

Member Handbook

State/Public Employees
AFT-Wisconsin, AFT, AFL-CIO



The mission of AFT-Wisconsin is to improve the lives of our members and their families; to give voice to our legitimate professional, economic and social aspirations; to strengthen the institutions in which we work; to improve the quality of the services we provide; to bring together all members to assist and support one another; and to promote democracy, human rights and freedom in our union, in our nation and throughout the world.



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SECTION I: AFT-Wisconsin

General Information

Welcome to Your Local Union and AFT-Wisconsin

Congratulations and welcome to your union! Your local union is affiliated with AFT-Wisconsin — a labor organization representing 17,000 professional public employees in the state of Wisconsin. Formerly known as the Wisconsin Federation of Teachers (WFT), AFT-Wisconsin is a state affiliate of the American Federation of Teachers.

Started primarily as a teachers' union with 1,400 members in 1933, AFT-Wisconsin has grown dramatically and today represents many diverse professionals and over 500 job classifications.

This handbook will provide you with an introduction to your union, and more specifically, to the state/public employee sector of AFT-Wisconsin.

Membership Structure

Becoming a member of your local union automatically grants you membership to AFT-Wisconsin. AFT-Wisconsin is composed of many local unions, each local union representing workers in a specific area of employment. Local unions with similar areas of interest belong to one of six groups called Councils. Each of the six Councils are described below:

State/Public Employees Council – Comprised of local unions representing professional state and local employees.

Graduate Employees Council – Comprised of local unions representing graduate employees at UW-Madison and UW-Milwaukee.

Higher Education Council – Comprised of local unions representing faculty and academic staff in the University of Wisconsin System.

PK-12 Teachers Council – Comprised of local unions representing teachers from pre-kindergarten through grade 12.

Paraprofessional and School-Related Personnel (PSRP) Council – Comprised of local unions representing PSRPs in both K-12 school districts and the Wisconsin Technical College System.

Wisconsin Technical College System (WTCS) Council – Comprised of local unions representing faculty from schools in the Wisconsin Technical College System.

Retiree Chapter – Comprised of retired AFT-Wisconsin members from all AFT-Wisconsin councils.

For a complete listing of AFT-Wisconsin locals, visit our website at www.aft-wisconsin.org.

Affiliations

AFT-Wisconsin is affiliated with, and its members are also members of, the American Federation of Teachers (AFT). The AFT is governed by delegates from local unions from across the country and its elected officers. The AFT biennial convention sets union policy and elects the union's officers.

AFT-Wisconsin is also an active participant in the organized labor movement through its affiliation with the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO). Affiliation with the AFL-CIO gives your local union voting power on regional labor councils through local union-designated delegates.

Unions come together under the AFL-CIO to pool resources and collectively fight the battles that we cannot win alone. Delegates from each union set broad policies and goals for the union movement at the annual AFL-CIO convention. Officers are elected every four years.

Dues

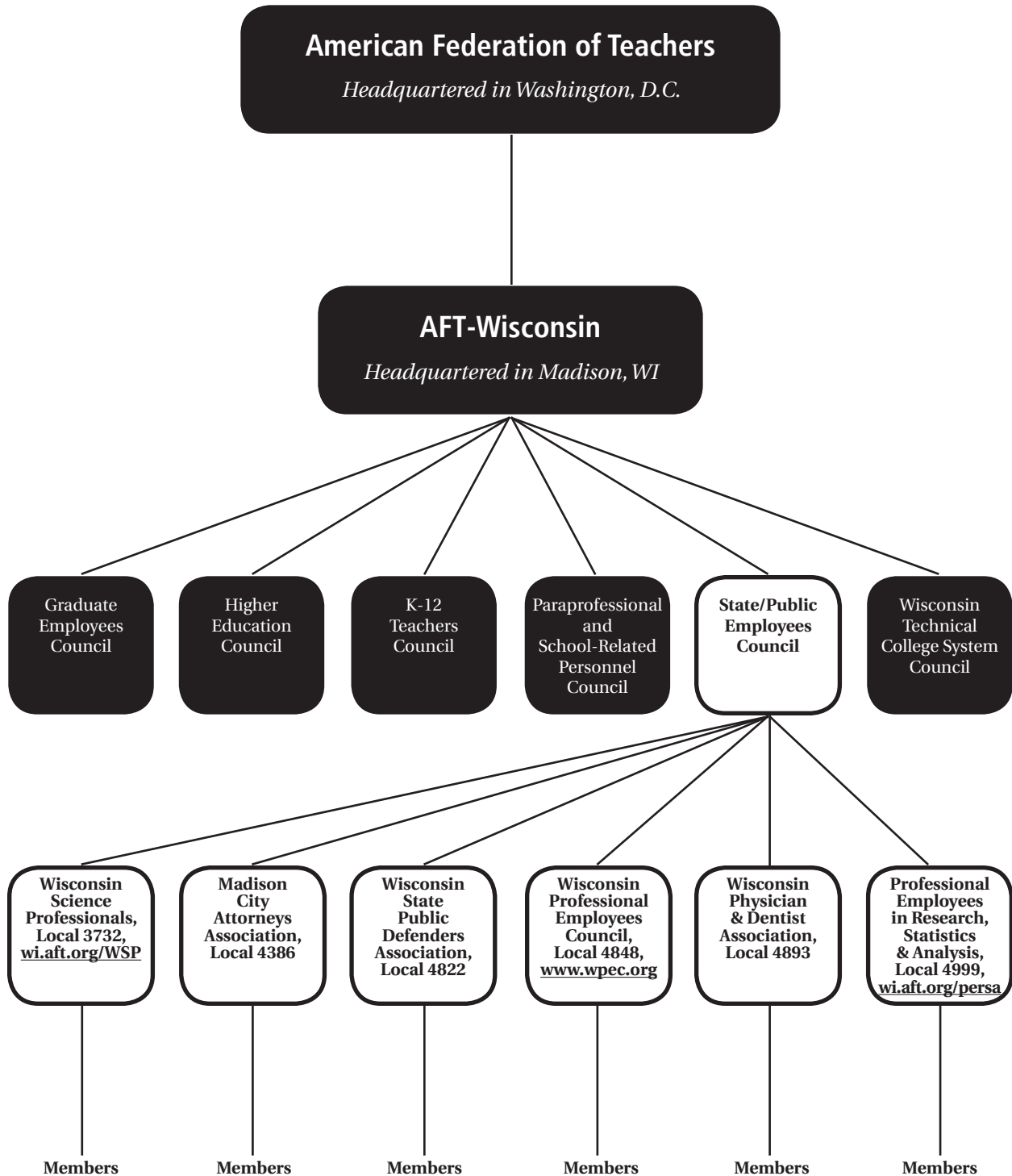
Dues are deducted from members' paychecks and routed through their local union to pay local, AFT-Wisconsin, AFT, local labor council and AFL-CIO dues. Each local union determines its own dues structure. AFT-Wisconsin delegate assemblies and AFT conventions set AFT-Wisconsin and AFT dues by a delegate vote.

AFT-Wisconsin dues money is **NEVER** spent on political candidates — see pages 12-13 for more information.

Staff

AFT-Wisconsin employs staff throughout the state to carry out the union's programs and to assist local unions and members. Each local union is assigned a full-time staff person, known as a staff representative. AFT-Wisconsin also employs staff with expertise in the area of government relations, communications and political organizing who work with all local unions to facilitate communication between members and policymakers, legislators, the public and the media. AFT-Wisconsin organizing staff work with established and developing locals to build membership and activism. For a complete listing of current AFT-Wisconsin staff, visit our website: www.aft-wisconsin.org.

AFT-Wisconsin Organizational Structure



SECTION II: About Unions

A union is an organized group of workers who come together, pooling their resources (time, money, expertise, creativity, etc.) to help themselves and their colleagues win respect on the job and improve working conditions. When workers come together as a union, their collective voice provides a counterbalance to the unchecked power of employers.

Most importantly, the union is **you** — not an outside party. As a member of your local union, **you** elect and designate other members to serve as executive board members, bargaining team representatives, stewards, and many other union roles. Many workers find that becoming an active union member is one of the most satisfying experiences of their careers.

Common questions and answers

I am a professional ... what can a union do for me? By joining with your colleagues in a union at your workplace you benefit in many ways. On the job, your union brings together the collective strength of you and your co-workers to ensure meaningful negotiations with management for an equitable contract. Besides wages and salaries, areas that can be negotiated include: staffing and overtime, safety and health, cost of living raises, adequate pensions, vacations, equitable promotion systems and transfer policies and a workable grievance system.

Aren't unions really for blue collar and other lower paid workers? Why would professionals want or need a union? Professionals are employees who have the same problems as other workers. Every science professional or high tech employee, for example, needs a chance to do her or his job well: sane hours, a manageable workload, a decent wage, a guarantee of fair benefits, protection from unjust treatment, respect, and recognition of skills, education and expertise.

The reality is professional employees are increasingly losing control of their work lives. At non-union worksites management makes all the decisions concerning the wages, benefits, and working conditions for professional employees. These professional employees are turning increasingly to unions. Over three million professional and technical employees are already participating in collective bargaining organizations. This constitutes approximately 50% of those professional employees eligible for union membership (i.e. neither managerial nor self-employed). Represented are such varied practitioners as musicians, doctors, nurses, actors, broadcasters, school teachers, college professors and engineers.

SOURCE: Department for Professional Employees, AFL-CIO; "I'm a Professional. What Can a Union Do for Me?"

The Union and Dues

Why pay union dues?

The easiest way to explain the concept of union dues is by using the example of a health club or gym membership. By only paying the dues to a gym, you will not improve your health or get into shape. You pay your dues to get access to the tools you need to better your health, but your health will not improve until you actually exercise.

Union dues should be thought about in the same way. Your dues will facilitate your access to expertise and resources vital to success in your job. But to see results, we all must play an active part in the process. Making a difference in your workplace and working conditions **must start with you!**

Where do your dues go?

Your dues are broken into five pieces and sent to your local union, AFT-Wisconsin, the AFT (national), the AFL-CIO (national) and the regional AFL-CIO labor councils.

What does AFT-Wisconsin do with my dues?

AFT-Wisconsin advocates on local, state and federal levels for the issues that matter to its members. Your dues make the following tools possible:

- leadership and steward training;
- bargaining and grievance support;
- our internal and external communications program (publications, media relations, website, internal materials);
- a public affairs program (political organizing, lobbying, legislative assistance);
- new organizing campaigns (to build a stronger union);
- legal services (unfair labor practice complaints, general consulting and advanced arbitration representation); and
- professional development opportunities.

Unions and Collective Bargaining

Collective bargaining is the term used to describe the process by which unions and employers determine the conditions of employment through direct negotiation, resulting in a written contract setting wages, hours, and other conditions for a stipulated period.

Local unions designate members to serve as bargaining representatives. These representatives negotiate with the employer to establish a collective bargaining agreement that outlines salary, healthcare coverage and benefits such as vacation time and education reimbursement.

State Employees

Collective bargaining agreements – also known as “contracts” – are renegotiated between state employee unions and the employer every two years. When bargaining for your contract is about to begin, bargaining representatives from your local will survey members and hold meetings to identify bargaining priorities and workplace concerns. Responses help shape the local union’s demands.

In the case of state employees, your local union, in conjunction with staff from AFT-Wisconsin, will bargain with the Office of State Employment Relations (OSER) to determine the terms of your contract. When a tentative agreement is reached, the terms of the agreement are circulated to members and a vote is held to either ratify or reject the tentative agreement.

If the tentative agreement is ratified by your local union, it passes to the Wisconsin Legislature’s Joint Committee on Employment Relations (JCOER) for approval. If approved by JCOER, the tentative agreement is introduced as a bill to the Wisconsin Legislature, voted on by both the Senate and Assembly, and signed into law by the governor. Your tentative agreement then becomes a binding contract.

If the tentative agreement is rejected by union members, negotiations resume between your union and OSER.

UW Hospital and Clinics Employees

In the 1990s, the legislature transformed UW Hospital and Clinics from a state-run institution to a quasi-private authority. Because of this, employees represented by the Wisconsin Science Professionals (WSP) and the Wisconsin Professional Employees Council (WPEC) at UW Hospital and Clinics are separate bargaining units in WPEC and WSP. These members negotiate a combined WSP-WPEC contract with the University Hospital and Clinics Authority (UWHCA).

Since finances at UWHCA are no longer tied to the state budget process, these bargaining units have the flexibility to negotiate contracts with terms longer than two years. Contract negotiations more closely resemble those in the health care industry and the private sector.

When bargaining is about to begin, the bargaining representatives in the UW Hospital and Clinics bargaining unit will survey members and hold meetings to identify priorities and workplace concerns. The responses received in both forums help to shape the demands made by the local unions when bargaining the new contract.

A tentative agreement is eventually reached with the employer, and members of the bargaining unit vote on acceptance or rejection of the tentative agreement. If approved, the contract becomes binding and goes into effect when the old contract expires. If rejected, the bargaining process begins again.

Stewards and Contract Enforcement

Stewards

At times, your employer may do something you believe to be a breach of your contract, or you might be reprimanded or otherwise disciplined.

To assist you with these situations, each local either elects or appoints stewards. Each union has a different name for its stewards, including “district representatives” or “building representatives.” Each workplace is assigned to a steward, and that steward represents you in grievances and disciplinary matters. Your steward will provide you with news and information regarding union events and workplace trends (please see pages 9 and 10 for an in-depth explanation of your rights in disciplinary matters).

Make sure you contact your steward if...

- you have questions regarding your contract;
- you believe the employer/your supervisor may have violated your contract;
- you have concerns about conditions in your workplace; or
- you suspect you might be disciplined or terminated.

A steward contact list is available on most local websites (see page 3). Anyone can become a steward! If you are interested in becoming a steward, your local union and AFT-Wisconsin will provide you with the tools and the training needed.

Grievances

The grievance process is an effective way to enforce your contract. A grievance is generally a written complaint involving an alleged violation of your contract.

If you have concerns about whether or not your issue is a grievable matter, contact your steward.

Grievances can be complicated, and deadlines are strict. Keep in mind that your grievance could be lost if not filed within 21-30 calendar days from the date the problem occurred, depending on your contract. Make sure to speak with a union representative before taking any action.

Your Rights in Disciplinary Matters

Weingarten Rights — your right to be represented

The rights to union representation in disciplinary matters are called “Weingarten Rights.” These rights were established during the 1975 Supreme Court case *NLRB v. Weingarten*, and are applied to employees in the public sector by a decision of the Wisconsin Employment Relations Commission.

Steps you need to take to enact your Weingarten rights:

1. If you are called to an investigatory interview which you reasonably believe may lead to disciplinary action, you are entitled to have a steward or union representative present. You also have the right to talk with your union representative before, during and after the meeting. Lastly, if you are unsure why your supervisor has requested a meeting, you have the right to ask whether or not the meeting could be disciplinary in nature.
2. Make a clear request to your supervisor before or during your meeting for a union representative. You cannot be punished for making this request.
3. After you make your request, your supervisor must proceed in one of three ways:
 - grant the request and delay the meeting until a union representative arrives and has a chance to consult privately with you;
 - deny the request and end the interview immediately; or
 - give the employee a choice of having the interview without representation or ending the interview.
4. If your supervisor does not allow your union representative into the meeting, ask him/her again for union representation in the presence of a witness.
5. If your supervisor denies your request for union representation and continues to question you, he/she has committed an unfair labor practice; however, even if your request for union representation is denied, you must attend the meeting. Make a note of everything that occurs in the meeting, and call your steward immediately after the meeting concludes.

Garrity Rights — your right to protected statements

Public employees have constitutional rights that apply if their governmental employer asks questions of them when the answers may be the basis for criminal prosecution. In *Garrity v. New Jersey*, the Supreme Court held that statements obtained in the course of an investigatory interview under threat of termination from public employment couldn't be used as evidence against the employee in subsequent criminal proceedings.

If you refuse to answer questions after you have been assured that your statements cannot be used against you in a subsequent criminal proceeding, the refusal to answer questions may lead to discipline for insubordination. In addition, while the statements you make may not be used against you in a subsequent criminal proceeding, they can still form the basis for discipline on the underlying work-related charge.

To ensure your Garrity rights are protected, you should:

- demand a union representative or steward (per your Weingarten rights); and
- make sure to get in touch with your AFT-Wisconsin staff representative immediately.

If you cannot get union representation knowledgeable about the Garrity case, you should ask the following questions and keep notes of the answers:

- If I refuse to talk, can I be disciplined for the refusal and can that discipline include termination from employment?
- Are my answers for internal and administrative purposes only and not to be used for criminal prosecution?

If you are asked to provide a written statement regarding the subject of the interview, include the following:

“It is my understanding that this report is made for internal administrative purposes only. This report is made by me after being ordered to do so by my supervisor. It is my understanding that refusing to provide this report could result in my being disciplined for insubordination up to and including termination of employment. This report is made pursuant to that order and the potential discipline that could result for failing to provide this report.”

If there is a potential for criminal liability, you should consult a criminal attorney who can help advise you regarding the content of your statements in the disciplinary hearing. The attorney may advise you to refrain from making any statement, despite the fact that you may suffer consequences in your employment. This determination will depend on the seriousness and viability of criminal charges, among other things.

SECTION III: Unions and Politics

Why Your Union is Involved in Politics

Public employees are on the frontlines of government, working within government departments and agencies to deliver vital programs and services. Because public employees are part of public structures, workplace conditions and policies are directly affected by our elected officials, and budget decisions affect the funding for your position and benefits.

In the same way that we pool our resources at the worksite to strive for better working conditions, our political activity is the result of pooled resources aimed at securing our interests in the political field.

Our very existence and right to bargain a contract is a political act

Our right to collectively bargain was passed into law through the hard work of our members. The collective bargaining process that guarantees your wages and benefits was the result of intense political debate. For some AFT-Wisconsin locals, the right to collectively bargain was extended as early as 1964, and others as recently as 2009. Every two years, the contracts we negotiate must be ratified by both houses of the state legislature and signed by the governor. The amount set aside to negotiate compensation with state employee locals is also a political decision made every two years, and is called the “compensation reserve.” Put simply, your union is involved in politics because our working lives are directly impacted by decisions made in the political realm.

Our legislative agenda: Advocating for our public structures

We work to ensure quality and value in our public structures by supporting candidates and legislation that:

- preserve the quality and funding of public services;
- prevent job loss due to outsourcing;
- protect labor regulations;
- strengthen OSHA standards;
- enact “whistleblower” protections; and
- enact fair and equitable tax policies.

Political Action: The Committee on Political Education and the AFT-Wisconsin Solidarity Fund

Your Union gets involved in politics in three major ways:

- endorsing candidates for public office;
- communicating with members about the status of legislation and stances of candidates that affect our working conditions; and
- communicating with the public about the status of legislation and candidates that affect our working conditions and the services we provide to the public.

These functions are implemented by the AFT-Wisconsin Committee on Political Education (COPE). COPE makes recommendations that are ultimately approved by the AFT-Wisconsin Executive Board. COPE is a board that is as diverse as AFT-Wisconsin. Every local has the authority to recommend members to COPE.

Are my dues going to contribute to political candidates?

No AFT-Wisconsin dues money is used to contribute directly to candidates or candidate committees. COPE makes recommendations to the AFT-Wisconsin Executive Board to contribute to candidates for public office from the AFT-Wisconsin Political Action Committee (PAC) Fund. All PAC funds are raised voluntarily from members who sign a paycheck deduction card. All contribution levels are within legal limits set by state and local election laws. Contribution limits vary from office to office.

If you are interested in contributing to the AFT-Wisconsin PAC, please fill out the form included in your new member folder or contact the AFT-Wisconsin political department at (608) 662-1444 or peters@aft-wisconsin.org

How does the union endorse candidates for public office?

COPE sends out questionnaires to candidates for public office. The questions are directly related to the working conditions of our members and the services we provide to the public. After receiving the questionnaires, COPE conducts interviews of the candidates. Based on the questionnaire, the interview, and (if the candidate currently holds office) the voting record, COPE makes a recommendation to the AFT-Wisconsin executive board. For a recommendation to move forward, a two-thirds majority is required from both COPE and the AFT-Wisconsin Executive Board. Notices of the interviews are sent to all local presidents and advertised to members.

How can I get involved in COPE?

There are a number of things you can do to get involved. Some simply choose to contribute monetarily, others serve on COPE. Some participate at a level in between. If you have questions about how to get more involved, please do not hesitate to contact the AFT-Wisconsin political department at (608) 662-1444 or peters@aft-wisconsin.org.

What is the AFT-Wisconsin Solidarity Fund?

The AFT-Wisconsin Solidarity Fund is a segregated fund dedicated to communicating with our members and the public about legislation and elections that affect our wages, workplaces, and lives. The fund accounts for \$2.00 of dues per member per month. It is prorated according to classifications of membership, so that half-dues payers pay \$1.00 a month and quarter-dues payers pay \$0.50 a month.

For what kinds of things do we use the Solidarity Fund?

There are two major categories: member-to-member communications, and communications with the public. Member-to-member communications can include events like training in lobbying and electoral politics, or communicating with members through mail and phone calls. The fund is also used to communicate with the public in a variety of forms, including radio and newspaper ads, mail, community forums to address a specific issue, AFT-Wisconsin Lobby Days and developing a research journal to defend the public sector in Wisconsin. Substantial local grants are awarded for local elections or legislative matters of importance to our members.

Who decides how the money is spent?

Recommendations for disbursements are developed by the Committee on Political Education (COPE). COPE meetings are open to all members, and each local is encouraged to designate representatives to serve on it. Expenditures are subject to final approval of the AFT-Wisconsin Executive Board. Ultimately, the members of AFT-Wisconsin decide how money is spent by electing the AFT-Wisconsin Executive Board.

What if I don't want my AFT-Wisconsin dues money to go to candidates' campaign accounts?

Then you need not worry about the dues allocated to the Solidarity Fund. The AFT-Wisconsin Solidarity Fund is **prohibited** from allocating money to the AFT-Wisconsin PAC or any other PAC and is **prohibited** from spending it on anything other than “the dual purposes of communication with members regarding legislative and electoral information and communicating with the public in advocacy of AFT-Wisconsin membership.” AFT-Wisconsin COPE members raise money voluntarily from other members to fund the PAC through payroll deductions.

SECTION IV: Appendix

Acronyms

AFL-CIO = American Federation of Labor-Congress of Industrial Organizations
AFSCME = American Federation of State, County and Municipal Employees
AFT = American Federation of Teachers
AFT-Wisconsin = A Wisconsin affiliate of the American Federation of Teachers
COPE = Committee on Political Education
DATCP = Department of Agriculture, Trade and Consumer Protection
DCA = Discretionary Compensation Adjustment
DCOMM = Department of Commerce
DHFS = Department of Health & Family Services
DNR = Department of Natural Resources
DOA = Department of Administration
DOC = Department of Corrections
DOJ = Department of Justice
DOT = Department of Transportation
FLSA = Federal “Fair Labor Standards Act”
JCOER = Joint Committee on Employment Relations
MELRA = Municipal Employees Labor Relations Act
MOM = Maintenance of Membership “Member”
NEA = National Education Association
OSER = Office of State Employment Relations
PERSA = Professional Employees in Research, Statistics and Analysis (AFTW local)
QEO = Qualified Economic Offer
SCFL = South Central Federation of Labor
SEC = State Employees Council
SELRA = State Employment Labor Relations Act
SLOH = State Lab of Hygiene
WEAC = Wisconsin Education Association Council (NEA state affiliate)
WERC = Wisconsin Employment Relations Commission
WPDA = Wisconsin Physicians and Dentists Association (AFTW local)
WPEC = Wisconsin Professional Employees Council (AFTW local)

WSEU = Wisconsin State Employees Union (AFSCME affiliate)

WSP = Wisconsin Science Professionals (AFTW local)

WSPDA = Wisconsin State Public Defender Association (AFTW local)

Glossary of Terms

Bargaining Unit: Refers to the group of employees covered under the contract.

Collective Bargaining: Method whereby representatives of employees (unions) and employers determine the conditions of employment through direct negotiation, normally resulting in a written contract setting forth the wages, hours, and other conditions to be observed for a stipulated period. Term also applies to union-management dealings during the term of the agreement.

Grievance: A grievance is defined specifically by each contract, but is most commonly a written complaint involving an alleged violation of your contract. It can also be a written complaint involving a violation of the law or a change in a long-established past practice.

Memorandum of Understanding (MOU): An MOU is a legal document describing an agreement between parties. It is a more formal alternative to a verbal agreement, but less formal than a contract.

Political Organizer: A member of the AFT-Wisconsin field staff dedicated to growing the statewide political program by increasing member involvement.

Staff Representative: A member of the AFT-Wisconsin field staff who assists local unions through contract negotiation, high-level grievances and a variety of workplace issues.

Staff Organizer: A member of the AFT-Wisconsin field staff who assists local unions through member recruitment, member retention and a variety of workplace issues.

Steward: A local union official who will support and represent a member with regards to low-level grievances and disciplinary matters.

Website

AFT-Wisconsin hosts an interactive, dynamic website at www.aft-wisconsin.org. The website provides up-to-date news, event information, job openings and resources to members and the general public. The website also features a password-protected section with more in-depth issue and political action information, available only to members.



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rd/opciu#9/afl-cio/071210/NewMemb-StateEmp