

The United Worker

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'The Fight for Justice Is a Global One' says AFL-CIO's Fred Redmond in International Workers' Day Statement

Editor's note: The following is a statement from AFL-CIO Secretary-Treasurer Fred Redmond in commemoration of International Workers' Day

On May 1, 1886, in cities across the United States, workers from nearly every segment of the workforce didn't show up for work. Instead, they spent that Saturday demonstrating in the streets and city squares for an eight-hour day.

The largest demonstrations took place in Chicago, where tens of thousands of workers — the majority immigrants — spilled into the streets, and by doing so, they halted the means of production and supply chains. They chanted, "Eight hours for work, eight hours for rest, eight hours of what we will."

The striking workers were optimistic. They believed this was the time they could claw back some of the considerable power held by the industrial and financial capitalists and that they could improve their dismal working conditions.

The 1880s was an era of tremendous inequality, and this was a moment to restore balance to the economic scales, to seize the economic agenda from the grip of the wealthy few and place it in the hands of the workers whose labor created that wealth.

But the ruling classes did not yield to the workers' demands, and then on the fourth day of the strike, a single bomb was thrown into the ranks of the Chicago police and set off a wave of hysteria that included police assaulting and shooting the striking workers, violations of civil liberties of immigrants and union organizers, and a sham trial and public hanging of four of the movement's leaders.

The tragedy at Haymarket Square and the subsequent trial was front page news in America and around the world. And it had a chilling effect on union organizing, and on attitudes toward immigrants and the working class.

But the Haymarket massacre also ended up galvanizing the labor movement both here and globally.

Even before the events at the Haymarket, and in the face of virulent racism, Black workers had long participated in and led la-



Pictured from left to right are AFL-CIO Secretary-Treasurer Fred Redmond, UIW President David Heindel, and AFL-CIO President Liz Shuler.

bor strikes and collective action to gain better treatment on the job.

Atlanta washerwomen led a campaign to organize the city's woefully underpaid and undervalued laundresses, and in 1881, they held a general strike for a living wage and protections on the job and won.

We can only vanquish oppression in all its forms when we stand together.

And in 1892, Black and white workers came together during the General Strike in New Orleans. In their fight for better wages, a shorter workday and closed union shops, they brought local business to a halt and proved that they were essential to the city's economy.

Despite the attempts of the business owners to use racism to divide the workers, they remained united and won many of their demands.

That tradition of solidarity lives on, and today, more than 100 countries celebrate the first day of May as International Workers' Day. Working people and their unions around the world take action to show that injustice anywhere is a threat to justice everywhere.

It is an opportunity for workers in the

United States to recommit ourselves to solidarity among all working people. And a reminder that we can only vanquish oppression in all its forms when we stand together and speak out and march forward for the economic rights and dignities that all working people deserve.

This isn't just a labor issue. It's a social and racial justice issue.

All working people are entitled to living wages, basic rights, and dignity on the job — regardless of who we are, where we were born, what language we speak, and what faith we practice.

The income and racial inequality gap is the largest it has been in 50 years. The balance of power has shifted completely to corporations, and the labor laws designed to empower and protect working people have been intentionally weakened over the last 80 years, and it's become harder for people to improve their working conditions.

That's why we are fighting so hard to fix our broken and outdated labor laws and win passage of the Protecting the Right to Organize Act.

Equity and opportunity are baked in unions. Union workers earn 10%

more than their nonunionized peers, and Black workers represented by a union are paid 13% more than their nonunionized peers.

But the union difference is more than higher wages. Union members are more likely to have access to employer-sponsored health care and retirement benefits. Workers covered by a collective bargaining agreement are far more likely to have a guaranteed defined benefit pension plan that provides a lifetime of income in retirement. Unions also play a significant role in reducing racial resentment.

Unions advocate for a fair immigration system, and an economy that brings workers out of the shadows and protects our rights to stand up to abusive employers.

And we advocate for trade policies that strengthen protections and wages for working people across all borders.

The fight for justice is a global one. It touches every issue affecting working people. And it will only advance if we join together in our places of work, end systemic racism in our society, and catalyze meaningful change for all workers. And together, we will.

Union Members Mobilize for International Workers' Day



The UIW's parent union had a strong turnout for International Workers Day/May Day in Puerto Rico on May 1. Heavy rain didn't dampen the enthusiasm of the thousands of attendees, who gathered to express support for workers' rights. The SIU contingent included Asst. VP Amancio Crespo, Safety Director Ricky Rivera, STOS Abdiel Clinton, QMED Edwin Morales, and Steward/Baker Billy Joel Burgos-Burgos. The photos above are from the event.

From the President

Ahead of Election Day



David Heindel

Since there is no escaping the media coverage or the ads, none of us can forget for more than a moment that 2024 is an election year. While the runup can be tiresome, the results will have a big effect on our union.

Right off the bat, I encourage our members to be mindful not just of the presidential race, but also your respective congressional, state and local elections. They all matter, and in some cases, the ones closest to home may have the largest impact.

With that said, having a pro-worker administration and a pro-worker U.S. Congress makes an enormous difference in our capacity to provide good jobs and job security for UIW members. As a consequence of all the inevitable

noise that comes with politics, people sometimes may become distracted from the crucial need for all of us in the labor movement to support the candidates who support our issues and our lines of work. That may sound like basic common sense, but how many times have you heard about folks voting against their own best interests?

Both the UIW and our parent union have long records of bipartisan support, and that'll never change. We support the candidates who support workers and our industries, regardless of political party.

The current administration has been, hands down, the most pro-worker, pro-union administration I've ever seen. These are not just sound bites from the campaign trail; they're the truth.

President Biden is the first president to ever walk a picket line, and he didn't do so for a photo opp. His record throughout his first term demonstrates that he's the right choice for working people. He has led our economy out of crisis with record-low unemployment; made historic investments in America's infrastructure, manufacturing and good union jobs; strengthened workers' rights; protected our retirements; boosted Buy American rules; lowered prescription costs; and more.

Although the president's pro-labor executive orders and pro-worker National Labor Relations Board rarely make front-page news, they have been massively important for America's working families. They have facilitated higher wages, workplace safety, and a resurgence in union representation elections.

By contrast, as spelled out by the AFL-CIO, the prior office holder "told us in 2016 he would stand with workers. He lied. The difference now is that he has a record he can't hide from. And that record was catastrophic for workers. He spent four years in office weakening unions and working people while pushing tax giveaways to the wealthiest among us. He stacked the courts with judges who want to roll back our rights on the job. He made us less safe at work. He gave big corporations free rein to lower wages and make it harder for workers to stand together in a union."

Like I said, it's not about the capital letter after a candidate's name. It's about where they stand on workers' rights and good jobs here at home. I encourage all of our members to stay informed on the key issues and to support the candidates who'll be best for your livelihood and your community.

Last but not least, we would all do well to take plenty of deep breaths between now and Election Day, and to give people the benefit of the doubt. I've been encouraged by some of the press coverage I've consumed in recent weeks – articles that solidly reflect the large number of Americans who are moderate.

At other times.... Well, I'm not saying that the news media routinely sensationalizes its stories, but let's face it: The more jarring the headline, the more likely we probably are to click or tap or stay tuned. It's a modern-day reality of the news business.

Let's keep it civil, get the facts, and get out the vote.

Naval Station Norfolk Career Fair



UIW Representatives Josh Rawls and Mario Torrey are all smiles as they attend a career fair held at Naval Station Norfolk, Virginia.

EPI Supports FTC's Ban of Noncompete Agreements

The following statement was issued by Heidi Shirholz, president of the Economic Policy Institute, on April 23, 2024.

Today, the Federal Trade Commission voted to issue a rule declaring that most noncompete clauses in employment contracts are unfair methods of competition. This is an important step toward fostering fair competition and empowering U.S. workers.

Noncompete agreements are employment provisions that ban workers at one company from working for, or starting, a competing business within a certain period of time after leaving a job. These agreements are ubiquitous. EPI research finds that more than one out of every four private-sector workers—including low-wage workers—are required to enter noncompete agreements as a condition of employment.

The only source of leverage nonunionized workers have with respect to their employers is their ability to quit and take a job somewhere else. Employers are using noncompete agreements to cut that source of worker power off at the knees. The research on the economic impact of noncompetes is clear—by keeping workers from finding better opportunities, they

reduce wages and reduce the formation of new firms. In other words, by restricting employees from joining competitors or starting their own ventures, noncompetes impede not only individual career and wage growth but also the dynamism of the broader economy.

It's worth noting that employers do not need noncompetes to protect their trade secrets—for example, intellectual property law already provides significant legal protections for trade secrets. Noncompetes have been unenforceable in California for decades without keeping that state from becoming a leader in tech innovation. The fact that noncompetes are often bundled with other employer practices like nondisclosure, nonsolicitation, nonpoaching, and mandatory arbitration underscores that the purpose of noncompete agreements is to restrict employee options, not protect trade secrets.

Noncompetes are about reducing competition, full stop. It's in their name. Noncompetes are bad for workers, bad for consumers, and bad for the broader economy. This rule is an important step in creating an economy that is not only strong but also works for working people.

Florida Board of Trustees Meeting



This photo was captured at the Board of Trustees Meeting held in Fort Lauderdale, Florida from February 12 - 16, 2024. Pictured from left to right are UIW Assistant National Director John Merchant, UIW Caribbean Region Vice President Jacqueline P. Dickenson, UIW President David Heindel, and UIW National Director Karen Horton-Gennette.



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Great Lakes Region: Monte Burgett, vice president

Gulf Coast Region: Dean Corgey, vice president

Midwest Region: Chad Partridge, vice president

West Coast Region: Nicholas Marrone, vice president



ANNUAL FUNDING NOTICE

Introduction

This notice includes important information about the funding status of your multiemployer pension plan (the "Plan"). It also includes general information about the benefit payments guaranteed by the Pension Benefit Guaranty Corporation ("PBGC"), a federal insurance agency. All traditional pension plans (called "defined benefit pension plans") must provide this notice every year regardless of their funding status. This notice does not mean that the Plan is terminating. It is provided for informational purposes and you are not required to respond in any way. This notice is required by federal law. This notice is for the plan year beginning January 1, 2023 and ending December 31, 2023 ("Plan Year").

How Well Funded Is Your Plan

The law requires the administrator of the Plan to tell you how well the Plan is funded, using a measure called the "funded percentage." The Plan divides its assets by its liabilities on the Valuation Date for the plan year to get this percentage. In general, the higher the percentage, the better funded the plan. The Plan's funded percentage for the Plan Year and each of the two preceding plan years is shown in the chart below. The chart also states the value of the Plan's assets and liabilities for the same period.

Funded Percentage			
	2023	2022	2021
Valuation Date	January 1, 2023	January 1, 2022	January 1, 2021
Funded Percentage	108.3%	131.3%	122.4%
Value of Assets	\$121,534,222	\$144,556,378	\$132,205,304
Value of Liabilities	\$112,226,634	\$110,057,946	\$108,003,380

Year-End Fair Market Value of Assets

The asset values in the chart above are measured as of the Valuation Date. They also are "actuarial values." Actuarial values differ from market values in that they do not fluctuate daily based on changes in the stock or other markets. Actuarial values smooth out those fluctuations and can allow for more predictable levels of future contributions. Despite the fluctuations, market values tend to show a clearer picture of a plan's funded status at a given point in time. The asset values in the chart below are market values and are measured on the last day of the Plan Year. The chart also includes the year-end market value of the Plan's assets for each of the two preceding plan years.

The December 31, 2023 fair value of assets disclosed below is reported on an unaudited basis since this notice is required to be distributed before the normal completion time of the audit which is currently in progress.

	Dec. 31, 2023	Dec. 31, 2022	Dec. 31, 2021
Fair Market Value of Assets	\$130,448,000	\$121,534,222	\$144,556,378

Endangered, Critical, or Critical and Declining Status

Under federal pension law, a plan generally is in "endangered" status if its funded percentage is less than 80 percent. A plan is in "critical" status if the funded percentage is less than 65 percent (other factors may also apply). A plan is in "critical and declining" status if it is in critical status and is projected to become insolvent (run out of money to pay benefits) within 15 years (or within 20 years if a special rule applies). If a pension plan enters endangered status, the trustees of the plan are required to adopt a funding improvement plan. Similarly, if a pension plan enters critical status or critical and declining status, the trustees of the plan are required to adopt a rehabilitation plan. Funding improvement and rehabilitation plans establish steps and benchmarks for pension plans to improve their funding status over a specified period of time. The plan sponsor of a plan in critical and declining status may apply for approval to amend the plan to reduce current and future payment obligations to participants and beneficiaries.

The Plan was not in endangered, critical, or critical and declining status in the Plan Year.

If the plan is in endangered, critical, or critical and declining status for the plan year ending December 31, 2024, separate notification of the status has or will be provided.

Participant Information

The total number of participants and beneficiaries covered by the plan on the valuation date was 3,461. Of this number, 906 were current employees, 1,102 were retired and receiving benefits, and 1,453 were retired or no longer working for the employer and have a right to future benefits.

Funding & Investment Policies

Every pension plan must have a procedure to establish a funding policy for plan objectives. A funding policy relates to how much money is needed to pay promised benefits. The funding policy of the Plan is to provide benefits from contributions by signatory employers under the terms of collective bargaining agreements between the United Industrial Service, Transportation, Professional and Government Workers of North America and the employers.

Investment objectives:

Assets of the Plan shall be invested with sufficient diversification so as to minimize the risk of large losses unless it is clearly prudent under the then current circumstances not to do so. Plan assets shall be invested in a manner consistent with the fiduciary standards of ERISA and supporting regulations, and all transactions will be undertaken on behalf of the Plan in the sole interest of Plan participants and beneficiaries. Assets of the Plan shall be invested to maintain sufficient liquidity to meet benefit payment obligations and other Plan expenses.

Investment Guidelines:

With respect to any Investment Manager who is appointed by the Trustees to manage as Plan Asset Manager, such Plan Asset Manager will discharge its responsibilities with respect to the Plan's assets in accordance with the fiduciary responsibilities under ERISA and all regulations thereunder and shall not violate any of ERISA's "prohibited transaction" rules. The Plan Asset Manager shall be a bank (trust company), insurance company, or a registered investment advisor under the Investment Advisers Act of 1940. The Plan Asset Manager shall acknowledge in writing that it is a fiduciary of the Plan within the meaning of Section 3(21)(A) of ERISA and an "investment manager" within the meaning of Section 3(38) of ERISA.

Asset Allocation:

The Fund's assets are invested in the following asset classes and maintained within the corresponding ranges. The Trustees make appropriate adjustments if one or more of the limits are breached.

Asset Class	Target	Range
Domestic Equities	50%	35% - 60%
Fixed Income	50%	40% - 65%

Standards of Investment Performance:

Each Investment Manager is reviewed regularly regarding performance, personnel, strategy, research capabilities, organizational and business matters and other qualitative factors that may affect its ability to achieve the desired investment results. Consideration will be given to the extent to which performance results are consistent with the goals and objectives set forth in the Investment Policy and/or individual guidelines provided to an Investment Manager. The Plan's investment policy outlines prohibited investments as well as limits regarding the percentage of the fund that may be invested in any one company and industry. Minimum credit quality guidelines are established and provided to investment managers. No investment may be made which violates the provisions of ERISA or the Internal Revenue Code.

The Trustees review the Plan's investment policy on a regular basis and make periodic changes when, based on all available information, it is prudent to do so.

Under the Plan's investment policy, the Plan's assets were allocated among the following categories of investments, as of the end of the Plan Year. These allocations are percentages of total assets:

Asset Allocations	Percentage
1. Cash (Interest-bearing and non-interest bearing)	1
2. U.S. Government securities	29
3. Corporate debt instruments (other than employer securities):	
a. Preferred	20
b. All other	
4. Corporate stocks (other than employer securities):	
a. Preferred	
b. Common	35
5. Partnership/joint venture interests	
6. Real estate (other than employer real property)	
7. Loans (other than to participants)	
8. Participant loans	
9. Value of interest in common/collective trusts	1
10. Value of interest in pooled separate accounts	
11. Value of interest in master trust investment accounts	
12. Value of interest in 103-12 investment entities	
13. Value of interest in registered investment companies (e.g., mutual funds)	14
14. Value of funds held in insurance co. general account (unallocated contracts)	
15. Employer-related investments:	
a. Employer Securities	
b. Employer real property	
16. Buildings and other property used in plan operation	
17. Other	

For information about the plan's investment in any of the following type of investments as described in the chart above – common/collective trusts, pooled separate accounts, master trust investment accounts, or 103-12 investment entities, contact: Margaret Bowen, Plan Administrator, at 301-899-0675, or by writing to: Plan Administrator, 5201 Capital Beltway Drive, Camp Springs, Maryland 20746.

Right to Request a Copy of the Annual Report

Pension plans must file annual reports with the US Department of Labor. The report is called the "Form 5500." These reports contain financial and other information. You may obtain an electronic copy of your Plan's annual report by going to www.efast.dol.gov and using the search tool. Annual reports also are available from the US Department of Labor, Employee Benefits Security Administration's Public Disclosure Room at 200 Constitution Avenue, NW, Room N-1513, Washington, DC 20210, or by calling 202.693.8673. Or you may obtain a copy of the Plan's annual report by making a written request to the plan administrator. Annual reports do not contain personal information, such as the amount of your accrued benefit. You may contact your plan administrator if you want information about your accrued benefits. Your plan administrator is identified below under "Where To Get More Information."

Summary of Rules Governing Insolvent Plans

Federal law has a number of special rules that apply to financially troubled multiemployer plans that become insolvent, either as ongoing plans or plans terminated by mass withdrawal. The plan administrator is required by law to include a summary of these rules in the annual funding notice. A plan is insolvent for a plan year if its available financial resources are not sufficient to pay benefits when due for that plan year. An insolvent plan must reduce benefit payments to the highest level that can be paid from the plan's available resources. If such resources are not enough to pay benefits at the level specified by law (see Benefit Payments Guaranteed by the PBGC, below), the plan must apply to the PBGC for financial assistance. The PBGC will loan the plan the amount necessary to pay benefits at the guaranteed level. Reduced benefits may be restored if the plan's financial condition improves.

A plan that becomes insolvent must provide prompt notice of its status to participants and beneficiaries, contributing employers, labor unions representing participants, and PBGC. In addition, participants and beneficiaries also must receive information regarding whether, and how, their benefits will be reduced or affected, including loss of a lump sum option.

Benefit Payments Guaranteed by the PBGC

The maximum benefit that the PBGC guarantees is set by law. Only benefits that you have earned a right to receive and that cannot be forfeited (called vested benefits) are guaranteed. There are separate insurance programs with different benefit guarantees and other provisions for single-employer plans and multiemployer plans. Your Plan is covered by PBGC's multiemployer program. Specifically, the PBGC guarantees a monthly benefit payment equal to 100 percent of the first \$11 of the Plan's monthly benefit accrual rate, plus 75 percent of the next \$33 of the accrual rate, times each year of credited service. The PBGC's maximum guarantee, therefore, is \$35.75 per month times a participant's years of credited service.

Example 1: If a participant with 10 years of credited service has an accrued monthly benefit of \$600, the accrual rate for purposes of determining the PBGC guarantee would be determined by dividing the monthly benefit by the participant's years of service (\$600/10), which equals \$60. The guaranteed amount for a \$60 monthly accrual rate is equal to the sum of \$11 plus \$24.75 (.75 x \$33), or \$35.75. Thus, the participant's guaranteed monthly benefit is \$357.50 (\$35.75 x 10).

Example 2: If the participant in Example 1 has an accrued monthly benefit of \$200, the accrual rate for purposes of determining the guarantee would be \$20 (or \$200/10). The guaranteed amount for a \$20 monthly accrual rate is equal to the sum of \$11 plus \$6.75 (.75 x \$9), or \$17.75. Thus, the participant's guaranteed monthly benefit would be \$177.50 (\$17.75 x 10).

The PBGC guarantees pension benefits payable at normal retirement age and some early retirement benefits. In addition, the PBGC guarantees qualified preretirement survivor benefits (which are preretirement death benefits payable to the surviving spouse of a participant who dies before starting to receive benefit payments). In calculating a person's monthly payment, the PBGC will disregard any benefit increases that were made under a plan within 60 months before the earlier of the plan's termination or insolvency (or benefits that were in effect for less than 60 months at the time of termination or insolvency). Similarly, the PBGC does not guarantee benefits above the normal retirement benefit, disability benefits not in pay status, or non-pension benefits, such as health insurance, life insurance, death benefits, vacation pay, or severance pay.

For additional information about the PBGC and the pension insurance program guarantees, go to the Multiemployer Page on PBGC's website at www.pb.gc.gov/multiemployer. Please contact your employer or plan administrator for specific information about your pension plan or pension benefit. PBGC does not have that information. See "Where to Get More Information About Your Plan," below.

Where to Get More Information

For more information about this notice, you may contact the Plan Administrator at:

UIW Pension Plan, Attn: Margaret Bowen, 5201 Capital Gateway Drive, Camp Springs, MD 20746; 301.899.0675

For identification purposes, the official plan number is 001 and the plan sponsor's employer identification number or "EIN" is 11-6106805.

Bertha C. Boschulte School Celebrates Appreciation Day

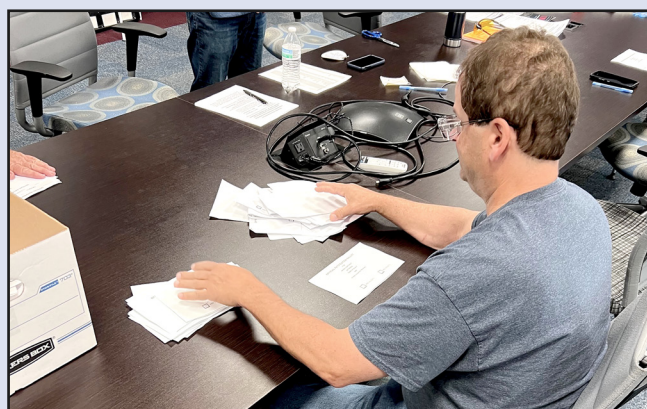
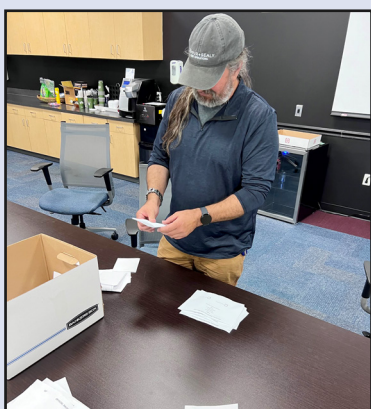
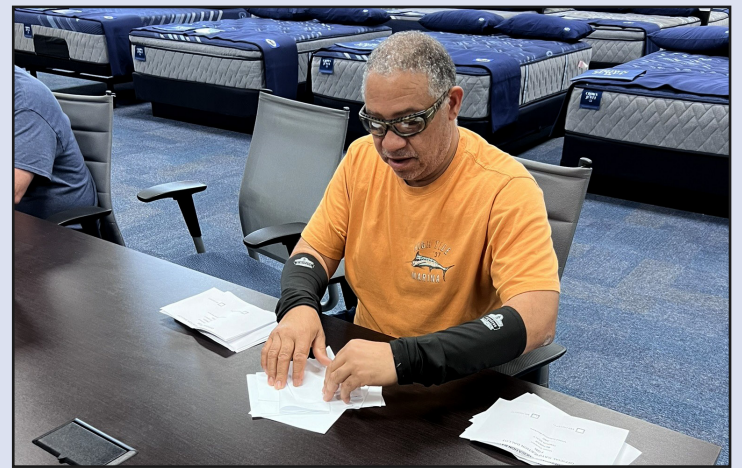
In the photos below, UIW Kitchen Staff members at the Bertha C. Boschulte School, located in St. Thomas in the U.S. Virgin Islands, prepare breakfast for appreciation day for students, faculty and staff.



Members Approve Sealy Contract

UIW members voted on the new collective bargaining agreement at TempurSealy International in Hagerstown, Maryland. The new contract passed and was ratified this spring. In the top left photo (from left to right) are SEATU Assistant Vice President Shane Sterry, truck driver Brad Newcomer, UIW Representative Jose Argueta, UIW Vice President Monte Burgett, unibody staff Karl Boyd, and panel

quilter Glenn Jordan. Boyd completes his ballot in the top right photo. In the bottom left photo, Newcomer looks over his ballot. Jordan is shown in the center photo on the bottom. In the bottom right photo (from left), Glenn Jordan, Karl Boyd and Brad Newcomer review their ballots as UIW Vice President Monte Burgett (right) looks on.



National Labor Relations Board Defends Union Casino Workers in Cemex Ruling

Editor's note: The following story was written by Alex N. Press for Jacobin.

When workers at three Station Casinos properties in Las Vegas, Nevada — the Red Rock Casino Resort & Spa, the Boulder Station Hotel & Casino, and the Palace Station Hotel & Casino — started organizing to join the Culinary Workers Union in 2019, Station Casinos management kicked off a heavy-handed union-busting campaign. Now, thanks to a first-of-its-kind National Labor Relations Board (NLRB) ruling, the casino chain may be forced to recognize a union despite its workers not having won a union election.

According to the National Labor Relations Board, managers engaged in “serious pervasive unlawful misconduct,” including, most colorfully, serving hundreds of Station workers free steaks branded with the words “VOTE NO!” That incident took place two days before the workers voted in an NLRB union election in 2019: the result was 627 to 534 against joining the Culinary Workers Union. According to the board, the company did this because the quality of food served to workers was a major concern among employees. The NLRB found that the company’s misconduct began well before the NLRB vote and continued for months following it.

“The whole record reflects that [Station Casinos’] extensive coercive and unlawful misconduct stemmed from a carefully crafted corporate strategy intentionally designed at every step to interfere with employees’ free choice whether or not to select the Union as their collective-bargaining representative,” the board members wrote this June in their decision on the case, which involves sixteen unfair labor practice (ULP) charges filed by the union. “The centerpiece of [Station Casinos’] unlawful campaign was its tripart message promising and granting employees tremendous new benefits without the Union, threatening to withhold or withdraw these benefits if employees selected the Union, and implicitly threatening that selecting the Union could only lead to years of fruitless bargaining without any improvement to working conditions.”

In its decision, the board issued Station Casinos its first-ever Cemex bargaining order, making the Las Vegas dispute the test case for a tool the board hopes will discourage employers from breaking the law; currently, there are few deterrents to such criminality on the boss’s part. The Cemex order’s name comes from a 2023 case against a



building materials company, and it applies in cases where an employer’s lawbreaking during a union organizing campaign is severe enough to necessitate rerunning an NLRB election.

The process is as follows: if workers request their employer voluntarily recognize their union and the boss instead petitions the board for an election, only to then violate labor laws during the campaign, rather than rerunning the election — a protracted process that can stall a union’s momentum — a Cemex order requires the employer to recognize the union regardless of the election outcome, compelling them to begin contract negotiations.

In addition to the Cemex order, the NLRB ordered Station Casinos to remove workers’ photos from an anti-union website created by the company, as well as to reinstate with back pay a pro-union worker who had been fired, finding that the reasons given for her termination “were a pretext devised or directed by senior executives to ensure that there would be fewer union leaders in the voting unit in the event that a new election was ordered.”

Station Casinos can appeal the decision to federal court and challenge the order to bargain with the union. In a statement to the Huffington Post, the company said it was

reviewing the decision.

There are a number of other candidates for Cemex orders in the works: workers at a Trader Joe’s location in Manhattan want one too, for instance. And there are other cases coming down the pike: the Teamsters have increased the intensity of their efforts to organize with Amazon workers as well as the armies of subcontracted drivers who deliver the company’s packages to customers’ doors. In the case of the latter, workers want Amazon to be classified as a joint employer and consequently forced to bargain a contract with them. Should they request voluntary recognition as they unionize, forcing their employers to petition the board for formal elections only for Amazon to then retaliate, the board could issue a Cemex order.

None of this has been tested, and Station Casinos’ owners, brothers Frank and Lorenzo Fertitta, have proven willing to resist their workers’ demands — their properties are among the few holdouts in Las Vegas’s heavily unionized casino and hotel industry. In other words, we now have a new test of just how far employers are willing to go to challenge not only their workers, but the board itself.

New UIW Pensioners

Heremenegildo Cordero
Amer. Casting & Manufacturing Corp.
Bronx, NY

Ronnie Hawkins
Victory Refrigeration
Williamstown, NJ

Leodegario Lozano Santillan
Juanita’s Foods
Long Beach, CA

Brenda Cossin
Franklin International Inc.
Columbus, OH

James Town
CPC Logistics Inc.
Advance, NC

Terry Dye
CPC Logistics Inc.
Gloversville, NY

Garry Houston
Crown Cork & Seal
Abilene, TX

Charles Weatherly
First Coast Terminals LLC
Jacksonville, FL

Katherine Samson
Church Dwight & Company Inc
London, OH

Robert Millikin
Crown Cork & Seal
Abilene, TX

Anthony Cramer
Franklin International Inc.
Baltimore, OH

Courtney Johnson
33-00 Partners LLC
Brooklyn, NY

Jorge Treminio
Amer. Casting & Manufacturing Corp.
Bellerose, NY

Allen Tunnell
Armaly Brands
London, OH

Gone But Not Forgotten

CARMEN PAGAN

Pensioner Carmen Pagan, 96, passed away on February 25. Sister Pagan was born in Puerto Rico. She joined the UIW in 1963 while working with American Casting and Manufacturing Corp., and worked there until she began receiving her pension in 1993. She resided in Queens, New York.

STEPHANIE LOWE

Pensioner Stephanie Lowe, 87, passed away on February 25. Sister Lowe was born in Germany and she became a member of the union in 1971. Sister Lowe worked at Church & Dwight Company Inc. until she began receiving retirement stipends in 1998. She made her residence in London, Ohio.

JORGE LOPEZ BRUNO

Pensioner Jorge Lopez Bruno, 77, passed away on February 14. He was born in Vega Baja, Puerto Rico. Brother Lopez Bruno joined the UIW in 1970 and worked at Steelstran Industries

(Atlantic Cordage) Inc. until he began receiving retirement stipends in 2000. He resided in Vega Baja, Puerto Rico.

THOMAS POMELEO

Pensioner Thomas Pomeleo, 90, passed away on October 18. Brother Pomeleo was born in Texas City, Texas. He joined the UIW in 1987 and worked at Crown Cork & Seal until he began receiving his pension in 2004. Brother Pomeleo made his home in Santa Fe, Texas.

LEROY MOURER

Pensioner Leroy Mourer, 79, died on March 1. Brother Mourer was born in Pennsylvania. He became a member of the union in 1963. He was a long-time employee at A&E Products Group until he began receiving his pension in 2007. Brother Mourer made his residence in Ringtown, Pennsylvania.

MICHAEL MCCRANE

Pensioner Michael McCrane, 75, passed away on February 20. He was

born in Philadelphia. Brother McCrane joined the UIW in 1973. He worked at Victory Refrigeration until he began receiving retirement stipends in 2013. Brother McCrane made his home in Northampton, Pennsylvania.

VICTOR MEYER JR.

Pensioner Victor Meyer Jr., 80, passed away on February 22. Brother Meyer Jr. was born in Philadelphia. He became a member of the union in 1993. Brother Meyer Jr. was employed at Victory Refrigeration until he began receiving his pension in 2010. He resided in Cherry Hill, New Jersey.

IDELFONSO MENDOZA

Pensioner Idelfonso Mendoza, 75, passed away on April 16. Brother Mendoza was born in Michoacán, Mexico. He joined the UIW in 1999 and worked at Del Monte Corp. until he began receiving his retirement stipends in 2013. Brother Mendoza made his residence in Carson City, California.

EDWARD LOPEZ

Pensioner Edward Lopez, 70, passed away on April 29. Brother Lopez was born in Abilene, Texas. He joined the union in 1974 and worked for Crown Cork & Seal. Brother Lopez began receiving his pension in 2015. He resided in Abilene.

HENRY FLOWERS

Pensioner Henry Flowers, 89, passed away on April 5. He was born in South Carolina and joined the union in 1966. Brother Flowers was employed at Z. H. Klaff and Co. and worked there until he began receiving his pension in 2000. He resided in Aiken, South Carolina.

LESLIE WOOLEY

Pensioner Leslie Wooley, 66, passed away on April 6. Brother Wooley was born in Houston. He joined the union in 1990 and worked for Crown Cork & Seal until he began receiving retirement stipends in 2014. Brother Wooley made his residence in Centerville, Texas.

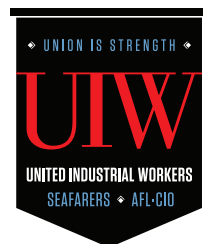
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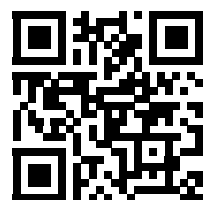


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UIW-AM-04-18-24

DOL's New Overtime Rule Set to Impact 4.3 Million Workers

Editor's note: The following article, courtesy of the Economic Policy Institute, explains new regulations resulting from the U.S. Department of Labor's recently issued final rule concerning overtime pay eligibility.

How the overtime threshold works

Overtime pay protections are included in the Fair Labor Standards Act (FLSA) to ensure that most workers who put in more than 40 hours a week get paid 1.5 times their regular pay for the extra hours they work. Almost all hourly workers are automatically eligible for overtime pay. But workers who are paid on a salary basis are only automatically eligible for overtime pay if they earn below a certain salary. Above that level, employers can claim that workers are "exempt" from overtime pay protection if their job duties are considered executive, administrative, or professional (EAP)—essentially managers or highly credentialed professionals.

The current overtime salary threshold is too low to protect many workers

The pay threshold determining which salaried workers are automatically eligible for overtime pay has been eroded both by not being updated using a proper methodology, and by inflation. Currently, workers earning \$684 per week (the equivalent of \$35,568 per year for a full-time, full-year employee) can be forced to work 60-70 hours a week for no more pay than if they worked 40 hours. The extra 20-30 hours are completely free to the employer, allowing employers to exploit workers with no consequences.

The Department of Labor's new final rule will phase in the updated salary threshold in two steps over the next eight months, and automatically update it every three years thereafter.

- Effective on July 1, 2024, the salary threshold will be raised to \$844 per week.
 - This is the equivalent of \$43,888 per year for a full-time, full-year worker.
 - In 2019, the Department updated the salary threshold to a level that was inappropriately low. Further, that threshold has eroded substantially in the last 4+ years as wages and prices have risen over that period, leaving roughly one million workers without overtime protections who would have

Who will become eligible for overtime pay under the final rule?

Date:	Most salaried workers earning less than:
Currently	\$684/week (\$35,568/year)
July 1, 2024	\$844/week (\$43,888/year)
Jan. 1, 2025	\$1,128/week (\$58,656/year)

Starting July 1, 2027, the eligibility thresholds will be updated every three years, based on current wage data.

dol.gov/OT

received those protections under the methodology of even that inappropriately weak rule. This first step essentially adjusts the salary threshold set in the 2019 rule for inflation.

- Effective on January 1, 2025, the salary threshold will be raised to \$1,128 per week.
 - This is the equivalent of \$58,656 per year for a full-time, full-year worker.
 - This level appropriately sets the threshold at the 35th percentile of weekly wages for full-time, salaried workers in the lowest-wage Census region, currently the South.
- The salary threshold will automatically update every three years thereafter, based on the methodology laid out in the rule, to ensure that the strength of the rule does not erode over time as prices and wages rise.

The final rule will benefit 4.3 million workers

- 2.4 million of these workers (56%) are women
- 1.0 million of these workers (24%) are workers of color
- The largest numbers of impacted workers are in professional and business services, health care and social services, and financial activities.
- The 4.3 million represents 3.0% of workers subject to the FLSA.

Expanding overtime protections is good for workers and manageable for employers

- The final rule will result in a transfer of

\$1.5 billion annually from employers to workers in increased pay.

- While that increase in wages will be enormously impactful to affected workers, it represents well under one-tenth of one-percent of total wages and salaries in the U.S. economy. Employers will be more than able to adjust to the rule without negatively impacting the overall economy.
- In addition to increasing pay for many workers, the overtime rule will also reduce excessive hours of unpaid work. Before this update to the salary threshold, the cost to employers of overworking salaried EAP workers who make more than \$684 weekly was effectively zero. The concept of overtime pay is designed to protect workers' most valuable asset—their time—and to push employers to value it too.
- Automatic updating is a smart and easy way to simply maintain the labor standard established in the proposal. If the threshold is not updated automatically over time, it will steadily weaken as a labor standard until the next rulemaking, covering fewer and fewer workers as the salary distribution naturally rises over time with inflation and productivity growth.
- With automatic updating, employers will know exactly what to expect and when to expect it. They will also be able to get a reasonable sense well in advance of what the next threshold will be, because they will be able to track on a dedicated Bureau of Labor Statistics website how the 35th percentile of full-time salaried worker earnings in the lowest-wage Census region is evolving over time.

DOL and OSHA Address Workplace Heat Safety

Advisory committee approves unanimously to advance proposed rule

The following statement was sourced from a May 8, 2024 OSHA National News Release issued by the U.S. Department of Labor:

The Department of Labor has taken an important step in addressing the dangers of workplace heat and moved closer to publishing a proposed rule to reducing the significant health risks of heat exposure for U.S. workers in outdoor and indoor settings.

On April 24, 2024, the department's Occupational Safety and Health Administration presented the draft rule's initial regulatory framework at a meeting of the Advisory Committee on Construction Safety and Health. The committee, which advises the agency on safety and health standards and policy matters, unanimously recommended OSHA move forward expeditiously on the Notice of Proposed Rulemaking. As part of the rulemaking process, the agency will seek and consider input from a wide range

of stakeholders and the public at-large as it works to propose and finalize its rule.

In the interim, OSHA continues to direct significant existing outreach and enforcement resources to educate employers and workers and hold businesses accountable for violations of the Occupational Safety and Health Act's general duty clause, 29 U.S.C. § 654(a) (1) and other applicable regulations. Record-breaking temperatures across the nation have increased the risks people face on-the-job, especially in summer months. Every year, dozens of workers die and thousands more suffer illnesses related to hazardous heat exposure that, sadly, are most often preventable.

"Workers at risk of heat illness need a new rule to protect workers from heat hazards. OSHA is working aggressively to develop a new regulation that keeps workers safe from the dangers of heat," explained Assistant Secretary for Occupational Safety and Health Doug Parker. "As we move through the required regulatory process for creating these protections, OSHA will use all of its existing tools to hold employers responsible when they fail to protect workers from known hazards such as heat, including our authority to stop employers from exposing workers to conditions which pose an imminent danger."

The agency continues to conduct heat-related inspections under its National Emphasis Program – Outdoor and Indoor Heat-Related Hazards, launched in 2022. The program inspects workplaces with the highest exposures to heat-related hazards proactively to prevent workers from suffering injury, ill-

ness or death needlessly. Since the launch, OSHA has conducted nearly 5,000 federal heat-related inspections.

In addition, the agency is prioritizing programmed inspections in agricultural industries that employ temporary, nonimmigrant H-2A workers for seasonal labor. These workers face unique vulnerabilities, including potential language barriers, less control over their living and working conditions, and possible lack of acclimatization, and are at high risk of hazardous heat exposure.

By law, employers must protect workers from the dangers of heat exposure and should have a proper safety and health plan in place. At a minimum, employers should provide adequate cool water, rest breaks and shade or a cool rest area. Employees who are new or returning to a high heat workplace should be allowed time to gradually get used to working in hot temperatures. Workers and managers should also be trained so they can identify and help prevent heat illness themselves.

"No worker should have to get sick or die because their employer refused to provide water, or breaks to recover from high heat, or failed to act after a worker showed signs of heat illness," Parker added.

As always, OSHA will share information and coordinate enforcement and compliance assistance efforts with states operating their own occupational safety and health programs. At the same time, the agency's compliance assistance specialists regularly meet with employer associations, workers and their advocacy groups and labor unions to supply information and education on heat hazards.

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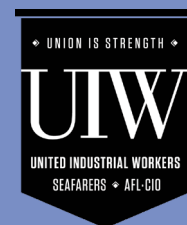
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AFL-CIO Releases 2024 Job Safety Report

Editors note: For over three decades, the AFL-CIO has published an annual report detailing the state of safety and health protections for workers across the United States of America.

Since the passage of the Occupational Safety and Health Act in 1970, the U.S.'s workplaces have transformed in ways that significantly reduced fatalities, injuries and illnesses that could happen on the job. In recent years though, these protections put in place by the act have been threatened by political opposition to regulations that ensure workplace safety and protect workers' rights.

The following article has been adapted from the AFL-CIO's yearly report about workplace safety across the U.S., issued on April 25, 2024.

Today, ahead of Workers Memorial Day on April 28, the AFL-CIO released our 33rd annual report, *Death on the Job: The Toll of Neglect*. This annual report serves as a national and state-by-state profile of worker safety and health, offering direction to policymakers and regulatory bodies as they strive to address the scourge of working people facing death, injury and illness at work. Among the report's startling data are the disproportionate rates of Latino and Black workers at risk of dying on the job. Black workers are facing the highest job fatality rates in nearly 15 years and Latino workers continue to face the greatest risk of dying on the job, compared to all other workers.

The report also sheds light on the enormous cost of job injuries and illness on our society—an estimated \$174 billion to \$348 billion a year—and the flat-funded budget for job safety agencies to fulfill their growing duties, which do not even keep up with inflation. It also outlines key strategies to address this crisis, including a renewed commitment to regulatory oversight agencies, improved data and transparency, stronger deterrents against employer retaliation, and prioritizing standard-setting and enforcement.

“Despite workers’ hard-won safety and health rights, this report shows the fight is far from over,” said AFL-CIO President Liz Shuler. “Too many workers face retaliation for reporting unsafe working conditions or injuries, while low penalties fail to deter employers from following the law. The alarming disparities in workplace fatalities among workers of color are unacceptable, symptomatic of deeply ingrained racial inequity and the need to pay increased attention to the dangerous industries that treat workers as disposable. As we honor those who have fallen this Workers Memorial Day, we remain committed to holding corporations accountable so that all jobs are safe jobs—where every worker can return home safely at the end of the day.”

“This report exposes an urgent crisis for workers of color and reaffirms what we’ve long known: When we talk about justice for workers, we must prioritize racial equity,” said AFL-CIO Secretary-Treasurer Fred Redmond. “The fact that Black and Latino workers continue to die on the job at disproportionate rates demands a reckoning with the failure of employers to protect them. We must honor the lives lost on the job with action, as we recommit ourselves to advancing safety, health and equity for all workers.”

This year’s report reveals that in 2022:

- 344 workers died each day from hazardous working conditions.
- 5,486 workers were killed on the job in the United States.
- An estimated 120,000 workers died from occupational diseases.
- The job fatality rate increased again to 3.7 per 100,000 workers.
- Workers of color die on the job at a higher rate: Black and Latino worker job fatality rates are disproportionate compared with all other workers and are continuing to increase.

Black workers’ job fatality rate was the highest it has been in nearly 15 years—4.2 per 100,000 workers.

Latino workers’ job fatality rate increased again to 4.6 per 100,000 workers—meaning they continued to face the greatest risk of dying on the job than all workers, at 24% higher than the national average; the rate marked a 24% increase over the past decade.

Employers reported nearly 3.5 million work-related injuries and illnesses, an increase from the previous year.

These sobering findings stress the urgent need for immediate action to prioritize worker safety and shed light on the escalating challenges facing workplace protections. Progress has been hindered by growing opposition from big corporations to workers’ rights and protections. Extremist politicians have also unnecessarily politicized critical issues such as climate change and the COVID-19 pandemic, which has created more challenges to longstanding problems of heat and infectious disease exposure in the workplace, and the lack of funding has left our agencies scrambling to keep up.

And in this critical election year, the stakes are even higher for those who need safe working conditions. The stark difference between the Biden and Trump administrations’ worker safety and health records underscore this significant moment for workers. While the Biden administration has issued strong standards and enforcement initiatives and has tirelessly worked to rebuild and fortify job and safety agencies after years of neglect and erosion, the prior administration’s actions led to severe understaffing, the repeal of essential worker safety laws, restrictions on public access to vital information and weak enforcement against employers who violate the law.

In light of these report findings and obstacles we continue to face, the AFL-CIO remains committed to prioritizing the prevention of injury, illness and fatalities at work, advocating for strong standards and organizing for safer working conditions while supporting leaders like President Biden who champion workers’ rights to a safe job. While there is still much work ahead, our advocacy for policies that protect workers and hold employers accountable remains steadfast. Collaboration with lawmakers, activists and allies will continue to advance workplace safety initiatives, ensuring that every worker has the opportunity to thrive in a safe and healthy environment.

1,130
Latino workers died on the job in 2021.

653
Black workers died on the job in 2021.

Workers of Color Are More Likely to Die on the Job
Black and Latino workers face disproportionate risks. These workers are more likely to have dangerous working conditions and more likely to be retaliated against by employers for speaking up about job hazards.

Each year, more than 5,000 WORKERS are killed by job injuries and 120,000 by occupational diseases.	\$4,354 average penalty for a serious federal OSHA violation.
\$12,063 median penalty for a worker's death.	Only 128 cases criminally prosecuted in 52 years.

A Safe and Healthy Workplace Is a Fundamental Right
Under the law, employers are responsible for creating and maintaining a safe workplace. The government is supposed to ensure employers are following the law. But OSHA is under-resourced, and the job safety laws need updating.

Is Your Workplace Safe?

It would take federal OSHA **190 YEARS** to inspect each workplace once.

Federal OSHA's budget: **\$3.99** to protect each worker

AFL-CIO For more info, visit: aflcio.org/death-on-the-job

AFL-CIO Officials Commemorate Juneteenth Holiday in Official Statement

AFL-CIO President Liz Shuler and AFL-CIO Secretary-Treasurer Fred Redmond released the following statement to commemorate Juneteenth:

Today, as communities around the country celebrate and reflect on the freedom of formerly enslaved Black people in Texas and the United States as a whole, the AFL-CIO reaffirms our commitment to racial justice and equity in the labor movement. We embrace Black power, resilience and joy, and we recommit ourselves to rooting out the scourge of systemic racism against our Black brothers, sisters and siblings in the workplace and in all corners of American life.

We also reckon with how we’ve failed in that sacred struggle, as economic disparities for Black Americans persist, more than 150 years after the abolition of slavery. Today’s economy continues to exploit Black labor, promote wage disparity and block Black workers from good jobs. The gap in the homeownership rate between Black and white families is greater now than when housing discrimination was legal—and communities of color are more likely to live in places with polluted air and toxic water. Black students are more likely to borrow money to go to

college and to get crushed with student loan debt. And after a lifetime of hard work filled with so many disparities, older Black Americans are less likely to have the savings needed to retire with dignity. It is our shared responsibility to combat these injustices—and to say forcefully that Black Lives Matter.

Black workers are part of the DNA of America’s labor movement. Dr. Martin Luther King Jr. believed that the Civil Rights Movement and the labor movement are intertwined, and collective bargaining remains one of the most powerful tools to ensure racial equity and fairness on the job. A union contract can make sure Black workers are included; workplaces are diverse and accessible; that there is equity in hiring practices, pay and advancement opportunities; and that all workers gain the skills needed for the jobs of today and of tomorrow. We won’t stop fighting until every worker in this country can access the right to collectively bargain for a better life.

We wish a joyful Juneteenth to all who are celebrating today, and we stand shoulder to shoulder with you in the fight for a more perfect union.

CELEBRATE JUNETEENTH FREEDOM DAY

AFL-CIO