



AEEF News and Views

Newsletter of the Association of Employees of the Educational Foundation



April 2009

WGBH and PBSd Say “No” to AEEF; Mediation Next

January 1, 2009 marked the official start of WGBH’s new commercial business venture with PBS, a move that spins off most of the former Enterprises department into a for-profit distribution company jointly owned and operated by WGBH and PBS. It also marked the latest step in a legal struggle over whether the new company must recognize AEEF and allow former Enterprises employees to regain the contractual benefits and protections they lost as a result of their layoffs from WGBH and from management’s refusal to recognize our union at the newly-formed company.

With the new company—known both as PBSd and Public Media Distribution (PMD)—officially open for business and refusing to recognize AEEF, the union filed an Unfair Labor Practice charge (ULP) with the National Labor Relations Board (NLRB) asserting that PBSd qualifies as what the NLRB defines as a “successor employer” to WGBH and, therefore, legally is obligated to recognize the union. In addition, because WGBH continues to have its distribution services provided by PBSd, the union also filed a grievance with the Foundation contending that WGBH has violated the contract by subcontracting the work to PBSd.

In response, WGBH counter-filed its own ULP against AEEF alleging the union engaged in “bad faith” bargaining (a violation of labor law)

by delaying negotiations over the closing of Enterprises and refusing to negotiate over denying severance pay to those Enterprises employees being laid off as part of the shift to PBSd—a charge the union officers dispute.

With two NLRB charges and one grievance pending, all three parties have agreed to attempt a multilateral resolution of their respective disputes through mediation and are, at present, scheduled to meet on April 1 (no joke) with a federal mediator.

Contract Now Online! Hard Copy Coming...

With final proofreading and corrections completed, AEEF and WGBH management have signed the 2007-2010 collective bargaining agreement (contract). As soon as the union completes revisions to the index (adding new contract sections, changing references to renumbered sections, etc.), the final version will be sent to our union printer. In the meantime, a final version of the contract—including wage ranges and side letters, but no index—is available to download on the union’s website at www.AEEF.org.

Grievance Update

The Dispute Resolution Procedure in our contract provides a four-step process for resolving management-union disputes regarding the meaning and interpretation of our contract. If an initial dispute is not resolved satisfactorily, a formal grievance may be submitted within 30 days of the event (or knowledge thereof) asserting a violation of the contract. If the parties fail to resolve the grievance, it may be submitted to a third-party arbitrator.

The following grievances are among those that remain active pending further discussion and/or action by union and management:

- A union member received a written warning for performing his job duties in a manner that management alleged violated a department policy. However, both the affected member and his co-workers insist that no such policy was ever communicated to employees until after the written warning was issued.
- A new management job was created, posted, and filled. The union asserts the position does not contain management duties or discretion. Management is reviewing the position's status.
- A long-term employee was issued a written warning for unsatisfactory job performance. The union contends that the warning lacked just cause, violated the past practice of customarily providing employees with an initial verbal warning, was based on inaccurate information, and that the member received changing and inconsistent direction at a time when her duties were being revised.
- The union contends that management has subcontracted union work previously performed by AEEF members in the Enterprises department by moving that work to PBSd. Both parties are considering possible mediation to this grievance (see WGBH and PBSd Say "No" to AEEF).
- A union member promoted to a management position has continued to perform her previous union duties (Note: promotions to management should almost always involve new duties, usually managing staff or developing/implementing Foundation policies). Management has pledged to re-write the job description for the position.
- Management hired María Hinojosa to host the program *One-on-One* as a manager, but the union maintains that her position does not involve management duties.

In addition, a grievance filed over a union member who was terminated for allegedly violating the Respectful Workplace Policy was withdrawn when AEEF and WGBH negotiated a settlement on behalf of the member.

Mark Your Calendar!

Thursday, April 16

Executive Board meeting
12:00 noon in 5W conference room

Monday, April 20

Patriots' Day holiday

Wednesday, May 6

2009 AEEF spring meeting
12:00 noon at The Stockyard
Lunch provided!

For the latest AEEF news and information, visit www.AEEF.org



The screenshot shows a Windows Internet Explorer browser window with the address bar displaying "http://www.aeeef.org". The website content includes a "Welcome to AEEF-CWA Local 1300" banner, a circular logo with "AEEF CWA Local 1300" text, and a photo of a man speaking at a podium with the caption "Public Broadcasting UNION-MADE at WGBH".

AEEF-CWA Local 1300 officers, stewards, and staff

PRESIDENT	VICE PRESIDENT	TREASURER	SECRETARY
Jordan Weinstein X2212	Ann Lopez X2706	David Lima X5767	Jan Stankus X3499

DEPARTMENT	STEWARD	PHONE
American Experience	Julie Cresswell	X5929
Antiques Roadshow	Amy Santamaria	X3417
Audience Services	Rebecca Sherlock	X3624
Boston Media Productions	Carrie English	X2290
Broadcast	Jack Foley	X2623
Caption Center Boston	Bill Pender	X2852
Caption Center LA	Rebecca Peterson	(818) 562-3344
Childrens' Programming	Sonia Paz	X3616
Creative Services	Jack Foley	X2623
Descriptive Video Services Boston	Charlie Paquette	X2861
Descriptive Video Services LA	Rebecca Peterson	(818) 562-3344
Design	vacant	
Educational Programming & Outreach	Sonia Paz/Jan Stankus	X3616/X3499
Forum	Alan McLellan	X5615
Frontline	Amy Santamaria	X3417
Fundraising	Eve Lewyckj	X2536
How-tos	Vinny Simeone	X2864
Interactive	Rick Pinchera	X3871
Lifestyles	Vinny Simeone	X2864
Local On-line	Alan McLellan	X5615
Masterpiece/Mystery	Vinny Simeone	X2864
Mailroom	Dan Durkin	X2851
MDSI	Rebecca Sherlock	X3624
MDSO	Joyce Babcock	X5585
Media Library & Archives	Michael Muhlitz	X3910
National Marketing	Olivia Wong	X5349
National Productions	Julie Cresswell	X5929
Nova	Darcy Forlenza	X3635
Physical Plant	Dan Durkin	X2851
Production Services	Jack Foley	X2623
Radio	Alan McLellan	X5615
Revenue Data Management	Rebecca Sherlock	X3624
Scenics	Charlie Paquette	X2861
Station Relations	Olivia Wong	X5349
The World	Ann Lopez	X2706
Underwriting	Rebecca Sherlock	X3624
WCAI/WNAN	Naomi Arenberg	X2380

Business Agent
Joseph Montagna
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Employee Free Choice Act: Good For All

The Employee Free Choice Act (EFCA)—widely considered the most significant piece of labor legislation in decades—has been re-introduced to the 111th Congress. EFCA would make it far easier for workers to form a union and negotiate a first contract without fear of employer intimidation and retaliation by allowing a union to be recognized with a simple majority sign-up (known as “card-check”). Because this legislation offers an opportunity to reverse decades of employer resistance to unionization (through both legal and illegal methods), unions—including CWA—are strongly supporting passage of EFCA. Corporations, banks (some of whom, like Citigroup and Bank of America, have received public bailout money), and business groups are lobbying intensely for its defeat. Because a stronger labor movement benefits not only union members, but typically raises the wages and benefits of all workers—including those whom WGBH management looks to for comparisons—the success of EFCA could have profound consequences for AEEF members in the long run. For more information, visit the links at www.AEEF.org.

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