



### Resident Assistants Rally For Just Cause

By Ryan Quinn, Servicing Rep.

Resident Assistants at UMass Amherst are growing restless. The Resident Assistants (RA's) began bargaining a successor contract 19 months ago, and until recently, management has moved very little on the RA's key proposals to put "just cause" into the contract and to raise the RA stipend so that their hourly rate reaches the Massachusetts minimum wage.

On October 17, RA's organized members and student supporters to hold a silent rally outside the 16th bargaining meeting with management, the second session with a state mediator present. As the management team walked down the hallway to their room, they passed through 60 UAW members and student supporters, who stood silently while holding placards reading "Fair Pay for RA's" and "I Stand With RA's".

This show of strength helped us get a wage offer that went well beyond what management has offered in the past. Unfortunately, this offer did not include any movement on "just cause", so the bargaining committee is holding the line on "just cause" and is looking forward to the next mediation session.



## Voting: Our Most Important Right

By Ron Patenaude, President

Dear Sisters and Brothers,

As Election Day approaches, I would ask that you all exercise the most important right you have as citizens of the Commonwealth and the United States: your right to vote for the political candidates of your own choosing.

People have fought and died for the right to vote in this country, and one of those individuals, Congressman John Lewis from Georgia, is going to be in Springfield this Saturday, November 3, 2012 at 10am at the Old First Church as a speaker at a rally for Elizabeth Warren.

There are those who would turn back the clock on voter's rights that John Lewis, Dr. King, and others fought to secure for all of

us, regardless of your race, color, ethnicity, gender, religion, or sexual orientation. Don't let them! **Get out and VOTE on Tuesday November 6th!**

Obviously, we hope you will give consideration to the candidates whom the UAW has endorsed. Those endorsements were based on questionnaires candidates had to submit in order to be considered for endorsement. The candidates were then interviewed by the MA State CAP (Community Action Program) council, which I proudly serve on as a member of Local 2322.

The UAW-endorsed candidates in western Massachusetts are Barack Obama and Joe Biden for President and Vice President respectively, Elizabeth Warren for

U.S. Senate, and Scott Laugenour for Massachusetts State Representative for the 4th Berkshire District. I hope you will give them your consideration. If you need more information on their (or their opponents) positions, please check out their websites, which are easily found on the web.

Please join me Saturday in welcoming a truly inspirational Civil Rights leader, Congressman John Lewis. For more information, please call UAW 2322 at 413-534-7600, or check out the Local website calendar at [www.uaw2322.org](http://www.uaw2322.org).

In Solidarity,

Ronald Patenaude,  
President UAW 2322



## "Just Cause": How Important Are Two Little Words?

By Brooks Ballenger,  
Servicing Rep.

Most union contracts have a sentence that says something like "discipline will be for just cause." This doesn't seem like a big deal, but it actually protects employees in many ways. Believe it or not, there are many court cases and legal precedents based on the concept of just cause. Without a union contract with "just cause" in it, the employer can discipline or fire you for any reason, or no reason. "Just cause" means discipline has to be fair.

Recently, the Union members of the UMass Residents Assistants (RA) Unit refused a substantial wage increase offer because it came without "just cause" in the

contract. That's how important it is! "Just cause" can mean the difference between keeping your job and unfair termination.

### Seven Tests of "Just Cause"

In order to determine if a discipline is fair, arbitrators often use the "Seven Tests."

1. Was the employee adequately warned of the consequences of his/her conduct?
2. Was the employer's rule or order reasonably related to efficient and safe operations?
3. Did management investigate before administering the discipline?
4. Was the investigation fair and objective?
5. Did the investigation produce substantial evidence or proof of guilt?

6. Were the rules, orders, and penalties applied evenhandedly and without discrimination?

7. Was the penalty reasonably related to the seriousness of the offense and the past record?

### Tips for Discipline Cases

Do a thorough investigation. Ask for all the employers' notes and records used to make a decision. Interview every involved employee. There are two parts to every discipline case:

- 1) Did the employee violate a known rule?
- 2) What should the punishment be? Sometimes we lose the first part, but then we have to make sure the punishment fits the offense. Just cause can be a powerful tool to defend your co-workers. Take full advantage of it.



**Labor/Management Meetings at the YWCA**

By Nancy Fish, Servicing Rep.

The UAW Labor/Management (L/M) committee members at the Young Women's Christian Association of Western Massachusetts (YWCA) recently met with management, and we made a point of scheduling the next meeting for December 14, 2012 before the meeting ended. The Union members had identified over twenty agenda items to address with management, and two hours to try to get through the list. The union contract identifies that members will be paid their nor-

mal wage up to two hours, bi-monthly, to attend this meeting. Many shops in our Local union meet with management for regularly scheduled L/M meetings. The women at the YWCA have not always exercised their contractual right to demand that management join them at the table to sit and talk about the workers concerns. The right to call a meeting and set the agenda can be a very powerful tool for union members.

At first, it can be scary to participate in this process. But many workers were realizing that they were a part of the union; they were feeling the excitement build, and the potential power in talking with management about con-

cerns and feedback that workers had. Momentum was built by fliers sent out to all members inviting them to a membership meeting held at the UAW Local 2322 office in Holyoke to set the agenda.

It wasn't long into the L/M meeting that I, as the representative/facilitator, saw the energy and confidence build in the union members who clearly had found their voice at the table. On occasion, I needed to remind the management team to not be so defensive, and try to listen to the feedback being presented by their staff, the UAW members. Management left with a "to do list", and were reminded that at

the beginning of the next meeting the union would start there. We gave management warning that we, the union, were paying attention and were ready to meet regularly and work on improvements to make the YWCA they best that it can be for the community and the workers themselves. The mission statement at the YWCA is, in part, to empower women. We say this includes all women, including those women they have hired, not just those they serve! The hope and possibility of improving working conditions and making the YWCA a better place for all is a great opportunity and worthwhile effort for unionized workers. Get in touch with your union, and get involved!



**Postdoc Researchers Win Big!**

By Court Cline, Servicing Rep.

Congratulations to the members of one of the newest shops at UAW Local 2322, the Postdoctoral Research Organization at UMass (PRO-UAW), for winning an important victory for its members, resulting in a financial settlement of approximately \$31,000 going to 71 postdoctoral researchers. PRO-UAW ratified their first contract in March of this year, and included in the contract was a

start date for the new health insurance of July 1st. Unfortunately, the University was unable to comply with this start date, and eventually offered a start date of August 1st for new health insurance plan.

Servicing Representatives Ryan Quinn and Court Cline felt that this was an inadequate response to the PRO-UAW contract that had been bargained in March 2012. With the help of Ron Patenaude, president of UAW 2322, and Karen Rosenberg, International Representative from UAW Region 9A, they filed a Step 2 grievance

on behalf of all of the folks covered under the PRO-UAW contract. Ryan, Court, and Karen met with the Chancellor's designees at the end of August. They presented the case and a remedy that would include a payment of the amount that the University would pay towards the health insurance premium for the month of July to the PRO-UAW members. In October, we were notified by the Chancellor's designee that the University agreed to our remedy, and we had won the grievance.

By enforcing the contract, the

union not only protected the financial interests of its members, but also reinforced the importance of the collective bargaining agreement. Many PRO-UAW members were making important decisions about the health insurance coverage for themselves and their families, and this needless delay complicated many of the choices that postdoc researchers had to make.

Congratulations to everyone that worked on this grievance, and to all of the members of PRO-UAW for this important victory.

**Member Profile: Frank Jackson**

**Shop:** Resident Assistants Union, UMass Amherst

**Where are you from?**

I was born in Eastern Massachusetts in the town of Winchester. At the age of 3, following my parents' divorce, I was brought to France with my mother. I grew up in the Parisian suburb called Sceaux until the age of 14, where I attended the French Public School system. I then returned to the Commonwealth and specifically to Arlington where I completed High School.

**What brought you to UMass?**

When filing college applications the cost of each institution struck me; \$50,000 for Boston University, \$40,000 for Clark University, \$30,000 for the University of Connecticut, \$20,000 for UMass Amherst, and \$10,000 for UMass



**Boston.** What it came down to when choosing the University is the fact that in the current economic

climate, UMass Amherst was the best University I could afford. UMass Boston may have been cheaper, but lacked some of the recognition, and the other private and out of state schools were far out of reach.

**How have you been involved in the RA Union and UAW Local 2322?**

My involvement with the RA Union began in the beginning of October. On the 1st of the month, Megan Kingston, Chris Hoel, and myself decided it was necessary to help the Union by building grassroots support for the RA

Union. In 3 weeks time, we managed to gather letters of support from all parts of the University Community, make connections with the RA Union, and put together an action on the day of bargaining involving over 50 individuals. Over that time, I have also become the RA Union Co-Chair, and played an active part in the negotiations for the RA contract.

**What is your vision for the future of the RA Union and UAW Local 2322?**

My vision for the RA Union is that individual RAs will take ownership of the Union and strive to resolve the workplace issues that are important to them. Be it work hours, wages, or "just cause," we have a great team ready to help. I hope we can build on some of our momentum and gather a steward per cluster so that everyone can know who to talk to concerning workplace issues.

My vision for the UAW Local 2322, is similar to my first goal for the RA Union. I think too many workers nowadays are afraid to speak up, thinking that they are alone in feeling a certain way. But if workers of the Local speak up against workplace injustice and in favor of issues they care about, we can band together to resolve any issue.

**What do you like to do for fun?**

I enjoy reading fantasy novels, something which I do not have time to do while at the University, but look forward to every vacation. I also enjoy sailing, a hobby which I taught the summers of 2007 through 2011. I have the chance to have a wonderful woman in my life who studies at Clark University. Last but not least, however, I love spending time with my caring family, be it my father and stepmother in Arlington, or my little sister who lives on the other side of the world.