

VERIZON LAYOFFS SET OFF A CHAIN REACTION OF GRIEVANCES FILED BY THE UNION

The recent layoffs at Verizon has set off a chain reaction of grievances by the Union. The challenges stem from the differences in interpretation of several portions of the CWA/Verizon General Agreement. The following is a list of the grievances filed recently by CWA District 2 in an effort to either achieve a resolve or most likely, an arbitrators ruling over whose interpretation is correct.

1 - Violation of the 2008 General Agreement - Article 35 - Violation of the 2008 Verizon Scope of Work Agreement. We entered 2008 Bargaining with the goal of extending the Job Security Letter agreement to all post 2003 new hires. Unfortunately, we didn't achieve that goal. However, we did achieve an agreement resulting in the settlement of a number of grievances surrounding Verizon's deployment of the new FiOS product. This agreement is known as the Scope of Work Agreement (or the Scope Agreement). The Scope Agreement provides the no *layoff* protection to all Cable Splicing Technicians, Systems Technicians, Outside Plant Technicians and Services Technicians, hired post August 2003, working in a Deployed FiOS Area (DFA) where Verizon is assigning Verizon Connected Solutions technicians to perform what is formally known as "expanded copper work". What the Scope Agreement doesn't protect these technicians from is a forced downgrade or transfer requiring a change in residence. When Verizon announced at the end of October, 2009 that they were offering the Enhanced ISP package to Cable Splicing Technicians, they also announced their intent to reduce force through Article 35 of the General Agreement. The Company believes the restrictions spelled out in the Scope Agreement only come into play when and/or if they actually layoff someone in one of those titles, and in one of those areas. The Union believes that before Verizon can proceed into the Article 35 process, they must cease and desist having VCSI perform the Expanded Copper Duties in the DFA where the Article 35 has been declared. Today, we have Cable Splicing and Services Technicians off the payroll while a lower paid technician at Verizon Connected Solutions is performing the same work. This is not a knock on the Verizon Connected Solutions technician. They are only doing what they've been assigned to do by the Company. They are also our members in this Union. We don't want to lose them, we want them in the Core company making the higher rate of pay.

2 - Violation of the 2008 General Agreement - Article 35 - Failure to Remove Contractors while Laying Off. Perhaps even more insulting than to have Verizon laying off members while having other members in a lower paid job title performing work the laid off member could and should be doing, is to be laid off while the Company has contractors doing work our members could do. The Verizon Agreement has a Letter of Understanding that states, in part, "Except when it has no other reasonable alternative, the Company will not contract out work if it would otherwise be performed by regular employees within job titles, work groups and localities where a layoff or part timing of such employees would be the direct result of such contracting out, where a layoff of such employees is pending, or where a layoff has already occurred and such laid off former regular employees retain recall rights and are available and qualified in the judgment of the Company to perform such work." Verizon contracts out many functions that our laid off members are more than qualified to do. You just about can't throw a stick up in the air around here without it striking a contractor before it reaches the ground. A particularly egregious example of this is with the Customer Service Clerks in the Local Presence Centers at Verizon. We had two of our members bumped out of a job and laid off the payroll while Verizon still has contractors in many of these LPC's working side-by-side with our members.

3 - Violation of the 2008 General Agreement - Article 35 - Using RAMP Guidelines. Section 4 of Article 35 states, in part ... "The Company shall offer those vacancies which it determines are available to the affected regular employees ... subject to the Company's determination of the employees ability to perform satisfactorily in the vacancy of his choice." The criteria used to determine whether the employee can perform satisfactorily is the test they use in the RAMP or hiring process. That part we agreed to as acceptable. Where the Company violated Article 35 was when they decided to apply the rest of the guidelines from the RAMP process. So for example, the people who passed the test, yet hadn't met the time-in-title requirements as indicated by the RAMP guidelines, the Company wouldn't consider them as "having the ability to perform satisfactorily". Nowhere in Article 35 does it say you have to meet RAMP guidelines in order to perform the job satisfactorily. Verizon also disqualified people based on their current evaluation. A current evaluation of "Needs Improvement or Does Not Meet" does not mean that the employee is not qualified for the new job.

4 - Violation of the 2008 General Agreement - Article 35 - Failure Rate on the Consultant Test. Most of the tests Verizon uses to determine qualifications for a particular job are written tests and for the most part are not subjective in nature. Not true for the secondary test for the job of Consultant and Customer Service Clerk. It is an interview that lends itself to the subjectivity of the interviewer. As a result, the failure rate for many of our members who took the Consultant test seemed to be unusually high. The CWA is challenging Verizon through the grievance and arbitration procedure over this issue.

(Continued on page 2)



Attention CWA Members:

APPLY NOW FOR JOE BEIRNE SCHOLARSHIPS

Apply now for college scholarships of \$3,000 each for the 2010-2011 school year, and another \$3,000 for 2011-2012. (2nd year award based on satisfactory academic record.)

Fifteen new scholarships will be awarded by CWA's Joe Beirne Scholarship Program.

Eligible are CWA members, their spouses, children and grandchildren (including those of laid-off, retired or deceased members) planning for college studies.

Final deadline for applications is March 31, 2010.

Applications are easy to make online at the Foundation's website (including submission of a short original essay).

Winners will be chosen in a lottery drawing.

The program honors CWA's founding president, who served for more than 30 years. Joe Beirne took great pride in the roles he played in furthering educational opportunity and working for social justice.

For more information, and to fill out and submit the application form, visit:

<http://cwa-union.org/members/beirne/>

The illiterate of the 21st century will not be those who cannot read and write, but those who cannot learn, unlearn, and relearn.

Alvin Toffler

It's been a tumultuous year and I'm glad it's almost over. WHAT! IT'S ONLY MARCH!? Somebody stop the world ... I want to get off.

Let's take a look at what have we seen so far this year. About a week before Christmas Mother Nature comes calling with a nice little 24" snow storm. A nice little white Christmas for all to enjoy. However, old Mother Nature wasn't finished just yet. She gave us a little reprieve in January with only a dusting of snow here and there. Now February, February is a different story altogether. February 2-3 brought a couple of inches, no big deal. Little did we know, that was just the calm before the storm. The snow showed up in earnest on February 5 and it didn't stop snowing for the better part of 2 days. When all was said and done we had more than thirty inches of snow fall in 5 days, more snow than we usually see all season. Just about the time we were all dug out of our driveways, ol' Mother showed up again. The snow began falling on February 9th and stopped sometime in the wee hours of February 11th. When it was all over, and the crying was just beginning, we had an additional two feet of the white powder on the ground.

Yes, it's been a record breaking season with states of emergency, schools closed for days on end and everyone's back and budget broken by the fluffy white stuff. I'm afraid that's not the end of the upheaval we are going to see in the world of Verizon.

As most of you are aware by now, Verizon has laid off or otherwise downsized more than 330 of our Union Brothers and Sisters since October and just like Mother Nature, I don't think Verizon is done just yet. Our old friend Ivan Seidenberg, in an interview with a Citigroup analyst, stated "we're four-fifths of the way through our FiOS build ... We're very excited about the pending rollout of 4G. We complete our FiOS build at the end of 2010."

Let's see, according to Ivan, FiOS, the flagship product of the company is 4/5 complete and will be completed by the end of 2010. Yet, we know they cut the budget for building Fiber To The Premises on the order of 60% this year. If they cut the budget to build it and then say they are 4/5 complete and will finish by the end of 2010 where does that leave us? I'm afraid on the outside looking in for many of our members.

When asked in the interview about the past year (2009) Seidenberg's response, "Probably the biggest negative for us in the year was that we didn't make as much progress on the wireline side. ... What we did, about midyear, was we got real aggressive on cost, so we put a bunch of programs in place to go much more aggressively at the cost issue to offset some of that impact, ... and have great payoffs and to actually put in, Michael, a more continuous focus on cost reduction in 2010." Translation, we cut people and resources in 2009 and will continue to do so in 2010.

I've had a lot of people ask me where I think this Company is headed and what can they do to prepare for the future. My advice is this, prepare for a future beyond Verizon. The telecommunications industry is changing so rapidly and so drastically that I can't begin to imagine what it will look like 5 or 10 years from now. I wonder if Verizon will even have landlines anymore.



Listening to some of the statements Ivan has made and watching the way Verizon is continually alienating customers, it leaves me thinking they don't want to be in the landline business ten years from now, copper or fiber. It leads me to believe they want to be in the wireless business only.

One of the most under-used, best benefits we have here at Verizon is the Tuition Assistance Plan. For anyone reading this with less than twenty years of service the best advice I can give to you is use it. Use every stinking dollar of it you can.

You need to prepare yourself for the day Verizon tells you goodbye for good.

Right now the majority of our members still have the Job Security Letter protecting us from layoffs. However, I believe the Company will have that at the top of their list in 2011 Bargaining.

Right now we are fighting Verizon on the sale of their landlines in 11 states, including West Virginia. I foresee the day when they will sell the whole kit-n-caboodle, copper, fiber and all.

We all need to prepare for that day

Les

Grievances (from front page)

5 - Violation of the 2008 General Agreement - Article 35 - Termination rather than Laid Off. As if it wasn't enough of a blow to be laid off, Verizon decided that none of the Cable Splicing Technicians were actually laid off. They decided the Cable Splicing Technicians all terminated their own employment. Their reasoning goes something like this. They offered available jobs as Cable Splicing Technicians in West Virginia that no one decided to uproot their families and take. As a result, Verizon reasons that since they had at least one job that no one took, the nearly 100 Cable Splicing Technicians who were laid off, actually self-terminated. The impact of that determination for these folks is significant. Depending on their amount of Net Credited Service, they should have received from 3 months up to 12 months of medical benefits coverage. As it stands, for each of them their benefits ended at the end of the month in which they were laid off and; depending on the jurisdiction, it could also have a negative impact on their unemployment determination.

6 - Violation of the 2008 General Agreement - Article 35 - Failure to Pay Proper Termination Allowance. Article 35, Section 7(b) states in part ... "If during a force adjustment, an employee who declines ISP is terminated or laid-off ... the employee will be paid as a termination allowance the ISP benefits specified in Article 36A, Sections 2 through 4 he would have been eligible to receive at the time of the ISP offer." When Verizon declared the Article 35 with the intention to lay off, the Contract required that an Enhanced ISP be offered to those members targeted by the Article 35 - Layoff. As a result, those members who declined to leave the payroll voluntarily, and either declined a job offer or failed to qualify left the payroll as a laid off (or if you believe Verizon) a terminated employee. Either way, Section 7 states the employee will be paid the ISP payments he would have been eligible to receive at the time of the ISP offer. Since, in this case the only offer these members received from Verizon was an Enhanced ISP offer, that is the termination allowance they should have received. Not according to Verizon. According to Verizon these members were only entitled to and only received an amount equivalent to a single ISP payment as specified by Article 36A of the contract. The difference is as much as \$5,500 in termination allowance for this group of members. A single ISP payment specified by Article 36A is valued at \$1,100 for each completed year of Net Credited Service. The Enhanced ISP payment is double that amount or \$2,200 for each year of completed Net Credited Service.

Communications Workers of America Local 2108

2108News

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West Virginia's Public Service Commission's staff and Consumer Advocate Division said February 19, 2010, that Frontier Communications' application to buy Verizon's telephone landlines in West Virginia should be rejected outright because the companies failed to file any details about the proposed \$8.6 billion deal.

The consumer division and PSC staff said Frontier and Verizon only submitted "general information" about the transaction.

"They didn't even file the merger agreement and 11 other associated documents," said Byron Harris, who heads the Consumer Advocate Division. "It was not put into evidence in the case. On that ground alone, the case fails from a legal standpoint."

If the three-member PSC doesn't dismiss the proposed purchase outright, it should reject the sale because it's not in the public's best interest, the consumer division and agency staff asserted in reports filed February 19th.

Harris said Frontier wouldn't have the financial resources to keep promises to expand high-speed broadband Internet and improve phone landline services after the sale.

As the PSC now begins its deliberation process, information continues to be provided as their review of the matter proceeds. There are two upcoming rounds of legal briefs to be filed with the PSC in the upcoming weeks.

Attorney Vince Trivelli will be filing a brief on behalf of CWA and briefs will be filed by other involved parties, including Frontier. Then on March 5, 2010 rebuttal briefs will be filed, these will enable the parties to supply answers to any question.

A poll conducted during the last week of January 2010 found that 46 percent of West Virginia voters oppose the proposed Verizon/Frontier deal. Further finding revealed that only 26 percent of state voters support the deal while another 28 percent did not know enough about the deal to give an opinion on the matter.

False Alarm at the Chesapeake Complex

On Tuesday, February 23rd, in the SRC group at the Chesapeake Complex a suspicious white powder was found in an envelope addressed to Verizon. Montgomery County Fire and Rescue personnel responded to the incident prompting an evacuation of the second floor in A & B pods. Two employees were treated at the scene for minor irritations.

"It was very surreal", noted Secretary-Treasurer Johnny Brown. "The calls just started flooding in and it is just one of those situations you hope you never have to deal with". We contacted CWA Occupational Health and Safety Director, David LeGrande and he offered his expertise seeing that the matter was handled properly. His initial concerns focused on ventilation systems in the affected areas and having them shut down to prevent possible contamination into other areas. The evacuated employees were then sent home.

Montgomery County Haz/Mat teams were brought in to identify the make-up of the undisclosed substance, which was determined to be non-toxic. At this point the Montgomery County Police haven't determined there to be any criminal intent saying the powder appears to be something used in the processing of the mass mailing campaign used by a Verizon contractor.

"I think we were fortunate to have a "dry run" of how Verizon would handle this type of situation" said President Les Evans, "with some communication issues in question, Verizon seemed to respond appropriately to the situation."

Personals :

We wish to extend sincere sympathy to the family and friends of:

Carl Donzell Falwell, Sr., father of Jeanette Shannon who died on September 3, 2009.

Leonard Raphael Shannon, father-in-law of Jeanette Shannon who died on September 11, 2009.

Rebecca Mobley, mother Anthony Mobley who died on December 19, 2009.

Ada Hurd, mother of James Hurd, who died January 18, 2010

James Fonville, Sr., father of Maggie Fonville who died on January 25, 2010.

Juan Flores, brother of Ruben Flores who died on February 14, 2010.

Nancy M. Holland, mother of Teresa Dodson, mother-in-law of Pat Defayette and grandmother of Joseph and Kathryn Defayette who died on February 16, 2010.

Gloria Thomas, mother of retired member Yvonne Sampson who died on February 20, 2010.

Selena R. Purnell, grandmother of Sheree Tunnell who died on February 23, 2010.

Congratulations to:

Robert Sickman on the birth of his grandson, Rylan Jerrika Simpkins on June 20, 2009.

Welcome New Members

Transferred

Karen Lewis
Jacinta Sellman

Sabrina Staley

Sally Young
Carmen Reavis
Lois Alexander
Lauren Colclough
Kevin Ketterman

David Broach

Kurtis Green
Michael Davis
Gustav Richard

Ed Anderson

Kyle Shanholtz
Shari-Lynn Brady
Scott Monzeglio
James M. Jordan

Tiffany Martin

David J. Downs

Congratulations Retirees

Olympio (Larry) Brito
Pat Defayette
James (Jim) Beaman
William (Bill) Coulson
Judith Goodwin



2010 CWA LOCAL 2108 SCHOLARSHIP GRANT

CWA Local 2108 is proud to offer scholarships to our members and their families. Please read the rules below, and call the Local if you have additional questions.

1. Three \$2,000 scholarships are available
2. Available to members in good standing since last negotiated contract, their spouse and dependent children or dependent children of deceased members.
3. \$1,000 will be mailed directly to the institution per semester
4. Student must take at least 9 credits per semester.
5. Must have a letter of acceptance from the college or accredited learning institution with application.
6. Drawing at July membership meeting as a raffle.
7. Community Service Committee will screen applications.
8. Applications must be postmarked by June 30 of the current year.
9. Resignation from the union will forfeit scholarship awards.

NAME: _____ SOCIAL SECURITY NUMBER _____

RELATIONSHIP TO MEMBER _____ SCHOOL ATTENDING _____

ADDRESS _____ HOME NUMBER _____

CITY _____ STATE _____ ZIP CODE _____ WORK NUMBER _____

RMC 2108
Retirees Corner



Calvin Foster
President RMC 2108

RMC 2108

The novelty of snow is over for most of us. I know everyone is looking forward to Spring and the outside activities that do not require pushing snow!

Why not start the season with CWA RMC 2108 at a special matinee performance of "Hairspray" on Wednesday, April 21, 2010 at TOBY'S DINNER

THEATRE in Columbia, MD. You get Lunch and a Show for just \$40. Call JANICE CROWE on 410 533 5370 for available seats.

Our February Meeting was snowed out. We meet on the second Wednesday of every month at 11:00am at the Local 2108 Union Hall and receive valuable information pertaining to retirees. Following the meeting we have an enjoyable lunch.

We all need to pay close attention to the Heath Care talks on Capitol Hill. The results of all this will affect all of our lives for years into the future. It is in your own best interest to inform your Legislators of your thoughts on the subject while the details are being worked out. You should call, write and e-mail them and tell them not to tax your benefits. It is in your own best interest to do so.

I will see you at the next meeting.



MARCH 2010

- 3 Chief Stewards Meeting - 9:00am
Local Office, Beltsville, MD
- 7-9 Communications and Technologies Conference
Las Vegas, NV
- 10 Retired Members Chapter Meeting, 11:00am
Local Office, Beltsville, MD
- 11 Membership Meeting - 6:00pm
Local Office, Beltsville, MD *(Note Date Change)*
- 14 Daylight Saving Time Begins
Set Clocks Ahead 1 Hour
- 17 St Patrick's Day



APRIL 2010

- 4 Easter Sunday
- 7 Chief Stewards Meeting - (Cancelled)
Local Office, Beltsville, MD
- 6-8 CWA District 2 Conference
Baltimore, MD
- 14 Retired Members Chapter Meeting, 11:00am
Local Office, Beltsville, MD
- 14 Membership Meeting - 6:00pm
Local Office, Beltsville, MD
- 28 Stewards Meeting - 6:00pm
Local Office, Beltsville, MD

ATTENTION: PLEASE BE AWARE THAT THE NEXT GENERAL MEMBERSHIP MEETING IS SCHEDULED FOR THURSDAY, MARCH 11, 2010

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