

# APA January/February 2013 Newsletter

## Lame Duck Legislation – What does it mean to me?

In a disingenuous and non-democratic course of events, the Michigan legislature and Governor Rick Snyder jammed through right-to-work for less legislation, signing it into law as Public Act 349 on December 11, 2012. All but four Republican senators and all but six Republican House members voted in favor of the legislation. No Democrats in either chamber voted in favor of the bill.

### What Are Right-To-Work Laws

In right-to-work states, unions are prohibited from including union security clauses in their contracts, which are those clauses that require all employees in the bargaining unit to either join the union or pay a portion of its dues as a condition of employment.

Worker-friendly states (those states without right-to-work laws), on the other hand, allow provisions for the union to be the exclusive bargaining agent for those workers who are eligible for membership, and may also require all eligible employees to pay at least a portion of the union dues.

In right-to-work settings, the union maintains the same legal obligation to all potential members for representation around wages, hours, and conditions of employment. However, the law allows those who receive the union benefit to not pay their fair share, free riding on those who remit dues.

Maintaining the uniformed legal obligation of service on the union and foreclosing the structure for funding those responsibilities strains the union's resources to zealously represent each and every member. Thus, right-to-work laws are generally enacted by anti-union, anti-labor, anti-middle class state legislatures to weaken a union's role in the workplace.

### Impact of Right-To-Work Laws

The action of Michigan's corporate special interest governor and state legislature attempt to diminish the positive impact the APA has diligently worked to secure around your wages, hours, and conditions of employment for the last 25 years. Two recent studies from the Economic Policy Institute and Ball State University show that right-to-work laws lower wages and benefits for everybody—not just union members.

Unionized settings 'pull up' wages and benefits for everybody. When unions are weakened and there is no wage pull, employers have no check and balance when they unilaterally drive down wages and benefits in both unionized and non-unionized sectors.

### Result of Public Act 349 on APA Members

The recently passed legislation will go into effect on March 27, 2013. However, when the law goes into effect, by its terms, it does not apply to any current agreements between the APA and Michigan State University. Since the APA is a party to a current collective bargaining agreement through September 30, 2015, the new legislation will not have any effect on the APA until, at least, the expiration of the current contract.

The APA continues to be extensively involved and deeply concerned with the impact of Public Act 349 on members' wages, hours, and conditions of employment. We continue to be engaged with our state (MEA) and national (NEA) affiliates and other statewide unions and organizations as we assess the best path to move forward.

Despite the governor's intention to weaken labor in Michigan by endorsing Public Act 349, we are certain this will only elevate the necessity of unions and strengthen our resolve.

At this moment in time, there is no change for APA members and the benefits afforded under the contract will continue. We remain steadfast in providing the quality service and representation on all aspects of your wages, hours, and working conditions. If you have any questions or concerns, please contact the APA office at (517) 353-4858.

## **Final Days; Final Thoughts – Legislative Update**

By Leo Sell, Legislative Committee Chair

Tuesday, November 6 is rapidly approaching. I write this on the day of the final debate between President Obama and his challenger. You'll find a link to the MEA Voter Guide elsewhere in this issue. So rather than duplicate information, I'm going to focus on how I hope APA members make their voting decisions.

First and foremost, members must decide to vote. It ought to go without saying, but the fact is roughly 1 out of 3 people who could vote in the national election do not do so. Even if our collective participation rate is higher, if 20 percent of you do not vote that is 500 people who are failing to exercise this critical civic duty. So first point – VOTE! Participate!

Second, please vote on an informed basis. This means different things for different people. For me, I start with my own general principles of support for economic justice, workers' rights/safety/collective bargaining rights and support, support for women's health rights, and science-based positions on climate change, fossil fuels, energy, etc. and even education of our children. (I am not a fan of religious intrusion into public education for instance).

Since I cannot know all candidates directly, I then turn to trusted organizations like MEA for screening decisions and I use that information to guide me in casting a vote for those offices and people less familiar to me – the nonpartisan/court races in particular.

On ballot issues I apply the same principles and guidance as well as looking at the analysis of organizations like Michigan's Citizens Research Council. Armed with all of that, I cast my vote and I guarantee you I do not completely subscribe to the MEA guidance in all cases.

I hope you engage in similar considerations as you ponder your vote.

Now, many of you will have already cast your votes. While Michigan's absentee balloting is not quite "no-excuse required" it is relatively easy to qualify. Casting an absentee ballot provides an opportunity to avoid the long lines that are expected this year due to the excessive number of ballot proposals to consider. If you haven't already requested one and can qualify you have until Saturday November 3 at 2pm to request one from your local clerk.

Interestingly, where no-excuse absentee balloting is allowed, voter turnout and participation is already very robust. This makes it plain to me that Americans will participate if the convenience to do so is increased. Unfortunately, quite the opposite has been happening here in Michigan and in our neighbor state, Ohio, where deliberate attempts to scare and intimidate certain demographics have been reflected by requiring duplicative assertion of citizenship, reduction of early voting opportunities, etc. See some other thoughts on the subject written for the Muskegon Chronicle -

[http://www.mlive.com/opinion/muskegon/index.ssf/2012/09/david\\_kolb\\_the\\_absentee\\_ballot.htm](http://www.mlive.com/opinion/muskegon/index.ssf/2012/09/david_kolb_the_absentee_ballot.html)  
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So to my earlier list of my principles, add encouraging voters/voting rights and convenience for ALL voters. The voter suppression tactics widely engaged in this year are frankly utterly disgusting.

## Know Your Contract

APA bargains your annual wage increases and health care coverage collectively with the other labor organizations on campus (Coalition of Labor Organizations (CLO)) through the Joint Health Care Committee.

Historically, the University and the unions have collectively worked together to protect the quality of health care coverage while keeping costs down. The health insurance increases for the University have been below the national trend for many years. This has been accomplished by problem-solving together.

The mission of the Joint Health Care Committee (JHCC) is as follows:

We commit to work together to support and promote the health and well-being of Michigan State University, its employees and their families through cost effective, accessible, quality driven health care in an effort to ensure a productive workforce.

The Memorandum of Understanding between Michigan State University and the CLO expires on December 31, 2013. This agreement is referred to in Article 44 Health Care Coverage of the MSU-APA Master Agreement. Over the life of the current agreement, the cost of health care has been held well below the 5% increase threshold. In the last plan year, there was no health care cost increase except for legally mandated tax under Public Act 142, the Health Insurance Claims Assessment Act, which assessed a one percent tax on the cost of each paid health care claim.

As we approach bargaining wages and health care this year, it is important that APA knows what your health care experience has been and what challenges you have faced with dealing with the current third party administrator, Blue Cross/Blue Shield and Blue Care Network. If you have any concerns of which the bargaining team should be aware, please contact APA at [msuapa@msu.edu](mailto:msuapa@msu.edu) or (517) 353-4898.

If you have questions regarding coverage or claims issues, representatives from both the Community Blue and BCN MSU health plans maintain office hours in the Human Resources office each week. Krystal Williams from Community Blue is available from 9 a.m. to 4 p.m. on Tuesdays and 1 p.m. to 4 p.m. on Thursdays in Suite 30 of the Nisbet Building. Jasmine Henry from BCN is available on Mondays from 9 a.m. to 4 p.m. and Thursdays from 9 a.m. to 1 p.m. in the same location. You can call 517-884-0128 to make an appointment with Krystal or Jasmine. Both also see walk-ins during their office hours, but those with appointments are seen first.

## **Special Broad Art Museum Viewing for APA Members**

On Tuesday, February 19, 2013 from 5:30 to 8:00 pm the APA will be hosting our members, local legislators and leaders of MEA at the new Eli and Edythe Broad Art Museum at MSU. Sponsored by the Broads and other benefactors and designed by prize-winning architect, Zaha Hadid, the museum's innovative design is meant to symbolize the University's dynamic vision. The Broad Art Museum hosts several collections of art spanning a wide breadth of time periods and artistic styles, providing for a rich viewing experience.

Due to the reception being held after normal museum hours, we encourage your participation and that you reserve a spot to see the wonderful collection of art.

The reception will be sponsored by Michigan Education Association and MEA Financial Services.

Please send your RSVP to Shawn Mahorney at [myrdasha@msu.edu](mailto:myrdasha@msu.edu) no later than February 12, 2013.

## APA March General Elections

Per the APA Constitution and Bylaws, the annual APA Executive Board election shall be conducted by March 31 of each year. This year the 2013 election is scheduled to run from March 14 – March 25, 2013.

The 2013 election will include five (5) seats on the APA Executive Board with terms ending in 2016 and five (5) MEA/NEA Delegate positions with terms ending in 2016.

This communication serves as notice of the election and the opening of candidate nominations. All nominations must be submitted via email to the chair of the APA Elections Committee, Aaron Ledger, at [ledgeraa@msu.edu](mailto:ledgeraa@msu.edu) no later than 4pm on February 7, 2013.

All members in good standing are eligible for nomination. After close of nominations, properly nominated candidates will be contacted by the Committee to confirm willingness to run for office.

The APA 2013 Elections Committee includes: Aaron Ledger (Chair), Erica Phillipich, Leo Sell, Nancy Vanderwest, and Dave Graff.

Each year, the APA Nominations and Elections Committee work diligently to operate an efficient, accurate, and transparent election in compliance with the APA Constitution and Bylaws. In doing so, the Committee has scheduled an open ballot testing on March 11, 2013. There will also be an election results announcement on March 25, 2013.

Both public election events are open to full members of the APA and will commence at 5:15pm at the APA Office, located at 1480 Kendale Blvd., Suite 300 in East Lansing. If you have any questions please feel free to contact Aaron Ledger at [ledgeraa@msu.edu](mailto:ledgeraa@msu.edu).

Further announcements around the election will be provided in future APA Newsletters and via the official APA ListServ. Please watch your email for important election information.

## Legislative Update

By Leo Sell, Legislative Committee Chair

First and foremost, as most of you surely know, some onerous legislation called Right to Work (which is a complete misnomer) was passed during lame duck session and signed into law by the Governor. This was clearly payback for unions' collective Proposal 2 efforts.

So, what does right to work do to unions and their members? Well, imagine how you would feel if you were a dues-paying member of the Michigan Athletic Club or the local County Club, and you became aware that a number of people were using those very same services and facilities for free!! Right to work tasks unions with doing all forms of proper registration, but allows outright freeloading by people who chose that status in their union job. Any efforts that the union makes to improve benefits, or as in the last number of years, preserve what can be preserved, accrue to all. It simply is not right for members to be encouraged to freeload off of efforts that they don't lend their financial support to. The claim that it's just "free choice" is fallacious. There was already free choice in the sense that those who which to could avail themselves of representation service fee payer status. No, this is an undisguised effort to injure unions and working people and once again pander to greedy business interests.

Speaking of, another change pushed through was the phaseout of Michigan's Personal property taxes which are levied against industrial and commercial equipment and furniture. The legislation significantly reduces revenue to local municipalities and the loss of revenue is only partially reimbursed. And even that is based on promises and not a hard and fast commitment. Nope, this was just simply to give Governor Snyder's business cronies ANOTHER \$600M tax reduction at the expense of people like you and me.

People like you and me will also be hit hard this year by the Michigan income tax changes passed back in 2011 where attempts were made to make up revenue losses (for the original business tax reductions) by pushing less visible changes through on the income tax laws that apply to you and me. That homestead property tax refund you enjoy? Greatly reduced or eliminated for many people with average middle class incomes. Many commonly used tax credits were also eliminated, including public contributions (such as for the WKAR pledge drives) and much more. See [http://www.mlive.com/business/index.ssf/2013/01/michigan\\_income\\_tax.html](http://www.mlive.com/business/index.ssf/2013/01/michigan_income_tax.html) for a pretty good summation.

Oh, but your income tax rate was reduced by 0.1%. Call that an extra cup of cheap coffee per week.

Oh, and about all those extra jobs and economic activity that will result from these changes. Hasn't been seen yet. And don't hold your breath.

## Coat Drive Update – Thank You, APs!

Michigan's cold, icy weather can be a challenge, even for many individuals already accustomed to it at MSU. New students from warmer climates often quickly realize the need for several crucial additions to their wardrobes as the snow starts flying. However, the associated expenses are often beyond the means of some students, including many from migrant labor families coming to MSU for the dream of education, but with few funds and no experience with freezing temperatures.

Thanks to many APA members and supporters, winter has become a little easier for a number of at-need students. Over 550 coats and articles of winter apparel were donated during the 2012 APA Winter Coat Drive. Clothing contributions were collected by APA volunteers at several locations across campus during the November/December initiative. In conjunction with the Migrant Student Services office, donations have been sorted and are being distributed to worthy student programs. The APA Community Based Events Committee would like to thank all those individuals, groups, and departments joining in the drive.

The CBE Committee is always seeking for opportunities to support those in need at MSU and in the Greater Lansing Community. Ideas and inquiries should be made to Elias Lopez, [lopezell@vps.msu.edu](mailto:lopezell@vps.msu.edu), or Nick Bourland, [bourlan2@msu.edu](mailto:bourlan2@msu.edu).

## Read Across America Day

This year marks the sixteenth annual celebration of reading and Dr. Seuss's birthday! As we gear up for NEA's Read Across America Day, APA would like to ask fellow community members to put aside the many hats they wear for work and play and don the ultimate reading hat, the red and white striped stovepipe made famous by the Cat in the Hat, on Friday, March 1.

Be a part of this flurry (or furry) of reading excitement! Get involved in supporting children's literacy in our community:

- Since this NEA supported endeavor is designed to put every child in the company of a book, take the opportunity to read and enjoy! Read to a child in your life.
- Help set a good example. Contact a local preschool or Head Start program and volunteer with your child to share a story with younger children.
- Bring children to your public library. From story hours for toddlers to career planning for teens, the library has something for everyone.
- Make sure those who are in need have plenty to read. Donate books to hospitals and homeless shelters. Call ahead to see what is needed.
- Resolve to make March 1 the first of many days you volunteer to read at a school, afterschool program, community center, library, or daycare facility. You can make a difference to future generations of readers.

NEA estimates that last year almost 45 million children and adults celebrated the joy of reading on Dr. Seuss's birthday. This year they hope to bring a nation of readers together to really drive home the message about the importance of reading.

For more information on Read Across America, please visit [www.nea.org/readacross](http://www.nea.org/readacross). Let's all join together on March 1, and every day thereafter, to ensure that children have caring adults to share books and rich reading experiences.