Mailers at West Penn Vote Union YES!

The organizing drive began when mailers at West Penn—regular and part-time laborers and machine operators—reached out to CWA Local 14827 Organizer Kim Gill.

Gill reached out to the contacts and slowly started building a relationship with the workers. With the direction and support of CWA, PPMWS and District 2-13’s Administrative Director Marge Krueger began working with Gill and Karl Bienias, PPMWS organizing director, on the West Penn campaign.

After mapping out the workplace and researching the company, Gill built organizing committees on the day and night shifts, and began the task of getting workers to sign authorization cards.

Joined by District 2-13 Organizer Dan Hoskowicz, Gill and Bienias focused their organizing efforts—making house-calls and meetings with employees before and after their shifts. With signed cards from 35 of 54 eligible employees—65 percent of the unit—Krueger filed for a representation election in the beginning of March.

On March 12, 2013, the company, Community Newspaper Holdings, Inc. (CNHI), asserted a “Noel Canning” defense for the initially scheduled March 15 election. “Noel Canning” refers to the January 25, 2013, decision by the US Court of Appeals for the District of Columbia that ruled that President Obama’s recess appointments of three NLRB board members were invalid. A 2010 U.S. Supreme Court ruling found that the board did not have the authority to decide cases with less than three members. The ruling has since brought into question all NLRB decisions since January 2009.

Communications Workers of America (CWA) came to the aid of the Printing Sector and District 2-13 and provided legal assistance and guidance. Krueger proceeded to file subpoenas and worked with Gill in preparing witnesses and documents for the hearing.

PPMWS Conference Delegates Vote to Continue Funding Organizing Efforts; Eliminate Segregated Fund

The 26th Conference of the Printing, Publishing and Media Workers Sector was held in Pittsburgh on April 20, 2013. Delegates unanimously endorsed a plan to continue funding our organizing efforts by using the resources of the PPMWS over-funded Segregated Fund.

The Segregated Fund was established in 1981 when the International Typographical Union (ITU) terminated the ITU Retirement Trust. Under the set up of the Fund, the union would return all contributions made to the Retirement Trust by non-retired participants who maintained their continuous membership until age 65 or death. There are currently 29 eligible participants, or beneficiaries, who are owed a total of $22,424.60. With more than $620,000, the Segregated Fund is clearly over funded. Delegates to the Conference agreed to move the monies from the Segregated Fund over to the PPMWS Operating fund to be used for expenses related to internal and external organizing.

“Actions speak louder than words and once again the delegates let their actions do the talking,” said Dan Wasser, PPMWS president. “There shouldn’t be any doubt in anyone’s mind that the Sector is moving forward, with full force, on the mission of the Organizing Cooperative and our staunch commitment to organize the unorganized.”

In keeping with that commitment, delegates voted to immediately pay all eligible members (see Segregated Fund Notice and Eligibility, page 4D) the full amount that he or she would have been owed upon completion of eligibility and to dedicate all remaining resources to organizing efforts.

In addition to voting to eliminate the Segregated Fund, delegates voted on nine other propositions during the Conference.


Conference attendees heard reports from the Negotiated Pension Plan (NPP) and the Laws and Finance Committee.

Negotiated Pension Plan

The NPP Committee members, John Ebeling (Chairperson), Thomas Coontell and Robert Stevenson reported that in 2012, the NPP had strong investment performance with an overall return of 12.3 percent, earning $85 million. The NPP received $13 million in contributions and paid $89 million in benefits during the year. Total assets were $730 million as of December 31, 2012 compared with $722 million as of December 31, 2011.

The return on investments for the first three months of 2013 is approximately 5.0 percent and the Plan’s assets are estimated to be $747 million as of March 31, 2013.

The actuarial valuation as of January 1, 2013, is not yet complete, but the actuaries estimate that the NPP is 71 percent funded as of that date based on the asset market value of $730 million.

Even though 2012 investment earnings exceeded the actuarial assumption of 7.5 percent, the NPP was again certified as being in “critical” status for the plan year beginning January 1, 2013, under the Pension Protection Act of 2006 (PPA) requirements. This was reported in the Notice of Critical Status mailed to participants at the end of April.

Every pension plan in Critical Status must have a Rehabilitation Plan that contains contribution increases and/or benefit reductions to improve its funding. There have been no changes to the Rehabilitation Plan adopted by the NPP Board of Trustees in March 2010 or to benefits since the last Pension Committee report.

When the December pension payments were sent, the NPP crossed a historical threshold. Total benefits paid by the Plan since its inception in 1967 now exceed $2 billion.

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Despite Industry Challenges, Organizing Cooperative Sees Success

Several months into the permanent placement of four organizers, PPMWS reports that progress has been challenging, but ultimately hopeful as the union continues to build on the experiences of Sector organizers as they reach out to workers. Recent victories in Pittsburgh, eastern Pennsylvania and Detroit prove that success is possible as PPMWS adapts to the changing face of the industry today. With multiple campaigns underway PPMWS is building a path forward.

Hope Berndt, Buffalo Organizer, has made inroads in several large commercial print/media shops and is in the process of cultivating contacts after engaging with workers at over fifteen targets. Berndt is faced with a common challenge within our industry: The pervasiveness of multinational commercial printing companies that have swallowed up local print businesses. Companies like Trinity Corporation, CHNI, CGX or RR Donnelley (RRD), for example. RRD has a presence in 14 different time zones, on four continents, and in nearly 40 countries. RRD provides a substandard work environment for all of their employees, they do not shy away from remaining staunchly anti-union. Many other large companies follow suit, and the result is organizing on a national scale, a feat that requires tremendous resources and organizers on the ground. Additionally, the “quick print” aspect of our industry has been monopolized by companies such as Staples, Office Max, Office Depot and Kinko’s. These companies employ minimal staff working largely part-time and turnover is extremely high, creating an environment of primarily retail organizing which requires a very long term and cohesive strategy amongst a workforce that is not necessarily skilled in the traditional work of printing.

Norm Stachulski, Detroit Organizer, has, with the guidance of President Tom Grenfell, expanded the scope of Detroit’s area of outreach. Stachulski has been reaching out to workers from Toledo, Ohio to Lansing, Troy, Grand Rapids, Michigan and beyond. Stachulski was able to capitalize on the strength of the Allied Printing Trades Label and CWA Label in Detroit and as a result of his outreach, has successfully organized several commercial printing shops.

President Grenfell and the Detroit Local have been the unfortunate victims of the recently passed Right to Work legislation that adds an additional roadblock to the already difficult organizing circumstances that we face in this country.

Nic Eaton and the New York Typographical Union are exploring the possibility of expansion within their already existing shops in Boston and have been reaching out to prospects on Long Island and in Manhattan.

The New York Typographical Union is a prime candidate for the consideration of a broader marketing strategy as it is a hub for savvy media workers that can be reached but likely require security in the knowledge that their union is capable of speaking to the digital work that they perform daily.

Kim Gill, Organizer for the Pittsburgh Typographical Union with the support and guidance of the Local’s President Don McConnell, of Offices and the cooperation of District 2-13 won representation for over 50 workers at West Penn Printing in April. Gill is continuing to explore other promising opportunities and has over a dozen other targets with varying degrees of inroads already in motion.

All of the participating locals have begun to lay the groundwork for organizing programs within their locals. There is a lot to consider within our industry going forward.

The Sector has seen a deep decline in sales, profits, and margins within traditional targets and sales will likely never return to pre-recession levels. Most analysts believe that there will be further consolidation in the industry with larger firms having the best chance for growth opportunities. In fact, statistics estimate that approximately 80 percent of establishments in the print industry have fewer than 20 employees and almost 70 percent of establishments have fewer than 10 employees. Statistics like theses illustrate the challenges that the union faces as far as resources and strategy are concerned. A renewed focus on “New Media” work encompasses a key group of creative workers in an economy that has been redefined, not only by new technology, but also by an increased emphasis on flexible work. Focusing on freelancers and independent contractors means dramatic changes in structure, principles, ideals, and image.

Ultimately, the terrain of the industry is still in transition and no one quite knows where it’s heading. PPMWS has the capacity to adapt and become a stabilizing factor for workers facing a tough time in the present, changing industry. The Organizing Cooperative is still adjusting to the needs of the locals and Industry as a whole. The union has only touched the tip of the iceberg as far as the potential for organizing is concerned and the resources necessary to implement a strategy that ensures growth and speaks to the needs of workers in our industry today.
Organizers Overcome Obstacles at West Penn Printing

P. 4A ▶ Pittsburgh Attorney Mike Healy successfully addressed the “Noel Canning” defense, and on March 15, 2013, the employer agreed to a stipulated agreement. Krueger worked with the Board Agent in addressing the scope of bargaining unit and an election was set for April 19, 2013.

Synopsis of weeks leading up to election:

Company brought in a registered persuader, and held weekly meetings. Along with having one-on-one conversations with the workers, the company promised some of the workers “promotions.”

Week ending April 6: The persuader was advising the workers in their captive audience meetings that the union was selling their names to telemarketers and credit card companies and that West Penn would close down if a union came in. They discussed with the workers getting a ‘no’ petition signed and ‘timeout’ for six months. PPMWS kept in contact with the workers to discuss their concerns.

Week ending April 13: The organizing team kept talking with the workers about their concerns and discussed the incorrect information they were getting from the persuader. The union sent out a ‘letter of guarantee’ for the employees to have the boss sign.

“If they were asking workers to sign a ‘no’ petition to put the election on ‘hold’ or a ‘timeout’ for six months, to have time to ‘fix’ things, we had every right to ask them to sign our guarantee,” said Biendas. “This was successful and we were able to pull back some of our maybe votes to yes’ again.”

Week ending April 19: The union held a meeting on Monday, April 15. The company had a meeting on that Wednesday April 17, insisting and pushing for a six month ‘timeout’ to have the boss sign. The company had a meeting on that Wednesday April 17, insisting and pushing for a six month ‘timeout’ to give them time to fix the issues.

The company continued to tell workers how the business would suffer once word got out they were a union shop. The company insisted that the plant would close and that no one would have a job.

The company’s threats were working and many of the workers on the day shift wanted to ‘timeout’ the election. The PPMWS committee had a meeting at the end of the shift to discuss the threats and how it would affect them and the workers agreed to continue on with the election on Friday.

Election day and beyond: The fifty-five workers at West Penn Printing won their election on April 19, 2013. On Monday, May 13, 2013, they held their first membership meeting and elected their chairpersons and scale committee. President McConnell has since gone over the negotiation process and the new members are anxious to get started. McConnell is working with management to set a date to start negotiations. Surveys were handed out for the members to complete, as the committee would like to start to compile a list of what is important to the workers and start putting together a draft for them to review. They are all working together to ensure everyone’s voice is heard, and maintain solidarity as a group.

“The workers came together and worked very hard to form their union and will continue to work together while negotiating a much deserved fair contract,” said Gill.

“No one wanted to be told what to do or how to do it,” said Gill. “The workers’ voice was heard, and everyone’s voice is important to the union and will be heard.”

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Workers need a fully-functioning, five-member, bipartisan National Labor Relations Board. It’s time for the Senate majority to confirm the three Democrats and two Republicans who have been nominated to the NLRB so that workers’ rights are protected and labor law is fairly enforced.

We have a Democratic President, elected by a strong majority, and a Democratic majority in the Senate. The Senate has the tools it needs to confirm all five members of the Board.

Workers are saying, “Give Us Five.” All workers deserve the protections of the law.

**FIX THE SENATE NOW**

GiveUs5NLRB.org

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**Notice Regarding Segregated Fund**

At the 2013 Printing Sector Conference, the Delegates voted to end the Segregated Fund effective December 31, 2013 and IMMEDIATELY pay all eligible members the full amount that he or she would have been owed upon completion of eligibility.

We have sent a letter to this effect to all members that are still eligible for such payment.

If you believe that you are eligible and do not receive this letter then e-mail: bshipe@cwa-union.org or call Betty Shipe 202-434-1245. Remember when you e-mail or call, we need your full name, membership number and contact information.

As of January 2, 2014, any unclaimed amounts will be transferred to the Printing Sector’s Operating Fund. This means that you must contact in advance of that date and the office is closed between Christmas and New Years.

Any disputes about eligibility will be investigated by the President’s office and a determination will be made by the Laws and Finance Committee.

Reminder: To be eligible, you MUST have been a member that made contributions to the ITU Retirement Trust but were not retired under the terms prior to August 25, 1981. Furthermore, you MUST have continuously remained a member of the PPMWS/ITU from the time that the Fund was created until the present. The ITU Retirement Trust was established in 1966-67 to August 25, 1981.