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Guild presses contract rights in layoffs

The News Media Guild saved the jobs of at least five workers who were improperly terminated when The Associated Press followed through on its plan to reduce its worldwide payroll costs by 10 percent last year.

All told, the AP released 91 employees in cuts between Dec. 15, 2009, and March 25, 2010. Fifty-four employees decided not to challenge their layoffs.

In addition to the five jobs saved from improper termination, the union pushed the company to make offers to six additional employees who later declined the jobs. One staffer was transferred to a position in another department.

Three employees kept their jobs without asserting their seniority rights. Three others were offered trial or training periods; two were unsuccessful and one is active. The union is still pressing four of the cases while it closed seven because no contract violations occurred. Two of the cuts were buyouts.

Employees who declined the offers received severance pay and remain on the preferential recall list for 18 months.

In late March, AP released six more employees, and their cases are being investigated. The company has not offered any guidance on additional layoffs in 2010, saying only that it continues to "streamline" its operations.

In representing the workers, the union relied on new contract language it negotiated that offers additional job protections. The Guild contacted affected staffers to make sure they understood their rights.

Although AP has not provided details about its worldwide reductions, the AP sold its German-language service and is in the process of



selling off its French-language service in Europe. Staff in Mexico also have lost jobs. The AP did apologize for a situation in Tallahassee, Fla., where APTN employees found out their office was being eliminated from a television client, before being notified by AP.

In the U.S., the AP in many cases disregarded the clear wording of the contract that specifies that lower seniority employees will be laid off when senior staffers have the skills for the available work remaining. In New York, the AP often selected a higher-seniority employee with clear qualifications for layoff. By doing so, the AP put the workers in the position of having to "assert" their seniority rights.

"It's regrettable that AP decided to ignore the careful process we negotiated for voluntary departures and instead set their crosshairs on some senior employees," said Tony Winton, NMG president. "In only two instances did managers offer buyouts under the new contract language which was designed by both parties to minimize forced departures. Much heartache could have been avoided if AP had simply

followed the humane road map laid out in the contract."

Job security will remain a big issue when the Guild and AP begin discussions on a new contract later this year. The agreement expires Nov. 30, 2010.

Guild, UPI reach agreement to prevent U.S. shutdown

The News Media Guild has reached agreement on wage reductions at United Press International aimed at preventing a shutdown of U.S. text operations.

The agreement, reached in February, called for a 14 percent wage reduction with protections for lower-compensated employees, and four Guild-covered workers were laid off. Most managers were to be severed while those remaining faced the wage reduction.

UPI approached the Guild with a plan to close its text news service in the U.S. and to reduce its photo operations. The company said that its primary investor was making significant cuts to UPI's funding, leaving it with few options.

"There's no way to sugar-coat these cuts," said NMG President Tony Winton. "But the agreement respects seniority and spares some of the lower-compensated employees from a steep decrease in income."

Unit members ratified the agreement. "This is a terrible situation, but we've got a lot of talented people, and we'll do everything in our power to do the most professional job we can," said Roger Wollenberg, the Guild's UPI unit chair.

Technology unit certifications

By John Braunreiter, technician, Milwaukee, Wis., and NMG secretary-treasurer

Technology unit employees can enhance their salary by adding new certifications, courtesy of the latest contract negotiated by the News Media Guild with The Associated Press.

The added certifications in the contract are MCSA, CEV, CIW, and Mac OSX 10.6. Each certification carries a differential of \$35 a week, with maximum certification differential total of \$130 a week. That total includes the \$60 MCSE certification.

In addition, the CCNA differential was eliminated with those having the certification able to retain the differential, but no one new will be able to attain that differential. A+ and Net+ are still the only certifications required for employment.

The MCSA -- Microsoft Certified Systems Administrator -- involves passing four tests on a Microsoft operating system. CEV, is certified video engineer and is attained through the Society of Broadcast Engineers. A technician's experience qualifies for the SBE requirements to take the CEV test.

That test, which covers various audio, video, and safety, is open book, and I took a small library with me. You'll need to know various video and audio waveforms and terminology as it pertains to a broadcast video engineer.

CIW requires passing the Certified Web

Technologies Foundation test through a local testing site such as Horizons Vue. To pass the test you'll need to know networking, Web, and Web business technologies. Apple's Mac OSX Support Essentials v10.6 is the Mac certification and is taken through Apple where you'll need to know the Mac OSX 10.6 Snow Leopard operating system.

I have earned the MCSA, CEV, and CIW certifications and I am working on my Mac certification. I encourage all TU employees to take the time to become certified. For questions, please email me at jb Braunreiter@newsmediaguild.org.

Linda Johnson appointed as the Guild's mobilizer

Linda Johnson of The Associated Press' Trenton bureau will work as the union's mobilizer during the upcoming bargaining.

The News Media Guild's Executive Committee voted for Johnson, chairman of the union's Representative Assembly, to serve as mobilizer. The RA is the budget-setting and legislative branch of the union.

"I'm excited by this opportunity to help Guild-covered staff engage in activities that will give the negotiators more clout during bargaining," said Johnson, a 20-year AP veteran who writes for the business news vertical. "I hope staffers -- both members and non-members -- will learn more about how the union makes the AP a better place to work."

Among her many duties, Johnson will work with local potential leaders, stewards and mobilizers and boost membership.



Johnson will go on short-term leaves until October, when she may need to work for the union full-time.

Are you a Guild member who attended an AP staff retreat?

If so, please send photos from the retreat, along with any publishable comments to mjwaggon@earthlink.net for publication in the next issue of WiReport.

Guild distributes AP contract bargaining survey

The News Media Guild has mailed a contract survey to all editorial and technology unit members at The Associated Press.

The survey will help guide the union's negotiators during the contract negotiations. The contract expires Nov. 30, 2010, and bargaining likely will begin in mid- or late October.

Members should contact the union at guild@newsmediaguild.org if they don't receive the survey.

Obama appoints 2 labor lawyers to NLRB

President Obama used his recess appointment power to place two labor lawyers on the National Labor Relations Board, the agency that decides important labor law questions.

Craig Becker and Mark Pearce, whose appointments were supported by both organized labor and dozens of prominent labor law professors, took their seats in early April. Republicans, most notably Arizona Sen. John McCain, were blocking an up-or-down vote on their nominations, which had been pending for months.

The Senate's inaction created a backlog of major cases, as well as a legal challenge to the validity of 585 rulings during the 27 months when the five-member panel had just two members.

The new members create a 3-1 majority of Democratic appointees, and the board is expected to address a number of controversial decisions made by the Bush labor board. Those include deciding whether employers can voluntarily recognize unions through majority sign-up; a worker's right to use employer e-mail for labor issues; the legal definition of a "supervisor," and coercive practices during union organizing campaigns.

Becker and Pearce will serve until 2011 unless the Senate acts to confirm them.



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NMG NOTEBOOK



Guild reaches agreement with EFE News

The News Media Guild improved health benefits in reaching a tentative agreement with the EFE News Service in contract bargaining for its employees in the United States.

The agreement, reached April 16, maintains the freeze in the current wage structure and the percentage of retirement contributions until December, but lessens the burden of medical coverage for employees. The agreement now heads to members for a ratification vote.

EFE will pay 100 percent of the cost of premiums for medical and dental coverage, effective July 1. Employees now pay a portion of the insurance costs through payroll deductions.

"We're not happy about another year of wage freezes, but this agreement does make medical insurance more affordable, and puts dollars in people's pockets, said Jorge Bañales, chair of the Guild's bargaining team.

NMG President Tony Winton said EFE staffers "should congratulate themselves for standing together in this difficult bargaining climate. We will be ready to return in December to make sure the highly productive U.S staff at EFE is recognized for its work."

Free online training available

The Newspaper Guild, in conjunction with the CWA, now provides free online training for members that's available through the CWA-net Academy at http://cwanett.org/programs_lynda.aspx

The academy provides you access to Lynda.com whose mission is, "Helping you learn, master, and apply digital tools and techniques." It has more than 42,000 videos as part of 755 courses, allowing you to learn at a self-paced speed.

For those interested in video, subjects include Final Cut, Vegas and Premier among others.

"I initially was interested in the Apple Macintosh operating systems and I found courses on the platforms Tiger, Leopard, and Snow Leopard" said technician John Braunreiter. "The variety of courses is rather amazing, including subjects on audio, imaging, and various Web topics."

As a CWA member, you are able to take an unlimited number of courses for a two-week period, free of charge, from any computer you want. Once you've completed the two weeks, you're able to sign up for another period and it usually takes two to three weeks before you can start again.

"I've done three sessions, using it to go over the various Mac OSX systems," Braunreiter said. "The training is a very good introduction into the selected subject and it provides a very comprehensive discussion of the topic. I recommend it for journalists, technicians, photographers and anyone who is looking to enhance their knowledge of a particular subject."

Guild sets regional meetings

The News Media Guild has scheduled regional bargaining meetings to prepare for talks for the contract, which expires at the end of November.

Every bureau or state should send a delegate to the meeting. The Guild will reimburse staffers for travel, meals and lodging expenses. Staffers flying in will arrive Friday evening and leave Sunday afternoon.

Two weekend meetings, open to staffers in those cities as well, have been set: Los Angeles, May 14-16 and Washington, D.C., May 21-23.

One delegate is invited from each state or region below unless indicated otherwise. Locations with regional hubs should try to select a delegate from the hub operation as well as a delegate representing non-hub staffers to attend the meetings.

Eastern Sectional: Alabama, Connecticut, Florida (2 delegates), Georgia (2), Illinois (2), Indiana, Kentucky, Louisiana, Maine-Vermont, Maryland, Massachusetts-Rhode Island, Michigan, New Hampshire, New Jersey, New York City (2), New York State, North Carolina, Ohio, Pennsylvania (2), South Carolina, Tennessee, Virginia, Washington, D.C. (2), West Virginia and Wisconsin. Western Sectional: Alaska, Arizona (2), Arkansas, California (2 outside Los Angeles), Colorado, Hawaii, Idaho, Iowa, Kansas-Missouri, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas (2), Utah, Washington (2) and Wyoming.

Aftershock, mass graves and then a story to file: One tale of covering Haiti

by Tamara Lush, St. Petersburg, Fla.

The sun was setting over Port-au-Prince, a warm, golden sun that mixed with the dust and rubble and tinted the city in a soft haze. People in the streets moved cautiously, as if they weren't sure which way to go or even where to step.

After only a day in Haiti -- a day filled with hundreds of dead bodies in the streets, including the tiny, half-covered corpse of an infant, who lay on his dead mother's breast -- I, too, was in a daze.

Somewhere in the back of my mind, I realized that this was going to be the toughest assignment in my 18-year reporting career. This was no gritty crime story in Miami or a Gulf Coast hurricane. I pushed the thoughts aside, telling myself to focus on the moment: I was in the back of an SUV with photographer Lynne Sladky and writer Jennifer Kay, and we were headed to the Villa Creole, our hotel.

We were lucky: that night we had a shower, a hot meal and a bed. I felt less rattled as I settled in for the night. I successfully blocked out the fact that part of the hotel had collapsed just two days prior -- and that the paintings in our room were still tilted from the quake.

Here's how my second morning in Haiti went: I was rustled out of bed by an aftershock. Our driver ran over and killed a dog. We found the mass graves. And that was all before 11 a.m.

Oh, and we picked up a woman on the road who we initially assumed had fallen off the body truck headed for the graves but was actually alive, yet dying from hunger. We brought her to a clinic run by Canadian missionaries.

Then I filed my story.

Each day in Haiti -- I was there only eight days, a fraction of what some of our AP colleagues have spent there -- was like that. Non-stop, gut-wrenching, panic-inducing. At one point, the most positive thing I could think of was, "well, at least they've cleared most of the dead people off the streets."

As the days wore on, I did begin to see the true positives. My AP colleagues -- some of whom I've known during my short tenure at the AP, others whom I had only met in Haiti -- were amazing. They were brave and funny and supportive. They cared about their work -- our work.

In brief snippets at night, in between editors' calls and sips of deliciously cold beer, I talked writing with Alfred De Montesquiou and Jonathan Katz. Sitting by the pool, Rich Matthews and Adam Pemble showed their video stories of the day. On Jan. 20, the morning of the biggest aftershock, Tony Winton was live on air during the shaking -- then made us all laugh when he retold the story. Cliff Dos Santos, Luis Taveras and Roland Rochet kept us connected to the outside world, and back in Miami, Rosemarie Mileto and John Pain sent us supplies (thanks for the case of frappuccinos!). Vivian Sequera, an AP staffer from Colombia, was always quick to give me a hug before I left for an assignment or when I returned.

I've worked for some excellent news organizations, and some not-so-excellent ones. Never have I felt the sense of camaraderie and support as I did during my time in Haiti. It made a difficult situation manageable and allowed us to focus on what was important: the story.

More than three months later, I still think of Haiti every day.

Pictures from top: (1) Bill Gorman of APTN and Lush stand outside the Toussaint Louverture Airport in Port-au-Prince in January. (2) News Media Guild President Tony Winton shoots an impromptu stand-up on a main intersection in Port-au-Prince, adding details about how dead bodies were everywhere in the city. (3) Lush takes notes after an aftershock struck Jan. 20. (4) Jose Placido, a technician in Sacramento, Calif., talks on his cell phone to an APTN crew while waiting to pick up someone at Toussaint Louverture airport. (5) Los Angeles video journalist John Mone edits a video package as he works under the AP tarps at the quake-damaged hotel where AP staffers stayed. (Top and bottom photos by Winton; pictures 2 and 3 taken by Sladky; picture 4 is by AP contract driver John Darbouze.)



Business news staffers make headway when they protest negative evaluations

Staffers in the business vertical, upset over a department-wide campaign to give workers negative performance evaluations, banded together in protest -- and got management's attention.

In response to 90 percent support for a petition protesting the negative evaluations, department managers have begun to hold weekly meetings for staff to discuss issues and air complaints.

Almost half of the approximately 75 business vertical staffers participated in a conference call in January to discuss the problem, which started with a handful of negative evaluations last spring and picked up through the rest of the year. Many longtime staffers who had never had a complaint about their work were stunned to get evaluations that rated them as "below expectations" in many categories and dredged up years-old issues to support those ratings.

Reporters and non-management editors sent a petition to the top managers in the business vertical, as well as AP President and CEO Tom Curley, Executive Editor Kathleen Carroll and Michelle Ehrlich, AP's director of global labor relations.

The petition, signed by 67 staffers, stated that performance evaluations, meant to help employees improve, had become something far different.

"Many reviews since last spring have criticized employees for not meeting vague performance standards never described to them," the petition stated. "Incidents of allegedly poor writing, poor editing, insufficient beat development and poor judgment that were never discussed before, either at the time they occurred or at any time during the evaluation period, now are appearing in evaluations."

The petition said some managers told staffers they had been directed by their bosses to make the reviews negative, the petition said, and that positive reviews

were returned to be reworked or rewritten by higher-level managers.

"This tampering with what is supposed to be an honest, open process runs counter to the goals of truth and quality journalism that we and the AP share," the petition said.

The AP said it disagreed with the characterization of the recent reviews within Business News, especially with the note about tampering. "We do understand, however, that many employees were either not reviewed at all in years past or are not used to receiving fair, accurate and well-supported reviews."

The Guild filed the local grievance that day and released a bulletin on how to respond to an unfair evaluation. It also addressed legal rights during meetings to discuss performance appraisals.

The Guild urged employees who receive an evaluation with "below expectations" or "not acceptable" ratings to respond if a reasonable explanation exists. It also urged employees to protest "meets expectations" ratings when work deserved "above expectations" or "outstanding" marks. A lack of a response could be viewed as acceptance of unfair ratings or false or inaccurate charges.

Although the AP rejected the Guild's grievance over the evaluations, the business department's editor, Hal Ritter, has since begun weekly department meetings. During the first meeting, at least a dozen staff members expressed their anger over the negative evaluations. Staffers have also brought up concerns about short staffing, an overly heavy workload, conflicting guidelines and goals for priorities, and an unnecessarily cumbersome and time-consuming process for editing enterprise stories.



Important News

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WiReport

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Why I Joined The GUILD

By Vicki Smith, Morgantown, W.Va.

No one asked me to join the Guild. No one had to. When the card appeared in my mailbox, I signed it.

I was a blue-collar kid, raised by a single mom in southwestern Pennsylvania. I saw firsthand how important a good union is.

A union opens doors, creating opportunity for people who want it. A union forces companies to obey the law, to stop discriminating, to pay people what they're worth, and to improve quality of life with overtime, vacation, sick days and family leave.

A union helped my mother, Bernice DiEmidio, when she wanted to do more than wait tables.

If it weren't for IBEW Local 459, she would not have been the first woman to work at the Penelec power plant in Homer City, Pa. — and the third woman hired companywide.

She started as a janitor, shoveling waste coal and working her way up the hierarchy of colored hard hats — from

yellow (plant worker), to red (traveling maintenance), to white (supervisory) and finally, to the corporate offices.

The union made sure she had a safe work environment while she labored full-time, going to school at night for 14 years to earn a business degree. She graduated on a Mother's Day, and by the time she retired under a corporate merger buyout, she'd become manager of safety and health.

She could have done it without the union but says the harassment probably would have been unbearable. "Just think 'North Country,'" she tells me.

For me, 2009 was a painful reminder that a union is as relevant and important as ever. It forces the company to treat us with respect, negotiating buyouts and severance packages we wouldn't get on our own.

It can't always protect us, but it's the best insurance we have.

And when we do have to leave, it helps us do so with dignity.

