to each employee in the lowest 10 percent wage tier – a raise that would lift many out of poverty.

But instead of trying to lift its own employees out of poverty, the university's negotiators seem intent on going after the step plan that helps salaries keep up with inflation.

Beck said management not only wants to weaken the step plan for those already on it, but also keep employees new to the bargaining unit – child care and university extension employees – off it entirely.

## Building solidarity

Union members are getting organized to fight back. Members of both locals attended a Sept. 11 rally at the university president's office. In Local 3700, the Member Action Team has been building solidarity within the local and reaching out for support from the rest of the university community, including faculty.

"We do wristbands every other Tuesday," Robot said. "We've been communicating with our members throughout our Member Action Team, which is great because this campus is huge and we're all spread out."

In Local 698, many of the members are new to the union. There, the focus is on signing up dues-paying members and ensuring strong communication between the bargaining team and all represented employees.

"We've been transparent about what management's pushing for," Ward said. "We all agree these proposals are ridiculous and we've got to fight them off."

Robot said that while negotiations has been frustrating at times, she and other bargaining team members haven't wavered in their commitment to securing a fair contract.

"We're not going to throw in the towel," she said. "They can play whatever kind of games they want. We'll still show up and fight."