Likely most everyone is aware that the US Supreme Court will issue a decision sometime this month in the matter of Janus v AFSCME, a case that is expected to redefine the rules regarding mandatory fair share representational fees for those persons who do not wish to become members of the union that provides representation to them and their bargaining unit.

As a quick matter of background, labor law generally establishes the union selected to represent a bargaining unit of employees as the “exclusive representative” of all bargaining unit members, meaning no other representative but that recognized union is legally permitted to represent employees in that bargaining unit/workplace. Conversely, law also requires that the certified union is required and has a legal duty to represent all members of that bargaining unit.

In order to balance the right of each person to be an individual and to maintain his/her rights regarding free association, and the union’s duty to provide representation to all persons in the bargaining unit, the concept of “fair share fees” was established by the Court in the 1960s. The idea is that no one is required to join the union, but everyone is required to contribute the financial support necessary for the union to satisfy its representation responsibilities.

Through the years, the Court has refined the definition of the contribution required to support the union’s representational work. Certain union expenditures have been excluded from the “fair share” duty – political expenditures, ideological expenditures, and the like. Each year, unions must audit their expenditures, determine the percent of expenditures that is not expended for representational purposes and report those results to the fee-payers and allow the fee-payers opportunity to request refund of the non-representational portion of dues.
The Janus case revisits this idea of determining non-representation expenses and has the potential of abolishing the fair share fee system and eliminating any individual duty to contribute to the costs of representation.

Obviously, such a draconian decision would endanger the ability of every union to effectively and properly meet its representational responsibilities. We are a society that likes to get “the best deal”, that doesn't really like to pay if we don't have to pay, and it must be expected that every union will experience reduced income in the event of an anti-union Janus decision. Reduced income necessarily means reduced effectiveness and reduced ability to successfully represent the members and the membership.

The solution is that each member, individually and collectively, must consider the service provided by their union and must (hopefully) decide that they will, individually and collectively, step up and support their union – support their union financially and support their union with volunteerism and engagement in the union’s work, in efforts to improve and protect the workplace and how members are treated in the workplace.

If unions benefit from such enhanced member support and engagement, a terribly negative Court decision may become the best thing to have happened to labor unions in many years: stimulating the renewed engagement of union members to support and participate in their union and to truly elevate the union’s members to become involved in the work and the activities of their union. Regardless of the decision, please grab and utilize this opportunity to strengthen and build your union!

Now might be the best time to quit.

By Brian Penner, Southcentral Regional Manager

With a new smoke-free workplace law in Alaska, this might be the best time to consider quitting tobacco. According to the surgeon general, quitting smoking is “the single most important step that smokers can take to enhance the length and quality of their lives.” In addition to being the leading cause of death, smoking is the main cause of preventable illness in the United States. Thankfully, due to funding provided by tobacco lawsuit settlements, free, convenient aides and tools are available to help. While you can still receive quitting assistance from your doctor, you can also make use of the free assistance available at http://alaskaquitline.com or 1-800-QUIT-NOW.
Seward Public Employees Association (SPEA), Local 6585, APEA/AFT (AFL-CIO)

By Gene Christian, Southcentral Field Representative

After seven months and an uphill battle, the employees of the City of Seward came out on May 8, 2018 to cast their votes in an election that would determine whether they would form a bargaining unit. The membership spoke loud and clear that day with 88% of the eligible bargaining unit members turning out to vote! and 75% of those members voted in favor of unionizing with APEA/AFT as their exclusive representative. Just six days later, the Seward City Council certified the election and recognized APEA/AFT as the bargaining representative for this new Local. It was also during this meeting that the council directed the City Attorney and Administration to begin preparing for contract negotiations.

Seward Police Officer Corporal Patrick Mesmer before presiding over the first meeting. Mesmer, a popular and widely known figure around town, has been the local face of the movement since the beginning. He’s put in countless hours of his own personal time to ensure its success.

(From left to right)

Dave Nelson, Matthew (Eddie) Armstrong, Richard Adelmann, Patrick Mesmer, Jason Ebberson (IBEW), Nort Adelina and Mikael Kinney.

Memorial Day Weekend discussing local politics and developing early strategies and tactics for bargaining.
Some of our newer members have been asking why we have a union at PIC. I’ve heard new employees say, “PIC is a great place to work.” Why do we have a union? I thought it might be helpful to give a little summary of what happened and where we are now.

About 12 years ago, PIC went through some changes that had adverse effects on staff. These changes included a change in our business model and in managers. In the process of making these changes we began to see our working conditions and benefits change. The first major change that adversely effected staff was a loss of all sick leave. Prior to these changes we received 12 days of sick leave a year. In the process of changing from a sick leave and personal leave system to just a PTO (paid time off) system we lost all 12 days of our sick leave. When we questioned that change we were told “If you don’t like it, leave”. Changes continued and included our salary, hours of work, benefits, leave, disciplinary actions, and treatment in the workplace. Again, as we questioned these changes we were told, “You are At Will employees” and that means you can be fired for any or no reason. The message was clear. Don’t ask questions or challenge our actions. Sadly, many of our excellent and highly qualified staff chose to leave.

Those of us that decided to stay knew that we had to take action. We spoke to the staff at APEA/AFT to find out what our options were. We learned that in order to protect our jobs and working conditions we needed to have a contract. In Alaska, unless you have a contract, you are an “At Will” employee. In order to have a contract we needed to form a bargaining unit (our union) and we needed to negotiate a contract with PIC. This was not an easy process. There were many meetings to talk about the pros and cons, the process, and the timeline. There were two votes. There were promises, there was tension, but most of all there was hope. Our workplace voted overwhelmingly to form our bargaining unit. Anchor- age Early Intervention Occupations Union, AEIOU, was born. The work continued. We developed a constitution, bylaws, had elections for officers, and a negotiating team. We negotiated our first contract with PIC. It took us 18 months of meetings and hard work to get that contract, but we did it.

What do we have now? We have our contract that defines and safeguards our salaries, benefits, and working conditions. We have consistent communication between PIC management and our union members. We are no longer “At Will” employees who can be deprived of their job for any or no reason. We have a system for being treated respectfully in the workplace. We have a means of resolution of problems, issues, questions. Is everything perfect? Of course not, but we have a system in place that enables us to continue to make our working conditions better.

Today, when I hear staff say, PIC is great place to work, I am so grateful for AEIOU. We worked hard to get to this place but we have to work to keep it too. Our union needs our attention and care, just like the babies and children that we work with. Our union is as strong as its members and their participation. Let’s keep AEIOU Strong and Active. Our Strength is in our Unity.
Twenty-two (22) members from seven (7) different Locals attended the week-long Employee Representatives training last month. This year’s class was very diverse, with seasoned Employee Representatives, new Employee Representatives, members interested in becoming an Employee Representative and others whose Locals do not have Employee Representatives – Yet. This diversity added a new dimension to the training by providing “hands on” experience with topics such as, First Friend - Best Friend, 10-Minute Meetings, New Employee Orientation, Investigations and Grievances.

The course focused on the role of the Employee Representative within their Local; how they become an Employee Representative; and their importance in being the face and often the voice for their Local when dealing with members’ concerns, issues and beliefs. Throughout the week, the participants were provided tools and reference materials and the opportunity to breakout into groups to discuss and practice different scenarios.
2018 Union 101 Training
By Jennifer Madsen, Southcentral Field Representative

Nineteen members from nine different Locals attended the 2018 Union 101 class held at Alyeska. It was not all fun and games. The members worked hard on their assignments. This year's participants defined the role of their union, conducted meetings, held union elections, and even wrote contract language. Members learned the basics of what is a union and how their involvement is what makes their union a success.

AFT Public Employees Debt Survey

Thank you for taking part in this important survey to inform how the American Federation of Teachers (AFT) may focus efforts to help people struggling with student loan debt, medical debt, and other forms of personal debt. This short survey will take only a few minutes of your time. All answers will remain strictly confidential, will not be shared with third parties, and will be securely stored and destroyed when applicable.

https://www.surveymonkey.com/r/Debt10
Paul Affatato, Sophie Lager & Kimberley King.

Chris Cole, John Carlson, Kimberley King, James Mounts and Stephanie Pearson

Steve Yarnot conducting the 10 Minute Meeting.
The Union vs My Union

By Anne Knight, Southcentral Field Representative

Did you know that the Alaska Public Employee Association (APEA) is a State Affiliate Union, not a Local Union? Did you know that APEA has twenty-five (25) different Local Unions under its affiliation? Did you know that each Local Union has its own leadership, constitutions/bylaws, collective bargaining agreement and autonomy? Did you know that staff who work for APEA are not your union?

During the past few months, I have had the opportunity to meet many APEA members from multiple Local Unions, and the majority of these folks call their Local Union “The Union” and think that APEA staff and APEA management are their union. Your union is one of the following Local Unions:

- Anchorage Early Intervention Occupations Union (Local 6355)
- Anchorage Council of Education (Local 4425)
- Alaska Higher Education Crafts & Trades Employees (Local 6070)
- Alaska Housing Maintenance and Custodians (Local 6082)
- City of Bethel Employees Association (Local 6055)
- City of Nome Employee Association (Local 6141)
- Confidential Employees Association (Local 6133)
- Fairbanks North Staff Borough Employees Association (Local 6125)
- Juneau Education Support Staff (Local 6096)
- Juneau Mental Health Professionals (Local 6134)
- Kenai Borough Employees Association (Local 6140)
- Ketchikan Gateway Borough Employees Association (Local 6137)
- Matanuska-Susitna Borough Employees Association (Local 6136)
- Nome Joint Utilities Employees Association (Local 6138)
- Petersburg District Support Personnel (Local 6131)
- Petersburg Municipal Employees Association (Local 6132)
- Retired Public Employees Association (Local 4900R)
- Seward Public Employees Association (6585)
- Supervisory Union (Local 4900)
- TOTEM (Local 6265)
- United Academics – Adjuncts (Local 6054)
- United Academics – AFT/AAUP (Local 4996)
- United Special Education Service Employees (Local 4688)
- Valdez Federation of Teachers (Local 3479)

It is imperative for all employees that have the advantage of being a member of a Local Union to understand their Local Union’s Constitution/Bylaws and Collective Bargain Agreement, so they are aware of how their Local Union is governed and how their leadership is appointed or elected. Communicating with leadership and becoming an active member in your Local Union builds power and strength, which has direct impact on the health of your Local Union membership. If your Local Union finds itself in a situation where they have to work together to get what they believe is fair, having a healthy membership is a must. So, I encourage each of you to own your Local Union – by calling it what it is – “my union” or “our union” when you are talking with other members. If you have any questions about how your Local Union is run, please contact your leadership. If you do not know who your leaders are, please contact one of the APEA offices and we will provide you with the information.
SU RATIFIES NEW CONTRACT

As was reported last month, SU did reach a tentative agreement (TA) for a new 3-year contract with the state. The TA didn’t come easily, and involves some fairly significant changes to existing culture, but it was ratified by the membership.

Many people have asked, as they do every ratification election, for specific numbers and details regarding the voting results. SU (and, frankly, the overwhelmingly majority of other unions) does not release detailed ratification vote data. The SU Board believes (and rightly so, I think) that detailed data regarding a ratification vote might allow the employer to draw inferences and conclusions that could be used to strengthen the employer’s strategy and position during subsequent negotiations. I hope, therefore, it will be sufficient to say that a greater percentage than “normal” of the SU membership voted, and they voted for ratification by a margin of approximately 2 – 1.

For an election wherein some very significant cultural changes were being introduced, we believe the results are a clear affirmation of the decisions made by the Negotiating Team.

On the topic of change, and comfort or discomfort with change, I think it is important to remind everyone that discourse, discussion and debate are good things and may strengthen an organization, but if they are to result in improvement of the organization they must be done in a positive, constructive manner.

Please understand and be assured that the union is vested in and committed to the success of its members. That is the essence of why the union exists.

However, if you do have questions or wonder about processes, procedures or reasons, please call or visit your union hall and ask. We will be pleased to answer your questions and to explain our procedures and practices.

Even if you don’t have specific questions or concerns, feel free to come by the union hall — to visit, to chat, to question, to learn more about what we are doing and how and why we are doing it. We will be pleased to share what we are doing and sincere questions are an ideal way to re-think, re-examine and re-consider what we are doing and how we are doing it.

Change is difficult for everyone . . . but calm, rational reason and discussion is the best “usher”.