

# VOCAL 2910

## The Voice of the Library of Congress Professional Guild AFSCME 2910

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www.guild2910.org

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Guild cheers FLRA ruling

## Safety Grievance Ends in Victory

By Nan Thompson Ernst

Two years ago, in March 2007, Arbitrator Barbara Franklin ruled in favor of the Guild in a grievance we filed a year earlier in order to correct two fire safety hazards in the Madison Building. In case it does not jump out at you, there is something very strange about pushing a grievance on fire safety to arbitration. Yet the Office of Workforce Management did push this grievance to arbitration and beyond, and they lost.

At the end of her arbitration award Ms. Franklin wrote the following:

A. . . the Library's position raised questions of whether the Union and the employees it represents could continue to have confidence that, after a bargaining relationship of almost 30 years, they could rely on the negotiated grievance procedure to protect their workplace rights.®

To remedy the harm done to the Guild and employees we represent, Arbitrator Franklin directed the Library to post a notice so that confidence can be restored® in the grievance procedure. It took two more years to get that notice posted, an effort which finally ended with a ruling by the Federal Labor Relations Authority on February 24, 2009. The notice has now been posted and you can view it on the Human Resources bulletin board (sixth floor-Madison) where it will remain for the next sixty days. It is signed by Jo Ann Jenkins, Chief of Staff of the Library of Congress.

This three-year saga began during an Office of Compliance (OOC) safety inspection in 2006 which I participated in as a Guild representative. Our team inspected the seventh floor penthouse® of the Madison Building where the Architect of the Capitol (AOC) maintains elevator mechanical rooms. These rooms contain the hoist machine and other mechanics which move the cars up and down the elevator shaft as well as the generators which power the hoists. On the inspection, we observed that one of the mechanical rooms lacked a smoke detector. We also discovered that the main freight elevator had not been programmed to go out of service during a fire emergency.

Guild stewards are trained to advocate for occupational safety and health and, since our founding in 1976, we have never been hesitant to utilize the grievance procedure to correct

workplace hazards B especially life safety hazards that concern fire and emergency evacuation. As an archivist in the Library's Manuscript Division where we house unique and irreplaceable treasures of American history, and as a former chair of the Labor-Management Health and Safety Committee, fire safety is a responsibility that I take very seriously.

The Guild's objective in filing the grievance was to identify and report fire safety hazards so that the Library would take appropriate steps to correct them. You can imagine how shocked and dismayed we were when the grievance was denied by the Director of the Office of Workforce Management, Charles Carron. Beyond the usual legal mumbo-jumbo, was the Library's assertion that the Guild's grievance was inappropriate because the Office of Compliance enforces occupational safety and health standards at the Library.

Later, they denied information sought by the Guild to determine if the two hazards were abated. It took an arbitration hearing for the Guild to learn that the Library had addressed the hazards. But concerns remained because the Office of Workplace Management had shifted the argument away from the hazards and onto a question of the Guild's very right to address workplace safety violations through the grievance process.

This is how we ended up in arbitration, which might seem absurd or even laughable on some level except for two awful occurrences: fires broke out in the Madison elevator mechanical rooms on March 1, 2007 and, again on March 20<sup>th</sup>. Motor windings in the elevator generators shorted out and caused electrical fires. In the worst of the two fires (March 20<sup>th</sup>) AOC employees had to fight the fire with hand-held extinguishers until the DC Fire Department arrived on the scene. The building was evacuated and it took more

than an hour to clear heavy smoke so that staff and visitors could safely reoccupy the building. Let me remind you: smoke and fire in elevators can be deadly.

Two days later, March 22, 2007 Arbitrator Franklin's twenty-one page decision arrived in the mail sustaining the Guild's grievance and directing the Library to post notice of the decision because it is important that unit employees recognize their rights to file grievances over safety and health matters.® Franklin's decision is posted on the Guild's website at <http://guild2910.org/firesafety.pdf>

Next move by the Library? You guessed it. Mr. Carron appealed, that is filed exceptions, so that Arbitrator Franklin's award and her decision would have to be reviewed by the Federal Labor Relations Authority (FLRA). Hence a further delay of two years. For a smoke alarm and an elevator grievance, the Library would now engage in more litigation, more tax dollars spent and more Library resources expended.

On February 24, 2009 we received the good news from the FLRA: Athe agency's exceptions are denied.® Finally, after three years we had won. But at what cost to the Library of Congress, to the Guild, even to the public? Top Library officials who orchestrated this fiasco appear to have lost their moral compass.

So next time you visit the sixth floor of Madison Building take a look a look at the posting on the HR bulletin board next to the money machine. It was awarded to the Library of Congress Professional Guild, AFSCME Local 2910, for having the good sense and perseverance to stick with a safety grievance to the bitter end.

# LC Cafeteria Worker Willie Price Fired

By Jackie Coleburn

Dear fellow staff members,

Willie Price needs our help.

Willie has been out of work since December 18, 2008. She was fired by I.L. Creations, the Library's current food service contractor, after 28 years of service. Since her firing, Library staff members have written letters of protest to Neal Graham, the Library's Facility Manager, and many are boycotting the cafeteria. (Please note: the Cappuccino Bar, run by Kim and Lem Lem on the ground floor of the Madison Building, is a separate contract and is not part of I.L. Creations.) Many are asking the Guild about Willie, her situation, and how they might help.

The Guild Executive Board has established the "Willie Price Emergency Fund" at the Library of Congress Federal Credit Union. If you would like to donate to the fund you can do so in one of the following ways:

\*\* go to a credit union teller and make a contribution to the "Willie Price Emergency Fund." You may give cash, a check or have money transferred from your already existing credit union account.

\*\* make a donation by stopping by the Guild Office (LM-G43, x6493, mail stop: 9994) or give directly to a Guild steward.

\*\* send a donation by mail to "Willie Price Emergency Fund" c/o Saul Schniderman, P.O. Box 5349, Takoma Park, Md. 20912.

Donations are being accepted from all library staff. Donations will be held in strict confidence and therefore will not be acknowledged. Donations are not tax deductible. Checks may be written to "AFSCME Local 2910/Emergency Fund" and will go directly towards payment of Ms. Price's bills.

Willie was fired, not because of her performance or conduct, but because she was a leader in her union, the Hotel Employees and Restaurant Employees, Local 25. I.L. Creations' track record with labor is not good: more than once I.L. Creations called the Library Police to remove union representatives from the cafeteria.

Willie is pursuing her case, wants her job back, and is waiting for the arbitration process to begin. The latest I.L. Creations outrage happened last month. Awaiting adjudication of her case by an impartial arbitrator, Willie applied for unemployment compensation, only to learn that the vice president of the company challenged her claim for benefits.

Many of us got to know Ms. Price on a more personal level during Women's History Month when she was featured as a speaker at a public forum, "Women's Lives, Women's Stories," sponsored last year by the Library's unions. When she was interviewed by Roll Call

(January 12, 2009) Willie said of the Library of Congress, 'It's been like my family, everyone I know. I may not know everyone by name, but I'm a Southern girl and Momma said, 'it don't cost a thing to be nice to anyone.'

Willie is in need of financial help right now. She has two kids at home, rent to pay, a car note, and life expenses. We know Willie to be a very generous person, and hope that this can be a time for her to receive the generosity of others.

For the Guild,  
Jackie Coleburn  
Member-at-Large for Membership

## Applause for Management

By Saul Schniderman

In the Guild Office we have developed a principle that goes something like this: When dealing with Library managers applaud them when they are right and criticize them when they are wrong.

### Transit Fare Subsidy

With this in mind, I want to applaud the Office of the Chief Financial Officer for increasing the monthly transit fare subsidy amount from \$110 to \$120 per month for eligible employees. This brings the Library to the same subsidy level as employees of the House of Representatives and other Legislative Branch entities. Applause, applause.

By the way, Transit Fare Subsidy came to the Library of Congress on October 1, 1999 - at \$21 per month - when the library's unions mounted a vigorous campaign which included lobbying and employee activism.

### Telework

I also wish to applaud the Deputy Associate Librarian of Strategic Initiatives, for expanding the number of teleworkers in the OSI/ITS service unit. Thanks to the perseverance and

commitment of Guild members in Library Services and to the wonders of collective bargaining, telework was launched in Library Services on November 18, 2002 when the first telework pilot program was implemented. After the successful Guild pilot ended, OSI/ITS employees had to further organize and agitate to obtain telework. Note: OSI employees have always had to press for personnel flexibilities including credit hours, complex and maxiflex.

Recently in an effort to develop more transparent and equitable criteria for telework, the Guild marshaled a grievance which led to a serious conversation with top management. On February 18, 2009 we were informed of the good news: 16 staffers from OSI/ITS, who were wait-listed for telework, would be able to participate in the program very shortly. Again: applause, applause!

Are you an LC employee currently receiving transit fare subsidy benefits? Are you a teleworker? If you are and you are a Guild member, bless you for your citizenship and your good sense of history and community. If you are not yet a member, now's the time to join and to give back. Visit us at [www.guild2910.org](http://www.guild2910.org).

Library of Congress recycling program at the Library's Earth Day event on April 9.

## LC Recycles

By Lisa Murdock

One of the Library's recycling program goals is to collect white paper, mixed paper, newsprint, bottles, cans, and toner cartridges to be recycled. The monies generated can be used for recycling supplies, other pollution prevention, or employee benefit programs. The Library is also exploring other ways that the Library can *Agreen* its operations, from more efficient use of energy to reducing waste in the cafeteria.

In every Library office there should be recycling containers for both white paper and mixed paper. The Library has tried to place them next to every printer and copier. (If you don't have one, call 7-7163.) Once a week, these containers are emptied by the custodial services contractor. Library offices should also have separate boxes for mixed paper and newspaper. What's included in each category is listed on the box. In addition, the Library has small blue desk bins for white paper that can be emptied into the larger box.

Everyone's participation in the Library's Recycling Program will increase the amount we can recycle. We ask only that you separate recyclable materials into their proper containers. Please be careful not to contaminate the recycling boxes with non recyclables or to put mixed paper in the white paper container. Especially avoid mixing food (e.g., food containers and liquids, such as left over coffee) with paper in the paper recycling containers.

Please join us and learn more about the

Note this year the *ALibrary of Congress Energy Conservation* is the topic for the annual Earth Day celebration on Thursday, April 9, from 11:30-2:00pm in the Madison Building's Madison Hall with prizes, refreshments, and information booths on several local recycling initiatives.

Green  
the  
Library!

Urge your representatives to ...

# Support Paid Parental Leave for Federal Employees

Sen. James Webb (D-VA) has introduced the Federal Employees Paid Parental Leave Act of 2009. Carolyn Maloney (D-NY) is the chief sponsor of the House counterpart.

This legislation provides that, of the 12 weeks of unpaid leave guaranteed by the Family and Medical Leave Act (FMLA), federal employees be allowed to substitute 4 weeks of paid leave, as well as any accrued annual or sick leave, for the birth or adoption of a child.

Paid leave is good for children. Experts in child development tell us that mothers need time to recover from childbirth and that mothers and fathers alike need time to care for and bond with a new baby.

If the Library of Congress is to prosper it must establish a modern and progressive work environment where employees can balance the needs of their families with the demands of work. This is why, for the past thirty years, the Guild has advocated for Family & Medical Leave, the Little Scholars Child Development Center, Credit Hours, Complex/Maxiflex, the Employee Leave Bank, Telework and other personnel flexibilities which enable Library staffers to continually develop their skills while raising healthy families.

Paid parental leave will help the Library recruit and retain young workers. In Europe, the European Union (EU) requires that member countries offer 14 weeks of paid maternity leave.

Our union - AFSCME - is a major sponsor of this legislation. Please join us as we work together to make a better Library of Congress, a better America and a better world.

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