

INCSO CONTACT



Newsletter of the National Staff Organization

February 2004

Settlement agreement reached...

South Dakota Staff Halts Unit Intrusion



When the South Dakota Education Association (SDEA) took action to create a new management position that included bargaining unit work, the Professional Staff organization-South Dakota PSO-SD) and South Dakota Staff Organization (SDSO) took action. They filed charges with the National Labor Relations Board (NLRB) charging SDEA violated the National Labor Relations Act. The primary charge involved SDEA's creation of a new Chief Financial Officer/Chief Information Officer (CFO/CIO) management position. It also bargained individually with a former PSO-SD member to assume the position. The new job description included numerous items that were clearly bargaining unit work under both PSO-SD and SDSO contract.

As part of the settlement, SDEA agrees not to unilaterally transfer bargaining unit work without bargaining with each group, agrees not to unilaterally modify the scope of each group's unit without their consent, agrees

not to refuse or fail to provide information to PSO-SD which is relevant to their representation of bargaining unit employees including the CFO/CIO individual contract, agrees to return all bargaining unit work to the appropriate bargaining unit, and agrees to bargain with each group in regards to transferring work outside the unit.

According to PSO-SD President Jerry Wilson, "This was a hard fought battle that needed to be waged to maintain the integrity of PSO-SD, unions in general, and the work we are asked to do every day on behalf of the thousands of SDEA/NEA members in South Dakota



Bally's Las Vegas is the site of the bi-annual NSO New Pension Trustee Workshop, April 23-24, 2004, in Las Vega. The conference will focus on pension trustee roles and responsibilities.

schools. It was absurd that SDEA management initially considered forming this new CFO/CIO position with most of the job description including work from our two unions. It was ludicrous that they, the largest union in the state, persisted with this battle when we challenged the loss of bargaining unit work. They should know better."

SDSO and PSO-SD leadership worked together to fight management's actions. "The collective efforts between the two unions was key to our success," SDSO Co-President Loren Paul stated. "Whenever management tried to divide and conquer, they couldn't find a place to drive the wedge," adds SDSO Co-President Kara Hoines.

The actions leading to these charges began under former SDEA Executive Director Lona Lewis who retired in September of last year and continued under current SDEA Executive Director Robert Whitehead who most recently worked for the Pennsylvania State Education Association. Whitehead signed the settlement agreement on January 27, 2004 with copies to be posted for the benefit of employees in all of SDEA's offices in Rapid City, Pierre, Aberdeen and Sioux Falls.

For a complete text of the posted ULP agreement, go to the NSO Web page at: www.nationalstaff.org.

NSO/NEA Sponsor NEA Plan Workshop



NSO and NEA will sponsor its second annual retirement plan training in Washington, D.C., at the NEA Headquarters Building on March 12, 2004. The program is for NEA and NEA state affiliates that are within the NEA retirement plan as well as any state affiliate which considers joining the plan.

The NEA Retirement Plan will reimburse up to \$500.00 to assist with housing and travel expenses

for one (1) NSO Representative from each participating employer and one (1) management representative from each participating employer. Reimbursement is limited to plan participants. An affiliate that is not a plan participant but interested in learning about the Plan should contact Pat Chavez at pchavez@nea.org. The Retirement Plan will provide refreshments and lunch on March 12, 2004.

The Capital Hilton in Washington D.C. has a special NSO/NEA rate which is \$160. The hotel is located at 1011 16th Street, Washington, D.C. The phone number is 202-393-1000. Participants need to call and secure and pay for the rooms with a credit card. Be sure to mention the "NEA Group Rate" when booking. The rate is good for March 11, 12, and 13th. The booking link for the Hilton is - www.hilton.com/en/hi/hotels/index.jhtml

The training agenda for the day looks as follows:

- * 9:00 a.m. Introductions: Purpose and Intended Outcomes
- * Welcome and Overview of the Morning
- * Plan Definitions, Plan Basics and Operations of the Plan
- * Benefits Overview, review of benefit chart with details on the contributions rates, how rates are determined, how options are determined; details what is available to each participating affiliate; discussion of medical leave and continuous & accredited service definitions; discussion of "forms of retirement" role of states (their bargaining is limited to existing statements in Plan); buy-in option
- * Fiduciary Role of Trustee & Major Legislation Ruling the Plan
- * Investment Structure & Approach/Strategy Overview
- * Q&A
- * Wrap Up . . . any further thoughts, requests, ideas, or questions
- * 5:00 p.m. NSO Sponsored Social

NSO Participants please contact Patrick Chavez for registration at (505) 982-1916 ext. 16, Home (505) 438-7157, or e-mail pchavez@nea.org. Management Participants please contact Donna Healy at (202) 822-7600 or e-mail dhealy@nea.org

Be sure to check the NSO Web Page for a detailed report about the 2004 NSO Winter Advocacy Retreat.

NSO Coordinated Bargaining Council Guidelines

PREFACE

To the end collectively we can achieve contractual benefits and gains which are unattainable as individuals, and that the collective sharing of information and resources generates power, the NSO has determined that all NSO affiliates are required to belong to a coordinated bargaining council.

The coordinated bargaining council hereby has developed and has adopted the following National Guidelines:

1. Affiliates shall participate in their designated Coordinated Bargaining Council and shall have two (2)-voting representatives on the bargaining council. The representatives shall be the chief negotiator of the affiliate and the president or his/her designee. All inclusive affiliates may designate one (1) additional permanent representative who is a member of the affiliate's bargaining team to ensure both professional and associate staff representation.
2. The NSO will appoint two (2) members of the Executive Committee who will serve as Co-Chairs of the Bargaining Council.
3. Each Coordinated Bargaining Council (CBC) shall establish regional "Guidelines" and "Goals and Settlement Standards" and a "Mutual Defense Pact."
4. The CBC co-chairs shall select members to serve as facilitators.
5. Each Coordinated Bargaining Council (CBC) will develop strategies to assist its members in achieving the minimum standards set by the CBC which may include, but are not limited to:
 - a. a common strike date
 - b. use of interstate bargaining team members
 - c. a common expiration date
 - d. targeting affiliates
 - e. selective job actions
 - f. crisis team
6. If an affiliate is on a CBC-sanctioned strike in order to achieve the minimum standards adopted by the CBC, the CBC agrees to abide by the mutual aid strategies it develops in accordance with the CBC's mutual defense pact.
7. Prior to commencing bargaining, every affiliate shall perform a contract analysis utilizing the CBC Goals & Settlement Standards. This analysis shall be attached to the proposals or interest statements upon initial submission to the facilitator.
8. All members of the CBC will introduce language or interest statements consistent with Council adopted goals prior to going to the table.
9. The NSO affiliate's chief negotiator shall mail to its facilitator and co-chairs prior to bargaining: current contract, initial positions, and employer's initial position at the commencement of bargaining. In the case of collaborative bargaining, the chief negotiator will report issues/concerns which reflect CBC Goals and Standards, and employer's issues/concerns at the commencement of bargaining.
10. Affiliates shall notify their facilitator of any waivers needed prior to reaching a tentative agreement on any item which does not meet settlement standards unless the affiliate is on strike or is scheduled to strike within 24 hours. The facilitator shall notify the co-chairs who shall arrange crisis assistance as needed.
11. The total agreement shall be submitted to the facilitator prior to ratification by the affiliate. A final analysis utilizing the Goals and Settlement Standards shall be attached to the agreement. The facilitator will forward the documents to the co-chairs.

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2003-2004 NSO Calendar

Below is the current calendar for NSO events during the 2003-2004 year. Be sure to check the NSO Web page for calendar updates.

Western States Coordinated Bargaining Council

March 5-6, 2004
Scottsdale, AZ

NSO/NEA Second Annual Pension Training

March 12, 2004
NEA Headquarters
Washington, D.C.

NSO Executive Committee

March 25-27, 2004
Key Largo, FL

Corridor States Coordinated Bargaining Council

April 17, 2004
Site TBD

NSO New Pension Trustee Program

April 23-24, 2004
Las Vegas, NV

NSO Executive Committee

June 8-9, 2004
Grand Hyatt, New York City, NY

2004 NSO Representative Assembly

June 11-12, 2004
Grand Hyatt, New York City, NY

modifications to the purpose, guidelines, goals or strategies at any of the CBC meetings by a two-thirds (2/3) affirmative vote of those representatives present providing such modifications have been sent to the CBC affiliate representatives at least two (2) weeks prior the CBC meeting. Said modifications shall be forwarded to all other CBCs.

15. These NSO CBC Guidelines will be considered to be modified when three or more CBCs have affirmatively voted to modify.

WEASO Reports on NSO WAR



The Washington Education Association Staff Organization's "Just Rewards" newsletter gave this report to state association leaders...

"Eight WEASO members participated in the annual National Staff Organization Winter Advocacy Retreat (WAR) in early January. Margery Owens attended two classes about employee pensions. She serves on the WEASO/WEA Pension Board of Trustees. 'I am fired up to delve into our pension funds and contracts with fund advisors,' Owens says. 'I feel much better able to serve as a trustess.' Owens also participated in seminars on benefits and relationship problems.

Other WEASO WAR College participants includes Rosalie Julaila, Eric Hansen, Glenn Bafia, John Hardie and Kim Arzberger. Lori Bowlin-Nadeau used training funds to attend.

Several other WEASO members attended as trainers."

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www.nationalstaff.org

NSO CBC Guidelines

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12. The CBC facilitator and/or the CBC co-chairs shall have the right to communicate to the affiliate any issues/concerns related to the tentative agreement.

13. Affiliates which fail to cooperate with and participate in their designated CBC may be declined staff assistance and/or financial support from NSO.

14. The CBC representatives of each CBC can adopt

NSO Contact is edited by Bob Mullins.



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NSO Web Page

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Region 7: Rosemary Wolf, (253) 765-7082

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