



# UNITY NEWS

Communications Workers of America AFL-CIO

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## ‘STAND UP!’ COMMUNITY RALLY MAY 22, 2010

As citizens’ rallies go it proved to be the largest in the history of New Jersey. State Police estimates ranged from 30,000 to 35,000, but, to those of us who attended, the crowd seemed much larger still.

that the governor’s proposed budget cuts will damage the state of New Jersey and the services it provides to its citizens. Some of the proposed cuts have already taken place in the education sector, with teachers being laid off and school budgets being drastically reduced statewide.



Regardless the actual number, one fact rang true: Governor Chris Christie’s call for sharing the pain, as New Jersey digs out from its deepest economic crisis ever, rings distinctly hollow. His attacks on working families permeated the various speeches heard throughout the partly sunny day on West State Street.

Calls for restoring the tax on the wealthiest of our state echoed among the throng of hard working taxpayers. Clearly, no one believes the governor anymore when he says that all New Jerseyans will share the fiscal pain of the state’s economic recovery.

Gov. Christie’s threshold for shared fiscal pain stops short of the rhetoric he and many state legislators have preached in recent weeks and months. One change he has preached will eliminate complimentary tickets for state officials to sporting events and concerts; yet, he does not mind having his own sky box at the new Giants Stadium. How can he expect anyone to take him seriously when he pontificates about shared pain?!

All is not rosy in the Garden State, on that everyone agrees. However, the seeds of so-called change that Gov. Christie is trying to sow fell on infertile ground on Saturday, May 22, in Trenton. As the governor seeks to make fiscal history in his way, the citizens’ army that appeared in the shadow of the Statehouse emphatically stated that fiscal history will indeed be made, just not at our expense.

The purpose for the rally was to let the Christie administration know

In addition, services to people with disabilities and to the unemployed are targeted in these cuts.

As one administration minion was quoted by the Star Ledger, “The protesters who gathered in Trenton are on the wrong side of history.” To see them, to hear them, to feel their collective anger, even the most casual observer – Christie puppet or otherwise – knows that this chapter of history has yet to be written!

If no other message was heard this day by the governor, by his detached lieutenants inside the Statehouse and, most importantly, by the state senators and assembly members who pander instead of lead, the citizens who rallied in Trenton on May 22 made it clear that the “shared pain” will indeed touch everyone, or it will touch no one.

The Stand Up! rally on May 22 echoed the sentiments of workers everywhere in New Jersey who protest Gov. Christie’s harmful budget cuts. The many public sector advocates on hand for this historic event showed a true force to be reckoned with by the current administration. The event is being named the largest mass turnout for a public rally in New Jersey. Speakers at the event represented the concerns of their constituents passionately and truthfully, in ways that the governor and his advisors will do well to heed.

The proposed budget cuts by Gov. Christie affect the most vulnerable and unemployed workers throughout the state, not just those who

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## MESSAGE FROM THE PRESIDENT



**T**hroughout the state of New Jersey's 43,000 state workers and 16,000 government workers we have much talent and much to be thankful for. This was evident on May 22, at the NJ "Stand Up" rally where about 35,000 men and women, along with their children, from CWA 1039, other locals and unions, attended. Every street was crammed with people who care about their families' future as well as the future of their brothers and sisters in the work force.

When you actively participate in an event like that you are serving a much greater cause than just your own. If nobody else thanks you for your selfless efforts to make a difference, we do.

Evidently Chris Christie sees my portrayal of our fellow employees differently. So far as I can see, he couldn't care less if private workers come in and take our jobs and fail at keeping up with the work. Some 30 years ago private organizations were placed in state workers positions leaving our folks out in the cold. In a very short period of time they failed at producing quality work.

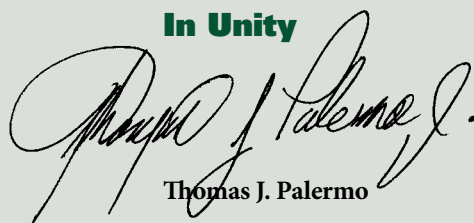
Some 14 years ago motor vehicles became privatized. In less than one year they failed to perform their duties, plus they ran short on money crying they underbid themselves. Mr. Christie wants to go one

step farther and privatize the state in full. We are going to have to stick together and move forward despite the many obstacles facing us. 2011 is going to be quite the year to say the least.

But, in unity there is strength. To continue our fight on your behalf, on the side of what's right, we need to ask your help one more time. We need your vote in favor of a new dues structure. We need you to agree to a one-tenth-of-one-percent increase – .001 or .1% – in the dues that you allocate for your union representation. I am 100% for it and encourage all of you to vote yes.

The money is needed to continue to stay on course. Mr. Christie plans to and he is just waiting for us to fall by the wayside. WE WILL NOT. If you have already made a decision to not vote for the Strategic Media and Public Education Fund, I ask you to reconsider the stakes and what we could lose without the ability to educate the voters, thereby changing public opinion.

**In Unity**



Thomas J. Palermo

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## NOTICE

**B**udgets are tight. Membership is down. Mobilization costs a lot of money. In order to be fiscally prudent for the remainder of our fiscal year ending September 30, 2010, CWA has elected not to fund its annual Children's Christmas Holiday Extravaganza. We know we're in for a joy ride as Gov. Chris Christie establishes his budget by attempting to eliminate services and jobs. We assure you we will keep a close eye on the direction state funding and, consequently, state employment takes. Thank you for your understanding and moral support.

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## Preserving Civil Service

**A**mong the new administration's cost cutting targets are Civil Service protections. Those who have followed the various bills that Governor Chris Christie has promulgated know about Assembly Bill A-2580, commonly referred to as the Civil Service "Opt Out" bill. Passage of this bill would permit municipalities and counties to no longer observe Civil Service guidelines and requirements in their personnel management and hiring decisions.

CWA Local 1039 views the consideration of this bill, let alone its passage, as an onerous prospect for the rights of workers throughout the state.

Quoting from the Civil Service Commission's (CSC's) website, "The mission of the Civil Service Commission is to attract, develop and retain a high quality workforce for State, County and Municipal governments. The Civil Service Commission maintains a partnership with management and labor to develop a fair, efficient human resource delivery system rewarding quality, merit and productivity."

Are our elected leaders less prone today to corrupt influences than their predecessors were a century ago? Do we honestly believe that government bureaucrats in the present are less likely to abuse their authority than those who have preceded them? Here at CWA Local 1039 we answer a loud and vehement 'No!' to these questions.

The incidence of corruption and unfair treatment varies, certainly, from one State department to the next and from one government administrator to another. While we do not paint all State offices and all State bureaucrats with the same, broad brush, we nonetheless understand that, often the only protections that employees have from discriminatory hiring and personnel management practices, from cavalier abuses of power and authority, from favoritism and hostility in the workplace, and from managerial incompetence and unfair treatment in the broadest sense of those terms, derive solely from CSC rules and regulations.

Assembly Bill A-2580, commonly known now as the Civil Service "Opt Out" Bill, provides that by simply passing a local ordinance, towns and counties may opt out of the Civil Service system. For over a century, this system has worked unimpeded by political expediency, unfettered by executive privilege, uncorrupted by private agendas. That will all change, though, if the Christie administration has its way.

Again, quoting from the CSC website, "The Civil Service Commission is an unbiased, independent body that hears and rules on appeals filed by State, county and municipal civil service employees, candidates for employment, and appointing authorities. The CSC provides a forum for appeals to be heard, and fair and

It begs the question, then, to consider what entity will assume the responsibility for maintaining partnerships with management and labor if towns and counties will no longer have to abide by CSC rules and regulations.

"New Jersey became the sixth state in the union to establish a Civil Service Commission in 1908." Since then, the CSC has undergone various changes in structure and statute, but its fundamental mission has remained the same: "...overcoming the combination of a government appointment spoils system and a government that was not ready to solve the specialized problems of the day" (see [www.state.nj.us/csc](http://www.state.nj.us/csc)).

This internal tension and delicate balance between responsible leadership and government corruption exists as much today as it did at the turn of the 20th century. More often than not, CSC rules and regulations have historically served to maintain an effective balance between those two competing forces at every level of government. Does it really make sense that these rules and regulations begin to sunset one hundred years later?

**“While we do not paint all State offices and all State bureaucrats with the same, broad brush, we nonetheless understand that, often the only protections that employees have from discriminatory hiring and personnel management practices, from cavalier abuses of power and authority, from favoritism and hostility in the workplace, and from managerial incompetence and unfair treatment in the broadest sense of those terms, derive solely from CSC regulations.”**

impartial decisions to be rendered.”

Do we as voting taxpayers truly want to live in a state where some municipalities and counties ensure fair, equitable treatment of employees and others do not? Are we comfortable knowing that some municipalities and counties may legally discriminate in hiring and personnel management practices?

When Civil Service protections erode at the town and county level, voting taxpayers everywhere will feel the impact. Without these protections, for example, public workers who do not subscribe to the particular political views of the ruling establishment may be fired unilaterally, without explanation or due process, and regardless of quality of work performance. That translates into a diminishing of public services when those workers receive their pink slips.

If the Christie administration intends to emphasize rewards for meritorious work performance, what illogical, competing rationale supports permitting municipalities and counties to fire public workers on a political whim? The Christie administration cannot have it both ways. They cannot speak on behalf of merit pay and espouse discounting exempla-

ry work performance on the local level in the same breath, and expect the voting taxpayers of New Jersey to accept that hypocrisy.

Equally sinister in its impact, the erosion of Civil Service protections will harm returning armed services veterans, a labor force group that already suffers 16% unemployment. As part of New Jersey's cost cutting measures, must we now also accept an impugning of our dedicated military veterans? Should stemming the flow of red ink in their home state not take into account the spilling of our veterans' blood in Iraq and Afghanistan?

Clearly, New Jersey state legislators should not allow bill A-2580 to see the light of day, let alone go to the Assembly and Senate chambers for a vote. Along with the rights of workers everywhere that elimination of Civil Service will bury, this is one bill that needs to remain buried itself in the committee that spawned it. CWA 1039 urges all its members to call-write-email their Assembly and Senate representatives and make them understand the danger of allowing Civil Service protections to erode at the local and county levels. **U**

— Joe Nardini

## 33 Bills

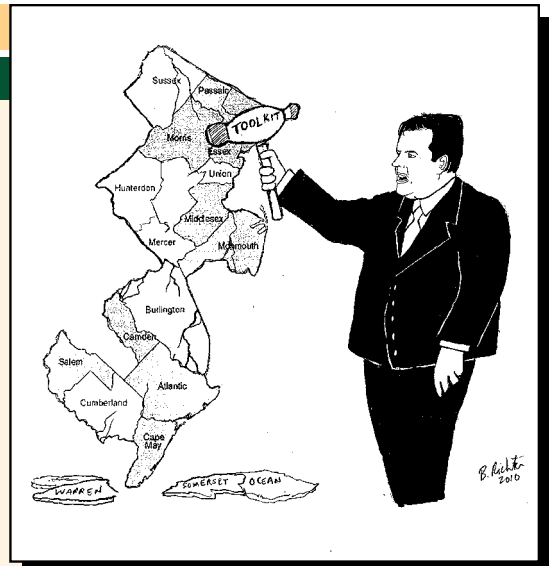
In recent months, tensions among State employees have heightened over Governor Chris Christie's proposed "Tool Kit", an aggregation of 33 bills ranging from capping State expenditures to allowing counties and municipalities to opt out of the Civil Service system. Although the 33 bills each has a different purpose in legislation, each is a strategic device that Christie intends to use to amend, distort, and destroy Civil Service and public worker bargaining rights in New Jersey.

There is no question that the budget of New Jersey is in a great crisis, yet the approach Gov. Christie is taking to fix the financial concerns is entirely wrong. Will cutting funds that provide subsidized breakfasts and lunches to underprivileged children, all while giving tax breaks to millionaires, answer our budget problems? This is just one example of the injustices created by Gov. Christie on a list of many, and unfortunately

many more can be expected to come.

One thing is for sure, not only have state workers taken a public stand against Gov. Christie's dictatorship, a stand that was evident during the May 22 rally in Trenton, but the Senate publicly acknowledged its troubles with the governor in its decision not to take a summer recess. This piece of information may sound somewhat trivial, but the underlying meaning of this act is solely to prevent Gov. Christie from carrying out special legislation and appointments with specific departments. As long as the Senate is in session, by not taking summer recess, the governor can be prevented from doing more harm.

As we endure through the next several months, more information will develop and change regarding the legislation of the 33 bills. Speaker of the Assembly Sheila Oliver expressed that the bills will not be fully com-



pleted until after the budget is passed, possibly sometime in July. Although the bills have yet to be finalized, what is guaranteed is that the CWA union will do whatever is needed to fight against the entire Tool Kit, on both political and legal fronts. **U** — Joan Phillips



## Department of Human Services

In her opening statement at the Senate Budget Hearing this past April, Department of Human Services (DHS) Commissioner Jennifer Velez said that FY 2010–2011 is the "most difficult" budget she has had to prepare in her three years as commissioner of the largest department in state government. Gains and losses came from the careful efforts: DHS aims to expand distribution of food stamps by eliminating services to immigrant populations, but cuts to vocational training services were unavoidable.

Velez said that she and her staff sought to minimally impact the most vulnerable populations by preserving the services most important to them. She further noted that preserving the Family Care Program makes better fiscal sense than cutbacks, because costs for emergency room care are already enormous. Also, clients in developmental centers do not have sufficient funds to care for themselves outside the centers, and taking care of them in the community is more expensive.

Despite cuts to departmental budgets, the prospects for having a signed budget by the end of the fiscal year appeared good. **U**

— Joe Nardini

## Painful Compromises Led to Budget Passage

Legislators are calling the budget anything from a nightmare to a body of mature decisions. Everyone is agreed: painful compromises led to passage of the governor's budget with halting steps on both sides of the aisle. While many in New Jersey will be adversely affected by the fiscal year 2010–2011 budget, some gains are seen, first in the restoration of aid for students, the disabled, and seniors. In addition, Gov. Christie did not get a 2.5 cap on property taxes, which lowers funding for state programs, but was countered instead by the Senate's approval of a bill to cap taxes at 2.9.

Assemblyman Albert Coutinho (D-Essex County) said he had reservations, but would vote for the budget. His message for Christie echoed the governor's plea in March: I am jumping off the cliff and I am asking that you come with me.

The budget deal comprises \$180.7 million in changes to Christie's \$29.3 billion proposed budget, but also keeps some deep cuts, such as an \$820 million reduction in aid to school districts. Gov. Christie said that his principles of smaller government are being upheld, as the budget closes an \$11 billion gap without increasing taxes. Legislators argue that what is not being provided amounts to hidden taxes. For instance, the budget does include a tax increase on millionaires, which the Democrats had hoped would fund programs such as property tax rebates for seniors and benefits for the disabled. School lunches for low-income children meanwhile sadly took a hit.

## The WINS for New Jerseyans are nevertheless significant:

- More funding for welfare, adult medical day care, home-care services, education services for the blind
- Urban Enterprise Zone project funding restored
- State Commission of Investigation, a watchdog agency Christie wanted merged into the state comptroller's office, kept intact

For CWA Local 1039 members, there are other positive elements in the budget, such as the 3.5% raise effective on July 1 and again in January. Yet, the prospect of 1,000 layoffs in 2011 still looms large, along with the threat to the Civil Service Commission.

"We have dodged a bullet for the time being," said Local 1039's legislative and political director, Lionel Leach about the budget compromise. "But we certainly face a war ahead."

Legislative committees started planning hearings on Christie's 33-bill reform of civil service and collective bargaining early in July. The initiative to abolish the state Council on Affordable Housing passed the Senate, but will not get through the Assembly this summer, according to Assembly Speaker Sheila Oliver. Although these are uncertain times we can certainly maintain our stand by sticking together, watching events unfold and letting our legislators know how we feel. **U**

— Diane Vescovi

FMLA and the Union Employee

**F**MLA is the 1993 Family Medical Leave Act. Leave can be taken for the birth, adoption or foster placement of a child, the care of a family member with a serious health condition, or the employee's own serious health condition. FMLA allows eligible employees to take up to 12 weeks of unpaid leave in a 12-month period.

To qualify for FMLA an employee must have worked at least 1,250 hours within the 12 months immediately preceding the commencement of the leave. Also, the employee must meet the eligible reasons for FMLA leave.

The intermittent leave option allows an employee to take 12 weeks in separate blocks of time, with eligibility requirements met, as well. An employer can require the use of accrued paid time off while on FMLA. Likewise, the employee may request use of paid time while on leave.

So why use FMLA if you have accrued time or your contract provides leave benefits? FMLA obligates employers to comply with specific notice and recordkeeping rules, provides protections against retaliation or discrimination, and allows an employee to bring a separate court or administrative action to enforce FMLA rights and to recover actual and liquidated damages, as well as attorney's fees and costs.

Local 1039 has a booklet with much more detailed information on FMLA. Please feel free to stop by and pick one up any time. **U**

— Jo Ann Zucchari-Marinkos

Donated Leave Gives a Big Dose of Help in Time of Need

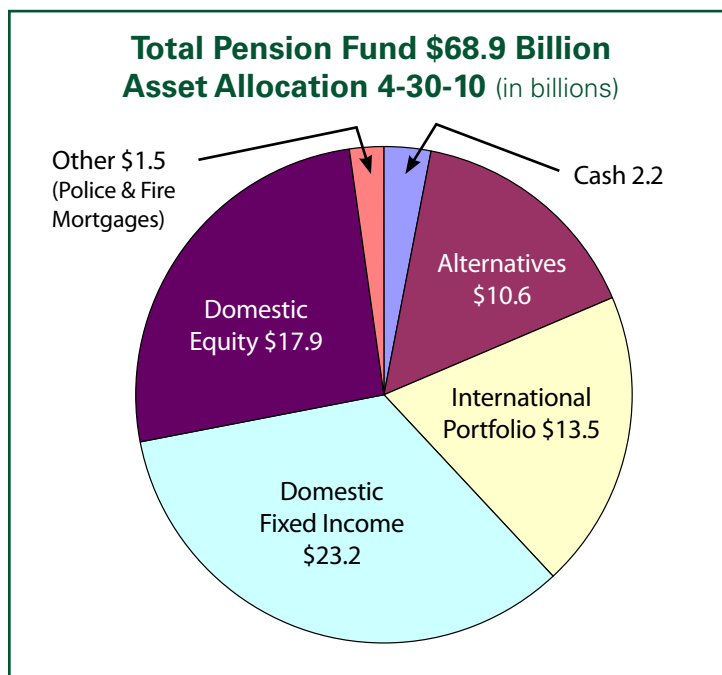
**T**he state donated leave program is hugely beneficial, while the requirements are fairly ordinary. Who stands to benefit? Certainly state employees do, but donated leave goes beyond an employee only, benefitting family members or others facing gravely serious health issues.

State employees facing a catastrophic illness or injury can acquire additional paid leave time, as provided for in New Jersey's Civil Service Code. A leave donor and recipient are involved in this transaction, as well as the employer, who is ultimately the leave granter. Other persons could be involved, such as when leave is requested to care for an injured or sick family member. In addition, an employee who becomes an organ donor is eligible to cover the time of absence with donated leave.

Importantly, a state employee or supervisor of the employee needs to make the request for participation in the program. After that, to qualify as a recipient of donated leave, the employee has: (1) been employed by the state for one year; (2) used all of his or her own accrued time, and (3) received no disciplinary actions for chronic lateness or abuse of leave in the two years prior to the need.

Operative in this whole scenario is the word "catastrophic"; the nature of the injury or illness must be severe or extraordinary, as in the case of organ donation. A life-threatening condition or combination of conditions certainly qualify, as does a health need which a doctor verifies requires an absence of work for 60 or more days. This could also apply to an employee's child in utero, if the fetus' survival is precarious.

With regard to requirements on the employer side, names of eligible employees who are requesting leave must be posted or



Closing Bell Summary

**T**otal pension fund asset returns for the month of April 2010 increased 1.56%. Increases in pension fund assets rose to \$68.9 billion from \$68 billion for the month. For the month of April, Domestic Equity investments (Common Pension Fund A) gained 2.3%, Domestic Fixed Income investments (Common Pension Fund B) rose 3.04%, and International Equity/Fixed Income investments (Common Pension Fund D) lost 0.92%.

The State Investment Council's membership will be experiencing significant changes over the course of the next several months. Gov. Chris Christie has nominated four individuals to replace four of the sitting public members who have left the Council or whose terms are about to expire. Three of the nominees include: Robert E. Grady, a former partner in the Carlyle Group, the world's second-largest private-equity firm; Tom Byrne, Jr., president of Princeton, New Jersey-based Byrne Asset Management; and Guy Haselman, of Summit, director of Toronto-based Bank of Nova Scotia's new broker-dealer operation at Scotia Capital USA in New York. The nominees require approval by the state Senate. In addition to the four nominations, all four representatives from the various pension funds will be replaced by new nominees, which means there will be eight new members of the 13-member Council. **U**

circulated (with their consent) so that others can donate leave. Additionally, labor negotiations representatives must be notified of the employees' request. Other of the requirements, found in Title 4A:6-1.23, all add up to ensure that fairness exists for everyone involved, with no repercussions for a leave recipient and proper compensation in light of the extraordinary circumstances.

Donated leave is something of which every state employee should be aware. Therefore, please spread the word to others that this provision is in the NJ Civil Service Code. For more information, call the local or stop by 13 W. Front Street to read the relevant portions of the Code. **U**

—Diane Vescovi

**Christine Mulvania**



**H**ello! My name is Christine Mulvania, supervisor of accounts with the Department of Human Services. I have been a state employee for 10.5 years and a shop steward for a year and a half. (Thanks to Cheryl for nominating me!)

At DHS, I oversee the County Billing Unit and the Set-off Individual Liability Program (SOIL).

I have been married four years to my wonderful husband, Sean, and I have one child who is the light of my life! I am currently working toward my associate's degree in accounting.

Since being appointed, I have taken my role of shop steward very seriously and am committed to making sure my fellow members are treated fairly by management. I strive to give them the best representation I can. It is a pleasure assisting members accomplish their goals.

The union is a family to me and I am proud to call all of you my brothers and sisters! **U**

**Sharron A. Smith-Whitfield**



**I** began my career with the Division of Youth and Family Services on September 2, 1986, in the Northern Region Adoption Resource Center. I was enthusiastic and eager to learn as much as I could to help children. I instinctively knew the importance of permanency and expediency in the lives of young children.

On November 17, 1998, I received the Social Worker of the Year award for the Metropolitan Region in recognition for my services to children and families. The award was presented by the commissioner and the DYFS director.

While working for the Division, I earned a Master of Arts in counseling psychology and human services, awarded in 1999. In December 2000, I was promoted to a Supervising Family Specialist II.

I began to experience some problems with management after becoming a supervisor. I was very blessed to have had the assistance and support of Local 1039's president, Tom Palermo, who represented me in the most challenging time of my professional career. He battled relentlessly until the conflict was resolved in my favor without any disciplinary action against me. Tom will forever be in my thoughts and prayers!

I was always a member of the union, but it became more evident to me how valuable a strong union is to a member when I was under fire from management. I also determined how vulnerable we are as employees without that support.

In March 2005, I began my career with the New Jersey Child Welfare Training Academy. I enjoy being a trainer and a mentor for the DYFS staff. I earned a Certificate in Training on June 15, 2006, and a certification in the New Jersey Certified Public Managers program on June 3, 2008. I became a shop steward in 2005. I have also served as a member of the Bylaws Committee. I am very diligent in my support of the Training Academy staff. My personal struggle with management has made me a strong advocate.

I got married on May 21, 2004, to a wonderful man who is a pastor, musician, singer and businessman, and a loving husband and father. I have three step-children and a beautiful white poodle named Maxwell J. Whitfield.

I view my past challenges as the vehicle that has promoted my growth and continuing development. I count it all joy and thank God for my blessed life! **U**

**Joseph Goss**



**I** have been employed by the State of New Jersey for the last four years as a Family Service Specialist with the Department of Children and Families, DYFS, Mercer South Local Office. I take great pride in the fact that I have the unique privilege of working in the same community in which I live. I became involved in the union because we didn't have a

shop steward in our office and people needed someone to assist them with their concerns. I am a DYFS case manager because I believe that it is our responsibility to provide care to those who need it.

So I am a shop steward for the same reason. The people in my office work a thankless job. They work very hard every day providing the best possible service to our state's less fortunate and most vulnerable population. I believe that, in turn, they deserve the best possible service. I have seen some very unsavory things come out of our local and state government with regard to our workforce, and the union has afforded me the opportunity to have a hands-on impact on our government.

I encourage all members to become involved in the political process whether through letter writing, phone calls, rallies or simply voting. We need to allow our loud union voice to echo through the halls of the Statehouse and not let all of our daily efforts be diminished by the rhetoric of one man's selfish agenda. **U**

**ASK THE STAFF REP**

**Q: What is the turnaround time for a signed bill to become law?**

**A:** This varies. At the national level, a bill becomes law, whether or not the president signs it, within 10 days, if Congress is in session. If Congress adjourns before 10 days and the president has not signed it, it does not become law, if the president vetoes it. Congress can override the veto and pass the bill into law with a two-thirds majority vote of the members present in both houses. Procedures vary at the state level. In Michigan, for example, the process replicates the national process, except that the critical time period is 14 days. In New Jersey a bill becomes law when the governor signs it, or after 45 days if no action is taken (unless the house of origin is in recess on the forty-fifth day). If the governor vetoes a bill, the state legislature (both houses) may override the veto with a 2/3 vote of the members present. The bill then becomes law on the date specified in the text of the bill or the following July 4, if no date is specified.

**Q: Is Gov. Christie legally required to submit a proposed budget to the legislature that funds annual across-the-board raises?**

**A:** Yes. CWA's collective negotiations agreement with the state makes the raises subject to appropriations by the legislature.

**Q: If a facility closes and folks get laid off, will the 3.5 percent deferred raise immediately become due?**

**A:** If the facility or program closes, all staff must be reassigned or the deferred raise becomes due immediately.

**Q: Are lay-offs negotiable?**

**A:** Lay-offs are considered non-negotiable, due to managerial prerogative.

## Vulnerable Citizens

**T**he citizens of New Jersey are aware that Governor Chris Christie's strategy to effectively balance the budget is effectively unbalancing the lives of New Jersey's most vulnerable citizens, creating economic devastation. Unfortunately, the citizens who depend on the services provided by the government will suffer, creating a rippling effect on vulnerable populations.

What makes this entire budgetary issue so disappointing is the fact that the most vulnerable citizens are not responsible for the economic mismanagement of the state.

We all agree that sacrifices toward resolving the problems are necessary, but the burden of reform should not be shouldered by those most in need of government assistance.

The actions adopted by the Christie administration purely indicate that they'd rather assist millionaires instead of senior citizens, teachers, state workers, and school children, to name a few of the state's most vulnerable groups.

On May 20, 2010, the bills A-10 and A-20 passed the Senate and the Assembly, indicating that senior citizens and disabled senior citizens would gain a property tax relief of \$1,295. This would be accomplished by restoring a surcharge on 16,000 millionaires. However, without a second thought, Christie got out his special pen and performed his most privileged task of vetoing the bill. Do you wonder how he sleeps at night? I do.

Fortunately, it does not end there as we have hope that Assembly Speaker Sheila Oliver will receive the support she is seeking to override the veto. If she's successful, these 16,000 millionaires will be providing aid to senior citizens by creating a tax relief for them, as well as preventing increased costs for prescription drugs in the form of higher deductibles and doubled copayments. **U** — *Michelle Franklin*

### Q: Why is our pension an "unfunded liability"?

**A:** If all who are eligible to retire actually retire, only 60 percent of the people could receive their pension payments, which means 40 percent of those who are eligible to retire would not receive a dime! In the past, governors have taken money out of our pension and or have not funded it. Now they want to have an entirely different pension system (401K), which will mean that all of us in the current system will be in a horrific situation when it comes time for us to retire.

### Q: How is seniority determined?

**A:** Seniority is determined by unbroken time in state service. As long as you are on the books, so to speak, your seniority remains intact. Sometimes promotional opportunities are determined by seniority of title but layoff rights are gauged by years of state service.

### Q: Why can't COPE funds used for political education and endorsement simply be taken out of our union dues?

**A:** Federal law prohibits any type of political contribution to be used in this manner.

### Q: What is Union Benefits Financial Services (UBFS) and do you have to be a full dues member in order to be covered?

**A:** UBFS is a guaranteed acceptance life insurance program. It is not a term life insurance program, which may not pay out when you get sick or may terminate when you retire. There are no medical examinations or blood tests for UBFS. It is a life insurance program for CWA Local 1039 members with cash accumulations, long-term care, critical care, and continuing coverage in the case of being laid off.

### Q: Will the new pension change affect all current employees or just new employees?

**A:** Only State employees who are hired following passage of the new law are affected. Gov. Christie signed the bills into law on Monday, March 22. The new laws apply to new state employees hired after March 22, 2010.

### Q: Why are people still hired and or promoted during a moratorium of hiring and promoting?

**A:** Special waivers, as agreed upon by the appointing authority, are granted by the governor for "operational effectiveness."

## WE'VE ARRIVED!

**S**mall in number but powerful in mind and determination, four RVRS adult education teachers, formed a committee to obtain union representation from Lionel Leach, Michelle Franklin, and Cheryl Palermo of CWA Local 1039, and Alan Kaufman of CWA national. In January, NJ PERC (Public Employment Relations Commission) certified Local 1039 as the bargaining representative for 12 adult education, night school teachers employed by Rancocas Valley Regional High Schools. Recognition came through majority sign-up.

With the intention of improving and promoting harmonious employer-employee relations, the RVRS board of directors, four teachers, and union representatives met twice monthly for the past year. Following PERC's approval and the review of various proposals, as presented by the board and the union, I am pleased to confirm that both parties have finally reached a contractual agreement, on well-negotiated and authorized proposals for the teachers.

Employees are organizing their workplaces daily as they seek and desire positive changes and improvements. If you are ready and willing to create that positive improvement at your worksite, then I am here to provide the guidance you need. Call me and let's build your contract towards better working conditions. **U**

— *Michelle Franklin*



*Michelle Franklin*

## Employee Protection

**Y**es, this is what the union provides ... employee protection!

If you are unsure if you need it, ask yourself: "Am I receiving a fair wage for my duties? Does my manager treat me with respect? Are co-workers receiving more privileges than I am? Was I overlooked for that promotion? Will I be fired if I'm wrongfully accused?"

If you answered "yes" to any of these questions, then you and your co-workers need to be UNIONIZED. Call Local 1039 and ask for Michelle. We can discuss this further. **U**

## Stand Up! *Continued from page 1*

stood up on May 22 in Trenton. Ultimately, they will hurt the educational needs of New Jersey's most important resource – the children – and they will take an even stiffer toll on their working families than a ravaged national economy already has taken.

Poignantly, the May 22 sky that began overcast turned bright in the morning and sunny in the afternoon, as speaker after speaker intoned the fallacies, fantasies, and hypocrisies of a governor's fiscal policies gone amok. To be sure, history was made this sunny day in Trenton, and the people standing on the wrong side of it are those who occupy the Statehouse, not those who stood up all day in front of it. **U**

— *Joe Nardini and Brett Richter*

# SCHOLARSHIP WINNERS

On Thursday, June 24, CWA Local 1039 held the drawing for the 2010 Jim Gallagher Scholarships. We are proud to announce the three \$1,000 scholarship recipients for this year are:



Union member **Bobbi Bodes** of Juvenile Justice Commission (court liaison) has a GPA of 3.67 and is attending Drew University in Madison, N.J., for her doctorate

in medical humanities. Bobbi's ultimate goal is to empower others by helping them to believe anything is obtainable.



**Nicholas Sharr**, the son of Robert Sharr of Voorhees Residential Community Home in Glen Gardner, N.J., has a GPA of 4.0+ and ranks number one in his class at Belvidere High School in Belvidere, N.J. Nicholas will be attending the State University

of New York-Oneonta and majoring in meteorology. Because he experienced the difficult circumstance of a flood in his teenage years, Nicholas wants to help people who live near water.



**Andrew Wills**, the son of Elmer Wills of the Department of Children and Families, OOE, has a GPA of 3.56. He is a pharmacy major at the University of Sciences in Philadelphia, Pa. Andrew's goal is to become

a hospital director of pharmacy and he longs for the chance to give back to the community by enhancing people's lives through home therapy.

**CONGRATULATIONS TO ALL THE RECIPIENTS AND BEST WISHES IN ALL YOUR ENDEAVORS!**

## Strategic Media and Public Education Fund

**W**e at CWA Local 1039 have always appreciated the loyal support that you, our members, have generously provided. Over the years that I have served as your president, I hope you have seen that we have worked hard, and continue to work hard, to reward your loyalty and commitment with dedication and commitment of our own.

These difficult economic times have required all of us to sacrifice more than our fair share. Now, as though that were not enough, we face a constant challenge and a daily threat to our integrity and our very existence, at the hands of a relentless governor and his administration.

We know that this sacrifice makes another chink in armor that has already withstood too many arrows. It is our hope you will view it as just another arrow taken from the quiver of the ongoing fight for what's right — the right that you and your union represent. **U**

## SAVE THE DATE!

Go online to [www.cwa1039.org](http://www.cwa1039.org) or call the local for more details.

**July 27** (RSVP date: July 22)

**Retirees' Meeting** – 12:00 noon at the local in Trenton

**September 16**

**General Membership Meeting** – 6:00 pm at Mercer County Boat House (334 So. Post Rd, West Windsor, NJ 08550)

**September 28** (RSVP date: September 22)

**Retirees' Meeting** – 12:00 noon at the local in Trenton

**November 18**

**General Membership Meeting** – 6:00 pm at Mercer County Boat House (334 So. Post Rd, West Windsor, NJ 08550)

**November 30** (RSVP date: November 25)

**Retirees' Meeting** – 12:00 noon at the local in Trenton

**NOTE:** Kindly RSVP to Local 1039 three days prior to General Membership Meeting dates.

**VISIT US AT [WWW.CWA1039.ORG](http://WWW.CWA1039.ORG)**

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