

## The Right To Refuse Unsafe Work

Thousands of workers die or are injured because of on-the-job accidents each year. Many more are exposed to unhealthy conditions that cause serious illnesses years later.

### When does a worker have the right to refuse dangerous work?

On February 26, 1980, the United States Supreme Court issued a landmark ruling which more clearly defined a worker's right to refuse work where an employee(s) has (have) reasonable apprehension that death or serious injury or illness might occur as a result of performing the work. The unanimous decision came in a 1974 case against Whirlpool Corporation in which two workers refused to crawl out on a screen from which a co-worker had fallen to his death only nine days earlier.

In its decision, the court emphasized that the OSHA Act provides a worker with the right to choose not to perform an assigned task due to reasonable apprehension of death or serious injury coupled with a reasonable belief that no less drastic alternative is available. Further, the Court held that a worker who utilizes this OSHA Act protection may not be discriminated against for such action.

### In light of the Supreme Court's decision, what should CWA members who are faced with an imminent danger situation do?

The Supreme Court has said that a worker may refuse unsafe work where she/he has refused the job in good faith. Good faith may be interpreted as an honest belief that the job was unsafe and unusually and objectively dangerous.

### Good faith can be demonstrated by the manner by which you refuse unsafe work:

- Explain the hazard to the supervisor and your steward,
- Offer to do other, safe work until the hazard is corrected,
- Give management a chance to respond before doing anything else,
- If the condition isn't corrected, call OSHA and request an "imminent danger" inspection,
- Do not walk off the job. If management won't fix the hazard, force them to take the next step. Make sure you have expressed your reasons for refusing the job and your willingness to do other work, clearly and in the presence of your steward and/or other workers.

### If you're fired or disciplined:

- File a grievance immediately,
- File an unfair labor practice charge with the NLRB immediately but within 180 days, and
- File a Section 11(c) discrimination complaint with OSHA immediately but within 30 days.

The bottom line is to stay cool. Don't let management provoke you into rash action that could hurt your case later.



## How Did Your Organization Handle the Storm?

Hopefully, as you are reading this article, you have shoveled your way out and are back on the road to the normal daily grind. With a "State of Emergency" declared in almost the entire Mid-Atlantic region, getting to work after the record setting storm was more treacherous than swimming with sharks. The local received a number of reports that members were stopped by police and ordered to return their houses.

Now, as we roll back into normalcy, it seems as though there is a wide array of inconsistencies on how Verizon is handling this snow event in regards to pay treatment and time recording. Some groups were given many options on how they would like to record their time for those that could not make it in, such as an excused day, a vacation day (over and above contractual limits) or an excused day without pay. Some groups were told if they didn't make it in they would be marked as unexcused without pay, some groups were told they had to use a vacation day and the list goes on and on. Many of these inconsistencies are within the same work location.

If you have any questions or concerns on your own situation, please contact you Steward, Chief Steward or call the Local to discuss and determine if a grievance needs to be initiated.

This is Lowell ("Moneybags") McAdam.

Lowell lives in a mansion and travels in his private corporate jet.

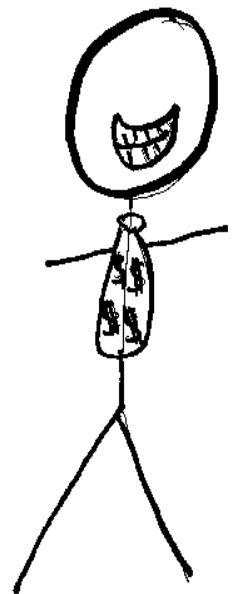
Lowell's total compensation exceeded \$18million in 2014.

Lowell giggles with glee when Verizon's profits exceed \$5.5 billion/quarter.

Lowell thinks you should pay thousands of dollars more each year for your healthcare.

Lowell's wallet is bigger than his heart.

Have a heart. Don't be like Lowell.



"The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy.".....Martin Luther King, Jr.



Under normal circumstances, being a "good union member" is not all that difficult. You sign a membership card once, and union dues are deducted from your paycheck each week. You have a contract which enables you to maintain a decent standard of living, care for your family and plan for your future. You receive a ballot in the mail from time to time to vote for your local officers or delegates, and to vote whether or not to authorize a strike or ratify a contract. It's entirely up to you whether you vote or not. Our newsletter is mailed to your home each month, but you decide if you read it. A membership meeting is held each month, but your attendance is optional.

Please be clear, my intent is not to diminish the importance of all the "good union members" in our local who do everything listed above. Lord knows there are plenty of folks who enjoy all the benefits of our contract, who we are mandated to represent in the workplace, who are unwilling to do those things, even during "moments of comfort and convenience".

Dr. King's quote made me think about what happens to our good union members during those "times of challenge and controversy". I know it is tough to work without a contract for six months, not knowing from day to day if a strike is going to be called. Some of our members feel frustrated that a strike has not yet been called, while others are happy that they continue to receive a paycheck while our bargaining committee explores every avenue to reaching a fair agreement. But the real "times of challenge and controversy" occur when that strike is called. It's not comfortable to walk a picket line in the cold or the heat. It's difficult to look for part-time work to supplement your savings and your strike-duty check. It's infuriating to continue to strike while others cross the picket line and work because they can't afford to strike (as if it is easy for the rest of us). **But that is exactly what we need to be prepared and committed to do.**

We have too much to lose to do anything else.

In Solidarity,

*Marilyn*

## Will You Be Ready To Retire When the Time Comes?

Whether you plan to retire this year or a decade from now, it's always good to map out a clear route to get to the retirement of your dreams. Local 2108 members and their spouses are invited to attend a free, no-obligation seminar to assess their readiness to retire. A **"Retirement Preparedness Score"** seminar will be hosted by Scott Ferguson of NettWorth Financial Group on three different dates in February. A complimentary lunch or dinner will be provided for those who attend. Seats are limited, and you must register to attend. You can register online at: [www.nettworth.net/marylanddcvirginia](http://www.nettworth.net/marylanddcvirginia) or by calling toll free: (877) 534-2860. The seminar will be held:

Saturday, February 6, 2016 at 12pm at CWA Local 2108, 10786 Rhode Island Ave Beltsville, MD (Beltsville Professional Ctr.)

Thursday, February 11, 2016 at 7pm at Brio Tuscan Grille, 20 Paseo Dr, North Bethesda, Md.

Saturday, February 13, 2016 at 12pm at CWA Local 2108, 10786 Rhode Island Av, Beltsville (Beltsville Professional Ctr.)

**Attention  
CWA Local  
2108 Verizon**



**We Strongly Recommend  
the Following As We  
Prepare For a Possible  
Work Stoppage:**

- ◆ SAVE MONEY \$\$\$
- ◆ NO MAJOR PURCHASES
- ◆ MAKE SURE BILLS CURRENT
- ◆ WORK ALL THE OVERTIME YOU CAN
- ◆ DENTAL & VISION CHECKUPS UP TO DATE
- ◆ 90 DAY SUPPLY OF MAINTENANCE MEDICATIONS
- ◆ STOCK UP ON NON-PERISHABLE FOODS
- ◆ STOCK UP ON PAPER PRODUCTS
- ◆ STAY INFORMED...READ NEWSLETTER, CHECK THE WEBSITE, JOIN OUR FACEBOOK PAGE AND ATTEND MEETINGS.

### WEINGARTEN RIGHTS

*If this discussion could in any way lead to my being disciplined or terminated or have any effect on my personal working conditions, I respectfully request my union representative, officer or steward to be present at this meeting. Without union representation, I choose not to participate in this discussion.*

## The Vincent & Patricia Maisano Labor Scholarship Program

This scholarship award is being presented as a tribute to the second CWA District 13 International Vice President and the former Secretary-Treasurer of CWA Local 13000. Both of these individuals retired in April of 2005. Vince and Pat both placed a high priority on education.

All CWA District 2-13 members, their spouses, children and grandchildren (including dependents of laid-off, retired or deceased CWA District 2-13 members) who are or were members in good standing at the time of separation from the Union may apply. Applicants must be high school graduates or at least high school students who will graduate during the year in which they apply. Undergraduate and graduate students returning to schooling may also apply. Prior winners may not apply.

One (1) scholarship, to be paid at the rate of \$1,000.00, will be awarded to an eligible applicant from the District 2-13 Potomac Region.

Applications will be accepted during the months of December through March. Final deadline is March 31<sup>st</sup> of the year in which the scholarship will be awarded.

The winners will be chosen by lottery drawing, To apply for the scholarship, please go to:

<http://district2-13.cwa-union.org/pages/scholarship>

The CWA Joe Beirne Foundation was established in October 1974 by the Communications Workers of America Executive Board to honor the name and memory of the founding President of CWA, who served for more than 30 years. In his capacity as the first CWA President, Joe Beirne took great pride in the roles he played in the fields of education and learning and other areas of social concern.

Fifteen partial college scholarships of \$3,000 each are being offered for the 2016-2017 school year. Winners, selected in a lottery drawing, also will receive second-year scholarships of the same amount contingent upon satisfactory academic accomplishment. Part-time students, less than 12 credits, will receive half of the scholarship monies.

Eligible for the awards are CWA members and their spouses, children and grandchildren, including those of retired or deceased members.

Applications are accepted during the months of November through April. **Final deadline for the 2016-2017 school year is April 29, 2016.**

To apply online, go to:

[http://www.cwa-union.org/pages/beirne\\_scholarship\\_application](http://www.cwa-union.org/pages/beirne_scholarship_application)

## This Ain't No Mickey Mouse Club

Over the past few months the number of calls to the Local regarding rodent sightings at the Chesapeake Complex in Silver Spring has increased significantly compared to prior years. Typically, each year when the weather starts to change, these unwanted visitors seek shelter in a warmer and more hospitable environments to survive the winter. Since the building is about 90% raised floors, it is a haven for unfettered access to the entire building. As construction continues throughout the complex, these tiny critters scamper off to the upper floors which have typically not been an issue.

In the past exterminators were much more successful dealing with the infestations than they have been this fall and winter.

This year it seems as though our uninvited guests have invited all of their extended families to the party. CWA is continuing to look into the infestation issue and we need your help. If you have had a recent sighting or incident, please email the details **to your supervisor** and copy the email to Lisa Fazzini, CWA District 2/13 Staff Representative at [lfazzini@cwa-union.org](mailto:lfazzini@cwa-union.org). Please include the following information:

- Floor located on
- Department name
- Date and Approximate time seen
- Where the rodent was spotted
- Pictures if possible

While Verizon contends that they have been addressing the issue, it is our position that they are only treating the areas where there is the most activity instead of addressing the entire building. Thus, just moving the problem from one area to another!!

### Personals

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

**Richard Loveday**, a retired member and brother-in-law of **Ed Torres** who died on December 24, 2015.

**Mary Beachboard**, mother of **Sandy Wirts** and **Lynn Yankosky** who died on January 14, 2016.

**Mike Schwier**, a retiree who died on January 26, 2016.

### Congratulations to:

**Scot McElroy** on the birth of his granddaughter, **Piper Elizabeth Thomas** born on January 7, 2016.

### Welcome to Local 2108

### Transferred Members



**LaTasha Carpenter**

David Hartley  
Randall Doane



### Congratulations to Recent Retirees:

Sabina Fowler  
Joyce Eason  
Sharon Neal  
Josephine Livingston



Craig Stratton  
Ronald Grogan  
Neil Poplai  
Monty Roberson

## RMC 2108 Retirees Corner

As we recover from a record snow fall we will soon begin to look forward to warmer days and file away the January storm into the back of our minds.

And while the snow accumulations may be record setting, contract negotiations between the CWA, IBEW and Verizon may also set a record for the time it takes to reach an agreement!! Verizon consistently rejects all of the CWA proposals and counters with their own retrogressive offers, showing a total disregard to the employees and retirees who built this corporation, going all the way back to the C&P Telephone days. Only time and a willingness to share in record profits will tell if we can look forward to better bargaining days or a strike. I hope that Verizon will show some respect to their employees and retirees and rethink their GREEDY position!!

Speaking of greed, you should pay attention to the Trans-Pacific Partnership Agreement (TPP) between 12 nations that will be signed into effect in New Zealand on February 04, 2016 after eight years of secret negotiations. The leaked text shows an investor-to-state settlement procedure (ISDS) that gives new powers to transnational investors and the ability to sue governments in closed arbitration tribunals, completely superseding National laws.

The issue is, corporations have become so greedy that they now have a trade agreement that will allow them to sidestep established government regulations that get in their way, all in the name of profits!! We must continue to fight this fight!!

We will be discussing this issue and hopefully take a break from the bad weather at our next RMC lunch meeting on February 10, 2016 at 11:00am.

See you there!!

**Calvin C Foster Jr**  
**President- RMC 2108**



**RMC 2108**

CWA Local 2108 Conducts New Stewards Training To Serve The Membership



On January 14-15, 2016 CWA Local 2108 conducted new stewards training in Beltsville to help assist members with issues that arise in the workplace. The two day training seminar included many topics such as contract interpretation, mock grievances, the history of CWA. CWA Local 2108 would like to congratulate the following new stewards for stepping up to the plate to become a leader in their workplace. Back Row (from left to right): Dwayne Coleman, George Hamilton, Tyrome Maloney, Gregory Jackson, Gerald Staton, Derek Martin Middle Row (from left to right): Keith Mason, Sammy Jackson, Latisha Corey, Michele Barksdale, Lavon Williams, Derek Wilson Front Row (from left to right): Robin Dill, Thomasine Byrd, LaTrice Hawkins, Linette Tai-Parks, Joanna Collins, Tolya Elliott-Chandler. (Not Pictured - Instructors: Matt Klingman, Kendra Whitaker-Hughes and Vice President LaTasha Carpenter).

Local 2108 Calendar

FEBRUARY 2016

- 3 Chief Stewards Meeting - 9:30am
Local Office, Beltsville, MD
10 RMC 2108 Meeting - 11:00am
Local Office, Beltsville, MD
10 Membership Meeting - 6:00pm
Local Office, Beltsville, MD
14 Valentines Day



- 15 President's Day
Local Office Closed

MARCH 2016

- 9 RMC 2108 Meeting - 11:00am
Local Office, Beltsville, MD
9 Membership Meeting - 6:00pm
Local Office, Beltsville, MD
13 Daylight Savings Time Begins
Set Clocks Ahead 1 Hour
17 St. Patrick's Day



- 27 Easter Sunday



MARK YOUR CALENDAR: Membership Meeting - Wednesday, February 10, 2016, 6:00pm RMC 2108 Meeting - Wednesday, February 10, 2016, 11:00am



10782 Rhode Island Avenue, Beltsville, MD 20705

Web Address: www.cwalocal2108.org

Local Office: (301) 595-2108 :: Local Fax: (301) 595-2412

Jenny Sylvester - Vice President

LaTasha Carpenter - Vice President

Johnny Brown - Secretary-Treasurer

Amory Proctor - Executive Vice President

Marilyn Irwin - President

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