America Has Always Been a Melting Pot

Changing Faces of U.S. Supreme Court

Do I Have a Grievance?
America has always been a melting pot

Why Immigration is Such a Hot Topic Now

America is a country built on immigration. Unless your family is Native American, then you are from an immigrant family yourself. We all are. Most citizens tracing their roots will not have to search through many generations before stumbling across a relative born outside of the country.

Ellis Island, as the gateway for more than 12 million immigrants to the United States, was the nation’s busiest immigrant inspection station from 1892 until 1954. In the early 1900s – the peak years of Ellis Island’s operation – between 5,000 and 10,000 people passed through the immigration station every single day. In addition, in the 35 years before Ellis Island even opened, more than eight million immigrants arrived in New York. No matter how you slice it, that’s a lot of immigrants. It has been estimated that close to 40 percent of all current U.S. citizens can trace at least one of their ancestors to Ellis Island, according to the website History.

Immigration has been a subject taught in schools for decades. In fact, the Emma Lazarus sonnet on the base of the Statue of Liberty that reads “Give me your tired, your poor, your huddled masses yearning to breathe free” is something that children have memorized and written about in a multitude of assignments throughout the years. So why has the topic of immigration suddenly become a panic button in our country?

When Ellis Island opened, a great change was taking place in immigration to the United States. People began pouring into this country from northern and western Europe, places like Germany, Ireland, Britain and the Scandinavian countries. When that wave slowed, America saw an increase in immigrants from southern and eastern Europe, including Jews escaping from political and economic oppression, and Italians escaping poverty in their country. There were also Polish, Hungarians, Czechs, Serbs, Slovaks and Greeks, along with non-Europeans from Syria, Turkey and Armenia. They left their homes for a multitude of reasons, including war, drought, famine and religious persecution, and all had hopes for a better life in the New World. That’s what immigration was about then, and that’s what immigration is still about today.

America began as one huge melting pot, and nothing has changed other than the fact that immigration is making more headlines in recent years. ‘As the world globalizes in terms of nations’ economies, trade, and investment, borders are opened up more easily for ‘freer’ flow of goods and products’ (globalissues.org). With this, however, comes a “freer” flow of people as well.

This free flow of immigrants scares Americans. Amid numerous terrorist attacks starting with the worst one on 9/11, slow economic growth, and the recent presidential campaigning with immigration as a central theme, the Migration Fear Index as measured by Economic Policy Uncertainty has skyrocketed in the last few years.

And that fear is being exacerbated by President-elect Donald Trump’s claim that on day one in office he intends to build his impenetrable physical wall on the border between the United States and Mexico that Mexico will pay for. The question remains, though, as to whether immigration is any more of a problem than it has been in the past several decades.

“Immigration has become a central part of the political discussion, as Donald Trump...has stoked concern about immigration, blaming it as one of the reasons for economic shortcomings among the middle class and as being among the sources of the terrorist attacks in San Bernardino, California, and Orlando, Florida,” claims Business Insider.

Immigrants themselves don’t seem to be what Americans fear. Remember, most of us are from immigrant families. Rather, there is an increasing fear of illegal immigrants.

President Warren G. Harding signs the Immigration Quota Act into law in 1921, after booming post-war immigration results in 590,971 people passing through Ellis Island. According to the new law, annual immigration from any country cannot exceed 3 percent of the total number of immigrants from a country living in the U.S. in 1910.

The passage of the Internal Security Act of 1950 excludes arriving immigrants with previous links to communist and fascist organizations.

In 1965, President Johnson signs a new immigration and naturalization bill, the Hart-Cellar Act, which abolishes the earlier quota system based on national origin and establishes the foundations for modern U.S. immigration law. The act allows more individuals from third-world countries to enter the U.S. (including Asians, who have in the past been barred from entry) and establishes a separate quota for refugees.
Debates continue over how America should confront the effects of soaring immigration rates throughout the 1990s. In the wake of the 9/11 terrorist attacks, the Homeland Security Act of 2002 creates the Department of Homeland Security (DHS), which takes over many immigration service and enforcement functions formerly performed by the Immigration and Naturalization Service (INS).

More than 3 million aliens receive amnesty through the Immigration Reform Act in 1986, but an economic recession in the early 1990s is accompanied by a resurgence of anti-immigrant feeling. Immigration into the U.S. continues, mostly by land routes through Canada and Mexico. Illegal immigration becomes a constant source of political debate throughout the 1980s and 1990s.

By Edward Yood & Marci Rosenblum, Communications Director

On June 23, 2016, the U.S. Supreme Court announced it was deadlocked 4-4 in a decision that read, in its entirety, "The judgement is affirmed by an equally divided court." The ruling set no precedent and simply leaves in place the lower court's preliminary injunction blocking the program. Unfortunately, the flip side of Democratic President Obama's immigration "progressive reforms" policy has been an escalation in deportations, raids and arrests, and mass arrests of immigrant men, women, and children by Immigration and Customs Enforcement (ICE).

In response to these raids, CWA Local 1180 issued the following statement: "No workers in the United States should depart for work in the morning fearing that they will not make it home to their families at the end of the day. No worker should be silenced from speaking up about workplace hazards or sexual harassment or wage theft because he or she fears being rounded up in a deportation raid. Central American immigrants face serious and growing threats and violence in their countries of origin, due in part to social upheaval resulting from America's failed trade policies. These immigrants should be given humanitarian protection rather than face detention and deportation. CWA condemns the fear, division and xenophobia that are driving the policies of exclusion and making us weak. We demand that the Administration not give in to the messengers of hatred divisiveness by victimizing refugees who are already victims of violence and terror."

One month after that, Texas and 25 other states sued in the District Court for the Southern District of Texas asking the Court to enjoin implementation of both DAPA and the DACA expansion. On February 16, 2015, a preliminary injunction was issued that blocked the program from going into effect while Texas v. United States proceeded.
Lourdes Acevedo, Latina Administrative Manager in the NYC Department of Transportation, CWA Local 1180 Recording Secretary, and longtime member of CWA Local 1180’s Hispanic Heritage Committee, is an official Spanish Translator in the NYC Mayor’s Office. She was assisting the Mayor’s office to help immigrants secure their status and that of their families until the Court stopped DAPA and DACA. This assistance included minimizing their legal fees to an affordable $760 when compared to the average fee of $10,000 that attorneys often charge.

According to Acevedo, “Many immigrants must accept wages much less than the minimum wage for fear that if they complain, they will be reported, jailed for unlimited periods of time, and then deported.” She has known people who had to cross the border into the U.S. through tunnels. She mentioned this suggesting that even the threat of President-elect Trump building a border wall will not stop those with a strong desire to emigrate to the United States in search of a better life.

This better life does not always come so easily to immigrants, however. Quite often, immigrants have a difficult time integrating into an American society so different from their home country. The effects of immigration can be both positive and negative for the recipient country, in this case the United States, as well as the immigrants. Some of those positive benefits, according to globalissues.org, include:

- Immigrants often do jobs that people in the host country will not;
- Migrant workers often work longer hours and for lower salaries; while this is controversial and sometimes exploitive, it benefits the host country;
- Immigrants, when made to feel welcome, contribute to the diversity of that society, which can help with tolerance and understanding;
- Immigrants offer an increased talent pool if they have been well educated in their original country.

But there are also numerous drawbacks:

- Immigrants can be exploited for their cheap labor;
- Immigration can attract criminal elements;
- Immigration can become a social/political issue, where racism can be used to exploit feelings or as an excuse for current woes of local population;
- Where there is a perception that immigrants and refugees appear to get more benefits than local poor people, tensions and hostilities rise;
- Concerns about illegal immigration often spill over to ill-feelings toward the majority of immigrants who are law-abiding and contributing to the economy.

CWA Local 1180 President Arthur Cheliotes told the Communique: “My father Nick Cheliotes stepped onto American soil in Tampa, Florida on August 26, 1926, as a stowaway hidden in the coal bins of a freighter from Havana, Cuba. Greeks were considered undesirables and immigration quotas from Greece were very low. According to congressional testimony, eugenics ‘scientifically’ demonstrated that southern and eastern Europeans with an inferior cephalic index would pollute the Nordic gene pool. Madison Grant wrote ‘The Passing of the Great Race in America’ (1916) that helped shape the Immigration Acts of 1917 and 1924 that restricted immigration to less than 400 annually from Greece, while immigration quotas for Germany and Great Britain were in the tens of thousands.

The reality is that immigration to the United States is going to continue and Trump building a wall to keep out Mexicans is not going to actually stop them.

“We are in favor of granting undocumented workers the status they need to stay legally in America. Otherwise, they will stay here anyway and they will get exploited,” Cheliotes said. “There is a long history of understanding that if immigrants want to come here, they will find a way no matter what. No retaining wall is going to keep them out. Immigrants are dreamers and when they dream of coming to the United States for a better life, they are going to achieve that dream even if it kills them. As we know, many have died trying to get to America.”

He said that our country has already invested significant financial sums to educate children of illegal immigrants, so to expel them now would be pointless. Many of these children were born on American soil, thereby making them full-fledged Americans. “What does the President-elect intend to do? Split up these families and send their parents back to their native countries? He can’t kick out the children; they are Americans. Where are our family values? Many children of immigrants don’t speak any language other than English,” Cheliotes said.

According to a National Review article from September 2016, current immigration policy costs taxpayers $300 billion a year. This fact is one that President-elect Trump has tossed about in an attempt to scare Americans into believing that immigration is bad. Another reason Americans are in a panic? Between the terrorist attacks of 9/11 and the end of 2014, at least 380 foreign-born individuals were convicted in terror cases inside the United States, according to the U.S. Senate Immigration Subcommittee (June 22, 2016).

“We obviously need to deport immigrants, illegal or otherwise, if they are terrorists,” Cheliotes said. “But the majority of immigrants come here wanting to make something of themselves. While Trump has declared that immigrants are taking away jobs that could go to Americans, the reality is that Americans do not want to do these types of jobs anyway.”

He said a perfect example is the farm workers movement, where immigrants have notoriously been employed. This industry’s history is based on immigrants working for near slave wages while being exploited and mistreated, bent over for no less than eight hours a day picking crops. “I don’t see that Americans would take these kinds of jobs,” Cheliotes said.

“Our best chance for success is to organize the immigrants and give them the protections they need and deserve. That’s what happened to the farm workers back with Cesar Chavez and the UFW.”

The textile industry is another example of immigrant workers taking jobs no one else wanted. Despite its dramatic and continued decline, apparel production remains the largest manufacturing industry in New York City. It is viable, in large part, due to the mass influx of new immigrants “sweating” it out in cramped, poorly ventilated factories for a piece-rate that averaged about a dollar per assembled garment. Today, immigrant Asian and Latino workers are concentrated in these labor-intensive industries that produce garments, textiles, furniture, electronics, and footwear. Close to three-quarters of New York City’s garment production workers are from the People’s Republic of China, Dominican Republic, Mexico, or South Korea.

“Immigration isn’t going anywhere,” Cheliotes said. “It’s a matter of how we deal with it. And the way to deal with it is not erecting a wall. We are a country that traditionally has welcomed immigrants and we need to continue to open our doors and offer the support and assistance needed to help them make a new life for themselves if we are to become a civilized country.
Was the People's Voice Really Heard?

The recent presidential election results bring to mind the words of the great Frederick Douglass, African-American social reformer, abolitionist and orator — “the struggle continues.” Clearly the fight for all of us to live with dignity, justice, and respect in our nation must continue and even escalate at a much greater level if we are to be a civil society.

Republicans won on a technicality, as the majority of the American people rejected the bigotry, misogyny, homophobia, and xenophobia that were the hallmark of President-elect Donald Trump’s campaign. The electoral college system devised in the 18th Century to appease the fears of less populated, mostly slave states to sign the U.S. Constitution is a historic relic that undermines the very concept of a democratic republic.

The election results demonstrate that the American people are fed up with the economic conditions offered by both parties. Our “friends” in the Democratic Party have not delivered security and equality to their supporters. Their failure to protect our pensions, offer wage increases that keep up with the rising cost of living, or address the blatant discrimination against women and people of color, stand as glaring examples. The current political systems fail to address the needs of the 99% and gives even greater power and wealth to the 1%.

Recent election analysis shows that a significant part of white, working-class voters who voted for President Obama in 2012 did not vote for Clinton in 2016. In about 200 counties in Pennsylvania, Florida, Ohio, Iowa, Michigan and Wisconsin, this demographic moved the electoral college to the Republicans.

Economist Paul Krugman, in a New York Times article on November 25, acknowledged what few pundits and the media talk about and some have denied — that class played some role in what happened on November 8. He points out that Bernie Sanders’ campaign understood that working-class incomes are down and voters wanted a champion to “stand up to Wall Street, to the insurance companies, to the drug companies, to the fossil fuel industry.”

Krugman doubts this would do any good for the Democrats because most of the news media simply refuse to cover policy substance. The corporate media’s aversion to covering substantive election issues is very real; they would rather entertain the American people than inform them.

Both candidates spent most of their television advertising time attacking the other person’s character. In fact, according to Fairness and Accuracy in Reporting (FAIR), Clinton’s ads did little else. More than three-quarters of her ads and nearly half of her opponent’s were about their traits, characteristics or dispositions. Only 9 percent of Clinton’s ads were about jobs or the economy. By contrast, 34 percent her opponent’s ads focused on the economy, jobs, taxes and trade.

The fact is that while Democrats claimed to support policies that are much better for the working class than anything the other party has to offer, they haven’t delivered. The Republican party offered an alternative to the business as usual that supports the rigged system.

Business as usual in the past 40 years or so means that the U.S. middle class had $17,867 less income in 2007 than in 1979 after inflation, while income going to the very wealthy soared, according to the Economic Policy Institute. Inequality of wealth has climbed to the point where the pace of annual pay increases for the top 1% grew 138% since 1979, while wages for the bottom 90% grew 15%. As the strength of the labor movement declined, the income of the top 10% grew. This has proceeded under Republican and Democratic presidencies alike.

Donald Trump did better with voters who were white males older than 45 and earning more than $50,000 a year. But among all white voters, he did only 1 percentage point better than Romney who lost the popular vote by 3.9 percentage points. This is because Trump’s 14-point gain among whites without college degrees was almost canceled out by a 10-point loss among college-educated whites.

The real secret to Trump’s success is that while he did poorly among voters of color, he did less poorly than Romney who got 7 fewer percentage points among African-Americans, 8 less with Latinos, and 11 points less with Asian-Americans.

Trump’s message struck a chord: The system is rigged — average Americans have been getting screwed for far too long and he was going to stop it. The lack of enthusiasm for Clinton, even though she could have been our first female president, was due in large part to a lack of a compelling economic message that caused left-leaning poor people to stay home, allowing Republican gains by default.

A successful challenge to Trumpism has to have a message that offers a plausible alternative to the real problems that Trump offers bogus solutions to. Michael Moore, the Oscar-winning documentary movie producer, has put together a To-Do List of top suggestions. I have edited his list but it is a starting point to continue our struggle and fight back.

• First, take over the Democratic Party and return it to the people.

• Second, ignore all pundits, predictors, pollsters and anyone else in the media who refused to listen to or acknowledge what was really going on. Those same blowhards will now tell us we must “heal the divide” and “come together.” Turn them off.

• Third, any Democratic member of Congress who didn’t wake up after the election ready to fight, resist, and obstruct in the way Republicans did against President Obama every day for the eight full years he was in office must step out of the way.

• Fourth, everyone must stop saying they are “stunned” and “shocked.” What you mean to say is that you were in a bubble and weren’t paying attention to your fellow Americans and their despair. For years, workers have been neglected by both parties; the anger and the need for revenge against the system only grew.

• Fifth, you must say this sentence to everyone you meet: “Hillary Clinton Won The Popular Vote!”

The MAJORITY of our fellow Americans preferred Hillary Clinton over Donald Trump. Period. Fact. If you woke up after election day thinking you live in a screwed-up country, you had the perfect opportunity to make a change. The stolen “victory” has created a new awakening.

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CWA 1180 members, along with the Manhattan Borough Coordinating Committee and 1180 Executive Board members, headed for Levittown, PA in October to campaign for Hillary Clinton. "Despite the outcome of the election, it was important for our members to participate in this GOTV effort as a means of showing labor’s support," said Second Vice President Gerald Brown.

Campaigning for Hillary

Local 1180’s Queens Borough Coordinating Committee is taking its job seriously. Members have been out and about meeting with elected officials garnering support for various legislative matters and drumming up support for Union initiatives. Pictured at top right, Committee members met on September 9 with NYC Council Member Elizabeth Crowley from the 30th NYC Council District in Queens. Local 1180 asked for her support on obtaining information needed for the pending Administrative Manager EEO case. She agreed to help by writing a letter to the Office of Corporation Counsel. From left: Sebastian Levenson (from the Advance Group), Stephanie Lindo-Avera, Ellice Vessels, Sharen Willis, Staff Representative Robin Blair-Batte, and Council Member Elizabeth Crowley. The Committee also met with Council Member Karen Koslowitz (bottom right) about the EEO case. She pledged her support to the Union and also sent a letter as such to Corporation Counsel. Pictured from left, Ellice Vessels (HRA Shop Steward), Robin Blair-Batte (Executive Board Member and Staff Representative), Council Member Koslowitz, Rose Reeves (HPD Shop Steward), and Sharen Willis (HRA Shop Steward). On November 18, the Committee (below) reached out to NYS Assemblywoman Alicia Hyndman and her daughter at the Queens meeting.

Queens Coordinating Committee at Work

Happy Dawali Day

Local 1180 Executive Board Member Lenora Smith marked Dawali Day in DEP with Dian Duke (Shop Steward) and Denise Merchant. Diwali is the five-day festival of lights, celebrated by millions of Hindus, Sikhs and Jains across the world. The festival, which coincides with the Hindu New Year, celebrates new beginnings and the triumph of good over evil and light over darkness.
Local 1180 members (pictured above) gathered for this year’s Labor Day Parade held on September 10, 2016, in New York City. Each year on Labor Day, we pause to celebrate the contributions of working New Yorkers in building and growing our national and local economy. Above right, President Arthur Cheliotes talks with Governor Andrew Cuomo at the parade. After the parade, Governor Cuomo sent a letter to Cheliotes about having the opportunity to march together. Below, members march in the African American Day Parade on September 18. Pictured at bottom right is the print on the back of the African-American Day Parade t-shirt distributed to members who were marching. It was created by Sonja Fulcher, part of the CWA 1180 support staff.

Local 1180 members March in Parades

You Have Our Support

Robert Jackson, former New York City Councilman, ran for State Senate this year and had the backing of Local 1180. Although his campaign for the District 31 Senate seat unfortunately was not successful, Secretary-Treasurer Gloria Middleton said it’s important for members to get out and support labor-friendly candidates at all times. “We need people in office who understand labor’s position on the important issues,” she said. Pictured from left are Therese Brand (ACS Shop Steward), Executive Board Member Debra Paylor, Middleton, Jackson, and Second Vice President Gerald Brown.

Backpacks for Kids

The Local 1180 Hispanic Committee once again sponsored a Back to School Supplies and Backpack drive for children as they headed back to school in September. “Not everyone can afford to purchase basic supplies for their children, and that includes necessities like pens, pencils, notebooks and backpacks,” said Venus Colon Williams, Staff Representative who heads the Committee. This year, 18 fully stocked backpacks were donated to WIN, the largest provider of shelter and supportive housing for NYC’s homeless population. “We can’t thank our members enough for taking the time and their own resources to purchase items for donation. What we did helped improve the lives of children, like the one pictured,” Williams said.
We can now expect a Supreme Court that will eliminate unions as we know them.

When conservative Supreme Court Justice Antonin Scalia died earlier this year, public sector unions got an “eleventh-hour” reprieve from the gallows. And while they slipped the knot this time, the hangman lies in wait.

Chief Justice John Roberts’ Court was about to decide a case with potentially lethal outcomes for organized labor: Friedrich v. California Teachers Association. With the Court deadlocked 4-4 on the issue, Scalia’s swing vote would have been the deciding one.

It began in 2013 when the ultra-conservative Center for Individual Rights (CIR) filed the lawsuit on behalf of Rebecca Friedrich and eight of her non-union collaborators. They intended to reverse a 40-year-old precedent set in 1977 by Abood v. Detroit Board of Education saying that public-sector employees are required to pay “fair share” fees to unions representing them. Friedrich petitioned the Court to consider Abood unconstitutional under the First Amendment.

The CIR argued, and still does, that any bargaining by public sector unions is political by nature. They put forth the fallacious and preposterous argument that bargaining for public sector workers, even for basics like pay, benefits and working conditions, is ideological, and thus fair-share fees violate freedom of speech. They maintain that all public sector employees should come under right-to-work (RTW) models. If the Friedrich suit had been upheld, non-members could have opted out of paying dues. Since by law unions are required to represent all workers affected by a contract (even the non-payers or “free-riders”), public sector unions would have lost millions of dollars.

Had he lived, Scalia almost certainly would have used his swing vote to tip the deadlocked Court in favor of Friedrich’s petition. Political pundits had already drafted labor’s obituary, and many heard the bells beginning to toll for the last great bastion of organized labor — public sector unions.

On June 28, 2016, the Friedrich case was finally laid to rest when the Court denied a petition for rehearing of the split decision. But it is hard to kill a bad thing. Like Rasputin and Richard Nixon, they just keep coming back. The CIR issued an immediate press release following the Court’s denial for rehearing that said: “…We will look for other opportunities to challenge union dues law…”

What it’s Really About

The Friedrich’s Case was only the latest incarnation of right-wing efforts to destroy unions, and make America a right-to-work-for-less (or a right-to-starve) country. It has nothing to do with freedom of speech. It’s part of a strategy to annihilate unions.

Since the advent of the Roberts Court, only corporations have a guarantee of free speech in America. The Supreme Court has been mostly conservative since Ronald Reagan was in office. But under Chief Justice Roberts (appointed by George W. Bush), the Court has become increasingly political and ideological, and their decisions conform more and more to the thinking of the radical right. The Court’s conservative bloc has consistently served corporate interests at the expense of the constitutional demand that the Supreme Court hold fairness and impartiality above all else. In recent decisions, it struck down laws for campaign financing limits, and laws limiting pharmaceutical companies from selling private prescription data kept by physicians.

Most troubling for organized labor are the decisions favoring anti-union corporate cabals. The Court voted yes to two recent petitions — Knox v. SEIU in 2012 and Harris v. Quinn in 2014, both aimed at strangling union revenue streams. Both petitions were aimed at putting a burden on unions to have members opt in to paying dues to the unions that represent them as opposed to having non-members opt-out.

Is Hope Alive?

Conservative groups currently are filing dozens of petitions against labor-friendly laws. Had Hillary Clinton prevailed in November, her replacement for Scalia would have tipped the Court in a more moderate direction. Her selection might have removed the threat against Abood altogether, at least in the short run. Depending on the longevity of the other justices, we could have had the most labor friendly court in decades. But Donald Trump is the President-elect.
The U.S. Supreme Court Breath for New President to Fill Spots

His replacement for Antonin Scalia means the Supreme Court once again will be controlled by Republican and Conservative appointees. Future petitions like Friedrich are likely to find favor on the new Court. On top of that, Justice Anthony Kennedy, who has been a voice of moderation, is 80 years old; and two of the remaining liberal Justices, Ruth Bader-Ginsberg and Stephen Breyer, are 83 and 78, respectively. If Trump also gets to replace either of these, the Court will be solidly conservative, or reactionary, for years to come.

“With these three justices in or near their 80s, any successor named by Trump could shift the philosophical makeup of the nation’s highest court, which most likely will not bode well for labor,” said Local 1180 First Vice President Gina Strickland. “This is a scary time for unions, and quite honestly, Americans in general.” Trump’s initial appointees to various positions within his Cabinet already show him as an anti-unions president, thereby not giving labor tremendous hope for his Supreme Court appointees either.

Recent news reports indicate that President-elect Trump has narrowed potential nominees to three or four, and will announce quite soon.

If he makes an announcement anytime soon, this would be the quickest any transition team has moved in recent years on a nominee. During the campaign, the direction of the Supreme Court was a hot topic amongst voters, many of whom expressed concern about how decisions would be rendered on controversial issues like transgender bathroom use, religious liberties, the death penalty, and criminal justice issues.

While concerns about these issues are most definitely valid, labor has its other concerns. The voices of labor leaders past are starting to echo across the centuries, warning of a return to the dismal working conditions they fought and died to eradicate — slave wages, fatal working conditions, child labor, and the sweat-shop model.

With the Supreme Court of the United States deciding between 70 and 80 cases a year, that’s quite a few decisions sitting in the hands of what most likely will be a right-leaning court.

Local 1180 President Arthur Cheliotes spoke of troubled waters ahead. “Our nation is already discredited for human rights violations, including fewest protections for workers of most western nations.” He provided some historical prospective as well, saying: “The labor movement never had it easy in this nation. We can now expect a Supreme Court that will eliminate unions as we know them.”

Cheliotes told of a labor law decision in 1806 when cordwainers (shoemakers) tried to organize. “The workers asserted that the master shoemakers’ control over their laborers was a form of wage slavery; much like the tyranny colonists had fought against. The Court ruled that organized workers hampered industry and threatened the economy.”

Cheliotes now has an understandably unfavorable forecast in the wake of the election result. “We can expect appointments by a Republican president and Congress who share the Cordwainer Court’s opinion, and that doesn’t bode well for organized workers.”

Hope is still alive, but currently on life support.

Right To Work: Origins & Implications For American Workers

In 1947, Congress enacted the Taft-Hartley Act (THA), overriding a veto by President Harry S. Truman. Taft Hartley gutted the Wagner Act of 1935, signed into law by President Franklin D. Roosevelt. The Wagner Act provided the following freedoms and safeguards: prohibited management, or any other, to interfere, restrain or coerce employees in their rights of freedom of association; guaranteed labor organizations’ right to bargain collectively for wages and working conditions; prohibited interfering with the formation or administration of any labor organization; outlawed discriminating against employees for supporting or encouraging labor organization; and prohibited discriminating against employees who file charges or testify. It also penalized anyone, on either side of the spectrum, for unfair labor practices.

Easy to see why the anti-union interests dedicated to a powerless and voiceless workforce would use any means to de-fang the Wagner Act. They used all the standard weapons in their arsenal: fear, intimidation, deceit and bribery. They used fear of integration in the racist South and fear of Communism at the height of Cold War paranoia. They succeeded in passing Taft Hartley, and giving birth to the RTW movement. Today, the prevailing winds favor RTW and 26 state legislatures have now opted for right-to-work provisions. Twenty-four are considered non-RTW states.

Wondering What Life is Like Under RTW?

While statistics differ, extensive sampling by statisticians Shierholz & Gould paints a rather bleak picture. Their three-year study (2010-2012), supported by Bureau of Labor Statistics data, found the following: workers in non-RTW states are 2.5 times as likely to be in a union or protected by a union contract. Average hourly wages are 15.8 percent higher in non-RTW states than in RTW states. The AFL-CIO website recently published the following statistics, also derived from the Bureau of Labor Statistics database: Poverty rates are higher in states with RTW laws (15.3% overall and 21.4% for children), compared with poverty rates of 12.8% overall and 18% for children in states without these laws. The infant mortality rate is 12.4% higher for RTW states than in non-RTW states. States with RTW laws spend 32.5% less per pupil on elementary and secondary education than in non-RTW states. The rate of workplace deaths is 49% higher in states with Right to Work laws, according to data from the Bureau of Labor Statistics. This begs the question as to what rights are being protected under RTW laws. Not the rights of the little guy or those of working people, and definitely not the rights of poor- and middle-class workers to afford a decent lifestyle.

Unions Need to Fight

In 1961, Martin Luther King said: “In our glorious fight for civil rights, we must guard against being fooled by false slogans, such as ‘right to work.’ It is a law to rob us of our civil rights and job rights...Wherever these laws have been passed, wages are lower, job opportunities are fewer and there are no civil rights. We do not intend to let them do this to us. We demand this fraud be stopped. Our weapon is our vote.”

How prophetic. If King were alive today, however, he might conclude that organized labor has yielded to demands of labor peace without the concomitant guarantee of labor justice. Perhaps it’s time for unions to stop relying on tepid politicians and get back to the lifeblood of the movement — grass roots campaigns launched in solidarity with other unions. King knew that if they could divide the movement, then it would surely fall. It’s time for labor to stand together — public sector and private sector unions alike. It’s time for members to stay active and get involved.
Do I Have a GRIEVANCE?

Assistant Coordinating Managers (ACMs) in the Nursing Office in Health+Hospitals (H+H) work five days a week, Monday through Friday. When six Local 1180 employees were told they would be responsible for picking up timecards from employees in that division and that the pickups needed to be done on Sundays, they contacted their Staff Representative at the Union office.

Staff Representative Robin Blaire-Batte spoke with the ACMs who told her that H+H management made the decision to implement rotating Sunday schedules, giving the ACMs one day off during the week they were scheduled for Sunday. The problem was that this violated the Union’s contract. The change in work schedule that forced members to work on Sunday but gave them a day off during the week was done in order to avoid paying overtime.

Local 1180 filed a grievance on behalf of the members — and won! H+H complied with a cease-and-desist order and told the Department they no longer could have the ACMs on a rotating Sunday schedule.

Grievances come in all shapes and sizes. That’s why it’s so important for members to know what constitutes a grievance and what to do when you think you have a situation that might be grievable.

A grievance is an unjust action, practice, or condition committed by management. It is a statement that an employer, or someone acting on behalf of an employer, has violated workers’ rights that have been agreed to under the contract, through legislation, or through the employer failing to meet management’s policies and procedures.

“Every situation is different and the devil is all in the details,” said First Vice President Gina Strickland, who oversees the Union’s Staff Representatives tasked with handling member grievances. “It’s rare that two situations will be identical or that members can base their situation on what they have heard from a co-worker.”

Strickland said so many different types of issues arise that can be considered grievances, that it’s difficult to make a blanket statement covering everything. Most grievances, however, arise out of a dispute concerning the application or interpretation of the terms of 1180 contracts or agreements. As in the situation at H+H, the terms and conditions of employment were being violated. “Management just can’t arbitrarily change the days you are assigned to work, make you work on a Sunday, and not pay you overtime,” she said. “That’s not how it happens.”

Other times there might be a grievable issue is when the terms and conditions of employment are altered, or when duties of a specific job are changed too much by management.

Strickland said the best thing for all employees to do is if there is even a hint of impropriety is to call the Union immediately and discuss the specific details with a Staff Rep, all of whom are trained to know what questions to ask to determine how to proceed. Certain grievances are time sensitive and if members delay in contacting the union, it might be too late to file.

Staff Rep Blaire-Batte said the number one issue that arises deals with time and leave. These are defined in the Citywide Agreement, but each Agency has a Code of Conduct or Employee Handbook that is more specific to the Agency. It is up to employees to know the time and leave rules for their Agency. However, if an issue does arise, or there is a question about time and leave, Blaire-Batte cautions members that it’s much better to ask then to guess.

All members have a specific Staff Rep assigned to their agency. This Staff Rep must be notified and involved every step of the way during a grievance process, Strickland said. “The worst thing members can do is go it alone. It never works out. I can’t say it enough, but make the call to the Union. Let us help you. We know how the process works. We are trained to handle all different types of situations. You belong to a union for many reasons. Handling grievances is one of them.”

She said that members should not be concerned about confidentiality as Shop Stewards and Staff Representatives will not discuss an employee’s grievance proceedings with anyone other than those involved in the situation, or engaged in handling the grievance, unless the employee suggests witnesses.

THE GRIEVANCE PROCESS

1. Determine if you have a grievable issue by discussing it with your Shop Steward or Union Staff Representative, who will research the basis for the grievance in one or more of our documents. If your issue is not grievable, your Shop Steward or Staff Representative will advocate for you when possible in order to resolve your issue to everyone’s satisfaction.

2. Gather all pertinent documentation to validate your claim. Ideally, there will be records of dates and times, or written evidence of the offense. The Shop Steward or Staff Representative will not do the legwork for you, but will need to know who was involved, what happened, when and where it happened, and why you think it’s a grievance.

3. Complete, sign, and submit the grievance form to your Supervisor, Director, or the appropriate entity. This is determined by the type of grievance. Ask your Staff Rep for help.

4. In some cases, a Step I Grievance hearing is held, with a written response. In other cases, no response is received.

5. Grievances not resolved at Step I will proceed to a Step II hearing, which is held with the Office of Labor Relations of your agency, concluding with a written decision.

6. Grievances not resolved at Step II will proceed to a Step III hearing, with the NYC Office of Labor Relations.

7. Grievances not resolved must be approved for binding arbitration. Once the Arbitrator makes a decision, it is binding and irrevocable.

KNOW YOUR WEINGARTEN RIGHTS

Thanks to a 1975 U.S. Supreme Court case, workers have the right to union representation when a supervisor asks for information that could be used as a basis for discipline. These rights are known as Weingarten rights (based on the name of the court case). Members MUST remember to invoke their Weingarten Rights if there is even the slightest possibility they are going to be disciplined. Management will not ask you if you want representation. It’s up to you to tell management.

Here’s what members need to say: “If this discussion could in any way lead to my being disciplined or terminated, or affect my personal working conditions, I request that my steward or union officer be present at the meeting. Without representation, I choose not to answer any questions. This is my right under a Supreme Court decision called Weingarten.”

By Veronica Windley & Marci Rosenblum, Communications Director
Labor isn't dead yet. While many would like to believe, and many even wish, that labor was in fact dead, it is still alive and kicking. In fact, in New York State, we are as strong as ever.

Unfortunately, the rest of the country might not be faring as well. A somewhat recent article on portside.org lays it out this way. “Despite all the attention that has been paid to the union-backed campaign for a $15 minimum wage, the national decline in organized labor has persisted. Still, for three straight years, New York City, the birthplace of the Fight for $15 movement, has bucked that trend.”

The report detailed how the share of New York City workers who belong to unions has risen for three straight years — to 25.5 percent in the past year from 21.5 percent in 2012. That is more than double the 10.9 percent of workers nationwide who are unionized. The report's authors attribute the counterrtrend in New York to the rebound of traditionally unionized industries weakened by the recession, including construction and the hotel business.

In New York, labor unions maintain more power and a larger membership base than in any other state, according to the Bureau of Labor Statistics. Alaska and Hawaii are the only other states where more than 20 percent of the workforce is represented by unions.

The strength of labor throughout the entire state stems from a long reliance on the manufacturing sector, which has maintained factories in upstate and Western New York. In fact, the state was an early leader in public sector unionization, and to this day remains a leading voice for workers.

One of labor's sources of strength has come from the Democratic Party, which has worked with labor leaders who in turn have brought out their members to the polls to support the politicians who have supported labor. The Fight for $15 campaign, which had strong roots in New York, is a perfect example of this hand-in-hand relationship. When that campaign started in Manhattan in November 2012, organizers called for two insightful changes: an increase in the minimum wage to $15 an hour and union representation for the workers. At the time, neither of these goals seemed attainable in reality.

“At the help and financial backing of influential unions, the campaign won converts. In New York, Gov. Andrew M. Cuomo, a Democrat, at first balked at supporting the full wage demand. But he eventually embraced it and wound up racing Gov. Jerry Brown, a California Democrat, to sign legislation that would raise the state minimum wage to $15,” the Murphy Institute report claimed. That positive working relationship and mutual support — a give-and-get relationship — has worked up until recently.

For more than a century, labor unions have been one of the most important constituencies for the Democratic Party, while Republicans on the other hand have tried to curb unions’ influence. Unfortunately, that did not ring true in this most recent presidential election year. In typical union states throughout the country, ones that have typically cast their votes for Democratic candidates, voters turned the other way. Neither labor nor the Democratic Party could entice its traditional Democratic voters to cast their ballot for Clinton. The Democratic Party must get its act together, and so too must labor if we are going to maintain our stronghold in New York and rebuild elsewhere nationwide.

So back to the Fight for $15 campaign. With governments like those in California, New York and Seattle all raising their minimum wages to $15, the hope is that union membership will continue to grow. After all, it’s thanks to unions that the minimum wage push happened in the first place.

But reality also flies in the face of labor. It’s to be expected that employers across the board are going to push back against any employees’ attempts to organize now or in the future.

“While New York City and New York State have higher rates of union membership than any other city or state in the country, government employees account for most of that density,” the report says. “About 70 percent of public-sector workers in the city and the state are union members, compared with just 19 percent of private-sector workers in the city and 13 percent in the rest of the state. Still, both of those rates are much higher than those of the nation, where less than 7 percent of private-sector workers — or about one in 15 — belong to unions.”

The final figures released in the report might be the best news of all. There are about 901,000 unionized workers living in New York City, slightly less than half the state’s total of 1.99 million. Only California has more — about 2.5 million in 2015, according to the federal Bureau of Labor Statistics. We can’t let down our guard, however. If New York is going to remain a leader in the labor movement, it’s going to take work from us all, together.

The report detailed how the share of New York City workers who belong to unions has risen for three straight years — to 25.5 percent in the past year from 21.5 percent in 2012. That is more than double the 0.9 percent of workers nationwide who are unionized.

That’s good news for workers in the Big Apple who for years have fought to retain, and improve upon, the benefits we receive. The fight hasn’t always been easy. Recent mayoral administrations worked against us every step of the way. We persevered, though. We stood strong and we stood our ground. However, the fight is far from over.

According to the published report mentioned in the portside.org article, nationally fewer than one in nine workers is a union member, a share that has decreased slowly and steadily for more than 15 years. But in New York City, more than a quarter of workers are unionized, the highest proportion since 2007, according to the report.

New York has traditionally been a union state, and New York City is most definitely a union city. There are hundreds of unions, each representing a specific sector of the workforce that keeps the city running effectively and efficiently every day. Without municipal workers, the city would cease to function.

There is strength in numbers, as the saying goes. “New York continues defying the law of gravity,” said Ruth Milkman, a co-author with Stephanie Luce, of the annual report, titled “The State of the Unions.” Both authors are professors at the Murphy Institute for Worker Education and Labor Studies at the City University of New York.
March 31, 2016 — Met with CWA Local 1180 members regarding the development of 6 Harrison Street.

July 14, 2016 — Conducted a conference call separate from the development of 6 Harrison Street.

July 18, 2016 — Attended the CWA District 1 conference.

July 19, 2016 — Met with the CWA Local 1180 Executive Board meeting to discuss the development of the 6 Harrison Street. Several reports were deferred until the August 3, 2016, Executive Board meeting.

July 22, 2016 — Received and reviewed the reports and recommendations of the Administration. Afternoon, he chaired a conference call with CWA DFCO regarding various grants.

July 25, 2016 — Met withrepresentatives of the National Labor Relations Board.

July 26, 2016 — Met with representatives of the National Labor Relations Board.


July 29, 2016 — Met with CWA Local 1180 members regarding the development of 6 Harrison Street.

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July 29, 2016 — Chaired a conference call with CWA DFCO regarding various grants.

August 1, 2016 — Met with the Unified Court System. Later that day, he attended a meeting at Governor's Room, City Hall.

August 2, 2016 — Chaired a meeting regarding the development of 6 Harrison Street.

July 14, 2016 — Met with the CWA Local 1180 Executive Board meeting to discuss the development of the 6 Harrison Street.

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August 1, 2016 — Met with the Unified Court System. Later that day, he attended an H+H advocacy meeting. 

August 20, 2016 — Chaired the CWA DFCO Caucus Meeting.

August 21, 2016 — Met with CWA Local 1180 members regarding the development of 6 Harrison Street.

August 25, 2016 — Met with representatives of the National Labor Relations Board.

August 26, 2016 — Met with CWA Local 1180 members regarding the development of 6 Harrison Street.

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August 27, 2016 — Met with CWA Local 1180 members regarding the development of 6 Harrison Street.

August 28, 2016 — Met with CWA Local 1180 members regarding the development of 6 Harrison Street.

August 29, 2016 — Attended the CWA Local 1180 Executive Board meeting to discuss pressing issues. All reports were deferred until the August 3, 2016, Executive Board meeting.

August 30, 2016 — Met with representatives of the National Labor Relations Board.

September 1, 2016 — Met with CWA Local 1180 members regarding the development of 6 Harrison Street.
September 21, 2016
Meeting called to order at 6:00 p.m.
Executive Board Members in Attendance
Officers
Arthur Cheliotes, President; Gina Strickland, First Vice President; Gerald Brown, Second Vice President; Gloria Middleton, Secretary-Treasurer; Lourdes Acevedo, Recording Secretary
Members-at-Large
Absent: Hilary Bloomfield
Minutes of the August 31, 2016, meeting were presented. Motion was duly made, seconded, and carried to adjourn at 9:00 p.m.
Respectfully submitted,
Lourdes Acevedo
Recording Secretary
President’s Report
President Cheliotes’ meetings since the last Executive Board Meeting
September 1, 2016 — Met with Trustees regarding dental plans. That afternoon, met with the Trustees regarding the development of 6 Har- rison Street.
September 2, 2016 — Chaired a conference call with CWA Defense Fund Over-Site Committee (DFOC), authorizing two grants.
September 3, 2016 — Attended the CWA Local 1180 Annual Picnic.
September 6, 2016 — Met with New York City Council Member Rocky Lannigan, of the 24th District in Queens to discuss possible legisla- tive efforts regarding the importance of transparency of EEO Data supplied by the City of New York. That afternoon, he chaired the CWA Local 1180 weekly staff meeting. Later that day, he chaired a conference call with Joseph Garga and Greg Mantios regarding the conversion of the CWA Joint District in Queens to discuss possible legisla-
...
CWA LOCAL 1180 EXECUTIVE BOARD MEETING MINUTES

Second Vice President’s Report
Second Vice President Gerald Brown reported the following:
The New York City Central Labor Council’s Annual Parade up 5th Avenue, NYC was a huge success. A record number of CWA Local 1180 members and their family marched with the CWA delegation. This year CWA was joined by a Panamanian Marching band from Brooklyn. The addition made the event very festive bringing excitement to the marchers and spectators. We marched up 5th Avenue from 45th Street to 72nd Street.

Motion was duly made, seconded, and carried to accept the First Vice President’s Report.

Secretary-Treasurer’s Report
Secretary-Treasurer Gloria Middleton presented the Transaction Detail report for August 2016, as well as the Check Register. She advised that the TD checking account has a balance of $1,748,547.82 as of C.O.B. September 20, 2016.

CWA Local 1180 obtained 55 new members since the last report from the Secretary-Treasurer.

CWA Local 1180 budget which covers October 1, 2016, to September 30, 2017, is $1,748,547.82 as of C.O.B. September 20, 2016.

The presentation will focus on how labor can get involved and help change the systemic problem that exists.

There were 1,500 Adults and 363 children totaling 1,863.

A motion was duly made, seconded, and carried to accept the Secretary-Treasurer’s Report.

Member-at-Large Haeli O. Worley advised that the CWA Local 1180’s participation in the 2016 African American Day Parade on September 18, 2016, was a success. One hundred members and their families participated.

Member-at-Large Venus Colon-Williams reported on the Back to School Back Pack Drive. Our members donated a total of 18 school bags and school supplies. The donated bags were presented to the Women in Need Foundation. Thank you to all of the members that participated in this drive.

Member-at-Large Robin Blue-Batte announced that CWA Local 1180’s participation in the 2016 Hispanic Day Parade on September 18, 2016, was a success. One hundred members and their families participated.

Member-at-Large Anthony Eramo, 20th District in Nassau County New York State Assembly:

- Toby Ann Stavisky, 16th District in Queens
- James Sanders, Jr., 10th District in Queens
- Rafael Salamanca, 17th District in the Bronx
- Gloria Skinner, Simone Smith, Loretta Jenrette-Martínez
- Khanukaev, Siu Cheng, John Ferree, Inez Figueroa, Hector Valdez
- Pamela Harris, 46th District in Brooklyn
- Leticia Monique Walker, 55th District in Brooklyn

Mary Evans, Elmhurst Hospital retiree and a former Local 1180 member on October 27.

A motion was duly made, seconded, and carried to accept the Secretary-Treasurer’s Report.

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IN MEMORIAM

NAME                      AGENCY                      DECEASED
Marjorie Armstrong ........ Dept. of Social Services ........ 10/7/2016
Doris Castro ................ Elmhurst Hospital Center ........ 8/4/2016
Carla Connick ............... Administration for Children Services .... 10/30/2016
Elizabeth Drummond .......... Lincoln Medical & Mental Health Center .... 11/9/2016
Angelia Fagan ............... Dept. of Social Services ........ 10/6/2016
Robert Gilliam ............. Parks & Recreation ............ 10/31/2016
Patricia Jack ............... Department of Education ........ 9/10/2016
Barbara Jackson ............. Department of Education ........ 8/22/2016
Christine Kirksey ........... Dept. of Homeless Services ...... 10/17/2016
Cheryl Lawson ............... Dept. of Business Service ........ 11/21/2016
Amelia Lore ................. Dept. of Health & Mental Hygiene .... 8/12/2016
Ann Meyers ................. Dept. of Health & Mental Hygiene .... 8/2/2016
Jeffrey Panish .............. Finance Administration ........ 10/10/2016
Lynn Schulman .............. Housing Preservation & Development .... 8/23/2016
Malini Strickland .......... Dept. of Environmental Protection .... 9/23/2016
Jane Tull ..................... Dept. of Social Services ........ 10/14/2016

ARThUR CHELIOTeS President

Was the People’s Voice Really Heard?

Continued from page 5

up country, you don’t. The majority of your fellow Americans wanted Hillary, not Trump.

The only reason he’s president is because of an arcane, insane 18th Century idea called the Electoral College. Until we change that, we’ll continue to have presidents we didn’t elect and didn’t want. We live in a country where a majority of its citizens have said they believe there’s climate change, they believe in racial equality and that women should be paid the same as men, they want a debt-free college education, they don’t want us invading countries, they want an increase in the minimum wage, and they want a single-payer true universal health care system. None of that has changed. We live in a country where the majority agrees with the “liberal” position. We just lack the liberal leadership to make that happen.

Let’s try to get this all done before President Obama leaves office.

One personal note: I am the proud grandfather of Leonidas who started kindergarten this year. He has been taught that being a bully, hitting, and screaming are not nice. He has been taught to be caring and kind to others and share what he has. That he should not be selfish and mean. I have great concerns for his future given the direction of our nation following this election. We are stewards of this nation and this earth for the generations that will follow. We have a duty to make sure that it will not be a meaner, less caring place where greedy bullies rule and hate prevails. I am committed to fight for Leonidas and the generations to come because that is our purpose in life. I look forward to standing shoulder to shoulder with you as our struggle continues.
On December 9, 2016, the Retiree Division of CWA Local 1180 recognized its 20th Anniversary with a gala celebration at the New York Marriott at Brooklyn Bridge. Three hundred and ninety-four retired members, trustees, staff, and agency representatives showed the world what it meant to be a retiree of CWA Local 1180 with expressions of joy, vitality and solidarity.

Guests poured into the lush and luxurious Marriott in downtown Brooklyn and were greeted with the smiles of friends and co-workers they had not seen for years. Security Benefits Office staff gave each retiree a commemorative CWA Local 1180 Retiree Division pin inlaid in gold filigree and then escorted them to their tables in the Grand Ballroom that was dressed in white linens with blue, gold and white floral centerpieces made by retirees during the course of the past 12 weeks in special crafting workshops at the Division. The retiree whose birthday was closest to December 9 “won” the centerpiece, and each attendee received a holiday gift bag.

The extensive buffet was complete with carving stations and a dish for every palate. Dessert did not disappoint either with cakes, cookies, pies, and decorated pastries. Following lunch, Second Vice President Gerald Brown served as Master of Ceremonies and guests listened to presentations from President Arthur Cheliotes, Secretary-Treasurer Gloria Middleton, First Vice President Gina Strickland, and Retiree Division Program Director Suzanne E. Beatty, LMSW. A special sing-a-long to the tune of “My Favorite Things” highlighted retiree activities. After this, retirees danced the afternoon away, doing all of the “slide” dances.

A video presentation of events and retirees from the past 20 years showed retirees participating in hundreds of events and taking advantage of the benefits that retirees are privileged to have. The Retiree Division was created to provide a program for those who have retired from work, but never from the Union. When the decision was made by the Trustees more than 20 years ago to establish this Division, a plan was developed for a program that addressed the needs for meaningful engagement throughout the years after work. The motto of “We Do it All” truly encapsulates what happens in the Division. The multitude of activities, events, classes, trips, luncheons, benefit seminars, and so much more has lead to new retirees repeatedly saying “this is the best kept secret in the union!”