

WEEK IN ACTION!

Weekly News From Your Union ~ April 21, 2014 – April 25, 2014

Please Attend The May 1 March For Health & Dignity

State House Lawn, Montpelier

Assemble at 11:45 a.m. to begin noon march!

Note: VSEA is urging members to use a few hours of annual leave on May 1 to attend the Workers' Center's annual march through downtown Montpelier to the State House.

On Thursday, May 1, labor unions, workers' rights groups, and other social advocacy groups will celebrate May Day with a march through Montpelier, which will be followed by a "Day of Action." This annual event, which is organized by the Vermont Workers' Center and other organizations, is regularly attended by hundreds of Vermonters from every corner of our state.

This year your union, VSEA, is a chief co-sponsor of the event and will take a lead position in the May Day march. And the "Day of Action" events following the march will feature VSEA's campaign to end retaliation against state employees who speak out publicly about waste, fraud, and corruption. VSEA whistleblower and leader John Howe is a featured speaker, and he will be educating the crowd about what happened to him and why he's fighting back. It would be great for John to look out on a sea of state employees who support ending retaliation against whistleblowers.

The "Day of Action" events will also highlight the fight VSEA Judiciary members are currently facing at the bargaining table, as they combat anti-union tactics and draconian proposals.

VSEA's more prominent role in this year's May Day events is a direct result of the membership's decision a few years back to redirect some of your union's focus to building stronger coalitions within the Vermont labor movement. Being a big part of events like the one on May 1 goes a long way towards achieving this goal.

Please Join Colleagues And Community Members From Around The State As We Come Together On May 1 To Declare:

- An end to predatory and abusive management practices within state government;
- Strengthened protections for workers who blow the whistle on waste, fraud and corruption; and
- A fair contract for Judiciary employees that respects the workers' collective expertise and dedication.

[Taking VSEA Members' Message to the Streets](#)

Part of the "Day of Action" events will be a demonstration where hundreds of Vermonters will stand in solidarity with state employees as we march on the Department of Human Resources' main office in Montpelier to call for respect and dignity. The crowd will then cross the street to rally at the Vermont Supreme Court and call for a fair contract for VSEA Judiciary Members.

[Get Involved! Your Voice Makes A Difference](#)

There will be afternoon events, activities, and complimentary food and beverages provided by your union and the Workers' Center. If you have questions about the May Day event,

transportation options, or suggestions about VSEA's participation, please contact VSEA Organizer Tim Boyle via phone (802-595-9106) or email by clicking [here](#).

VSEA Files ULP, Says Judiciary Manager Interfered With A VSEA Union Representative's Worksite Employee Interaction

On April 18, VSEA filed an unfair labor practice (ULP) with the Vermont Labor Relations Board (VLRB), charging a Judiciary Branch manager with violating 3 V.S.A. § 1026(1), which forbids an employer "to interfere with, restrain or coerce employees in the exercise of their rights guaranteed by section 1012 of this title, or by any other law."

The VSEA says that on or about March 28, Union Representative Brian Morse attended a scheduled meeting at the Lamoille County Courthouse with a Judiciary employee and the Superior Court Clerk. Following that meeting, Morse, who is also the VSEA Union Representative newly assigned to bargain contracts for Judiciary Unit employees, asked permission from the manager to walk around and introduce himself to other Judiciary VSEA members working at the courthouse. He explained that it was his first visit to the Lamoille since being assigned to represent employees there, but he was told he was not allowed to introduce himself to employees because "organizing" is not allowed. Morse responded that introducing himself to current VSEA members is not organizing, as that term refers to soliciting non-members to join the union. The manager finally ended up granting Morse's request, saying she "would make an exception" for that day, but she would not allow him to visit on his own, insisting instead that she would shadow Morse as he made his introductory rounds.

VSEA's ULP argues that Morse was granted the right to speak with employees, but he was unable to speak in confidence because the manager stood right beside him, within listening range, at every stop. In fact, the manager did not leave Morse's side until he returned to the security desk out front and exited. VSEA is now arguing that this manager's actions interfered with a VSEA Union Representative's ability to communicate with VSEA members. VSEA is also contending that the manager acted improperly by refusing VSEA members to communicate with any amount of privacy with their Union Representative and that the manager's close monitoring of employee conversations was intended to—and did have—a chilling effect on the interactions.

VSEA Whistleblower Compelled To Participate In Lengthy DHR Investigations

Friends and supporters of VSEA leader and whistleblower John Howe joined with him on April 24 to walk in solidarity from VSEA headquarters to the Department of Human Resources' main office in Montpelier; the site of the State's first formal investigation of Howe since placing him on 30-day paid administrative leave for allowing a non-state employee in his charge to use his State-issued cell phone to conduct business. Because the group's walking route took them directly past the front of the State House, their loud chants of "What do we want? Justice for John Howe. When do we want it? Now!" and "Union leader, under attack. What do we do? Rise up, fight back" reverberated nicely off the walls of surrounding state office buildings and the Vermont Supreme Court building. Arriving at DHR's front door, Howe paused to address the group to thank them for their continued support and for their calls and letters to the State, asking officials to drop the investigation of Howe.

Howe's initial investigations dragged on for four hours, which he said was exhausting and was

probably intended to try and draw a reaction from him, or cause him to implode. But even under intense pressure and questioning, Howe remained calm and collected, articulating his version of events and steadfastly defending his right to speak to lawmakers about issues and concerns he has about his agency and about a large private contractor doing an increasing amount of work for his agency. Following his investigations, Howe took time to deliver a video message to his supporters and all VSEA members about what happened and how he is feeling. You can view Howe's message by [clicking here](#). The *Burlington Free Press* covered Howe's walk and wrote a story, which you can read by [clicking here](#). A second *VPR* story on Howe is expected to post later today on the station's homepage and VSEA will also be posting it to the "Justice For John Howe" Facebook page, which can be found by [clicking here](#).

Howe Files Lawsuit

Howe also filed a lawsuit in Chittenden Superior Court this week against "various agencies, appointing authorities, officials, and employees of the State of Vermont for injunctive relief and other damages pursuant to Whistleblower Protection provisions of the State Employees' Labor Relations Act, 3 V.S.A. §§ 971-978." In his lawsuit, Howe says management began to retaliate against him after he testified in January 2014 about his concerns his agency is becoming increasingly dependent on a private contractor called VABIR. Howe labels the actions of the defendants named in his lawsuit "willful, intentional and egregious" and he writes that "As a result of Defendants' actions...[I] suffered damage to [my] reputation, humiliation, and emotional distress, among other damages." Some of the relief Howe is asking the Court to provide includes: filing an injunction to stop the personnel investigations; reinstating him to all of his previous duties and functions at his normal reporting location; enjoining the defendants from engaging in further acts of retaliation, restraint or interference with his whistleblower activity; and paying reasonable costs and attorney's fees.

VSEA members are urged to stay engaged in Howe's fight for justice. Download a "We're All John Howe" flyer [here](#).

VSEA Launches New Digger Ads Supporting Fully Funding Vermont State Colleges

VSEA launched a new set of ads yesterday on online media outlet [VTDigger](#), calling on the Senate to restore 1% of the funding proposed to the Vermont State Colleges that was recently stripped away by the House.

The ad steers readers to a page that asks Vermonters to contact their Senators today and urge them to restore the House's funding cut. It also educates the reader about how poorly funded the VSC system is, reminding that the State has failed to increase VSC funding to keep up with inflation. This has resulted in our State Colleges experiencing an alarming 76% drop in State appropriations from 1990 to 2013.

To view the ad's information page, [click here](#).

Thanks for the help!

State Says It Is Committed To Working With Frontline Employees On Future Moves

Thanks to hundreds of VSEA members statewide banding together in recent years to collectively ask to be included in discussions and decisions about significant office moves, the State is now beginning to treat workers as equal partners and is, in fact, welcoming their input. In an April 16 memorandum to VSEA President Shelley Martin and Director Mark Mitchell reaffirmed its commitment to include VSEA members in discussions about office moves. It reads:

“This memorandum will confirm that this Administration is committed to meaningful employee engagement when significant State facility renovations and relocations are being planned and implemented. We have learned valuable lessons in recent years about the importance of sharing information and seeking employee input at the appropriate times throughout the design and implementation phases. In addition, we have learned that utilization of proven change management practices can lessen anxiety and facilitate a smoother transition.

We will reach out to VSEA and collaborate on ways to operationalize plans for meaningful employee engagement when significant State facility renovations and relocations are being planned and implemented. Examples where will employ the practices referenced above include the Waterbury State Office Complex and the shared Agency of Agriculture, Food and Markets and Agency of Natural Resources Laboratory, but there will be others as well.”

“We really appreciate the State’s commitment to draw on the collective expertise of frontline employees,” VSEA President Shelley Martin told *WIA*. “Our knowledge and experience will serve the state well by helping to design workspace that maximizes the taxpayers’ investment and provides the best service environment possible for the public.”

VSEA Organizer Looking For Volunteers To Participate In “Spring Drive”

VSEA Organizer Josh Massey is helping facilitate VSEA’s 2014 spring membership drive, and he is looking for volunteers in worksites across Vermont to help plan, coordinate and roll out this year’s program. If you would be willing to help, please contact Josh by email at jmassey@vsea.org, or by phone at 223-5247. Thanks!

VSEA Needs To Know If Your Mailing Address Is Different Than Your Home Address

Many VSEA members have a mailing address that is different from their home address. They may keep a P.O. Box at the post office, or they may have a mailbox with an address different from their actual house address. If this is the case with you, please email the Union at nstein@vsea.org and let us know! Our reason is that the address information for our members that we receive from the State is unreliable. The State cannot report to us both a “Mailing Address” and a “Home Address.” We only occasionally send paper U.S. mail, but, when we do, it’s important, and includes: Ballots for Union elections, insurance information, and legally-required warnings of Union meetings.

If your mailing address is different from your home address, we need you to tell us! Email nstein@vsea.org. Thanks!

VSEA Members Eligible For 2014 Vermont State Colleges Staff Federation Scholarship

A Vermont State Colleges’ Staff Federation scholarship is intended to help VSEA members and their spouses, dependents or domestic partners who are seeking financial assistance to pursue post-secondary educational goals at one of the following: Castleton State College,

Lyndon State College, Johnson State College or Vermont Technical College. The deadline to apply is May 31, 2014.

VSCSF scholarship applications should be sent to:

Monique Prive, Librarian
c/o Lyndon State College
P.O. Box 919
Lyndonville, VT 05851-0919

You can reach Monique by phone at 802-626-6364 or by e-mail at monique.prive@lyndonstate.edu for the application or if you have any questions.

Note: The VSCSF scholarship is not to be confused with the annual VSEA scholarship.

Old Labor Hall In Barre Hosting May Day “Primo Maggio” Celebration

The Barre Historical Society is hosting a Primo Maggio Day celebration on May 1 at the Old Labor Hall. An evening program called “Songs and Social Justice” has been planned, and it includes an Italian dinner, a screening of the film “The Internationale” and a sing-a-long tribute to folksinger and labor activist Pete Seeger, who passed away in January 2014.

Here’s a schedule of events:

5:30 p.m. – Lasagna Dinner (meat and vegetarian) and Cash Bar

7:00 p.m. – Screening of “The Internationale”; an award-winning documentary about a musical anthem dubbed “the only song that could change the world.” It was actually sung regularly by the Italian stone cutters who built the Old Labor Hall in 1901 and who later began holding annual Primo Maggio Day celebrations there. Award-winning New York filmmaker Peter Miller is joining the celebration to introduce his film, and he will be available afterwards for a Q&A session.

8:00 p.m. – Musical sing-a-long tribute to Pete Seeger, led by longtime local folk musicians Ben Koenig and Mark Greenberg (a.k.a. “Anything Goes”).

Tickets: \$25 (\$20 for union members, seniors & students) at the door, or purchase online at www.oldlaborhall.com. For more information or reservations: 802-479-5600 or info@oldlaborhall.com

Upcoming Meetings/Events/Holidays:

April 28

Workers’ Memorial Day
Nationwide

April 29

White River Junction Chapter
DOC Office, State Office Complex
White River Junction
4:45 p.m.

April 30

Steward Training: The Contract & Building The Union
Room 104
100 Mineral St.
Springfield
9:00 a.m.

May 1

May Day March
State House Lawn
Montpelier
March Begins @ 12:00 p.m.

May 2

Budget Committee Meeting
VSEA HQ
Montpelier
10:30 a.m.

May 2

Morning

Chapter Presidents Committee Meeting
Division of Fire Safety, Rutland
56 Howe Street
Rutland
9:00 a.m.

Afternoon

ASA Bloomer Building,
Merchants Row
Second Floor Conference Room # 266
Rutland
12:00 p.m.

Why We Celebrate May Day

by VSEA Research Analyst Adam Norton

What are the origins of May Day? When you think about May Day, what images come to mind? Many Americans think of hundreds of thousands of people marching down Moscow's Red Square under the red banners of the Soviet Union, while others depict the annual rallies by labor unions across Europe and South America. While May Day is an official holiday in 66 countries worldwide, many Americans don't realize that May Day or International Workers' Day actually originated in America.

To understand the origins of May Day, we must first understand the historical context of

American workers in the late nineteenth century. The American worker of the 1880's worked ten to sixteen hours per day, six days per week, with an average work week of sixty hours. These were the times before workers compensation, American's injured on the job were summarily fired, with no indemnity pay or medical coverage because they no longer had any value in the "free market." May Day occurred more than fifty years before the National Labor Relations Act created a legal and institutional framework for collective bargaining; attempts at collective bargaining were violently crushed with bullets, clubs and the gallows.

The barbaric working and living conditions of most Americans contrasted sharply with the growing wealth and prosperity of America's robber barons. The contradiction of factory owner's pleading poverty when their workers asked for cost of living adjustments, while they owned multiple mansions, paid lucrative bribes to politicians and hired private armies to crush unions led to inevitable backlash from their employees. At its 1884 convention, the Federation of Organized Trades and Labor Unions (predecessor of the American Federation of Labor) unanimously adopted a resolution declaring that an eight-hour work day must be implemented nationwide by May 1, 1886. American industrialists ignored the Federation's demands, so the Federation began preparations for a general strike.

On May 1, 1886, hundreds of thousands of union and unorganized workers went on strike from coast to coast with the demand of an "eight-hour work day with no cut in pay." The strike was most successful in New York City, Detroit, Milwaukee, and Chicago, where community activists nearly doubled the ranks of striking workers. American industry responded predictably by hiring non-union workers to keep the factories operating, however this tactic was unsuccessful at breaking the strike as many of the "scabs" joined the strike for an eight-hour workday. The first blood was spilled in Chicago, when 400 police officers used bullets to break the picket line around the McCormick Harvesting Machine Company, killing six striking workers.

On May 4, appalled by the bloodshed, Chicago labor activists called a public rally on Haymarket Square to condemn the use of violence against striking workers. Thousands attended the public meeting on Haymarket Square, including the grieving families of the deceased McCormick workers and even the Mayor of Chicago, Carter Harrison Sr. By 10:30pm, the police surrounding the rally decided the crowd should be dispersed. While there are conflicting accounts about who started the violence on Haymarket Square, we know that the advancing police were met with a homemade bomb, killing one officer and mortally wounding six others. The police responded by emptying their revolvers into the fleeing crowd killing eight workers and wounding 70 more. Police responded to the violence on Haymarket Square by shuttering labor halls, arresting labor leaders and activists, and seizing strike funds. The strike was finished.

In the aftermath of the strike, police arrested eight anarchists for the violence at Haymarket and charged them with conspiracy, though only three of the accused were actually present at the rally. August Spies, a German-American newspaper editor and one of the speakers at Haymarket became the leading scapegoat for the violence. In the case of Illinois V. Spies, the outcome was already predetermined. There was no evidence Spies had any link with the sole bomb-thrower, even the Mayor's testimony that Spies had not advocated violence could not save him from the gallows. August Spies and seven others were convicted of murder and conspiracy for not preventing the violence. August Spies and four others were executed for their inability to control

one man in a crowd of thousands on November 11, 1887. Just before his hanging, Spies shouted these infamous words which remain engraved at the Haymarket Memorial in Chicago: "The day will come when our silence is more powerful than the voices you are throttling today". Less than fifty years later, the vast majority of American workers had won an "eight-hour work day with no cut in pay."