

CWA LOCAL 6310
AT&T - ASI
MEMBERS
HANDBOOK

MISSION STATEMENT:

**“TO MAKE A STRONGER UNION BY
UNIFYING AND EDUCATING OUR
MEMBERS”**

INTRODUCTION:

The reason why this book came into being is because of the need to educate our members. Education is an essential piece of the puzzle for any organization. As times change and the “out with the old and in with the new” we find ourselves with a growing number of younger members. The lack of unionism among them is obvious, but the eagerness is there and finding a good way to bring the knowledge to them is key. The idea of the members’ handbook was conceived from a group of us so called “young folks” on how we think we could help bring some of the education that is lacking. Now this is not just for the young pups: you old dogs could learn some new tricks. What we want this to accomplish is an empowerment that together we can take a stand and work together for resolution of all problems facing us today. It is time to take a stand and stop sitting on the sidelines and waiting for it to change on its own. **We are the Union!** It is not the president or executive board, it is us! The time to act is now!

**“THE UNION IS ONLY AS STRONG AS
ITS WEAKEST MEMBER!”**

Communications Workers of America's

Worker Bill of Rights

Workers are entitled to certain fundamental rights in the course of earning a living.

These include:

- *The right to organize and form a union, engage in collective bargaining, exercise full freedom of association and designate representatives of their own choosing for the purpose of negotiating the terms and conditions of their employment.*
- *The right to engage in a lawful strike without being permanently replaced or losing their job.*
- *The right to maintain an equitable standard of living derived from compensation for their labor.*
- *The right to job training, other services and education that will empower them to maximize their earnings, improve their occupational skills and enhance the productivity of the Nation.*
- *The right to be assured safe and healthful working conditions and to receive from their employers a conscientious effort to reduce the number of occupational safety and health hazards at their places of employment.*
- *The right to healthcare for wage earners and their families.*
- *The right to earn their living in an environment free from all forms of discrimination.*
- *The right to a livable and economically secure retirement.*
- *The right to engage in the political process as guaranteed under the First Amendment to the Constitution, which would include voluntary participation in the union's political action committee and the use of union dues money as currently provided under state and federal law.*

CWA MEMBERS HANDBOOK

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CHAPTER 1

EMPLOYEE RIGHTS AND BASIC KNOWLEDGE

What are Weingarten Rights?

Employees have the right to union representation when they feel an investigatory meeting is to take place. An investigatory meeting occurs when a supervisor questions an employee to use information against them in discipline or for an employee to defend certain conduct. This does not include normal day-to-day conversations with management or discussions with productivity.

Note: The Company will not advise the employee of their “Weingarten Rights.”

Weingarten Rules:

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

Rule 2: After the employee makes their request the company has three options:

1. Grant the request and delay questioning until union representative arrives and has a chance to consult privately with the employee.
2. Deny the request and end the meeting immediately.
3. Give the employee the choice of having the meeting without union representative or end the meeting.

Rule 3: If the company denies the request for union representation and continues to ask questions, it commits an unfair labor practice and the employee has the right to refuse to answer. The company cannot discipline the employee for refusal to answer.

“The Educated Member is the Company’s Worst Enemy”

The company’s worst fear in an organized shop is a united workforce and if that was not enough, an educated member. The member that understands his rights and an understanding of the contract can go on day after day and know what the company has the right to do and not to do. Why would the company try to propose things to employees that go against the contract? Well, most managers don’t know they are breaking the contract when they do because they are oblivious to what their job entails. A manager that knowingly breaks the contract could be brought up on Labor Board charges that we will discuss later. An employee who knows the contract and his rights will make the manager think and possibly use common sense before acting. That may be hard to believe but it is true. Different things we can do to show a united front is to show our solidarity. If we do not like what the company is doing, the only way to change it is to do it ourselves. We can participate in informational pickets and work activities to show our feelings. Our strength is in our members and the union is only as strong as its weakest member. We will talk about mobilization a little later in the book.

Grievances:

What is a grievance and when can I file one? Typically you can grieve just about anything you feel is unjust. There are actually five categories a grievance may fall into:

1. **The Contract** – Violation of the Labor Agreement in which the contract has been violated. Be sure to review the contract because some things may fall in different areas of the contract and the grievance may hold no merit. That does not mean the grievance is invalid because anything to cause a member to be upset is worth looking into.
2. **The Law** – The contract is an agreement between the company and union but it cannot violate state and federal laws. Some examples include: National Labor Relations Act (NLRA), Equal Employment Opportunity Act (EEOC), and the Occupational Safety & Health Act (OSHA).
3. **Past Practice** – This is when the company, over time, has been using the same rules or processes and suddenly changes them. This can be disputed. An example would be the company allowing 10% of the workforce off at any given time and because they feel the company is too busy they lock the vacation schedule (when 10% is not offered to be off.)
4. **Company Rules or Policies** – The company is allowed to make reasonable rules and may not conflict with the contract. If the rule is vague or unreasonable you can challenge it. You can also challenge a company policy if it is used inconsistently and unfairly.
5. **Worker's Rights** – Without language in the contract, management's actions can be challenged. Prime example is you have an employee receiving special treatment.

Grievance Process:

The grievance process is quite simple and it is very important to always remember that nothing can change unless you try. It is with the utmost importance that the grievant is always kept informed and if you have a question for your steward, ask.

1. **The Issue** – The first stage of the grievance process is What Happened? Above are the normal types of grievances. If you don't know if what happened warrants a grievance, you should consult your CWA representative. The steward in your group is there for you to ask questions and get clarification. If you do not have a steward available, call the local and they will assist.
2. **The Stewards Responsibility** – The steward will make a determination based on the grievance and will either present it to management or forward it to the chief steward or vice president.
3. **Informal Grievance** – A grievance heard at the first and second line level are considered to be informal. In some work groups the third line will also hear an informal grievance. If this matter is not resolved, then it would proceed to the formal procedure as set forth in the contract.

4. **Formalized Grievance** – A formalized grievance is when the company is notified via letter that the union is grieving an issue. Depending on the organization the Director or a designated representative for the company will hear the grievance.
5. **General Level Grievance** – If you do not reach an agreement at the first formal level the grievance can be appealed to the General Level. Generally a staff representative from CWA District 6 will hear the grievance with a company representative from Labor Relations. This is the last step of the grievance procedure before Arbitration.
6. **Arbitration** – Grievances over a Decision Making Leave (DML), Suspension, Termination, and Contract disputes are considered arbitrable. In arbitration a third party arbitrator is jointly selected by AT&T and CWA. Once a decision is made in arbitration it is considered binding and the issue is considered resolved no matter what the outcome.

“What is a Union Steward?”

A steward is a mediator between the company and the union members; a good listener who is impartial, fair, and business-like; able to sell the union to the members; tell a person they are wrong; and a sounding board for the members.

“What does a Union Steward do?”

The union steward is the communicator between the executive board and the membership. You could say they are on the front lines. A steward should lead by example, organize the group, sign up new members, speak for the workers, and keep all members informed. Most of the stewards' work is taken home and done on their own time. The steward really has a thankless job. Everyone always remembers the grievance you did not win; not all the good you have done. **“Have you thanked a steward lately?”**

“What should the Steward Know?”

There a lot of things the steward should know and do. They should know the contract, the job, workers in the group, the grievance procedure, and all committees and their function. All members should try to attend the meeting, but for the ones who don't, the steward should keep their members updated on what is going on. Lack of knowledge is not a very good thing. That means we are weak and we all need to be on the same page even if you disagree with an issue. A steward should never help a manager make a case against the member; “Union Members do not report other Union Members!” The most important job for a steward is to always follow through and keep the members informed.

FMLA – Family Medical Leave Act:

Covered employers must grant an eligible employee up to a total of 12 workweeks of unpaid leave during any 12-month period for one or more of the following reasons: for the birth and care of the newborn child of the employee; for placement with the employee of a son or daughter for adoption or foster care; to care for an immediate family member (spouse, child or parent) with a serious health condition; or to take medical leave when the employee is unable to work because of a serious health condition.

For an employee to be eligible they must meet the following: Have been employed by the company for at least 12 months; the 12 months an employee must have been employed does not need to be continuous nor does it have to be service within the last year. The employee simply needs to have worked for a participating company a total of 52 weeks and have worked at least 1250 hours during the 12 month period immediately preceding commencement of the leave and must have FMLA time remaining.

If an employee needs to be away from work for a qualifying event, the employee must notify their supervisor. The supervisor will be required to submit and FMLA Eligibility Form (FMLA1), available on the FMLA Forms website, to report the request to the FMLA Processing Unit for processing. Employees eligible for FMLA will be requested to have their health care provider submit a Certification of Health Care Provider Form (FMLA4), also available on the FMLA Forms website, to support the absence.

The Union Hall will have someone well versed in dealing with the company and with FMLA if you run into any problems. for the birth

SMAART/Disability:

SMAART, for AT&T, is an outside company hired by AT&T to put it bluntly to deny disability claims. It is a big hassle for the employee and the employee's doctor to get anything approved by SMAART. Eligible employees who are absent from work as a result of an illness or injury may receive short-term disability (STD) and long-term disability (LTD) benefits to assist with finances and income.

The Union Hall will have someone well versed in dealing with the company and with SMAART/Disability if you run into any problems.

EAP – Employee Assistance Program

The EAP for AT&T offers help with marriage, family and relationship problems; alcohol and drug abuse problems; and emotional, personal and stress-related problems.

United Way Assistance:

Everyone sometime will run into trouble and need a helping hand. The United Way has a group of Labor Liaisons to assist in your time of need. They can also help when someone you know is in need not just yourself.

CHAPTER 2

CWA HISTORY AND UNION HISTORY

Union History 101:

What is a union?

A union is a group of workers who form an organization to gain respect on a job, better wages and benefits, more flexibility for work and family needs, a counterbalance to the unchecked power of employers, and a voice in improving the quality of their products and services. **It is a Voice in the Workplace!**

How do unions help working families?

Through unions, workers win better wages, benefits and a voice on the job. Good union jobs mean stronger communities. Union workers on average make 26% more than nonunion workers and are more likely to receive healthcare and pension benefits. Get it out of your head that the company just gave you all that you have!

What have unions achieved for all workers?

Unions have made a better quality of life for all working Americans by helping to pass laws ending child labor, establishing the eight hour work day, protecting workers' safety and health and helping to create Social Security, unemployment insurance and the minimum wage. Unions are still fighting today for all working families.

What has the union done for me?

All stewards hear this from members everyday and this is what unions overall have done for you lately. The benefits listed below are what men and women have achieved by uniting together and taking a stand even if it meant the loss of their life.

1. Eight hour work day
2. Five day work week
3. Health Insurance
4. Good Pensions
5. Paid Sick Leave
6. Higher Wages
7. Overtime Pay
8. Job Safety
9. Paid Holidays
10. Job Security
11. Severance Pay
12. Paid Vacations
13. Family and Medical Leave
14. Fair treatment of Women, People of Color and Workers with Disabilities.

CWA History:

The Communications Workers of America is a young union that was founded in New Orleans in 1938. CWA is the largest telecommunications union in the world representing over 700,000 workers. CWA members are employed in the telecommunications industry, printing and news media, public services, health care, cable TV, general manufacturing, sounds and electronics, and utilities.

The CWA Triangle symbolizes the three main programs of the union: Organizing, Representation, Community and Political Action. The philosophy behind the triangle is all three sides have to stand together in order to work. One can never stand alone. Therefore a united union is a strong union that keeps going on the dedication of its members.

The local union's structure is quite simple. It is made up of the membership, stewards, local committees, and the local executive board.

1. Membership – The local union as a whole.
2. Stewards – Appointed by the executive board to represent the members.
3. Local Committees – Organizing, Education, Legislative, Community Services, and Mobilization.
4. Local Executive Board – Made up of the President, Executive Vice President, Secretary, Treasurer, and Local Vice Presidents.

CWA History Timeline:

1910-1919 Early Organizing Efforts in the Telephone Industry.

The first union that attempted to organize in the telephone industry was IBEW and they were unsuccessful.

1920-1935 Growth of Company Unions in the Phone Companies.

Companies, in an effort to destroy unions, formed company unions which were successful in destroying IBEW locals by 1923. A company union was a group of workers controlled by the company. You could almost view it as a nonunion shop.

1935 Congress Declares Company Unions Illegal.

Congress passed the National Labor Relations Act which stopped companies from unfair labor practices such as creating company unions to go against employee unions. This protects union activities such as grievances, job protests, and strikes. The National Labor Relations Board was created to enforce the new labor law.

1937 Supreme Court Declares National Labor Relations Act Constitutional.

The Supreme Court upheld the NLRA and company unions were no longer an option in the telephone sector or other industries.

1938 Growth of Independent Telephone Unions and the Creation of the National Federation of Telephone Workers.

Independent Telephone Unions joined forces together to battle the Bell System. The constitution was created and adopted.

1943 First Black Operator Hired in NJ Bell System.

Gloria Shepperson was the first black operator hired in the Bell System. She had to fight an anti-discrimination suit to get her job as the operator and later was appointed a staff representative by Morton Bahr.

1946 First National AT&T Agreement.

When the war ended in 1945 the wage of telephone workers were lagging behind others in the industry. When negotiations stalled, a strike was approved by the Executive Board. In the early morning hours the union and company reached an agreement and this was the first time a strike was avoided and was the first National Labor Agreement.

1947 The Strike that ended the NFTW/Creation of CWA.

In 1947 AT&T forced the NFTW into a strike that they were prepared to fight. They refused to bargain with unions across the board. This strike crashed the NFTW and a truly national union was formed.

1951 Creation of a National Defense Fund.

After heated debate, the delegates to the Annual Convention voted in favor to establish the Defense Fund. Fifty cents from every member's union dues went to the Defense Fund.

1955 Southern Bell Strike

A huge victory for CWA came out of a 72 day strike that Southern Bell lost at its attempt to break the union. CWA gained the right to arbitrate and the recognition of the right to strike.

1965 The Triple Threat Program.

CWA Growth Resolution #1 made expanding and organizing the unions top priority. The idea of increasing membership, expanding political influence, education, and collective bargaining was CWA's main program.

1968 National Strike.

The first strike against the Bell System since 1947 it lasted 18 days and CWA negotiated wage increases and benefits.

1970 Government Charges AT&T with Discriminatory Employment Practices.

The government charged AT&T and the company was found guilty of discrimination charges against women and minorities. AT&T paid millions in back pay and wage increases.

1971 Biggest Settlement in CWA History.

CWA negotiated the largest economic settlement ever when they won the cost of living allowance and big city allowance. This was the first time ever that this was achieved.

1973-1974 CWA Deals with Equity and Discrimination within the Union; FWTW Merges with CWA.

The Committee on Equity was created in response to how CWA handles issues of sex, minorities, and discrimination.

1974 First National Bell System Bargaining.

The first CWA president, Joseph Bierne, achieved his goal of national bargaining. President Bierne left sick to announce this and rejoiced. Bierne died on Labor Day in 1974.

1978 First National Women's Conference.

First Women's Conference held with workshops and discussion groups. Resolutions on the Equal Rights Amendment, childcare, and job pressures were presented.

1979 National Organizing Department Established

The Executive Board at Convention level authorized the creation of the CWA's National Organizing Department.

1980-1981 CWA Organizes Public Workers

CWA stepped out of the telecommunications sector and organized public sector workers. We represent 100,000 public and health care workers.

1982 First National Conference on Minority Concerns.

More than a hundred locals participated in the first National Conference on Minority Concerns, which discussed assertiveness training, leadership skills, building minority coalitions, and coping with stress.

1983 CWA Strikes The Bell System.

Right before the breakup of AT&T, CWA went on strike for 22 days for better wages, employment security, pension plan changes, and health insurance improvements. This was the last of national bargaining because the Bell System was broke.

1984 Divestiture and Beyond.

The union emphasized to its members that AT&T was breaking up not CWA. Members stood unified more than ever to confront the new system.

Duties of the Local Executive Board:

President – Preside at all meetings of the local and executive board, responsible for the local's conduct, responsible for grievances not satisfactorily settled, supervise over all the local's committees, and approve bills to be paid by the local treasurer.

Executive Vice President – Work under the direction of the local president, act as chairman of the stewards committee, and report all actions or recommendations of the committee to the local.

Secretary – Maintain a record of the local membership, keep the minutes of the regular meeting and executive board meeting, submit changes of the bylaws to the District office within 10 days after such changes made, and work under the president and executive board.

Treasurer – Must be bonded and as well as any other person who handles funds or property in accordance with the Union Bylaws, Constitution or any state or federal law, be custodian of all assets of the local and make a written report at each membership meeting, responsible for payment of all bills approved by the local and president, and perform duties assigned by the president and local executive board or local membership.

District Vice Presidents – Should be a member from the district and shall perform duties assigned by the local president, the local executive vice president, the local executive board, or local membership. We have six districts under our Local as follows; Verizon District 1, Verizon District 2, AT&T Metro, AT&T North, AT&T South, and AT&T ASI.

CWA 6310 Committees:

Organizing – The organizing committee attempts to organize nonunion shops. The way unions survive is by keeping the union growing in numbers. Our strength is in our numbers.

Education – The education committee tries to develop our local's education process and education of the membership. They will also conduct stewards training.

Legislative – The legislative committee tries to keep the membership up to speed on labor issues in the political realm. One way unions stay strong is by keeping labor friendly politicians in office.

Community Services – The community services committee helps our members in need and people in need in our area. One way for unions to stay favorable in the community is to get out and help the people in our communities.

Mobilization – The mobilization committee keeps our union strong and united. They assist in mobilization activities in the work place and organizing in the event we go on strike.

Audit and Finance – The audit and finance committee ensures the memberships union dues are being used in the locals best interests.

Building – The building committee maintains the building and what goes along with it; the upkeep, repairs, and overall condition.

Election – The election committee conducts our locals election of the executive board and in the event of a strike will conduct the strike vote and contract vote.

Entertainment – The entertainment committee organizes our local's Christmas party and summer barbeque. All the locals outside of work activities are done by this committee.

COE (Equity) – The COE committee maintains the rights and respect of all of our members be it race, beliefs, or gender.

Bylaws – Local 6310

The Bylaws are fundamental rules and guidelines that a local union need to operate. All stewards should have a copy of the Bylaws if a member should ever want to see them. If a member would like to make changes or add a bylaw on how we operate, it follows three steps:

1. By written resolution read at the regular meeting

2. A copy of the proposed changes or amendments is posted in the union newsletter and on the website.
3. At the next regular meeting following its presentation, a majority vote of its members present shall be required for its adoption.

Union Meetings:

Order of Business:

The order of business at regular local meetings shall be as follows:

1. Call to order
2. Roll call Executive Board
3. Reading and action on minutes of previous meeting
4. Financial Report
5. Bills
6. Communications
7. Report of Executive Board members
8. Report of committees
9. Old Business
10. New Business
11. Good and Welfare
12. Adjournment

Order of business may be suspended by two-thirds vote of the members present.

CHAPTER 3

NLRB - THE NATIONAL LABOR RELATIONS BOARD

Who is the National Labor Relations Board?

The NLRB is a federal agency that administers the National Labor Relations Act by: conducting elections to determine whether or not employees want union representation; investigating and remedying unfair labor practices by employers and unions.

What Are Your Rights As An Employee Under the NLRA?

Your Rights As An Employee Under the NLRA Are:

- Forming, or attempting to form, a union among the employees of your employer.
- Joining a union whether the union is recognized by your employer or not.
- Assisting a union in organizing your fellow employees.
- Engaging in protected concerted activities. Generally, "protected concerted activity" is group activity which seeks to modify wages or working conditions.
- Refusing to do any or all of these things. However, the union and employer, in a state where such agreements are permitted, may enter into a lawful union-security clause requiring employees to join the union.

The NLRA forbids employers from interfering with, restraining, or coercing employees in the exercise of rights relating to organizing, forming, joining or assisting a labor organization for collective bargaining purposes, or engaging in concerted activities, or refraining from any such activity. Similarly, labor organizations may not restrain or coerce employees in the exercise of these rights.

Employer Conduct Which Violate the NLRA Are:

- Threatening employees with loss of jobs or benefits if they join or vote for a union or engage in protected concerted activity.
- Threatening to close the plant if employees select a union to represent them.
- Questioning employees about their union sympathies or activities in circumstances that tend to interfere with, restrain or coerce employees in the exercise of their rights under the Act.
- Promising benefits to employees to discourage their union support.
- Transferring, laying off, terminating or assigning employees more difficult work tasks because they engaged in union or protected concerted activity.

Union Conduct Which Violate the NLRA Are:

- Threats to employees that they will lose their jobs unless they support the union's activities.
- Refusing to process a grievance because an employee has criticized union officers.
- Fining employees who have validly resigned from the union for engaging in protected activity following their resignation.
- Seeking the discharge of an employee for not complying with a union shop agreement, when the employee has paid or offered to pay a lawful initiation fee and periodic dues.
- Refusing referral or giving preference in a hiring hall on the basis of race or union activities.

CHAPTER 4

THE CONTRACT

The following section provides explanations regarding labor agreement between CWA and AT&T. These explanations are our interpretation of the contract to work related issues based on collective years of experience and application of the contract language.

Article I - Recognition and Establishment of the Unit

Article I defines CWA as the sole collective bargaining agent. This means that CWA is solely responsible for negotiating pay treatment, benefits, and working conditions.

Example 1

Jeremy, a member of CWA, has filed a grievance with regards to being placed on positive discipline for a code of business violation. The CWA representative has met with the first and second line managers and has not come to a resolution. The second line manager then contacts the member directly to discuss the grievance.

The company is in violation of Article I as well as the National Labor Relations Act by doing so. CWA is the bargaining agent for that employee and once a grievance has been filed the company MUST deal directly with the CWA representative.

Example 2

Tom, a member of CWA, feels that he is not going to be able to finish the expected workload for the day. He decides to work one hour without pay to get caught up.

Tom would be in violation of the contract by working and not charging the overtime. The contract calls for pay treatment for any time worked, regardless of overtime or straight time. The company would be responsible to pay Tom once they were made aware that he had worked.

Article II - Classification of Employees

This article is to provide definitions for each class of employee as some benefits/job guarantees may be different per class. All employees in any of these classifications are eligible to be a CWA member.

Article IV – Basis of Compensation

This article covers compensation with regards overtime, holiday, Sunday pay, differentials etc.

Example 1

Betty, a member of CWA, receives a call from her daycare provider advising her daughter is sick and needs to be picked up immediately. Betty only completes 2 hours of work that day. Later that week she works 10 hours on her SN day. What would Betty's pay be for that week?

Per section 4 of this article her pay would be as follows:

34 hours at the basic hourly rate
9 hours at one in a half (1 ½) times the basic hourly rate
1 hour at two (2) times the basic hourly rate

Example 2

Joe, a member of CWA, works a scheduled tour of 10am to 7pm with SN's of Thursday and Friday. What would Joe's pay be for that week?

Per section 5 and section 6 of this article his pay would be as follows:

32 hours of pay at (the basic hourly rate)*(10% differential)
8 hours of pay at (1 ½ times the basic hourly rate)*(10% differential)

Note:

If Joe was to take a vacation day on Sunday he would only receive 8 hours of pay at (the basic hourly rate)*(10% differential).

If Joe took a vacation day on Tuesday he would still receive the 10% differential for that day.

Article V – Cost-of-Living Allowance

The intent of this article is to protect any scheduled wage increases throughout the life of the agreement. If the rate of inflation is abnormally high (greater than 2.25%), this language causes an adjustment of our base salary at defined times above and beyond our bargained wage increases.

Article VI – Hours of Work

This article defines a normal work week, a normal tour, call out pay, assigned overtime, and breaks etc.

Normal Tour: Defines a tour as consisting of two (2) sessions, each of which shall not be less than three (3) hours, no more than (5) hours in length, exclusive of overtime periods.

Example 1

Nancy, a member of CWA, has a scheduled tour of 8am to 5pm. After being at work for 2 hours the network goes down and Nancy is unable to do her job effectively. Her supervisor instructs her to take her lunch now since the network is down. That would violate section 2 of this article since her first session has not been at least three (3) hours in length.

Assigned Overtime: This language would cover the times the company is requiring a member to work outside his scheduled tour.

Example 1

It is Thursday and it is a nine hour month. The company is requiring 2 hours of overtime today, one before your tour and one after. Jose has 8 hours of overtime this week so far. He does one hour of overtime before the beginning of his tour which brings him to 9 hours total worked this week. He can choose, but cannot be forced, to work the second hour of overtime on Thursday.

Example 2

The company has declared August as a 12 hour month, and September as a 9 hour month. Sunday of the current week fell on August 30th and it is now Thursday September 3rd. Can the company require you to work 12 hours this week? Yes, a week must start in the month it is considered to be a part of. This works both ways though, if a week starts in a 9 hour month and ends in a 12 hour month it is still considered to be a 9 hour week.

Example 3

It is Friday and it is a 12 hour month. Jennifer is scheduled SN on Saturday and has 10 hours of overtime. Her supervisor directs her to come in for 8 hours of overtime on Saturday. Can she be directed to work 8 hours on her SN? Yes, there is an exception in section 9 of this article that states when directed to work overtime on your scheduled day off you can be required to remain for a full day.

Example 4

Jerome is scheduled 8am to 5pm and has been directed to work until 8pm. How many breaks is he entitled to per section 10 of this article? Jerome would be entitled to one break per session and one break since his session of overtime is more than 2 hours for a total of 3 breaks that day.

Article VII – Work Schedules

This article defines how the company will handle the schedule for a given workgroup.

Example 1

It is 1pm on Friday and the schedule that is posted on the bulletin board is still the schedule for the current week. The supervisor finally gets the schedule posted at 1:30pm and notifies everyone that the schedule for next week has been posted. That schedule would be considered null and void and the schedule that was used this week would be used again next week.

Example 2

It is Wednesday and the supervisor sends out an email to the workgroup stating they MIGHT need volunteers for Sunday and are requesting a response if anyone would like to volunteer. After several people respond the company sends another email on Friday stating they have accepted all volunteers. How should their time on Sunday be coded?

Since the company knew before Friday at noon there was a need for these employees to work, they should code that as a regularly scheduled day and be given another day during

the week as an SN day. The purpose of this language is to protect the special pay treatment for Sunday that has been bargained for. By scheduling it this way you gain 4 hours of pay since you get 1 ½ times the basic hourly rate for working Sunday as your normal day.

Article VIII – Holidays

This article defines how all holidays, observed, designated, and floating are handled.

Example 1

Judy has scheduled a floating holiday for next Friday. Her supervisor, while making the schedule, decides he will need to have Judy come in on Friday due to workload. Can he force Judy to work on her floating holiday? No, unlike observed holidays such as Christmas or Thanksgiving, you cannot be forced to work a floating or designated holiday.

Example 2

Working on a holiday is not considered overtime. You will be compensated 8 hours of straight time plus 1 ½ times the basic hourly rate for each hour you work on the Authorized Holiday.

If you work 8 hours on an Authorized Holiday your pay treatment would be as follows:

8 hours of pay at the basic hourly rate

8 hours of pay at 1 ½ times the basic hourly rate

If you work over 8 hours on an Authorized Holiday you will be paid at 1 ½ times the basic hourly rate.

Article IX – Vacations

This article defines vacation eligibility and the selection process.

Example 1

If you start your employment on March 1st, you will be eligible for one (1) week of paid vacation between September 1st and December 31st. The next year you will be eligible for two (2) weeks of paid vacation.

If you start your employment after July and will not complete 6 months of service within that calendar year, you will not be eligible for vacation until the beginning of the next year.

Example 2

Joe schedules a week of vacation starting on July 2nd. Since the 4th of July is an Authorized Holiday, Joe will earn one more day of vacation to be taken after he has completed this week of vacation. That vacation day must be taken prior to April 1st of the next year, and is subject to the normal stipulations of scheduling a vacation day.

CHAPTER 5

MOBILIZATION AND ORGANIZING

Why Mobilize?

Our union's strength and power solely rest on member involvement. At any given moment we have nothing more than the membership's energy and support to succeed. At this point most members feel the need to leave the problems to the stewards and higher to fix the issues. The executive board, chief steward, and stewards are only as strong as our membership. We need to rely on one another for workplace justice, not someone down at the local office.

With any large organization, it is necessary to step back and reenergize the members with education and pride. Where do we come from and where do we need to be? With mobilization we need to meet three major goals. These three goals make up the CWA Triangle: First, contract negotiations, enforcement, and resolution of workplace issues, second, to take effective action in our communities and the political arena, and third, organizing new members and increasing power in numbers. When there is weakness in any of these three legs, everything crashes down.

What is Mobilization?

Mobilization is an information/action program that allows the entire membership to play a part in building a voice in the workplace. Mobilization contains three important ingredients: workplace structure, education, and collective action. Workplace structure is the way we will effectively communicate with one another. The communication method we use is the call tree which has a member in every 1st line manager group that will relay information to the members in their group. We also pass information through flyers or our stewards. A breakdown in the communication process means that the membership would be left not knowing very vital information. Education is another area in which our members need to be well versed. The educated member is the company's worst enemy. It is very important for the members to know what their rights are and what issues are going on that affect them. Leaving a member uneducated allows the company to move in and give misrepresentations of the union, thereby creating a poor vision of the union. Collective action is the final piece to the puzzle. Once we have developed a good form of communication and have educated the members, it is time to mobilize. Mobilization is what we have to fall back on when the grievance process has failed.

Types of Actions:

The first type of action we can take is **Solidarity Action**. This action shows that we are united. One of the common questions is "Why is wearing a red shirt on Thursday so important?" The simplest way we can show that we are a united front is to wear the same team colors. It goes a long way to show that we are united. Another way we can show that we are together is by participating in a balloon day. A balloon day is when we pass out balloons in the morning in an effort to let the company know that we are upset about something. At the same time on the floor is everyone pops their balloon together. It sounds small or insignificant but it works. Mobilization is supposed to get under the

managers skin and make them mad. Another action we can take is a mass start at the beginning of a shift. That is when everyone who starts the day at 8am meets outside and all enter work together. Stand ups are another way to show solidarity. At the same time everyday, everyone stands together for a minute and then sits back down. That's it. Solidarity is the purest and easiest way we can show that we are together. The executive board does not show it, our stewards do not show it. It is you, the member, who shows how united we are.

The goal for all of this is a fair contract. As soon as a contract is signed off on; we begin the preparation phase for the next contract because it is only going to get harder and harder to keep what we have now. We as unions are on the ropes with low member involvement and multi-billion dollar companies going against us. It is time to educate and retaliate against the people that want to wipe out the normal middle class of people. It is greed that is causing this for us. They want to take our healthcare because they made a million dollar profit instead of 1.1 million dollars. They want to destroy and make it harder for us to take FMLA time or disability time off from work. They want to ship jobs overseas so they can make more money and America lose more jobs. If not standing up for yourself, stand up for everyone who comes after us. When your son or daughter grows up and is able to make a good living to raise a family and live the American dream, you can look back and say; **I took a stand, I did not back down without a fight, and I stood up for what was right!**

There are many ways we can say what mobilization is or the importance of it. I like to think mobilization is the act of telling the company we are not going to take what they are dishing out anymore. It's like saying we are about to go to war with the company. War-could I actually use that word? I think yes. The company tries the dirtiest tactics to break us; to conquer and divide us. They are succeeding right now. It is time for us to strike back and that comes from the bottom on up. If we think that some officer down at the local is going to fix the condition we are in you are going to wait a long time. **WE ARE THE UNION! NOT THEM!** The only way to invoke change is by us. In this day and age it should surprise no one that corporations are calling the shots. Contract negotiations are only going to get harder and harder. When a company is forcing its managers to pick up the slack for health insurance premiums you know we are in trouble. When the bargained for employees compensation exceeds that of management employees, you know you are in trouble. Mobilization just does not happen at contract time-it is year round. Think of it as practice for a strike.

This is my main concern for all. The current leadership of most unions is close to stepping down. Their time is done. Who is going to take the reins? The lack of involvement from the younger membership could be our downfall. The idea that a lot of our younger members have is the company is giving us our benefits and wages. They are just a swell company. The problem is that we did not have to fight to get what we have now. It is up to us to follow through on what our retirees began for us. The union let its guard down on the education of the membership. This is what this is all for...Education. An educated member is the company's worst fear and the biggest fear is a United Union. **The union is only as strong as its weakest member.**

Mobilization is a way we can show the company our dissatisfaction in procedures or policies they put on us. When the grievance process fails to achieve the resolution we want, we have this to turn to.

CHAPTER 6

LEGISLATIVE

Legislative: Obstacles Working Families Face

Retirement Security:

Currently there is a push to privatize Social Security and cut guaranteed benefits. Legislators and governors in more than a dozen states are attacking public employee pensions with their own privatization schemes. Most of those attacks seek to replace guaranteed defined benefit pension plans with 401(k)-styled programs that offer no guaranteed retirement security.

Working families and their unions are fighting back to strengthen and protect retirement security by mobilizing against attacks on public employee pensions and the Social Security system.

Quality, Accessible Healthcare:

America is facing a serious health care crisis. Some 45 million Americans do not have health insurance, and rapidly increasing costs soon will put quality health care out of reach of a majority of the American population, health care advocates warn.

Nearly every employer is confronted with double-digit increases in health insurance premiums and many are facing increases well above 20 percent annually. Most employers try to shift these costs to their workers—who either can't afford to pay these additional costs or else experience a declining standard of living to maintain access to health care.

Every significant labor-management bargaining conflict or strike involves health insurance costs at its center, and because nonunion workers have no guaranteed health coverage, they are affected just as much—if not more—than union workers. Workers and their unions regularly are forced to trade wage increases for health care benefits.

And employers who offer quality, affordable health insurance to their employees are undercut by competing firms that don't meet their responsibilities to their workers, while the costs of uncompensated care for the uninsured are shifted to the cost of insurance as well. And high health insurance costs are making it increasingly difficult for American firms to compete in global markets.

Working family activists in several states are working with health care advocates and lawmakers to develop legislation to help ease the health care burden on workers and employers.

Exporting of American Jobs:

More than 40 states are destroying jobs by contracting out state-funded work to companies that ship the jobs overseas. The United States could lose as many as 14

million white-collar jobs as a result of the new outsourcing trend, and workers fortunate enough to hold on to their jobs will see decreasing wages and benefits as companies try to keep pace with low-wage countries. No one knows for sure how many jobs are being shipped overseas, primarily because the government neither collects this information nor requires companies to disclose it. According to most estimates, American workers have lost hundreds of thousands of white-collar jobs to outsourcing over the past few years and millions of jobs will be shipped overseas in the next five to ten years. In professional and information technology sectors, jobs lost overseas account for a significant portion of the total net job loss since 2001. Job creation continues to stagnate in these industries even though investment and demand have recovered. Overseas outsourcing is an important component of the continued jobs crisis in these important sectors.

Overtime:

The recent changes in the 1938 Fair Labor Standards Act gutted the overtime pay protection rules for millions of professional, service and industry workers. Workers who no longer are protected by overtime pay laws include “team leaders,” shift supervisors and assistant managers, chefs, computer employees, registered nurses, insurance claims adjusters and workers in the financial services industry. Once they start making changes to overtime laws, changes will continue. We are not affected now, but this can change very quickly.

Right to Work for Less:

Right to work for less doesn't guarantee any rights. In fact, by weakening unions and collective bargaining, it destroys the best job security protection that exists: the union contract. Meanwhile, it allows workers to pay nothing and get all the benefits of union membership. Right to work laws say unions must represent all eligible employees, whether they pay dues or not. This forces unions to use their time and members' dues money to provide union benefits to free riders who are not willing to pay their fair share.

Right to work laws lower wages for everyone. The average worker in a right to work state makes about \$5,333 a year less than workers in other states (\$35,500 compared with \$30,167). Weekly wages are \$72 greater in free-bargaining states than in right to work states (\$621 versus \$549). Working families in states without right to work laws have higher wages and benefit from healthier tax bases that improve their quality of life.

Federal law already protects workers who don't want to join a union to get or keep their jobs. Supporters claim right to work laws protect employees from being forced to join unions. Don't be fooled—federal law already does this, as well as protecting nonmembers from paying for union activities that violate their religious or political beliefs. This individual freedom argument is a sham.

Right to work endangers safety and health standards that protect workers on the job by weakening unions that help to ensure worker safety by fighting for tougher safety rules. According to the federal Bureau of Labor Statistics, the rate of workplace deaths is 51

percent higher in states with right to work, where unions can't speak up on behalf of workers.

Right to work laws just aren't fair to dues-paying members. If a nonunion worker is fired illegally, the union must use its time and money to defend him or her, even if that requires going through a costly legal process. Everyone benefits, so all should share in the process. Nonmembers can even sue the union if they think it has not represented them well enough.

Employee Free Choice Act:

Workers at the state level are moving to secure their lawmakers' support for the federal Employee Free Choice Act, which would ensure that when a majority of employees in a workplace decide to form a union, they can do so without the debilitating obstacles employers now use to block their workers' free choice.

Project Labor Agreements:

Recently, four new anti-worker, anti-union executive orders repealing rules protecting workers and labor-management relations that in some cases dates back to the Nixon administration. The first one would effectively bar project labor agreements on all federally funded construction projects, even in situations where they have been regularly used since the 1940s. The second one would allow service contractors in federal buildings to layoff low-wage workers, who are mostly women, whenever there is a turnover of government contractors, which in effect erodes their job security. The third one would abolish labor-management cooperation systems that serve the federal government and hundreds of thousands of federal workers and that have resulted in numerous productivity gains and cost-savings measures benefiting all taxpayers. The last one would require government contractors to post notices concerning workers' rights within their unions to object to dues and agency fee payments, while posting nothing at all about their fundamental labor rights to organize or join unions. These orders undermine worker rights and dismantle thoughtfully constructed and effective working relationships between labor and management.

Card Check:

Growing numbers of workers and their employers are forming collective bargaining agreements by using card count neutrality or card check neutrality agreements. Through card check, the employer agrees to recognize the union as the official bargaining agent of the employees once a third party verifies that the majority of workers have signed union authorization cards. The employer and union then begin negotiating the workers first labor agreement. This is on the chopping block for most anti labor groups.

COPE – Committee On Political Education

COPE is the political action committee for the working men and women of CWA, their families and retirees. COPE informs and mobilized union families to encourage their participation in the political process. Through their political action committee, CWA men and women express their voice in politics and policy issues that affect their lives.

Funded by the voluntary contribution of CWA members, their family members and retirees, COPE provided financial contributions to worker – friendly candidates. CWA can only use voluntary dollars to contribute to an endorsed candidate for federal office. No union dues money of any kind can be given to a political candidate for federal office or national political party.

COPE also provides information to union families about the candidates and their positions on the issues affecting their lives. Decent health care, overtime pay, safe working conditions, family-friendly workplaces, retirement security, freedom to organize are among the concerns influenced by the political process. COPE endorses candidates regardless of political party who supports working families.

Working families can never match the contributions of Corporate America or the wealthy. Together we can combine our financial and voluntary resources to make a real difference in hundreds of key elections ant the federal, state, and local level. COPE offers workers the power to gain the attention of lawmakers to there agenda.

In a representative democracy, many voices speaking together are louder than a single voice talking alone. Just as union representation gives workers a voice on the job to improve their lives; COPE is the workers voice in politics to improve their communities and nation. COPE makes politics work for working families.

CHAPTER 7

Frequently Asked Questions

Frequently Asked Contract Questions

Article 1: Recognition and Establishment of the Unit

Who is the recognized bargaining unit at AT&T?

CWA and IBEW are the unions the company has deemed the negotiators of the collective bargaining unit to represent the employees of AT&T.

Article 2: Classification of Employees

What is considered a regular employee?

A regular employee is one who works for the company and conducts normal business for longer than 18 months.

The company is hiring temporary employees. Are they contractors?

A temporary employee is a normal dues paying member and is not a contractor. They are entitled to the normal benefits as a regular employee and works normal business for less than 18 months. This is normal for AT&T to hire temporary and then if the work continues they are made permanent. Their NCS date is the date they start as a temporary employee.

Article 3: New Job Titles

What is the procedure when the company wants to add new job titles?

When the company wants to add a new title or restructure an existing title they must alert the union vice president in writing. Negotiations are setup to discuss wages and benefits for the new title.

Article 4: Basis of Compensation

Can the company have a scheduled holiday on a Sunday?

The company is not able to have any holiday be observed on a Sunday. If an authorized holiday falls on a Sunday, it is observed on the following Monday.

If I am forced to work on my holiday can I take it at a later date?

If you are forced to work on a holiday you will be paid straight time, including night differentials if applicable and normal and a half. You may also choose to be paid straight

time for the day and take another day off later in the year. The day has to be scheduled after the holiday has been worked.

When do I start getting paid double time for working overtime?

You will be paid double time when you work more than 9 hours over your normal tour during a scheduled week.

Do I make more money if I work on Sundays?

If Sunday is your normal day to work you will be paid time and a half for the work day. This is why you should not work overtime on Sunday when it is your scheduled day off. You would be losing money. If you know you are working on Sunday, before noon on Friday for overtime per the contract, you may request another day off during the week.

When am I eligible for night differential pay?

You qualify for night differential when your normal tour ends past 6 pm on a normal day. If you are normally on a night tour and are forced to company school, you are still granted night differentials.

Article 5: Cost of Living Allowance

Do we get a cost of living allowance?

We get a cost of living raise per the contract for our 2007 and 2008 raise.

Article 6: Hours of Work

What is considered a normal work week?

A normal work week is 40 hours. Any hours work over 40 hours in one week is paid by overtime guidelines.

How do I get to pick what shift I am working?

You will be able to pick your tour every six months or more frequent. This will follow the needs of the business. This is done in seniority order highest to lowest. The schedule must be posted by noon the week prior.

When should I be able to get Callout time?

Let's say you are at home on your day off and the company calls you to ask you a question regarding normal business. You should be paid for 2 hours of pay for taking the phone call.

How much notice must the company give me before they can force me overtime?

The company must alert you 2 hours before the end of your scheduled tour.

How much overtime can I be forced to work in a week?

The company has 9 months out of the year that they can force you 9 hours in a week and has 3 months to force you 12 hours in a week. The company will designate the 9 and 12 hours months at the beginning of the year. The only time you can be forced to work over the maximum is if you are forced in on your day off whenever you do not reach the limit of overtime for that week.

How many breaks do I get in a normal day?

You are authorized two 15 minute breaks for a normal 8 hour work day. You are awarded an additional 15 minute break when you work over 2 consecutive hours overtime in a day.

Article 7: Work Schedules

When does the company have to post my work schedule?

The work schedule must be posted by noon on Friday prior to the following work week. The schedule is not official until the manager signs off on each week prior to noon. If the schedule is posted after noon on Friday, it will revert back to the schedule the prior week.

Article 8: Holidays

How many authorized holidays do I receive throughout the year?

You receive 10 paid holidays a year which are; New Years, Memorial Day, Independence Day, Labor Day, Thanksgiving, Day After Thanksgiving, Christmas day, a designated holiday, and 2 floating holidays.

Article 9: Vacations

How do I schedule my vacation for the following year?

Your work group will go through a solicitation process in seniority order. The first round of solicitation is for full week selections. The second round is for single days and reserve weeks if necessary. Your reserve week(s) are your left over weeks of vacation that need to be scheduled. You can use your reserve weeks on an individual day basis before that week is entered and then any left over must be taken.

When must the vacation schedule be completed and posted?

The schedule must be completed through the solicitation process by December 31st at midnight.

Article 10: Excused Work Days

Am I eligible for any type of excused work day?

If you have less than 6 months service you will be granted 2 excused work days with pay and 1 unpaid. If you have more than 6 months service you will be granted 4 excused work days and 1 unpaid.

Article 11: Absences from Duty

Do I get paid time off for voting or jury duty?

You are paid for the necessary time absent to attend jury duty or vote in any elections. The company must be notified prior to the day of the absence.

If I have a death in my immediate family do I get paid time off?

For a death in your immediate family you are authorized 3 paid days off. In the event of a husband, wife, child, or registered domestic partner you may be authorized for 5 additional unpaid days off.

Do I get paid for sick days other than vacation time used?

Depending on your amount of service with the company you may be paid for time loss. These are not excused days off and can be held against you if excessive, as in levels of discipline.

Article 12: Seniority

What is my net credited service date and how is seniority determined?

Your seniority date is the first day you report for work. Your seniority compared to others is from highest to lowest. In the event of same seniority date, the last 4 digits of your Social Security Number are taken highest to lowest.

Article 13: Job Vacancy

Can I request a transfer to another job within my job group?

You must notify the company with a written request for transfer. You can have up to 7 valid requests at a time. You can specify job title if in craft classification or clerical band

and the location of the job desired. The eligible person is picked by seniority and any active level of discipline can prevent you from being able to transfer out of your current job location.

What is time in title and location?

You will not be eligible to transfer to a job unless you have met time and title for your current job location. This can vary per job group. Refer to contract.

If once I get to my new job location can I retreat back to my old job?

After getting your transfer approved and starting at the new location you have 90 days to retreat to prior job if still available.

Article 14: Promotional Pay Treatment

If I upgrade to a higher job title how long before I start getting paid more?

The progression of pay is deemed by previous rate of pay and seniority date. You will pickup on the new pay scale where you fall by previous wage table.

Article 15: Temporary Work in Higher Positions

If I am asked to work in a higher position how am I compensated?

If you work more than 2 scheduled tours in a week you will be paid at the rate of 1/5 of the normal wage progression of that job title.

Article 16: Travel

If I attend training out of town what am I entitled too?

The company will pay for your transportation and give you a per diem for meals and hotel accommodations.

If I go out of town on a job assignment will the company pay for a trip home during the duration of the assignment?

The company will pay for a trip home after 3 weeks when the assignment is over 4 weeks in duration.

Article 17: Force Adjustment

When a surplus situation occurs, what is a typical process of events?

The company will offer lateral transfers and downgrades in seniority order. Then the company will offer lateral transfers by inverse seniority order.

If I am surplus, am I given priority on a return home transfer?

The return home transfer will remain in effect for three years and will be first to get a job offer in seniority order to return home.