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21 NEWS

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21 News is a periodic publication of USW (United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union) Local 2-21, 1201 Sheridan Road, Escanaba, Michigan 49829. The views and opinions expressed in this publication are not necessarily that of the International Union, the Local 2-21 membership, or the officers of these bodies. The editor reserves the right to refuse any article that is detrimental to the Local Union or the USW. Article accuracy and content is the responsibility of the author.

Important Information & Events

Employee Assistance Program (EAP)

www.freckmanandassociates.com (800) 331-3226

Retiree Get Together 1st Wed 10am - Union Hall

Union Meeting: 2nd Wednesday - 7 pm – Dinner 6 pm

Steward's Meeting: 4th Wednesday – 3 pm

Welfare Club Meeting: 1st Monday - 7 pm at the Mead Rod & Gun Club

Total Benefit Solutions: Union Hall hours on the first two Wednesdays of each month from 9:30 to 3:30. Call 1.877.265.2212 to schedule an appointment.



Committee Members

	Work	Personal
President Steve Benoit	233-2529	399-4195
1st Vice Jeff Skorupski	233-2556	399-5472
2nd Vice Bob Larson		420-2256
Insurance Gerald Kell	233-3135	869-7943
Comp Ross Strand	233-2531	280-1494
Secretary Brandon Stromberg	233-2556	284-1604
Treasurer Guy Trudell	233-2534	399-9143
Hall Rental Steve Kennedy		789-1933

Negotiations and more...

Steve Benoit, President

Negotiations continue to move slowly as we work around the busy schedules of Union and Company representatives. Upcoming negotiations are slated for September 28th & 29th, October 19th for all three unions; October 12th & 25th for USW/IBEW Side Agreements and October 17th for Teamsters' Side Agreements. We initially had October 26th set for all three unions but this had to be canceled due to the annual Healthcare Committee meeting held in Wisconsin Rapids for both the Union and Company.

On **October 10th**, we will host "**Strength in Numbers**" meetings aimed primarily at members hired since the last contract negotiation. We understand that many of our newer members have never gone through a contract at the Escanaba Mill and we're reaching out to our experienced members—including retirees and former committee members—to answer questions and share their experiences. The meetings will be held at 7 am, 3:30 pm and 7 pm with refreshments being served. Please make every effort to attend.

On **October 11th**, we will hold "**Contract Update**" meetings for **all** members at the Union Hall. The times for these meeting will be 7 am, 3:30pm and 7 pm (union meeting). Refreshments will be served. Please stay informed by attending these meetings. The bargaining committee will be sharing important information about negotiations to help the membership understand the current state of bargaining.

The Company is sending a mixed message concerning the pace of negotiations. In one breath they're saying we need to move quickly, yet in the



next they are wasting time trying to lecture us on the industry and market as if we're unaware.

Several information requests have been submitted to collect data. The Company provided their generalized proposals and we continue to ask, "What specifically are you looking for?" or "What is the specific issue?" Still the Company comes back with very general proposals. This slows the negotiating process. I don't understand why they believe this will move us along. We have provided counter proposals only to get the response, "We're not interested in that". Again, I'm not sure how this moves anything along. We will continue to bargain in good faith for all our members.

Please continue demonstrating our amazing solidarity; we're making a difference throughout our community through programs like Backpacks for Schools, Strike for Hunger, the baby showers, and diaper drives. We've staked boundaries on the mistreatment and intimidation of workers through the successful support of Derick and Tracy. We have demonstrated the strength of a union when workers stand together. We've strengthened families within this community through campaigns against bullying and by encouraging others to unionize. We stand for family, community, workers, and union.

I want to welcome our new USW brothers and sisters from Bishop Noa Home. Their solidarity in organizing and joining us as Steelworkers was evidenced by their overwhelming 'yes' vote. Welcome to the USW! We will stand proud and strong with all the CNAs as they begin negotiating for a fair contract for all.

Fake News

Jeff Skorupski, 1st Vice President

The Company has informed us of their intention to eliminate the two jobs in the Core Room-8 employees. We have asked for but have not yet received any information on this. We know the contract does not allow them to contract out our work. As details come forward on this we will share them.

There is a lot of frustration with the staffing and training situations in quite a few departments across the mill. Remember to voice your frustrations in the right direction on this issue and don't argue with your coworkers over the frustration you are feeling. The Company continues to blame our staffing problems on our bidding procedure. While there are a lot of bids up that is because of the amount of retirements. This staffing and training problem has been years in the making and to just point to the bidding procedure as the problem is shortsighted.



2018 Annual Healthcare Enrollment

The annual Healthcare/401(k) Meeting has been scheduled for October 26th and will once again be held in Wisconsin Rapids. This meeting is attended by representatives from each Local and Human Resources personnel. We will review utilizations, costs, efforts to lower costs, and of course discuss issues we all experience throughout the year. This is also when the new rates are presented and discussed for the upcoming year. This year's healthcare open enrollment for active employees will be from November 6th through the November 17th. As of now, this will require ACTIVE participation which means everyone must login and select their coverage. There is no rollover of elections if you do nothing and the default will be Single coverage for the employee. There is no rollover of elections if you do nothing.

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Benefits Update

Gerald Kell, Insurance Advocate

We've filed a grievance on the Company's plan to unilaterally terminate Retiree Healthcare Coverage at the end of the year. As we've communicated, their decision to do so goes against the bargained agreement we have in place today. We have a litany of information requests filed in an attempt to give current and upcoming retirees a strategic approach to their healthcare options. Thus far all we know is that they'll be providing qualifying retirees with a link to a company called Mylo which is supposed to provide private plan options. From what I can tell, it's merely a middleman group utilized to direct members to the ACA marketplace which is actually already available to anyone. Rates for the marketplace should be available sometime in October and open enrollment for 2018's coverage will be from November 1st until December 15th. THESE DATES ARE FOR THE MARKETPLACE PLANS, NOT THE MILL INSURANCE PLAN.

Our International and District USW legal counsel is still determining a path forward on this incredibly difficult issue. We've asked for an explanation of the Company's rationale behind unilaterally terminating these benefits but have been given a hodgepodge of excuses ranging from contractual right to a Supreme Court decision which doesn't appear apropos in this case. I want to reiterate that there was never a question as to how this language read or its intent until they chose to undermine it. The understanding by all was that those who retired prior to 2018 would retain their contractually bargained access to healthcare until they qualified for Medicare at 65 years old. We all knew that this could change under the current contract negotiations or due to regressive bills penned by anti-labor legislators. As of yet, those have not been a factor.

Obviously there is financial benefit to corporate to eliminate these benefits and shed themselves of the cost of this earned benefit which I would surmise

was the motivation behind this theft. But remember that this benefit was already sun-setting and with each month there were fewer people on the plan. We're not talking about defined healthcare benefits for life or even free benefits. The cost is nominal.

In a joint effort between the Union and local insurance providers, we will be hosting an open house from 10 am until 2 pm at the USW Union Hall on October 30th to discuss healthcare options for retirees. Adrienne St. Vincent from Northern Insurance along with Paul Baeten from TBS Insurance will be there. Please share this information with anyone to which this may pertain. We're determined to get these benefits reinstated for those who've earned them but we must be diligent in our response to ensure security in our retirees' healthcare coverage in the case of lengthy litigation.



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- ✓ Individual Health Insurance
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- ✓ Union Voluntary Benefit Plans

Call **1.877.265.2212** for an appointment. A qualified representative will come directly to your home and help qualify your options. As a service to our Members, a TBS Representative is available at the Union Hall two days each month. Stop in or call for a specific appointment time.

Mudder, He Wrote

Brandon Stromberg, Secretary

Recently I took the opportunity to participate in an endurance series called *Tough Mudder*. I use the word “participate” because it’s not a competition. It’s not a course people talk about placing first or last. It’s a course you finish. In fact an average of 78% actually complete it. The course is designed to test mental and physical abilities; there are numerous obstacles involving water, heights, fire, electricity, and lots of mud (obviously). Right before I began the course, a military veteran talked to us about camaraderie. He said, “There will be obstacles ahead you will not be able to complete on our own. Some of you may fall, but help each other get back up. Trust each other while getting to the top. Once you have reached the top, turn around and help others get there as well.” Wow, was he was right! Shortly into the course, I was waist high in mud trying to climb out of a trench and then over a 10-12 foot high mud pile (Mud Mile 2.0). Next was the Pyramid Scheme which required 3 to 4 people climbing onto each other to get to the top. Another was Everest 2.0. A well exerted sprint up a half-pipe and vertical leap will get you just high enough to reach a helping hand at the top. In each obstacle I had to trust a person to help me to the top. Once I got to the top, I turned around and helped others. From start to finish, there was a feeling of Unity and Strength. There was a sense that we were all in this challenge together and we could accomplish anything. Also, I witnessed true leadership. A true leader will push and inspire others to succeed. A true leader won’t step on others to reach the top. When they get to the top, they turn around and help others get there as well. A true leader is known by their qualities and not just by a lofty title or position. We have obstacles ahead we are not able to complete individually. When we rely on each other we can accomplish anything.

“Where there is unity, there is always victory.”
—Publilius Syrus.

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Iron Mountain Escanaba Marquette Menominee Houghton

Backpacks for Schools

The United Steel Workers Local 2-21, Escanaba Papermakers know that many families in our community are struggling to make ends meet. The Local expected that school systems would have children arriving on the first day of school without supplies. None of the Local's members wanted to see any child without. The USW Women of Steel group organized a backpack drive to help. Through donations from the membership they were able to provide backpacks and supplies to help those in need.

Thank you to all our members for your donations. We are able to help others in the community because of your generosity. Thank you to Donna Dams, WOS Coordinator and all the Women of Steel members who helped organize this drive and delivering backpacks\supplies to 15 different schools in Delta and Menominee County. Our membership delivers the message that USW Local 2-21 stands for community, family, workers, and unions.



Union Meeting Highlights

- The nomination of USW International and District officers was held. No nominations were made from our local union.
- The USW is starting a new program called Veterans of Steel and all veterans are encouraged to sign up.
- We will have 20 new employees starting October 16th.
- The company is trying to contract out work in the core room, but has not provided a plan of how they will do this. The committee has stated to the company they cannot do this, it is a violation of the contract.
- The E1 schedule for the outage was provided to us one week before the down, but the Company had the completed schedule on the Thursday prior.
- A grievance around the curtailments in E1 is being submitted.
- Two paid grievances were reported.
- There was discussion around a member being suspended pending an investigation within the last two weeks and how that member's discipline included the loss of a Sunday and Holiday day. This situation is being pursued further through the grievance process.
- The Local was informed of a member that was reprimanded after reporting a SITS.
- The Woodyard has non-union contractors working on the drum that normally would be done by union contractors.
- Concerning Workers' Comp we are awaiting a court case ruling. The Company was asked at the Union/Management meeting about some other comp cases and the local HR department is awaiting answers from corporate. The Company is failing to place injured members on A&S or Workers' Comp and they have a legal obligation to do one or the other.
- We have not heard any expanded details regarding the unilateral elimination of retiree benefits. There have been continual questions posed to local and corporate HR and with minimal response. The Company said they will be sending a letter to affected retirees on Oct. 16. A grievance is in.
- TBS will be sending out notifications about the upcoming open enrollment.
- Open enrollment dates are November 6th through November 17th.
- The membership was informed that the CNAs at Bishop Noa Home will be voting to unionize soon.
- After the 3rd step meeting, the Company and Union agreed to take two grievances to mediation.
- Tracy's settlement has been received.
- We discussed the negotiations from August 28th and 29th. Simple language changes we proposed which the Company has not agreed to. We provided the Company with numerous informational requests. We discussed future negotiation dates and important events (side agreements, Multi-craft agreement, E/I, new hire meetings).
- The letters to the editor were discussed and how we feel the mill manager brought negotiations into the media.
- Luke Mill is awaiting more information before continuing economic discussions.
- A summary of union/management meeting was provided:
There were 2 recordable injuries at Quinnesec and there has been little information shared on these injuries.
- Safety university will be in October.
- There will be ERT training in December.
- Appleton Coated is for sale and may close.
- The \$40/ton price increase seems to have stuck and our orders look good for the rest of the year.
- In October, the board will be looking at the capital projects proposed for each mill.
- It appears Escanaba Mill will make budget for the year.
- **Steve thanked everyone who supported the Benoit Bash and helped raise more than \$15,000 for Bay Cliff Health Camp!**



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Escanaba, MI 49829

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Mary Ellen Johnson

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Bishop Noa Home CNAs Unionize

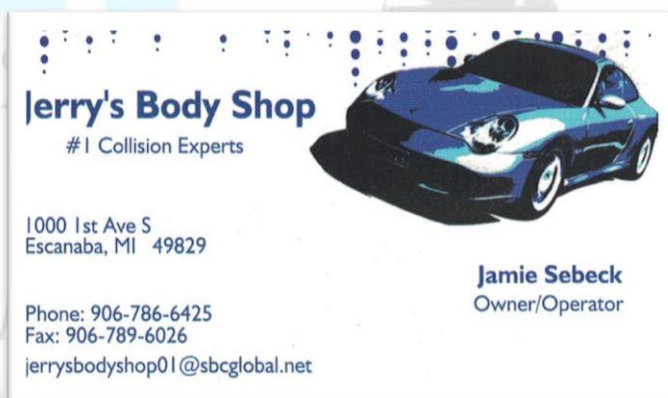
The Certified Nursing Assistants (CNAs) at the Bishop Noa Home in Escanaba voted to become members of the United Steel Workers (USW) Union on Tuesday, September 19th, 2017. Through the process of unionizing the CNAs came together to sign union cards. With the required thirty percent of CNAs signing union cards, the USW then filed with the National Labor Relations Board for a vote to unionize. With an overwhelmingly positive vote on September 20th, the CNAs voted to be represented by the USW. They will now begin negotiating a contract with the Bishop Noa Home and will be provided with support by the USW. Welcome to the Steelworkers!

Archaic Methods

Bob Larson, 2nd Vice

The Company seems to be of the opinion that the work force is not applying itself. A wood yard employee goes above and beyond to keep chip production moving and when a part that has failed on several occasions breaks, he is blamed. How is this lack of application? Another member bumps a truck while parking and again they claim "lack of application". The Company would have happily applied much more severe discipline but our contract is very specific on the application of discipline.

The Company has stated that we have an archaic contract. They would like to see it modernized. This means remove anything that impedes them. I do not see where implementing labor practices that were common a century ago is progressive. We have a detailed and long held contract, this was crucial in the Local's multiple arbitration wins. This document is our sole protection against a Company that views you as a liability not an asset. My father always told me, "Dedication is in direct relation to appreciation." I think my old man was right.



STRENGTH IN NUMBERS MEETING

For all members hired since 2010
Tuesday, October 10th
at USW Union Hall
7am 3:30pm 7pm

Refreshments served one hour prior to meeting. We will discuss the history of our Local and we'll have the opportunity to meet with retirees, current and former members of the bargaining committee



CONTRACT UPDATE MEETINGS

Open invitation to all members
October 11, 2017
USW Union Hall
7 am, 3:30 pm and 7 pm
Refreshments to be served

Seven Just Cause Factors

The Seven Tests for Just Cause In 1964, Arbitrator Carroll Daugherty established a single standard to determine if the discipline or discharge of an employee can be upheld as a just cause action. In the Seven Tests of Just Cause, the employer must be able to answer YES to the following seven questions:

- **Reasonable Rule or Order** Was the employer's rule or managerial order reasonably related to the orderly, efficient and safe operation of the business? This rule or order must not be arbitrary, capricious or discriminatory and must be related to the employer's stated goals and objectives. Even if this order is unreasonable, the member **MUST** obey, except in cases when doing so would jeopardize health or safety.
- **Notice** Did the employer give any warning as to any possible discipline or consequence that could result from that employee's action or behavior?

While maintaining the contractual right to manage its workforce by establishing the rules and orders necessary, the employer is responsible for informing the employees as to their meaning and application. The employer must advise the employee that any act of misconduct or disobedience would result in discipline. This statement should be clear, unambiguous, and inclusive of any possible penalties.

- **Investigation** Prior to administering discipline, did the employer investigate to determine whether the employee did in fact violate or disobey a rule or order?

The employer's investigation must be made **BEFORE** any disciplinary action is invoked. The employer is prosecutor, judge, and jury in discipline cases, and must bear the full responsibility for collecting any and all facts that are relevant to the final decision.

- **Fair Investigation** Was this investigation fair and objective? The employer has the obligation to conduct a fair, timely and thorough investigation that respects the employee's right to union representation and due process. Once gathered, all facts must be evaluated with objectivity, and without a rush to judgment.

- **Proof** Did this investigation uncover any substantial proof or evidence that the employee was guilty of violating or disobeying a direct rule or order?

Although there is no requirement of being preponderant, conclusive, or "beyond a reasonable doubt," any proof or evidence must be truly substantial. While conducting the investigation, the employer must actively seek out witnesses and search for evidence. If an offense cannot be proven, then no penalty could ever be considered just.

- **Equal Treatment** Did the employer apply all rules, orders, and penalties evenhandedly and without discrimination to ALL employees?
If other employees who commit the same offense are treated differently, there may be discrimination or disparate treatment, both of which would automatically violate this test.

- **Penalty** Was the degree of discipline administered reasonably related to either the seriousness of the employee's offense or to the record of past service?

A proven offense does not merit a harsh discipline unless the employee has been proven guilty of the same (or other) offenses several times in the past. Though an employee's past record cannot be used

to prove guilt in a current case, it can be used in determining the severity of discipline if guilt is established in the current case. Should two or more employees be found guilty of the same offense, their

respective records will be used to determine their individual discipline. Thus, if employee A has a better record than employees B or C, then the employer has a right to give a lighter penalty to employee A without being discriminatory. The employee's offense may be excused through mitigating circumstances. For example, a warehouse employee found asleep on the job may be excused by the mitigating circumstance of being under medication by the company doctor.



MEDIATION SCHEDULED

Two mediations have been scheduled for November 6th

Grievance 21-16-063- Safety Attendance

This grievance pertains to management unilaterally deciding to change the discipline outlined in the Safety Attendance Policy to apply discipline for not logging into the Verso Learning Center and acknowledging safety meeting attendance.

Grievance 21-16-064- Violation of Section 4-Job Posting

This grievance was submitted due to the violation of Article 11; Seniority, Section 4; Job Posting. Employees not moved within 14 days after accepting a job in which the rate of pay is higher, not receiving the higher rate of pay and/or delay pay. This grievance is specifically in regards to some members that accepted jobs in maintenance in the past year.

A Message from Jon Geenen

It has been clear that there has been a long term drift away from honoring core provisions of many collective bargaining agreements in the paper industry. We acknowledge that much of this occurred during and after the financial



crisis of 2008 and Jon Geenen, USW Int'l VP over Paper 2009. The dire condition of many markets warranted relaxation of hiring and staffing until the economy demonstrated more stability and industry sufficiently recovered from the crisis. Unfortunately, the hiring practices that were put in place as part of a larger crisis management strategy, in many cases and companies, have become normalized. In box plants and mills, extra crew and utility persons were promoted through natural attrition and then not replaced because of hiring caps and limitations.

This has led to unacceptable levels of overtime and blatant abuse of partner responsibility language. Historically, partner responsibility was an accepted obligation as a measure to ensure that production would not cease because of illness or other non-scheduled absences. It has never excused the company from the responsibility of maintaining adequate staffing.

There is a broad consensus and legal argument that partner or mate relief holdover is appropriate for unexpected and unanticipated absences. But mate relief was never intended to be used as a vacation suppression tool or a staffing scheme for scheduled vacation relief, Sickness and Accident leave, FMLA relief under the normalized

average weekly expectation. Mate relief is properly used for unexpected absences, intermittent FMLA, funeral leave and other similar unplannable absences. The parties understand that work surges, such as seasonal spikes, may require additional overtime; but when records demonstrate that production requirements extend beyond the industry accepted seasonality, the plant must be staffed in a way that accommodates the shifts, vacation, etc that are contained in the CBA. This isn't a novel idea- it is inferred, understood, and expected under our collective bargaining agreements.

By allowing these conditions to persist, the industry is damaging the perception of the quality of our jobs, thereby exacerbating the hiring deficit. If anything, the discussion must shift not to working more hours, but adopting new shift models for continuous operation that ensure that we will have a high quality workforce for the coming generation.

September 25, 2017

Mark Lemerand

Re: TBS Disability Insurance

To USW Local 21 Members :

On November 6th, you, as a member of USW Local 21, have an opportunity to take advantage of the disability insurance offered through Total Benefits Solutions during the open enrollment period.

When I first walked across the bridge nearly thirty years ago, never in my wildest dreams did I think my career might end after three MRI's and two lumbar surgeries with no relief in sight.

I think back to January of 2015, the date I enrolled in TBS's supplemental disability insurance. At that point, and with no claim history under my belt, I had no idea that Paul or Hristina of TBS would care any more than any other insurance company. Boy was I wrong.

TBS made enrollment simple through a payroll deduction. When I did become disabled due to a fall last January, TBS was there to help with the claims treating me with the utmost respect for my condition.

Most of all, TBS gave me something that seems forgotten in today's insurance industry, outstanding customer service.

None of us ever think we'll need to call on disability insurance, but without it, and their help, my accident would have been a catastrophe. I encourage you to protect your own future by enrolling during the open period.

Lastly, I would like to thank Paul and Hristina for all their help and keeping me whole during this very trying time.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mark Lemerand".

Mark Lemerand

