



# THE EAGLE



LOCAL 1103

Volume 107 • No. 10

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October 2008

## Labor Doesn't Forget Our Vets & Tells the Country **IT'S TIME FOR A CHANGE**



*The picture say's it all. Where we were during mobilization and where we are with the upcoming presidential election.*

*Mark Crumm, Joey Barca, Doug Sheahan, Caroline DiMezza, Anthony Pugliese and Kevin Sheil get set to march in the Parade.*

For decades, New York City has held a Labor Day Parade to honor the working men and women of our great country. This year, the New York City Central Labor Council held this event in conjunction with the Wounded Warrior Project to pay special tribute and say thanks to the brave men and women who have sacrificed so much in service to our country.

Before we talk about getting Labor's message out, let's expound on the WWP. Their primary goal is to help wounded service men and women survive mentally and physically after an injury. Besides

teaching people how to deal with the long-term repercussions of a severe injury, they have teamed up with local physical rehabilitation specialists to help our warriors continue their secondary rehab after those injuries. Events like this also help raise awareness of the WWP to enlist the public's aid for the needs of these severely injured men and women. If you want more information on this, go to [woundedwarriorproject.org](http://woundedwarriorproject.org).

Many Local 1103 Members joined with other CWA Locals and thousands more union activists to

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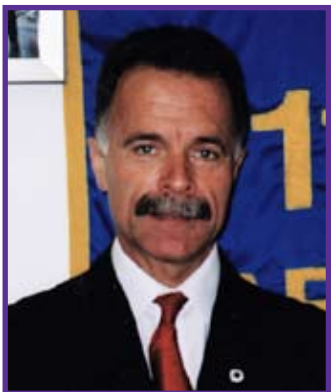
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## In My View . . .



On September 6th, many good Local 1103 Trade Unionists were prepared to brave a rainy day to march with their Brothers and Sisters in the New York City Central Labor Council Labor Day Parade and show that the American Labor Movement is alive and well. I'm convinced that God is a union member because the inclement weather held off until we got home. Of all of the Labor Day activities celebrated around the country, America looks at the New York City Labor Day Parade because the USA's northeast corridor is where the labor movement was founded and is still the bastion of Labor that the rest of the country watches and follows.

What was especially nice and heartwarming was that the New York Labor movement made a point to honor the forgotten men and women who have served in the Armed Forces and have been wounded in service to our country. This year's parade was a special tribute to say thanks to those brave men and women who have sacrificed so much and honored the Wounded Warrior Project on their behalf. Because of the elements, it diminished the number of people who would have turned out and would have learned about this project, because besides helping our wounded soldiers, sailors, airmen and women, another purpose of the Wounded Warrior Project is public awareness.

It was only two months ago that CWA was in the midst of a bargaining battle that the rest of the country was watching – especially every major union and every major corporation. In a month from now, everyone will be watching the outcome of the most important presidential election of our time. Well, like the great mobilization effort that turned the tide in those negotiations, we can't watch and wait. We have to be active and have an impact on these elections; because if we don't, we will have four more years of jobs going overseas with corporations getting tax breaks for doing so, more people losing their homes through foreclosure, higher gas and heating oil bills, and even more taxes heaped upon us. John McCain has already promised to privatize Social Security and let Wall Street gamble with our earned retirement

money. He has a health care plan that would actually tax people's benefits and an education plan that would do nothing to help families pay for college. And he has publicly committed to vote against the Employee Free Choice Act. This is no friend of any senior citizen, no friend of America's working class, and no friend of union men and women.

I want to thank everyone that came out to march in the NYC Labor Day Parade, that man the phone banks at the Central Labor Council HQ at night and on weekends, that volunteered to do the Labor to Labor Walk two Saturdays in Danbury to help re-elect Congressman Chris Murphy, and who joined the Executive Board and took a bus to Redding, Pennsylvania to go door to door in another Labor to Labor Walk to help get the AFL-CIO and CWA endorsed candidate Senator Barack Obama elected.

**JOSEPH A. BARCA, Jr.**  
**President**



## THE EAGLE

Proud To Be 1103

Official Publication of the  
Communications Workers of America Local 1103

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# They are your Weingarten Rights - Use Them

This has not been written about for some time now and many newer Local 1103 Members might not know their rights under a 1975 Supreme Court decision when an investigatory interview is being conducted. This is known as the Weingarten

options. They are:

grant the request and delay questioning until the union representative arrives and has a chance to consult privately with the employee, or

Grant the request and end the interview immediately, or

Give the employee a choice of (1) having the interview without representation or (2) ending the interview.

**Rule 3** – If the employer denies the request for union repre-

have established the following rights and obligations of the Steward.

(1) When the Steward arrives, the supervisor must inform the Member and the Steward of the subject matter of the interview (the type of misconduct which is being investigated);

(2) The Steward can take the employee aside for a private pre-interview before questioning begins;

(3) The Steward can speak during the interview, but has no right to bargain over the purpose of the interview or interfere with the interview;

(4) The Steward can advise the Member not to answer questions that are abusive, misleading,

badgering, confusing or harassing; and

(5) After questioning, the Steward can provide information to justify the Member's conduct.

What is it that management fears when an employee refuses to cooperate in an investigatory interview?



What is it that gives workers the right to protect themselves when managers try to intimidate them at hearings?



What is it that gives employees the right to demand that their union representative be present?



decision. Just as importantly, many in management do not know of them either – so you should post this for their edification and/or give them a copy of it also. An Investigatory Interview occurs when management questions an employee to obtain information and the employee has a “reasonable belief” that discipline or other adverse consequences may result for what he or she says.

Under the Weingarten Decision, the following rules apply:

## **Employee Role**

**Rule 1** – The employee must make a clear request for union representation before or during the interview. The employee cannot be punished for making this request.

**Rule 2** – After the employee makes the request, the employer must choose from among three

sentation and continues to ask questions, it commits an unfair labor practice and the employee has the right to refuse to answer. The employer may not discipline the employee for such a refusal.

## **Steward Role**

Although some supervisors assert that the only function of a Steward at an investigatory interview is to observe and to remain a silent witness, they are wrong. The Steward has the right to counsel the Member during the interview and assist the employee to present the facts. Legal cases

**Their  
WEINGARTEN  
RIGHTS**



**KEVIN SHEIL  
Vice President**

**Communication Workers of America Local 1103**  
**Statement of Revenue and Expenses for the Year Ended**

	Sept 30, 2007
<b>Schedule I - Revenue</b>	
Dues	1,369,775
Rental Income	13,200
Interest Income	54,489
Reimbursements by National Union	19,810
Golf Outing	26,751
Other Income	46,134
<b>Total Revenue</b>	<b>\$1,530,159</b>

	Sept 30, 2007
<b>Schedule II - Expenses</b>	
Salaries - Officers	345,308
Expenses - Officers	27,466
Salaries - Business Agents	221,339
Expenses - Business Agents	46,923
Salaries - Members	241,210
Expenses - Members	21,315
Office Salaries	50,799
Office and Printing Expenses	80,865
Telephone	25,174
Legal Fees	69,600
Accounting Fees	28,250
Insurances	19,834
Rent & Realty Tax Expenses	27,774
Building Expense	9,620
Postage	17,466
Equipment Maintenance	9,955
Public Relations	8,696
Affiliated Dues	35,124
Contributions	11,555
Scholarships	10,000
Service Gift Awards	1,250
Meeting Expenses	19,493
Auto Expenses	9,135
Hotel and Travel Expenses	21,714
Retirement Awards	950
Annual Picnic	18,306
Annual Golf Outing	3,040
Strike Expenses	0
Payroll Taxes	67,856
Members Pride	9,052
Union Dues Refunds	1,353
Employee Benefits	53,924
Subscriptions	17,688
Members Relief Fund	0
Election Expenses	0
Miscellaneous	8,398
Total Operating Expenses	1,540,432
Depreciation	13,417
<b>Total Expenses</b>	<b>1,553,849</b>

Excess (Decrease) of Revenue over Expenses	(23,690)
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# 2007 Financial Report

*Labor Day... from page 1*

**ALAN RITTER & COMPANY**

Certified Public Accountants

25 Smith Street, Suite 405

(at Routes 59 & 304)

NANUET, NEW YORK 10954

ALAN RITTER, CPA

To the Board of Directors  
Communication Workers of America Local 1103  
345 Westchester Avenue  
Port Chester, New York 10573

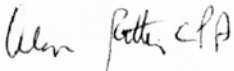
Gentlemen:

We have audited the accompanying balance sheet of The Communication Workers of America, Local 1103 as of September 30, 2007, and the related statements of revenues, expenses and changes in fund balances and cash flows for the year then ended in accordance with standards established by the American Institute of Certified Public Accountants. All information included in these financial statements is the representation of the management of the Communication Workers of America Local 1103.

We conducted our audit in accordance with generally accepted auditing standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. We believe that our audit provides a reasonable basis for our opinion.

Based on our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of The Communication Workers of America Local 1103, at September 30, 2007, and the results of its operations and its cash flows for the year then ended, in conformity with generally accepted accounting principles.

Respectfully submitted,



Alan Ritter, CPA  
December 12, 2007

*We include in this issue of The Eagle, the statement of revenue and expenses. This is an audited report. Testing procedures were applied by our accountant to income and expenses to verify their accuracy. Bank records were requested and cross-checks were conducted. The following report accurately portrays Local 1103's statement of revenue and expenses for the fiscal year beginning 10/1/2006 and ending 9/30/2007.*

*Also, we have a balance of \$528,561 in the Service Gift Fund as of September 30, 2006.*

*Douglas Sheahan  
Secretary/Treasurer*

voice our solidarity that it's time for a change. We want our jobs to stop going overseas, we want our Social Security protected, we want fair trade and not free trade, we want healthcare for all and not at the expense of the taxpayer, we want to bring our troops home and spend those hundreds of millions of dollars at home and not overseas, we want to stop the privatization of federal jobs, we want equal pay for women, and we want the Employee Free Choice signed into law - and that's just to name a few.

Besides letting the country know that America's working men and women are tired of the status quo, are tired of being taken for granted and are tired of being considered second class citizens, we let our political friends and foes know also. This election is not only about recapturing the White House, it's also about putting labor-friendly men and women in the House of Representatives and in the Senate to reverse the last eight years of worker abuse.

**FRAN GOTTRON**  
**Organizer**

Dear CWA & Chris,

I am very grateful for all of your help to my campaign. Your support means a great deal, not only for its tangible effect, but for the warm and generous spirit it reflects.

Thank you for caring about the issues on behalf of your members and the hard work you constantly do on their behalf. I look forward to continue working with you on behalf of the working men and women in the 37th Senate District as we strive to make a positive difference in people's lives.

Warmest personal regards,

/s/ SUZI

**Suzi Oppenheimer, 37th S.D.**

\* \* \*

To the Executive Board,

Many thanks for the retirement gift from the Local. I would also like to thank Kevin and Pug for presenting it to me. No matter where I work in the future, I will always be 1103 in my heart.

Wishing you much success in negotiating a new contract.

Sincerely,

/s/**JEANNE HIGGINS, retired**

\* \* \*

Dear Chris,

Please thank everyone in CWA Local 1103 for their friendship and support. My political endeavors would not be possible without it. If there is anything I can do, please let me know.

/s/ CHRIS,

**Chris Murphy, U.S. Rep.  
Connecticut's 5th CD**

## LETTERS TO THE LOCAL



Dear Mr. Barca,

I am responding to your recent letter in which you commended Lt. Eugene Matthews, Sgt. William Esainko, P.O. John Hawkins, Det. Steven Goralick and P.O. Ryan Gilchrist for assisting in making the CWA rally at the Rye Town Hilton on August 1st successful.

I am pleased that you thought enough of their actions that you took the time to acknowledge our officers. The Department is proud of the expertise and professionalism exhibited by our members, and it is greatly appreciated when they are recognized. A copy of your correspondence has been provided to the officers which will be included in their personnel folders.

Sincerely,

**GREGORY J. AUSTIN**

**Chief of Police, Rye Brook PD**

\* \* \*

Dear Mr. Sheahan,

I am happy and honored to accept the Howard Miles Scholarship. I am writing to thank the Executive Board and Members of Local 1103 for this honor. I will be attending Stony Brook University this Fall. Thank you for helping me start my college career.

Sincerely,

/s/**ROBERT KLIEGL**

Dear Joey,

It was great to see you at the Convention. Local 1103 is among the best run Locals in CWA – the Members are always 1st. I think back to that terrible day when we lost Gerry. The company never learns – even in '08 bargaining – they always take the wrong road. Sorry I can't be with all my friends at the golf tournament. I did go once and had a great time, but enclosed is a contribution for the families.

I respect and admire your Local very much and always look forward to receiving The Eagle. My very best to you, the Officers and Board and all the Members of a terrific Local.

Love,

/s/**DINA BEAUMONT**

\* \* \*

To the Members of 1103,

I would like to express my appreciation for being one of the recipients of the Executive Board Scholarships. Being a first year college student at Stony Brook, I'm sure that there will be many unexpected expenses that I did not anticipate. Once again, Thank You!

Sincerely,

/s/**DOUGLAS SHEAHAN**

\* \* \*

Dear CWA 1103,

When I started my campaign for Congress, I was told by everyone to reach out to you. Well they have proven to be true. Thank you for everything you have done.

Sincerely,

/s/ **JIM HIMES**

**Candidate for Congress**

## REGISTER and VOTE

*In New York register by October 14th — In Connecticut register by October 21st*

*We have the voter registration forms at the Union Hall*

## 2M workers rights violations

In what may be a world record, Wal-Mart, the world's largest retailer, known for its virulent anti-worker and anti-union stands, broke labor law more than 2 million times over a 6-year period by denying workers time for breaks and forcing them to work "off the clock" for no pay a Minnesota judge ruled.

**District Judge Robert King** ordered the monster retailer to pay wronged workers \$6.5 million in back pay and they face fines as high as \$2 billion for all of the wage-and-hour violations.

## Wal-Mart Embraces Chinese Communist Labor Unions

If the preceding article didn't anger you, read this.

"Are you a Wal-Mart worker that wants to collectively bargain? Then you might need to move to China. While the world's largest retailer has a record of ferociously busting unions in the United States, the company this week (7/16/08) signed a collective bargaining agreement with the Shenyang City Trade Union. Wal-Mart began agreeing to union representation in China

**"Our mutual aim is to establish grassroots unions within each Wal-Mart store throughout**

**China."** - Wal-Mart



**BUT U.S.  
WAL★MART  
WORKERS  
CAN  
Go To Hell!**

KONOPACKI  
©2006

HUCK/KONOPACKI LABOR CARTOONS  
WWW.SOLIDARITY.COM/HKARTOONS - SEPT

This culminated a 7-year legal battle by four former Wal-Mart workers who filed a class-action lawsuit on behalf of 56,000 current and former employees who worked at Minnesota Wal-Mart and Sam's Club stores. The law requires every employer to provide its employees with sufficient time to eat a meal; yet Wal-Mart wouldn't let them eat. The judge found that they violated the meal break law 73,864 times.

**AFL-CIO News, August 2008**

in 2004 as long as the unions were associated with the Communist Party-run All-China Federation of Trade Unions. The agreement provides an annual 8% pay increase, paid vacation, and overtime pay. The Chinese union said that the agreement reflects Wal-Mart's commitment to social responsibility.

***If you know anyone who works for Wal-Mart, you might want to show them these two articles.***



COMMUNICATIONS WORKERS OF AMERICA - LOCAL 1103

(AFFILIATED WITH A.F.L.-C.I.O.-C.L.C.)

345 WESTCHESTER AVENUE • PORT CHESTER, NY 10573



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Tom O'Halloran



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PERIODICAL



The Retiree's Corner

This year we have the chance to elect a president that is actually aware of the needs of most Americans – those who make up “the other” 99% of U.S. wage earners. Not only do our active Brothers and Sisters in CWA and Labor need better representation in the Department of Labor, but don't kid yourself, so do we retirees. We need a Secretary who will build on the progress that the American Labor movement has secured for employees instead of the ripping apart our fair union/management relations that we have seen as business as usual these last eight years. The American worker also needs OSHA to regain its effectiveness and power to protect their safety and health which was relinquished by its current inept, corrupt and greedy management. And finally, we all need a strong National Labor Relations Board. During this last administration, there has been no one

there to oversee workers' rights. There has been no one there to enforce the card check rule, effectively stifling any chance for workers to join a union. And there has been no one there to make the NLRB be the workers' watchdog instead of the current corporate lapdog.

On Election Day, cast your ballot for the person that you feel will address your pressing issues. One man thinks our economy is doing just fine, while another wants to jumpstart our economy with 5 million new jobs. One man wants to outsource American jobs while the other is adamantly against this. One man is against unions while the other is for them. One man wants to give tax breaks to America's richest wage earners while the other wants to give tax breaks to those making less than \$50,000 (this gives retirees a much needed break). The choice really is a no-brainer. We need to elect Barack Obama on November 4th.

ANN ROUGHLEY, Asst. to Pres., 1103 LMC