

Vice Presidents Report
May 2009

Submitted by Craig Dameron

I was out on benefits for the first 2 weeks of April, taking care of some medical issues that I had been putting off since bargaining last year. Things went well and I am recovering more and more everyday.

On April 27th we met with MV Transportation's General Manager, Regional Vice President and Director of Labor Relations. MV Transportation made a formal proposal to freeze the wage increase negotiated in the CBA of \$.075 due on July 1st, 2009. Employees would continue to receive their anniversary raises as laid out in the CBA.

MV Transportation cited revenue reductions / client demands being made on MVT/ Redmond, as the reason behind their proposal. Per MV Transportation, based on the revenue reductions they would need to reduce the number of employees by 91 part time drivers and 3 full time drivers.

MV stated that they did not want to have to reduce the number of employee's and that their proposal would prevent them from having to do that.

CWA challenged MVT's position of reducing drivers to compensate for their revenue reductions. It was clear that MV had a plan in place to do this. Reducing the drivers by 91 part time and 3 full time drivers, would leave MVT at 130 part time drivers and 130 full time drivers. MVT's plan would move all full time drivers to 40 hours per week and move all part time drivers to 34 hours per week in order to cover their commitment to their client.

CWA has made several counter proposals including a proposal that would protect the membership from the company imposing layoffs even if the membership voted to accept the wage freeze.

Any final proposal will be presented to the Membership for a vote.

The local was notified by Qwest Communications on the same day, that the company will be closing three (3) Kiosks in the Pacific Northwest. Westlake Center, Auburn Super Mall and Federal Way Commons Kiosks will be closed over the next few months.

Employees were notified of the closures in a conference call the same day and then instructed to attend another conference call on the 29th, with labor to go through their entitlements.

The closure of Westlake will affect approximately 4 CWA Local 7800 members.

Qwest, Local Network Operations, specifically the Greenwood Organization, has implemented a new developmental ride along program. Many of our members have contacted the local with questions regarding the new program, and to be frank with you, to communicate their displeasure and concerns over the program.

I assure you that CWA Local 7800 shares all of your concerns and displeasure with the company's decision to implement this program. District 7 has been made aware of the new program and is addressing our concerns with Qwest Labor Department.

The new program the company has implemented has the supervisor pulling a full day of GPS and DOTLOG records, (usually the previous day) and then riding around to re-create the techs route based on the GPS report and DOTLOG.

During this time the Supervisors have been asking questions in regards to route and actions of the technician for the day they are re-creating. CWA considers these questions to be investigatory in nature and recommends that all technicians request union representation before answering any questions as they could lead to discipline.

Once you request representation the supervisor is then required to stop questioning until the representative arrives, call off the interview, or tell the employee that it will call off the interview unless the employee voluntarily gives up his/her rights to a union representative (an option the employee should always refuse).

If the Supervisor ignores your request and attempts to continue to question you or tells you that a union representative is not available, you should advise the supervisor that you will be happy to answer any questions that they have once your union representative is present.

CWA Local 7800 filed an additional 13 grievances with Qwest Communications in the month of April and an additional 4 grievances with MV Transportation.

Of the 13 grievances filed with Qwest Communications, 10 of those were filed with in the Local Network Operations, with 5 of them being terminations for violations of the Code of Conduct.

In each of these terminations the company has utilized GPS and DOTLOG data to lay the ground work for the termination. The terminations have ranged from being out of route, being logged onto a job and working on another job and holding jobs in the techs load to prevent LRAC from assigning additional work.

We encourage you to recognize that the company has the ability to track your every move and they are, take good notes each and everyday for what you are doing, stay on route, close out jobs per the Network Technician Expectations and do not carry jobs to prevent additional work from being loaded.

Remember you need to follow all company policies and safety guidelines on each and every job.

KNOW YOUR RIGHTS

EMPLOYEE'S RIGHT TO UNION REPRESENTATION

The right of employees to have union representation at investigatory interviews was announced by the U.S. Supreme Court in a 1975 case (*NLRB vs. Weingarten, Inc.* 420 U.S. 251, 88 LRRM 2689). These rights have become known as the *Weingarten* rights.

Employees have *Weingarten* rights only during investigatory interviews. **An investigatory interview occurs when a supervisor questions an employee to obtain information which could be used as a basis for discipline or asks an employee to defend his or her conduct.**

If an employee has a reasonable belief that discipline or other adverse consequences may result from what he or she says, the employee has the right to request union representation. Management is not required to inform the employee of his/her *Weingarten* rights; it is the employee's responsibility to know and request.

When the employee makes the request for a union representative to be present management has three options:

- (1) it can stop questioning until the representative arrives.
- (2) it can call off the interview or,
- (3) it can tell the employee that it will call off the interview unless the employee voluntarily gives up his/her rights to a union representative (an option the employee should always refuse.)