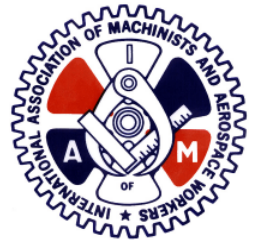




Update IAM LL 1943

May 25, 2011



Grievances Answered

We received two answers from arbitrators last week, winning one case and losing another. The first case was a 10-day suspension for insubordination. A shift supervisor claimed to have overheard the grievant tell a co-worker that he was going to refuse to do a work assignment. The supervisor confronted the grievant about the alleged comment privately. The Union contended that no insubordination had taken place as the grievant did not refuse a direct order and any alleged comments were not directed at the supervisor. The Company contended the grievant was disrespectful to his supervisor and insubordinate and that the arbitrator should not lessen the penalty. In his award the arbitrator stated, "...both the grievant and the supervisor testified credibly. Both had a credible but distinctly different recollection of what had occurred in their private conversation...The evidence presents a classic case of he said/he said and, in this arbitration, this is insufficient evidence for the Company to meet its burden of proof that it had just cause to suspend the grievant." Complete removal of the discipline and complete back pay were awarded the grievant. In the second case, the member was discharged for misusing approved FMLA leave and not being truthful in an investigation. The member suffered from a medical ailment that qualified for FMLA leave and reportedly could be worsened by physical activity. The member took the leave several times for the condition. The Company began videotaping the member when FMLA leave was taken. The first four surveillances showed no activity, but on the fifth the member was videotaped loading small items in a vehicle for transport on two occasions. The arbitrator concluded that although only the grievant knows for certain whether or not he was incapacitated, it was not credible that the member was suffering from the condition when he took FMLA leave. The discharge was upheld. We have 242 active grievances in the system. All grievances from 2007, and 2008 have now been settled, decided, or withdrawn. Only 5 remain from 2009. 60% of our active grievances are for discipline and 20% are for unwarranted drug and alcohol testing. Eight members are discharged.

How Will Our VEBA Work?

Our contract contains an agreement to have a trust dedicated to the payment of retiree health care, a Voluntary Employee Benefit Association or "VEBA". Our VEBA covers hourly workers who retired or will retire after June 1, 2007 from Middletown. Each year, usually in October, we review the Company's health care claims for hourly Middletown Works employees for the previous 18 months. We check the Company's calculations for active and retired premiums for the following year. For 2011, the total monthly premium for single active employees was \$436.16, and the total monthly premium for single retirees was \$651.05. We pay 12.5% of the premium while active, but when we retire we pay all amounts over \$200 each month for health care. For 2011, the retiree's share of the premium was \$451.05. (\$651.05-\$200.00) **That amount will be the same for the rest of 2011.** Around October of this year, we will conduct our annual review of the Company's health care claims. We will not know what the total monthly premiums will be until after that review. To show how our VEBA will work, let's use the following example: Assume that the total monthly premium rises to \$750 for 2012. The retiree's share would be \$550.00. (\$750-\$200) The VEBA will then cover some portion of the \$550.00, for example only let's assume \$150. The retiree would then pay \$400.00 per month in this example. How much the VEBA will pay will depend on what the total monthly premiums will be, how many people actually retire, how many are expected to retire, and how many are married. Each year these rates will be calculated and the amounts will be communicated during open enrollment for our retirees. We expect to lower the amounts we pay now and have money left over to earn interest and help fund retirement health care in the future with this VEBA. Anyone contemplating retirement should contact Ed DeVault at 425-3679 ext. 14, or if you have questions about the VEBA, call Ed or Scott at ext. 18.

Gate Collection

The Cold Mill Picklers Department will be holding a gate collection for one of their own this Friday May 27th. The gate collection is for Tim Benson, a 10 plus year employee that has been battling cancer. Since the scheduling of this gate collection, sadly Tim lost his fight with this disease and passed away last week. Tim was a great coworker and an even better human being. He will be greatly missed. Any contribution you can make will be greatly appreciated as Tim was sole provider for his family.

Your Executive Committee

Contact us at: 3679-3534-4721-4722
Phone: 513-423-6573 Fax: 425-6444 Hotline: 423-0477 Toll Free: 1-888-423-6573
Website: www.LL1943.org

Update

Profit Sharing

We received the profit sharing calculation from the Company for the first quarter that ended March 31, 2011. According to the calculation, there will be no profit sharing for the quarter. There is a charge for the Middletown Works Retiree Settlement, which we have notified the Company that we would like to review, as is our right under the contract. We will let you know the outcome of that review once it is conducted.

King's Island Day!!

It's official! Our annual Union Picnic @ King's Island will be held July 31st. For those of you that have been able to attend in the past, this is a great time and a wonderful opportunity to get together with your Union Brothers and Sisters and their families. **Tickets are available now!!** T-shirts are available at the time you buy your tickets. **Get your tickets early to make sure you get your t-shirt size.** Prices will be the same as last year: \$25 for regular tickets and \$5 for King's Island season pass holders. The past two years we have had around 1000 attendees each year. Lets see if we can top our personal best and get 1500 people out there.

Union Summerfest Picnic (SB5 Petition Signing Party)

Not to be confused with our annual Kings Island Picnic! **June 3rd** we are holding a picnic at the Union Hall to promote Solidarity, Unionism, and Fun! There will be all kinds of food available. We will also be collecting signatures for the petition to repeal SB5. This will be similar to the negotiations rally we had back in April. We heard from many of you how much you enjoyed that event and wanted us to do that more often. So here it is. The picnic will be held from 12pm to 5pm and there will be food and drinks available. This is a family event, please make plans to attend with your spouse and children.

Training Program

We have received many questions regarding the new Training Program that has been agreed upon with the new contract extension. The process of getting that program up and running is starting. Scott Rich is in the process of choosing the Training Director. The Training Director will be in charge of taking the training plan from a concept and making it a reality. Our hopes are that the strong foundation of the program will be implemented quickly, and developed more from there. We will keep you updated on the program as it progresses.

DVD Collection Drive

Your Good and Welfare Committee will be conducting a DVD collection drive. The DVD's that are collected will be donated to the Yellow Ribbon Support Center where they will be sent to our servicemen and women overseas. Please bring your gently used DVDs to the Union Hall at your convenience.

Calendar of Events

Now - YRSC DVD Drive

June 3rd - Union Summerfest Picnic @ the Union Hall

June 7th - Delegate's Day

June 9th - June Membership Meeting

July 31st - King's Island Day

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