



# MSEA News

January 2009  
Volume 19, Issue 1

## Agreement Reached for Master Electricians and Master Plumbers

A long-standing dispute involving work permits, master electricians and master plumbers that spanned seven years and four MSEA presidents has finally been resolved. A Letter of Agreement was recently signed by the Michigan State Employees Association (MSEA), the Department of Corrections (DOC), the Department of Labor and Economic Growth (DLEG), and the Office of the State Employer (OSE). The Agreement will allow DOC master electricians and master plumbers at the facility level, who are responsible for pulling permits for the DOC, to have contractor's licenses on behalf of their outside businesses and to pull permits on behalf of those outside businesses.

According to MSEA President Scott Dianda, it was "a welcome breakthrough."

"The parties met at MSEA Central Office and came up with a resolution," Dianda said. "I'm really glad that we could all sit down and work together on this issue."

According to the Letter of Agreement, in the DOC, only one Electrician Master Licensed 11 and one Plumber Licensed 11 will be located in each of three regions in the DOC. The positions will be located in Jackson, Ionia and Kinross and will be responsible for pulling permits for their regions. The remaining 27 Electrician Master Licensed 11's and 16 Plumber Licensed 11's will no longer be pulling permits and, therefore, may no longer meet the concept of these two classifications.

If that is the case, the positions would be frozen by the Civil Service Commission (CSC) and the frozen positions would be reviewed and properly classified when vacated (freeze actions could be transferable when approved by CSC). In this situation, the positions, when vacated, would typically be properly classified as Electrician Licensed 10 and Plumber 10. The Letter of



*(back row, l-r): Brandon Zuk, MSEA legal counsel; Scott Dianda, MSEA President; and Mike Migrin, chairperson, LPAR Committee. (front row, l-r): Sharon Bommarito, Director, Office of the State Employer (OSE); Bethany Beauchine, Contract Administrator (OSE); Joan Bush, Labor Relations Manager (DOC); and Beth Aben, Deputy Director, Bureau of Construction Codes (DLEG).*

Agreement provides for the affected employees to be given the opportunity to exercise their transfer rights to vacancies as they occur and to be allowed to maintain their rate of pay.

Sharon Bommarito, Director (OSE), noted that the Letter of Agreement did not change the terms or conditions in the Collective Bargaining Agreement and did not require approval of the Civil Service Commission.

"Now we can move forward," Dianda said, "and hopefully, we can continue to resolve issues important to MSEA members."

## State of the State Address Scheduled for February 3

Governor Jennifer Granholm will give her seventh State of the State address to a joint meeting of the Legislature at 7 p.m. on Tuesday, February 3. The annual address will take place from the House chambers and will contain the governor's proposals for the upcoming year. Michigan's economy will again be a major focus.

# NEWS NOTES

## HEALTH COVERAGE TAX CREDIT (HCTC)

The HCTC is a tax credit that helps a specific population of individuals pay for health insurance premiums. If the HCTC Program is notified by your state workforce agency or the Pension Benefit Guaranty Corporation (PBGC) that you are eligible for the tax credit, you will receive an HCTC Program Kit and Registration Form in the mail. You may not register for the monthly HCTC Program until you receive the Program Kit in the mail.

There are three steps to determine if you are eligible for the HCTC:

- 1. Initial requirements** - Individuals who receive certain PBGC, Trade Adjustment Assistance (TAA) or Alternative Trade Adjustment Assistance (ATAA) benefits.
- 2. General requirements** - Additional general requirements to be eligible for the HCTC, such as not receiving Medicare benefits or coverage through the U.S. military health system, TRICARE.
- 3. Qualified health plan** - Individuals must have a health plan that qualifies for the HCTC. Family members of the eligible individual are also eligible if they meet the General Requirements and have a Qualified Health Plan.

### How Can You Get the HCTC?

Once you determine that you are eligible for the HCTC, you have two ways to receive the tax credit:

**Monthly** - Register for the monthly HCTC and get help paying for health plan premiums as they become due.

**Yearly on your federal tax return** - Pay your qualified health plan directly throughout the year, claim eligible premium

amounts on your federal tax return, and receive the HCTC as a tax refund or a credit against taxes you owe.

For more information, go to the HCTC website:

<http://www.irs.gov/individuals/article/0,,id=109915,00.html>

## DTV TRANSITION

The February 17 deadline for US television stations to broadcast only in digital format is getting closer. To maintain TV reception, consumers must install a converter box that turns analog signals into digital by that date. The transition will affect more than 70 million consumers, but will not affect cable and satellite TV customers. If you have any questions, go to [www.dtv2009.gov](http://www.dtv2009.gov) or phone 1-888-DTV-2009.

## ATTENTION: DOC BAN ON SMOKING!

**Effective February 1, 2009, do not bring any smoking or tobacco products on to DOC property!** Obviously, this should be taken very seriously and MSEA is urging members who work at correctional facilities to comply with the ban. Currently, there is a ban on smoking in prison buildings, but this has been extended to outdoor property. Other state employees, including those who work for the DOC in Lansing, may smoke outside their buildings.

Michigan State Employees Association  
AFSCME Local 5, AFL-CIO  
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# YOU'RE A MEAN ONE...

by Todd Tennis, Legislative Liaison



The Grinch came early this year as State Budget Director Robert Emerson announced a series of Executive Order budget cuts to the House and Senate Appropriations Committees. Rumors of cuts ranging from \$200 million to \$500 million had swirled around Lansing

since mid-November. The actual presentation on December 10 called for \$133 million in cuts (with transfers bringing the entire order to \$145.8 million).

The vast majority of the cuts come from administrative belt-tightening measures such as recalculating caseloads and shifting to using more federal funds. Other parts are covered by use of some of the few piggy banks the state has left, like the tobacco settlement. That is the good news. The bad news is that some of the \$144 million reduction will be done with real cuts to facilities and staff.

The biggest hit comes in the Department of Corrections that will close Camp Branch in Coldwater and the Deerfield Correctional Facility in Ionia. The department states that the inmate population is at least 7,000 prisoners lower than was predicted last January. They claim the lower inmate population justifies the closures. The move predictably drew fire from Senator Alan Cropsey (R - DeWitt), who represents Ionia County as part of his district. The MDOC is claiming that job losses will be avoided by moving the employees at these facilities to fill vacancies in other areas. Even if this is true, it does not reflect the difficulty some of these workers will face by having to uproot families to take jobs elsewhere.

Another part of the Executive Order should hold great interest for MSEA storekeepers. Many will remember that during the budget talks earlier this year, the storekeepers proposed increasing the surcharge on store items to help pay for store operations. The Legislature went ahead and increased the surcharge, but took \$1.8 million of it to help pay for a new State Trooper school. The Governor's Executive Order takes that money back from the Department of State Police and uses it to offset cuts in prison food services.

The other major hit to staffing comes in the Department of Human Services. The EO cut closes the Adrian Training School. As in Corrections, the plan is to reassign staff to other facilities.

The most ominous part of the budget director's presentation to the Legislature was his terming of this package as "the easy cuts." The fiscal agencies are predicting that the state will face revenue shortfalls in excess of \$240 million in the current fiscal year. The ongoing national

recession and the perils of Michigan's auto industry could make those figures even worse. Unless there is significant aid from Washington in the form of bridge loans for the auto industry and stimulus packages for ailing states, Michigan will be facing "the tough cuts" in early 2009.

## Action Alert!

The House of Representatives and the Senate have been discussing legislation that would greatly change the way Michigan funds road maintenance and increase the funding available for road projects. The House passed bills on December 11 (HB 4574 and 4577) that could be used to enact the proposed plan. At this point, the bills are "shell bills" that do not contain the final language necessary to increase fuel taxes. We are hopeful that the Senate will add this language and send them back to the House for concurrence.

The plan would eliminate the current per-gallon tax on gasoline and replace it with an 18 percent sales tax on fuel. The overall impact of the switch would depend on the current price of gasoline, as the percentage sales tax would go down as the price of gas increased. The plan would also raise auto registration fees by 50 percent.

Although the price tag is high, consumers at the pump would likely barely notice the change, especially with the way that gas prices have fluctuated over the past year. Given current fuel costs, it would probably increase the cost of a gallon of gas by 10-15 cents. The cost at the Secretary of State would be more noticeable.

However, the payoff from the plan is enormous. It would raise approximately \$1.5 billion for road and transportation funding. This would go a long way toward addressing the critical maintenance and construction shortfalls with which Michigan is contending. The recently completed transportation funding study conducted by the Transportation Funding Task Force has predicted dire consequences to Michigan's infrastructure should the Legislature fail to pass a fuel tax increase.

Please contact your state Representatives and state Senators and ask them to vote "yes" on increasing road, bridge and transit funds. Go to [www.msea.org](http://www.msea.org), log in and click on "Legislative Issues."

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# TURN AROUND America's Economy

## REBUILD THE MIDDLE CLASS



No one needs to tell you our economy is in a mess.

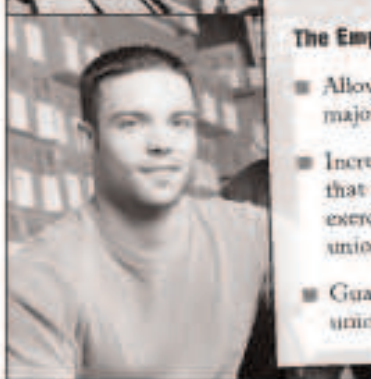
Joining together in unions to bargain for better wages and benefits is the best chance working people have to get a fair deal and get ahead. Union members earn 30 percent more than nonunion workers and are far more likely to have employer-provided health care and pensions.

No wonder more than half of U.S. workers—nearly 60 million—say they would join a union right now if they could. But not enough get the chance because every day companies intimidate, harass and fire workers to stop them from forming unions and bargaining.



What union members gain at the bargaining table lifts wages and living standards for all of America's workers. And a strong union movement is the best ally in the fight for social and economic justice.

That's why we need the Employee Free Choice Act.



### The Employee Free Choice Act Will:

- Allow workers to form a union if a majority wants one.
- Increase penalties for companies that abuse workers who are exercising their freedom to form unions and bargain.
- Guarantee that workers who form unions can get contracts.



No matter what we do to turn around our economy, the benefits can never be broadly shared unless working people regain the free choice to bargain with their companies for a better life.

Big Business front groups are gearing up to spend \$200 million to defeat the Employee Free Choice Act so corporations can keep all the power in the workplace. We've got to fight back to turn around our economy and rebuild the middle class.

## JOIN THE CAMPAIGN

Sign up at [www.EmployeeFreeChoiceAct.org](http://www.EmployeeFreeChoiceAct.org)

# Employee FREE CHOICE ACT

## Questions & Answers

### **What's wrong with the current law?**

The National Labor Relations Act states: "Employees shall have the right to self-organization, to form, join, or assist labor organizations...." It was designed to protect employee choice on whether to form unions, but it has been turned upside down.

The current system is not like any democratic election held anywhere else in our society. Employers have turned the National Labor Relations Board (NLRB) election process into management-controlled balloting—the employer has all the power, controls the information workers can receive and routinely poisons the process by intimidating, harassing, coercing and firing people who try to organize unions. On top of that, the law's penalties are so insignificant that many companies treat them as just another cost of doing business. By the time employees vote in an NLRB election, if they can get to that point, a free and fair choice isn't an option. Even in the voting location, workers do not have a free choice after being browbeaten by supervisors to oppose the union or being told they may lose their jobs and livelihoods if they vote for the union.

### **What is majority sign-up and how does it work?**

When a majority of employees votes to form a union by signing authorization cards, and those authorization cards are validated by the federal government, the employer will be legally required to recognize and bargain with the workers' union.

Majority sign-up is not a new approach. For years, some responsible employers such as Cingular Wireless have taken a position of allowing employees to choose, by majority decision, whether to have a union. Those companies have found that majority sign-up is an effective way to allow workers the freedom to make their own decision—and it results in less hostility and polarization in the workplace than the failed NLRB process. But currently, the choice of whether to allow majority sign-up belongs to the company, not the workers. And most companies reject that method, forcing employees to use the failed election process.

### **Does the Employee Free Choice Act take away so-called secret-ballot elections?**

No. If one-third of workers want to have an NLRB election at their workplace, they can still ask the federal government to hold an election. The Employee Free Choice Act simply gives them another option—majority sign-up.

"Elections" may sound like the most democratic approach, but the NLRB process is nothing like democratic elections in our society—presidential elections, for example—because one side has all the power. The employer controls the voters' paychecks and livelihood, has unlimited access to speak against the union in the workplace while restricting pro-union speech and has the freedom to intimidate and coerce the voters.

### **Does the Employee Free Choice Act silence employers or require that they remain neutral about the union?**

No. Employers are still free to express their opinion about the union as long as they do not threaten or intimidate workers.

### **Will employees be pressured into signing union-authorization cards?**

No. In fact, academic studies show that workers who organize under majority sign-up feel less pressure from co-workers to support the union than workers who organize under the NLRB election process.

Workers who vote by majority sign-up also report far less pressure or coercion from management to oppose the union than workers who go through NLRB elections.

In addition, it is illegal for anyone to coerce employees to sign a union-authorization card. Any person who breaks the law will be subject to penalties under the Employee Free Choice Act.

### **Isn't this law really about unions wanting to increase their membership?**

This law is about restoring to working people the freedom to improve their lives through unions.

More than half of people who don't have a union say they would join one tomorrow if given the chance. After all, people who have unions earn 30 percent more than people without unions and are much more likely to have health care and pensions. With a free choice to join unions, working people can bargain for better wages, health care and pensions to build a better life for their families.

With the economic pressures on working people today, the freedom to pursue their dreams is crucially important.

by Karen Murphy,  
Communications Coordinator

## CELEBRATION EVENTS

**February 14-15: Celebration of Incorporation--**Special events and displays, including art contest/awards; at Michigan Historical Museum in Lansing. Ice sculpture festival.

**May 16: Parade of the Decades--**Begins at Frandor, down Michigan Avenue--school bands, floats, dancers, clowns, horses, ending at Capitol lawn with food, ice cream social, childrens' tent.

**July 5: Lansing 150 Rocks--**National named artist plus Lansing Symphony; at Common Ground Music Festival.

**September 4-6: Labor of Love Festival--**A celebration of our community's laborers with a family focus--entertainment area, carnival, ice cream social, tent area for laborers to identify themselves with display booths; at Riverfront Park.

**November 20: Grand Finale--** National named gospel singer and community/church/school choirs; at Capitol, reception at the Lansing Center.

Incorporated in 1859, Lansing, Michigan's capital city, is kicking off it's sesquicentennial (150 years) celebration on February 14-15, 2009. Planning by various committees has been taking place throughout 2008.

"Just as they did 50 years ago for the 100th anniversary, there are plans for a year-long, community-driven birthday party showcasing the Greater Lansing Region's bright past, present and future," said Martha Kliebert, Executive Director, Lansing 150.

The Lansing Rotary Club has committed to be the lead organization in the planning and coordination of Lansing's upcoming Sesquicentennial Celebration, and has already assembled hundreds of community volunteers dedicated to making 2009 a special year for Lansing. According to Kliebert, the events are free to the public and demonstrate community pride and good will.

"The City of Lansing and its departments and agencies have committed to lend full support to the celebration activities, but this is a community-organized and -funded endeavor," Kliebert emphasized.

David Votta, Local History Reference Librarian, Capital Area District Library, is a member of the Lansing 150 History Committee. One of the many aspects of his involvement includes a photo exhibit which will be open to the public and on display in the lobby of Lansing City Hall, beginning February 14. The exhibit will feature photos from Lansing's first 50 years, then the second 50 years,



and finally the third 50 years.



(l-r): Scott Dianda, MSEA President, and Donna Spenner, MSEA Vice President, attended the announcement ceremony of the Lansing 150 celebration at the historic Turner-Dodge House in Lansing.

"Recent photos are the most difficult to get," Votta said. If they're less than 50 years old, they're still in people's collections."

He describes the Lansing 150 as "a fun project."

"I like the variety and especially working with old photos and documents."

A surprise was looking at land records, trying to verify early settlers' information.

"No two documents have the same date," Votta observed. "Most of the time, people claimed land months before they registered the deed. It's questionable regarding who was the first to settle in different areas."

"It's in our Constitution that MSEA must be located in Lansing," noted Scott Dianda, MSEA President. "We've been here since 1950 and are committed to the city and to Michigan. "We want to make sure that in the next 150 years, Lansing is very productive and MSEA is still going strong."



Oldest Lansing photo discovered, circa 1858, shows businesses on the 100 block of South Washington Avenue. The hardware store on the left advertised "drugs, medicine and groceries."

Courtesy Capital Area District Library



## MSEA: Proud Builders of Lansing's Time Capsule

On November 30, 1973, a striking stainless steel sculpture with moving parts by the renowned artist Jose de Rivera, was dedicated in Lansing. The sculpture was named "Construction #150" and had been given to the city by the Metropolitan Lansing Fine Arts Council (now the Arts Council of Greater Lansing). They received a matching grant and raised funds from the community--total cost of the sculpture was \$90,000 (in 2002, it was valued at approximately \$300,000). The sculpture sat in front of 100 N. Washington Square Mall for some years, but was eventually dismantled and disappeared into storage. But that's not the end of the story.

Bob Ford, ASLA, Landscape Architects & Planners in Lansing, recently made it his personal mission to locate and rescue the sculpture.

"We found it packed into a crate and sitting in the middle of a field behind the Lansing wastewater treatment plant," marveled Ford. "It was packed quite well, but when we opened the crate, a nest of bees flew out and stung my co-worker."

Bees notwithstanding, the sculpture was transported to Schiffer Mason Contractors, Inc., in Holt where Mike Ellsworth, Vice President/Chief Project Manager, supervised its renovation.

"It was in pretty good shape, considering that it had been setting out in the open," said Ellsworth. His team went to work, repairing the sculpture's motor and cleaning it up.

Meanwhile, as a participant in the Lansing 150 celebration, MSEA suggested a time capsule and volunteered

to construct it for the city. The Lansing 150 History Committee discussed the idea of placing the time capsule inside the base of the newly-discovered sculpture. Enter Mike Bingham, chairperson of MSEA's Strategic Planning Committee and an adjunct faculty member at Lansing Community College (LCC) whose expertise in construction and HVAC systems is translating into the building of a time capsule.

"First, we had to actually look at the sculpture's construction to make sure that a time capsule could fit inside the base without disturbing anything," said Bingham.

After viewing the sculpture and discussing it with Ford and Ellsworth, Mike decided that the project could be accomplished.

"The time capsule will be placed inside the base of the sculpture where it will rest inside a protective box about a foot or so below the motor," said Bingham. "It will be suspended by a labeled stainless steel cable in order to pull it up when the sculpture is opened."

Bingham plans to use a durable material called "Lexon" for the actual construction of the time capsule.

Internal dimensions of the time capsule will correspond with the contents--possibilities being discussed at History Committee meetings include oral histories on microfiche, proclamations, newspapers, photos, flags and seeds.

"The time capsule will be airtight and have specially made compartments for the contents, similar to an egg carton," said Bingham.

"There will be a groove in the front cover with a recessed rubber seal so the time capsule doesn't have to be cut open to access the contents."

Although the time capsule will be featured on an MSEA-sponsored float in the Lansing 150 "Parade of the Decades," the actual dedication ceremony is planned for 2010. This is so all the material that was gathered during the 2009 Lansing 150 celebration can be placed in the time capsule.

"It will take a couple of hours for us to remove the top of the sculpture to access the base where the time capsule will be placed," said Ellsworth, "but no damage to the sculpture is anticipated."

An identifying plaque will be placed at the base of the sculpture, indicating that the time capsule is inside. In addition, the time capsule will be registered with the International Time Capsule Society (ITCS) which has organized a registry database of time capsule projects worldwide. The ITCS is the home of the Crypt of Civilization, located at Oglethorpe University in Atlanta, Georgia. The ITCS recommends that a time capsule project be listed with them or with the British Museum in London, England. Historically, 80 percent of time capsules are never found.

And when will the time capsule be opened? In 150 years, of course, just like the sculpture's name says.

*Editor's Note: The sculpture is currently displayed on the campus of LCC and can be seen from Capitol Avenue.*



(l-r): Mike Ellsworth, Vice President/Chief Project Manager, Schiffer Mason Contractors, Inc., Holt; Mike Bingham, chairperson, MSEA Strategic Planning Committee; and Bob Ford, ASLA, Landscape Architects & Planners, Lansing.

## President-elect Obama Calls on Americans to Volunteer

President-elect Barack Obama called on Americans across the nation to volunteer in the January 19 Martin Luther King Day of Service. Martin Luther King Day fell on the day before Obama's historic inauguration on February 20. The President-elect celebrated King Day along with Vice-President Joe Biden and their families by volunteering in a service project in Washington, D.C., and is calling on all Americans to join him in ongoing active citizenship.

"I will ask for your service and your active citizenship when I am president of the United States," Obama said.

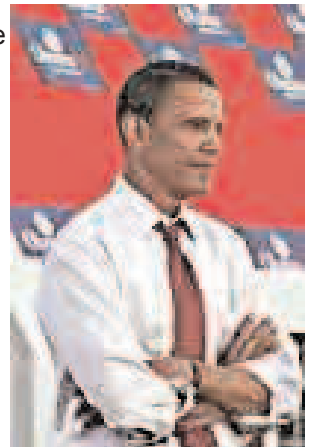
During the 1950s and 60s, civil rights leader Dr. Martin Luther King, Jr., recognized the power of service to strengthen communities and achieve common goals. Initiated by Congress in 1994, the King Day of Service



first African-American president. This will be a great year to celebrate the life and work of Dr. King. The monumental election of Senator Barack Obama to the highest political office in the country is a time to reflect on what this election will mean for our nation and for working families.

builds on that legacy by transforming the federal holiday honoring Dr. King into a national day of community service grounded in his teachings of non-violence and social justice. The aim is to make the holiday a day ON, where people of all ages and backgrounds come together to improve lives, bridge social barriers, and move our nation closer to the "Beloved Community" that Dr. King envisioned.

This year's Observance is especially significant because America has elected its



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