

AFGE Local 3313 Spotlight



*American Federation of Government Employees
Newsletter, Volume III, Issue 8, November 2018*

Department and AFGE-3313 Settle Federal Labor Standards Act (FLSA) Grievance Class Action

It has been a long time coming, but the widely-awaited conclusion to the FLSA overtime grievance, initiated in 2014, has been settled in the amount of \$5.5 million. This resolution is the result of hard work performed by the Union and its attorneys, Snyder & Associates. The recovery is for employee compensation, and funds will be distributed to employees covered by the grievance.

The Union wants to begin distributing payments as soon as possible, but that cannot occur until all of the information necessary to determine eligibility and the proper division of the funds is provided by the Agency. The Settlement Agreement affords the Agency a few months to gather and produce information on the claimants. Snyder and Associates will take time to process, reconcile, consider the tax implications of, and integrate, the data with information already on hand. We believe the settlement implementation and distribution will begin in the middle of 2019. We will provide periodic updates, but detailed information concerning the names of those covered will not be available until the formal implementation process begins.



Any rumors you may have heard as to who will be paid, and any conjectured payment-amounts, are simply rumors and are not information that has come from the Union or our attorneys. Note that neither the Union nor Snyder & Associates is collecting further information for claims. Please do not contact the Union or Snyder to attempt to provide claims information, as it will not be accepted. Additionally, please do not contact the Union or Snyder requesting any additional information. All updates concerning the settlement, implementation and distribution will be issued by the Union or by Snyder & Associates on its website at http://www.Snyderlaw.com/current_cases/afge-local-3313-vs-department-of-transportation/.

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES

LOCAL 3313 OFFICERS

PRESIDENT

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Gary Shoemaker (Executive VP)

Jennifer Rodes (VP for OST)

Kay McIver (VP for PHMSA)

Sheila Wilson* (VP for FMCSA)

Derrell Lyles (VP for NHTSA)

Cynthia Cox-Grollman (VP for FTA)

TREASURER

Oranous Tavooosi

SERGEANT AT ARMS

Eugene Kinard

Organization & Recruiting Chairperson

Meleia Egger

Human Rights and Youth Director

Bernadette Walker

*Denotes Past President

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In Solidarity,

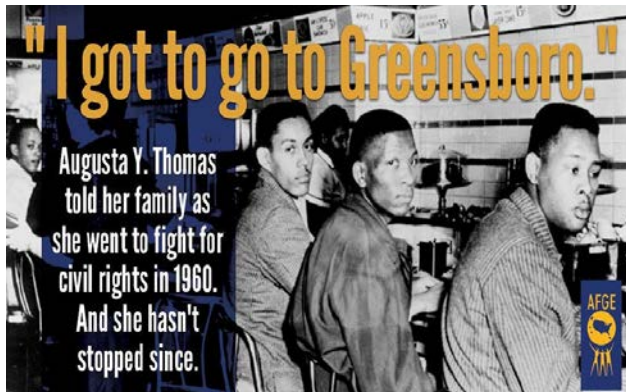
Eugene Johnson,

AFGE Local 3313, President

**By law, you have the right to form, join, and assist any labor organization
(statute:7102 & 7114).**

Farewell to a Civil Rights Icon

Civil rights icon, Augusta Thomas, passed away from this earth on 10 October 2018. She served as AFGE National Vice President for Women and Fair Practices from 2009-2018 and was named an emeritus officer at the 41st National Convention in August. Augusta spent her life fighting for racial equality and union rights. Augusta served more than 42 years in positions of local and regional union leadership prior to attaining national office. AFGE's 6th District commemorated her achievements by establishing the Augusta Thomas Humanitarian Award, which is presented every three years to an AFGE member who exemplifies Thomas' example. The Commonwealth of Kentucky recognized her efforts to promote racial equality and economic development, by declaring April 4th as Augusta Thomas Day in Kentucky.



In 1960, Augusta journeyed to Greensboro, N.C., to join in the historic lunch counter sit-ins where angry whites spat on her, shoved her off a stool, and called police who twice arrested her.

Augusta was a childhood friend and classmate of Martin Luther King Jr. When Augusta was 13, she went to Atlanta to live with her aunt and uncle. Her uncle was a Methodist minister and colleague of Reverend Martin Luther King Sr. She graduated from Atlanta's Clark University and the Homer G. Phillips School of Nursing in St. Louis.

Augusta worked with MLK in April 1968 when he was supporting African American sanitation workers in Memphis. Black sanitation workers had been attempting to organize since 1960, when T. O. Jones and O. Z. Evers began signing workers up with the Teamsters. However, many blacks were afraid to unionize due to fear of persecution, and threats from the KKK. This fear proved justified in 1963, when 33 workers (including Jones) were all fired immediately after attending an organizing meeting. Undaunted, Augusta helped with the formation of AFSCME Local 1733 in November 1964. A strike in August 1966 was thwarted before it began when the city prepared strike-breakers and threatened to jail leaders. The Memphis sanitation strike began in February 1968 in Memphis, Tennessee. Following years of poor pay and dangerous working conditions, and provoked by the crushing to death of workers Echol Cole and Robert Walker in garbage compactors, over 700 of the 1300 black sanitation workers met on Sunday, February 11, and agreed to strike. Augusta helped facilitate the strike for dignity and justice, using the now famous four simple powerful words – *'I am a man.'* Thomas blamed the men's deaths on "the racism and negativism of the city officials who treated them as less than human, ignored the workers' call for safety and paid poverty wages." Ultimately, the city relented, boosted salaries, improved safety standards and recognized the union. Thomas and five other women were in Memphis to stand with the strikers. The women were in their rooms in the Lorraine Hotel, when they heard the gunfire. The hotel manager, fearing for their safety, rushed the women to another hotel. They turned on the TV and saw news reports of King's death. The night before, Thomas joined the crowd at Bishop Mason Temple church where King rendered his now famous "I've Been to the Mountaintop" speech. During a recent speech, Thomas quoted from King's immortal speech: "I may not get there with you. But I want you to know tonight, that we, as a people, will get to the Promised Land. And so, I'm happy tonight; I'm not worried about anything; I'm not fearing any man. Mine eyes have seen the glory of the coming of the Lord." Thomas concluded the speech with: "By joining together in unions, women, particularly women of color, have gotten closer to true equality in the workplace. Equal pay, family-friendly leave and scheduling and freedom from harassment. We must stand until we are all equals, no matter our race, gender, or class. We must stand together and demand an end to this rigged system so that we all may be truly free." AFGE Local 3313 stands united in praise of a life well lived. Rest in peace and know that you are loved.



2019 Union Local Elections Are you a leader? Do you have innate skills for collaboration, negotiation, and team organizing? Do you care about your fellow man? If you have any of these traits/skills then please make yourself available to be a candidate for a Union Leadership position. The Union is at its best when it has access to its best. In the upcoming weeks, members will be notified of the opportunity to submit nominations for various positions to include: President, Vice President, Treasurer, Secretary, and modal/operating administration Vice President.

2018 Holiday Party – Back to The Future Roughly four years ago, this fledgling union held a wonderful party that people are still talking about. Well, on December 20th, we intend to do it again. The event is for all of our wonderful AFGE Local 3313 members only. You should know that the only reason the political environment has not made our lives miserable is that AFGE has fought the good fight and has fought back against a plethora of political attacks against the pockets and the spirits of federal employees. Alas, the fight is not over, but for now let's celebrate. You are invited to an afternoon meeting and party in the Oklahoma room. The meeting will begin promptly at 11:30 am and will address the 2019 budget. The remainder of the time will be spent enjoying music, fellowship, eating, and getting acquainted with co-workers. Come out and tell us what should be in the budget, and afterwards let's enjoy some time together until about 2 pm. Please RSVP your name and organization to Constance Moore (constance.moore@dot.gov), and Jennifer Rodes (jennifer.Rodes@dot.gov).



FTA Embarks on Landmark Collective Bargaining After several years of waiting, negotiations began in August 2018 on a new collective bargaining agreement (CBA) to replace the July 1983 agreement between FTA and AFGE Local 3313. FTA union representatives have been working diligently, along with Union's Chief Negotiator, Peter Winch from AFGE District 14, to get a good contract in place that meets the needs of FTA bargaining unit employees." This endeavor marks the first of five CBAs negotiated in the shadow of recent executive orders designed to limit the influence of Unions and strip employees of certain historically safe due processes like the expectation of progressive punishment, and reduced grievance authority. Unlike previous negotiations, FTA can expect to file grievances and endure impasse litigation/court battles. FTA's team is led by Cynthia Cox-Grollman, the long-time Vice President (not pictured here), along with (standing - Eugene Kinard and Betty Jackson), and (seated - Paul Veltri, and Chief Negotiator, Peter Winch. Other FTA negotiation team members not pictured include Jim Muir and Joy Whren.



PHMSA's Flexible Work Schedules Following lengthy negotiations, AFGE secured the creation of a new alternative work schedule for PHMSA's Bargaining Unit Employees. In addition to the Compressed Work Schedule (5/4-9) created by the 2015 Collective Bargaining Agreement, employees may now elect to work on the new Flexible Work Schedule (FWS). Under the FWS, an employee can select two one-hour windows of arrival and departure, allowing for substantial flexibility in working hours and for employees to vary the number of hours worked in a given day. Under FWS, employees can also earn credit hours, which can be used in lieu of annual leave and may be carried over (up to 24 hours) between pay periods. The new FWS also reduces core hours for all employees, and eliminates them on Fridays.

By: Forrest Pittman, PHMSA 2VP, AFGE Local 3313

House Control Could Impact Federal Employees

Published: November 7, 2018

More in: Fedweek

The upcoming change to Democratic control of the House following the November 6 elections could have a substantial impact on policies for federal employees and retirees, lessening the chances of erosion in the value of their benefits while shifting scrutiny away from them and onto political appointees instead. Rep. Elijah Cummings, D-Md., in line to take over a key House oversight committee, has opposed executive orders on disciplinary policies and union rights, and has vowed to "shine a light on waste, fraud, and abuse in the Trump administration

Democrats traditionally have resisted Republican proposals to decrease the value of retirement and health insurance benefits, for example, while advocating larger annual raises. Even during Republican control of both chambers of Congress in recent years—the GOP will remain in charge of the Senate with a slightly increased majority next year—they were largely successful in protecting benefits, although raises have been held to the 1-2 percent range.

The House is unlikely to advance proposals that increase federal employee contributions toward retirement, erode retiree COLAs or reduce the government contribution toward FEHB premiums. The Trump administration and House Republicans during the Obama administration, have proposed such changes.

Things You Should Know

Can an employee who works beyond normal duty hours get overtime or compensatory time?

Yes, if an employee works outside of their normal tour of duty, that employee must be approved in advance by the supervisor. If there is a clear expectation by the supervisor that the employee will be working outside of the normal duty hours, then the employee must be compensated by overtime or compensatory time. 29 USC Chapter 8; 5 USC Chapter 55 and 5 CFR Parts 550 and 551.

Union Membership Current dues are \$19.75 per pay period and are tax deductible. Visit www.afgelocal-3313.org to review the tremendous benefits for members. Contact a union rep during your lunch period if you want to discuss union membership. Each new member and recruiter gets \$50. The more members we have, the stronger we are and the better we can represent your interests.

What is a Past Practice?

A *Past Practice* is a common term used to describe work site behavior that is consistent and of significant duration such that it takes the form of an unwritten but enforceable policy if it concerns condition of employment. Once established, *past practices* are considered incorporated into the collective bargaining agreement and enforceable through the grievance-arbitration process.

What are Conditions of Employment?

Conditions of employment are personnel policies, practices and matters, whether established by rule, regulation or otherwise, affecting working conditions. 5 USC 7103(a)(14).

AFGE MEMBERSHIP PAYS!

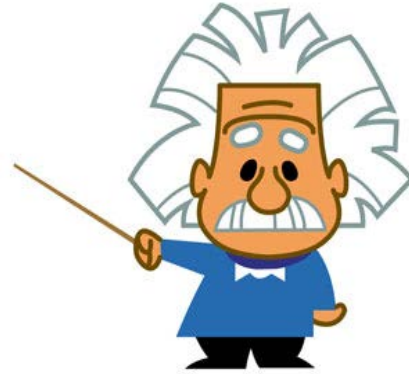
By using one or two of the AFGE benefit programs, many members have **saved more than the cost of their dues.**

HERE'S HOW:

Based on the average dues for an AFGE member of \$20 a pay period

Savings = 2 years of dues

- 1 ½ months of dues**
Save \$72 on AT&T wireless service
- Almost a year of dues**
Save \$502 on auto insurance
- 1 month of dues**
Save \$45 on flower delivery
- 2 ¾ months of dues**
\$140 average savings for Purchasing Power
- 6 months of dues**
Save \$260 on legal services
- A month of dues**
Save \$43 on car rentals
- 1 ½ months of dues**
Save \$75 on Firestone tires and service



It does not take an Einstein to see this is a good deal!

MORE Money Saving Benefits for AFGE Members Only!

- Real Estate** Save \$1,050 with the cash-back savings for buying and selling a home, based on the average price of an AFGE member's mortgage.
- Pet Insurance** \$35 annual savings with discounted pet insurance.
- Veterinarian** \$364.60 annual savings with 25% off the \$1,300 average annual vet bill Discounts and 40% of enrollment.
- Mortgage** \$500 award card with every mortgage. First-time home buyers can receive a \$500 award for a total savings of \$1,000.
- Motor Club** \$59.75 annual savings by using the AFGE Motor Club instead of AAA.
- Entertainment** \$45 annual savings on movie and theme park tickets and more.
- Dell Computer** \$55 savings on a \$795 computer with the 7% Dell discount.
- Health Clubs** \$200 average annual savings with health club membership discounts.
- Consumer Report** \$8 annual savings with the 27% discount on *ConsumerReports.org*.

These Savings = 4 ½ years of dues



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