

SEIU Local 517M E-Former – April 2011

Court of Appeals Continues Health Care Deductions

The Michigan Court of Appeals overturned on March 30, 2011, our victory in the Ingham County Circuit Court, and ruled in favor of the State and against the Coalition of State Employee Unions' request to discontinue the 3% "retiree health care" contribution at this time. The Appeals Court authorized continuation of the deduction and placing these funds in an escrow account until full and final adjudication on the merits of the case.

Although we are disappointed in this interim ruling, SEIU and the other state Unions which filed this court action are more focused in the ultimate outcome of our challenge that the Legislature violated the constitutional authority of the Michigan Civil Service Commission when they passed legislation last fall requiring the 3% deduction from state employees.

Workers Unite At the Capitol to Voice Opposition to Public Service Cuts

On March 16, 2011, more than 3,000 workers and supporters gathered at the Michigan Capitol to voice their displeasure for the anti-worker and anti-labor attacks being carried out by Governor Snyder and the Republicans in Michigan. Various speakers addressed the crowd throughout the day. At one time the rotunda was packed with supporters. Click here to view pictures:



<http://www.flickr.com/photos/54989632@N05/>

April 4th is a National Day of Action

Monday, April 4, 2011 has been declared a National Day of Action. People all across the country and state will be holding rallies, meetings, and other events to stand up for working families and the middle class who, as you know, are under attack like never before.

April 4 is a significant day for several reasons, one being that it is the tragic anniversary of the slaying of Dr. Martin Luther King, Jr., murdered by an assassin's bullet back in 1968. The night before he died, he delivered one of the iconic speeches of American history, the "I've Been to the Mountaintop" speech. He was in Memphis on that fateful day, namely to support striking sanitation workers in their "I am a Man" campaign for better wages, working conditions and dignity.

If there has ever been a time to stand up and be counted, it is now! For more event information, click this link: http://www.seiu517m.org/National_Day_of_Action.aspx.

April 13, 2011 Defend the Middle Class Rally

Join us for a rally at the State Capitol on Wednesday, April 13, 2011 to protest attacks on middle class families. There will be speakers at 1:00 p.m., 3:00 p.m. and 5:00 p.m. Politicians are unfairly exploiting Michigan's economic crisis to attack students, seniors and working families. Let's fight back on April 13 and let the politicians know that "We Are The People" and it's time to start protecting the middle class – not the CEOs. **Please bring a canned good to donate to the Greater Lansing Food Bank.**

Arbitration Awards Issued over Temporary Layoff Days for Federally Funded Employees

SEIU and the Michigan State Employees Association (MSEA) have received arbitration awards on grievances that claimed bargaining unit employees who are federally funded should not be subject to temporary layoff days since there is no loss of funding and create no savings to the general fund. Both arbitrations were lost. The first decision awarded was from MSEA by Arbitrator **Richard Mittenthal**. He ruled that the parties did not negotiate specific language that stated a temporary layoff had to be based upon the type of funding source. Their language on general layoffs did contain a provision regarding funding and gave the state some discretion in choosing who would be laid off based upon the source of funding. That language is not found in the provision describing temporary layoff days and the Arbitrator ruled that he did not think that was "careless draftsmanship." He stated, "Had the parties intended to require that any 'temporary layoff' be related not just to a 'loss of funding' but also to a decrease in the 'funding source' of the positions suffering a layoff, they surely would have said so. They did not. That silence strongly suggests that they had no intention of conditioning every employee's 'temporary layoff' on a reduction in the relevant 'funding source'. They were well aware of the significance of these terms." He also stated that the Employer probably had no interest in negotiating this language so that they could react to the size of the revenue loss, with a prompt response, and not have to worry about the complications of determining the funding sources of particular positions. The UAW still has outstanding grievances on this issue. Click the link to read the MSEA award: <http://www.seiu517m.org/admin/Assets/AssetContent/87657323-d468-4ff7-a068-4d93028fed5f/546bfa9e-94e2-495f-9d30-54cc81f55e47/212338f8-c5f0-4192-a54b-89821faa91ee/1/mseafurlougharb.pdf>. If you have any questions, feel free to contact Cindy Mason at cmason@seiu517m.org.

Vet Reps Lose Arbitration on Temporary Lay-Off Days

By Phillip Patrick, Human Services Support Unit President

On October 16, 2009, the SEIU 517M Human Services Support Unit filed a request for arbitration regarding the six temporary layoff days endured by our Employment Service Interviewers, specifically the Disabled Veterans Outreach Workers (DVOWs) and the Local Veterans Employment Representatives (LVERs). After numerous Employer requests for postponements, the arbitration was held on January 7, 2011 before Arbitrator **Elliot Beitner**. Both parties, SEIU and the Employer, presented their cases before the arbitrator.

The Union's argument was that although the State was in a financial crisis, our Collective Bargaining Agreement (CBA) states that, in relevant part, "Temporary layoff may be used for situations involving: Unanticipated losses of funding which the Department or Agency does not expect to obtain or make up within the temporary layoff period." The Union argued that the Department did not experience a loss of funding because these positions are 100% federally funded. The Employer argued that a loss of funding to the State, as declared by the Governor's Executive Order 2009 – 22, fulfilled the requirement stipulated in our CBA. The Employer further declared that the State did experience a loss of funding and the source of the funding is immaterial. A loss of funding was realized by the State of Michigan regardless of whether the funding comes from a state general fund or a restricted federal fund. The Arbitrator was persuaded by the Employer's argument and our arbitration decision resulted in a denial for SEIU. We will continue to fight for our membership on these matters. We see this as a temporary setback, not as a total defeat for our members. If you have any questions, feel free to contact **Phillip Patrick** at ppatrick@seiu517m.org. View the SEIU arbitration award at: http://www.seiu517m.org/admin/Assets/AssetContent/87657323-d468-4ff7-a068-4d93028fed5f/546bfa9e-94e2-495f-9d30-54cc81f55e47/d1dae5ef-1f75-4556-a9b1-cd945efe01d5/1/temp_layoff_days.pdf

City of Detroit Members to Hold Bowl-A-Rama

The City of Detroit Employees will be holding their 4th Annual Bowl-A-Rama/Fundraiser at Cloverland Bowling Lanes on Sunday, May 22, 2011 starting at 4:30 p.m. The Lanes are located at 28900 Schoolcraft Rd. (I-96 Service Drive) between Inkster Road and Middlebelt Road. This event is open to all SEIU Local 517M members!

Cost is \$20 per person and \$10 for kids 10 and under. Cost includes 3 games of bowling, shoe rental, pizza and pop. Bring your team or join a team. A maximum of 5 people per team is allowed. There will also be a 50/50 raffle. Proceeds help with our annual community outreach picnic.

Advance team registration and payment due by April 30, 2011.

For more information contact: **Cephus Porchia** (313-779-5818), **Amanda Holmes** (734-679-1462), **Nate Richardson** (313-680-4585), or **Yolanda Langston** (313-204-5355)

Flint School Board Election is May 3rd

The Flint School Board election will be held on Tuesday, May 3rd. The following five candidates are running for three open board seats:

Ella Greene-Moton
Isaiah Oliver
Johnnie Sue Petrich
Charles Tutt
Harold Woodson

More information on these candidates will be sent to the membership as the election nears.

Upcoming Summer Events

The 2011 SEIU Local 517M Annual Meeting will be held on Thursday, July 21st and Friday, July 22nd at the Lexington Hotel in Lansing. Thursday will be an Executive Board meeting with general membership programs on Friday.

On Thursday, August 4th the SEIU Local 517M Golf Outing will be held at Wheatfield Valley Golf Course in Williamston.

More information on both of these events will be on our website and in future E-Formers.

A Thank You From a Member

Just wanted to send a quick but well deserved THANK YOU to SEIU517M! You guys have been doing a great job battling for our membership and I personally wanted to take a minute to thank you.

Please keep up the good work and continue to fight the good fight!

G.N., state employee

School Retirement System Facts

Did you know that . . .

- The buck stays in Michigan- 91% of MERS 27,150 retirees remain in the state
- MERS retirees contribute over \$451 million annually to Michigan's economy
- Public pensions in Michigan directly - or indirectly - support nearly 57,300 jobs
- Nearly 250,000 public retirees live in Michigan communities
- Pensions are automatic stabilizers for the economy- steady income streams result in steady spending; downturns in the market result in retirees holding onto assets and interrupting spending patterns due to uncertainty of the economy