



# The Current

## News from IBEW Local 1837

Year End 2019

International Brotherhood of Electrical Workers - Maine & New Hampshire

### Arbitration Victory for Lineworker's Unjust Termination

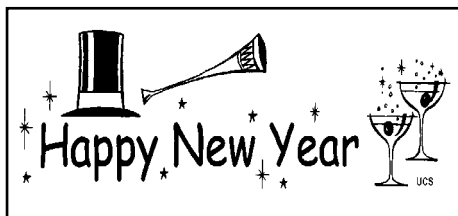
We're very pleased to share some great news with you about a Union victory in an arbitration decision that was handed down this summer.

Tom Hardison is a First Class Lineworker for EmeraMaine and a member of IBEW 1837 for more than 25 years. When he was fired in 2018, your Union conducted an investigation and determined that the Company did not have a just cause to terminate Tom's employment. When they were unwilling to modify his discipline, we brought the case to a neutral third party arbitrator as is provided for in all of our contract agreements.

The arbitrator agreed with us that the discipline was unjust and ordered EmeraMaine to reinstate Tom Hardison. He also awarded him all but 60 days of his lost pay and benefits for the time he was gone.

Negotiating contracts, processing grievances and taking cases like this to arbitration when necessary are some of the key ways we protect the jobs of our members.

When Renee Gilman and Dick Rogers gave Tom the good news, he thanked the Union for all the work we did to get him his job back and asked us to spread the word. We're happy to have the opportunity to do so now.



### Members at EmeraMaine Approve Contract Extension if ENMAX Sale is Approved

In October, IBEW 1837 members at Emera Maine ratified a 2-year contract extension that is contingent on the successful sale of the company to ENMAX of Calgary, Alberta. That proposed sale was still being considered by the Maine Public Utilities Commission as this issue of *The Current* went to press.

The extension includes a 3% annual wage increase in each of the two years of the agreement in all classifications with no other changes in the terms and conditions of the contract. The health insurance plan will also remain in place with no increase in cost for the first year and a cap in any cost increases in the second year.

"When ENMAX brought the proposed extension to us, we discussed it with our negotiating committee," IBEW 1837 Business Manager Dick Rogers said. "They agreed that we had an obligation to bring it to our membership for consideration. We're pleased that our members will have some sense of security if the proposed sale is approved."

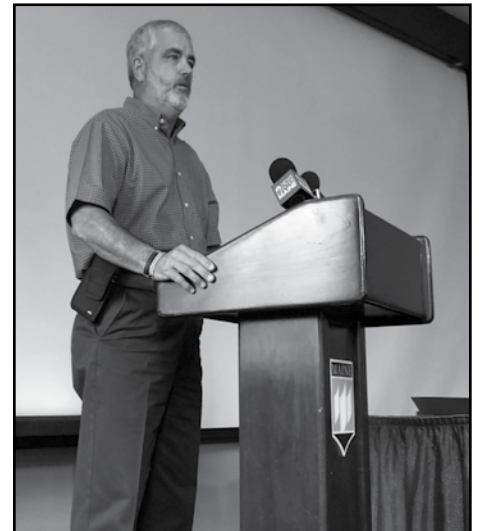
This summer, Lawmakers, Union Reps and EmeraMaine Customers held a press conference in Orono to share their concerns about the proposed sale of Emera Maine to ENMAX of Calgary, Alberta.

They were worried about the impact it could have on Emera Maine's workers as well as the ratepayers of Maine's second largest electric utility.

"More than 150,000 people in Northern Maine depend on Emera Maine for electricity, including myself. With so much at stake, we need to make sure the sale of Emera to ENMAX doesn't leave hardworking families and seniors in the dark," said Senate President Troy Jackson. "The PUC shouldn't allow this deal to move forward unless it is in the best interest of Mainer ratepayers."

Other speakers at the news conference included Rep. Seth Berry, House Chair of the Energy, Utilities and Technology Committee, Renee Gilman, an Emera Maine customer service representative on leave who is currently working for IBEW Local 1837; and Dick Rogers.

"We urge the Maine Public Utilities Commission to carefully consider the impacts on Maine workers and Emera Maine customers before allowing the sale to proceed," Rogers said. "Workers and customers must be well protected."



*IBEW1837 Business Manager Dick Rogers spoke at a news conference in Orono to discuss concerns about the proposed sale.*

# Broadcasting Round-Up: New Contract for WABI-TV in Bangor and Agreements Reached with WGME-TV in Portland

Operating Technicians at **WABI-TV** in Bangor, Maine, ratified a new 2-year contract in November with raises of 2.5% each year and a \$250 signing bonus. The starting pay rate for Operating Technicians was also increased.

As part of the new agreement, the Union and WABI-TV's owner Gray Television agreed that non-bargaining unit employees may perform covered work on an intermittent basis so long as bargaining unit members are not displaced as a result and the number of bargaining unit positions are not reduced. In addition, any time a Technician is not scheduled in Master Control they may be assigned other reasonable duties which they are capable of performing.

Changes were made in the collective bargaining agreement's grievance and arbitration language that both sides agreed provided greater clarity to the process.

"We're glad that we were able to reach an agreement that a majority of our members at WABI-TV felt was worthy of their support," said IBEW 1837 Business Representative Matt Beck. "We're grateful to our Union Steward Dianne Berry for her expertise and participation in our negotiations."

At Portland's **WGME-TV**, IBEW 1837 was able to reach agreements with Sinclair Broadcasting representatives on two sources of contention. One was about a grievance related to employees outside of our bargaining unit doing our work and, in a separate case, the Company's intent to reduce a new employee's pay from what they were promised.

First, the grievance involved members of the SAG-AFTRA bargaining unit feeding back video from a remote location without first attempting to offer a call-in for overtime to an IBEW News Photographer as required by the contract. (SAG-AFTRA represents the news reporters and anchors at the station.) The Company admitted that this had happened on at least three occasions and promised to refrain from violating this section of our collective bargaining unit moving forward. The Union proposed to settle this grievance by accepting the Company's admission of responsibility and paying overtime call-ins to the three News Photographers with the least amount of overtime this year. Sinclair agreed to those terms and those payouts were made as part of the November 8th pay period.

In the other case, the Union protested the fact that a new employee who is part of the bargaining unit was initially offered a wage on the upper end of the pay scale by local station management and the corporate HR department intended to reduce the pay to the starting rate of the pay scale. Although this employee was still on probation and not yet an official IBEW member, the Union protested this unfair treatment and was able to convince the Company to greatly improve their final offer (although it was still less than what was originally promised).



*WABI-TV officially signed on as Maine's first television station on January 25, 1953.*

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[www.IBEW1837.org](http://www.IBEW1837.org)  IBEW\_1837  @IBEW1837  IBEW Local 1837

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## The Current

Newsletter of IBEW Local 1837  
207-623-1030 or 603-743-1652  
[www.ibew1837.org](http://www.ibew1837.org)

**President** - Michelle Crocker  
**Vice President** - Bob McNeff  
**Recording Secretary** - Kitty Kilroy  
**Treasurer** - Donna Raymond  
**Business Manager** - Dick Rogers  
**Assistant Business Manager** - Tony Sapienza  
**Business Representative** - Renee Gilman  
**Business Rep. / Current Editor** - Matt Beck

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## More Than 25 Years of FMLA: Do You Know Your Rights?

The Family Medical Leave Act, most often known by the initials “FMLA,” has been protecting the job security of workers facing a serious health concern of their own or the health condition of their spouse, parent or child for more than 25 years, yet many workers know very little about it.

Under the landmark legislation that was signed into law by President Bill Clinton on February 5, 1993 and went into effect six months later, employers are required to provide eligible workers unpaid time off from their jobs for qualifying reasons and the FMLA prohibits employers from interfering with employee rights. Your employer must return you to either the same or an equivalent position with equivalent pay, benefits and working conditions so long as you return to work within 12 weeks.

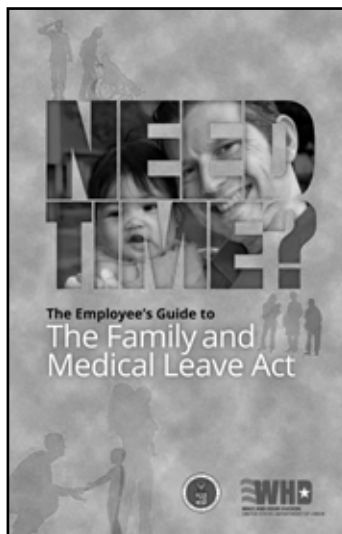
Employees are eligible for FMLA if they work for a public employer or for a private employer with 50 or more people on the payroll within a 75-mile radius. You must have been employed there for a total of 12 months and have worked at least 1,250 hours during the 12 months preceding the first day of leave (not including vacation, medical leave or other time off).

The FMLA requires an employer to provide unpaid time off totaling 12-weeks per year for planned or unexpected absences such as the birth of a son or daughter or the foster or adoption placement of a child in your home. Time off must also be provided to care for your spouse, son, daughter, or parent with a serious health condition, or if you have a condition yourself that makes you unable to perform your job. You may use saved sick time or vacation time along with your FMLA leave so you can continue to get paid. In fact, your employer may require you to use it. They are required to continue to provide you with health insurance during your leave and you will have to continue making your contributions to it.

There are various FMLA regulations that define what a “serious health condition” is, including a hospital stay of at least one night, an incapacity for more than three consecutive calendar days or a chronic or long-term disability.

FMLA time-off may be used intermittently, continuously, or as a reduced schedule under certain circumstances. You must give sufficient and timely notice to your employers of the leave. For a foreseeable absence you should give 30 days notice or notice as soon as possible. For an unforeseeable absence, notice should be given as soon as possible or within one or two business days.

For a copy of the Employee Guide from the U.S. Department of Labor, go to [www.ibew1837.org/FMLA](http://www.ibew1837.org/FMLA) or contact the Union Office.



*This FMLA booklet is available at [www.ibew1837.org/FMLA](http://www.ibew1837.org/FMLA) or call the Union Office.*

## Holiday Generosity: Not Charity, *Solidarity!*



*Union members spent more than a week sorting and delivering food to those in need. They were joined by Gov. Janet Mills and other volunteers.*

The 17th annual Solidarity Harvest was a tremendous success again this year, distributing 13,000 complete Thanksgiving dinners to working families and others in need throughout Maine. IBEW 1837 members Stephanie Greenland, Renee Gilman, Cynthia Phinney, Glenn Roy (retired) and Bob Toole all helped collect and distribute food for this worthy cause.

Jack McKay, Director, Food AND Medicine and President, Eastern Maine Labor Council in Brewer says that “Solidarity Harvest partners with over 95 unions; plus many congregations, local agencies and various nonprofits to give baskets to their members. Our goal is (also) to provide over \$45,000 to about 30 Maine farmers and food producers to support their livelihood and fill these baskets. This partnership keeps money in our local economy and this high quality, fresh and mostly organic food is far better tasting and healthy too!”

Meanwhile, the staff of IBEW 1837 continued a tradition of working with local schools and adopting families in Maine and New Hampshire in alternating years to provide gifts to children and their parents who might otherwise find nothing under their tree on Christmas morning.

“It’s something we really enjoy doing since it gives us an opportunity to help families who are going through some tough times,” said IBEW 1837 Business Manager Dick Rogers. “We hope our members will also consider giving if they can to community groups collecting food, clothing and toys during the holiday season.”

## In Memorium



Mark Henderson

### Mark Henderson, 1962 - 2019

We were deeply saddened to learn of the tragic death of Mark Henderson, 57, of Eustis, Maine, in a hunting accident. Everyone at CMP knew Mark was an exceptional lineworker with a keen sense of humor. He was also an outstanding Chief Steward who served this Union well.

“I’m personally going to miss my friend Mark and I’m heartbroken thinking of him and his family he leaves behind,” said IBEW 1837 Business Manager Dick Rogers. “I’m a better person for knowing Mark.”



Andrew Grant

### Andrew Grant, 1979 - 2019

We are also grieving the sudden passing of another CMP Lineworker, Andrew Grant, 40, of Norway, Maine. In 2017, Brother Grant received an IBEW Lifesaving Award and Red Cross Real Hero award for helping to rescue a driver from a burning vehicle in Bridgton after it crashed into a utility pole.



## Quick Notes and Announcements

### 50 Years in IBEW Recognized

Congratulations to David Bofinger, former Business Manager of IBEW 1837 and retiree from Bangor Hydro (EmeraMaine) as well as Richard Dawson, retiree from the New Hampshire Electric Cooperative. Both received 50-Year pins and certificates from IBEW!

### Phinney Re-Elected to Lead Maine AFL-CIO

Congratulations to IBEW 1837 member Cynthia Phinney for her election to a second 4-year term leading the state labor federation at the Maine AFL-CIO Convention in Bangor. Sister Phinney was unopposed.

### Please Keep Your Union Info Up-to-Date

New mailing address, email address or phone number? Changing jobs or retiring? Please contact the union office with any updates so that we can keep you in the loop with important information about all your Union’s activities. Call 207-623-1030 or 603-743-1652. You can also email us at: [union@ibew1837.org](mailto:union@ibew1837.org).

Also, be sure to routinely check your paystubs to make sure that your wages are correct and that your Union dues are being correctly withheld. We hate having to send out bills for unpaid or overdue dues payments.

### IBEW 1837 Retirees Club

We are continuing to expand our listing of contact information of members who retired in good standing with the Union. Please contact the Union Office with any information about Brothers and Sisters who have retired in the last five years by calling 207-623-1030 or 603-743-1652. Email: [union@ibew1837.org](mailto:union@ibew1837.org).

### Keeping Your Family’s Financial House in Order

We hope that you will consider building your family’s financial security if and when you have the opportunity to do so. In addition to retirement savings, we encourage all of our members to set aside financial reserves in the unlikely event that a contract dispute leads to a work stoppage or strike. We don’t anticipate that happening, but if it does, it will be much less stressful for your family if you can pay your bills for at least a few weeks without relying on your paycheck. Your financial strength will translate into greater bargaining power for your union negotiating team during contract talks.

Do you have life insurance? If you do, good for you! It’s nice to know that our family won’t be in dire financial straights when we’re gone. You may have life insurance through your job but it also makes sense to have a portable policy that you can carry with you if you change employers. Check with your insurance agent to be sure.



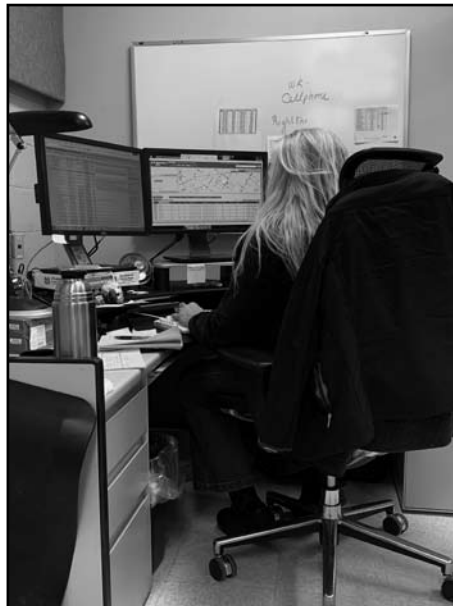
If you or someone you know has been considering self-harm, help is just a phone call away. Call the National Suicide Prevention Lifeline: **1-800-273-TALK (8255)**

# Thousands Lose Power in October and November Storms

Two windstorms in October and a combined wind and snow event on Thanksgiving knocked out power to tens of thousands of ratepayers in Maine and New Hampshire. Our crews out in the field and behind the scenes worked tirelessly to restore power as quickly as possible.

According to a report filed by Central Maine Power with the Maine PUC, “rain-soaked ground and heavily leafed trees resulted in widespread incidences of broken and uprooted trees.”

In Portland for the first storm, the atmospheric pressure at sea level — an indicator of the storm’s strength — was the lowest ever recorded in October, according to the National Weather Service in Maine.



*Photo credits: Special thanks to Cale Dyer, Anthony Rudnicki, Julie Goodell, and Terri MacDonald from CMP, Artie Cornelissen, Joe DiPrizio, and Jeff McKenzie from NHEC, Don Palmer, Troy White, and Rick Tobey from Unitil for taking or appearing in these photographs of IBEW 1837 members at work during these storms.*



# Protect Yourself: Disciplinary Interviews and Weingarten Rights

It's a simple concept that some of us forget when we're under the gun and being interviewed by a supervisor about something that could lead to discipline: **First, ask for a Steward to be present. Then, Tell The Truth.**

"We've seen too many instances where one of our members may have been less than truthful or tried to alter the facts to make things better for him or herself," said IBEW 1837 Business Manager Dick Rogers. "Unfortunately, that's often worse than the original offense itself and gets the member into much deeper trouble."

If a Grievance is filed and that Grievance leads to Arbitration, the neutral third-party Arbitrator may decide that the original offense was relatively minor, but that lying to the employer was worthy of termination of employment. Again, honesty is the best policy and be sure to ask for your Steward.

Union members have certain rights and protections during disciplinary interviews that non-union members do not have, thanks to a decision from the U.S. Supreme Court.

In 1975, in *NLRB v. J. Weingarten, Inc.*, the U.S. Supreme Court defined the rights of employees in the presence of union representatives during investigatory interviews. Since that case involved a clerk being investigated by the Weingarten Company, these rights have become known as Weingarten rights.

One of the most vital functions of a Union steward is to prevent management from intimidating employees. Nowhere is this more important than in closed-door meetings when supervisors, often trained in interrogation techniques, attempt to coerce employees into confessing to wrongdoing.

Under the U.S. Supreme Court's 1975 Weingarten decision, when an investigatory interview occurs, the following rules apply:

**RULE 1:** The employee must make a clear request for union representation before or during the interview. The employee cannot be punished for making this request. For example, the employee should say:

"If this discussion could in any way lead to my being disciplined, terminated, or affect my personal working conditions, I respectfully request that my union representative, officer, or steward be present at this meeting. Without union representation, I choose not to answer any questions."

Weingarten Cards are included in our new member packets and are also available upon request. Contact the Union Office at 207-623-1030 or 603-743-1652 for more information.

**RULE 2:** After the employee makes the request, the employer must choose from among three options. The Employer must either:

Grant the request and delay questioning until the union representative arrives and has a chance to consult privately with the employee; or

Deny the request and end the interview immediately; or

Give the employee a choice of (1) having the interview without representation or (2) ending the interview.

**RULE 3:** If the employer denies the request for union representation, and continues to ask questions, it commits an unfair labor practice and the employee has a right to refuse to answer. The employer may not discipline the employee for such a refusal. We encourage our members to assert their Weingarten rights. The presence of a steward can help in many ways. For example:

- The steward can help a fearful or inarticulate employee explain what happened.
- The steward can raise extenuating factors.
- The steward can advise an employee against blindly denying everything, thereby giving the appearance of dishonesty and guilt.
- The steward can help prevent an employee from making fatal admissions.
- The steward can stop an employee from losing his or her temper, and perhaps getting fired for insubordination.

## Weingarten Card

**If this interview could in any way lead to my being disciplined, terminated, or affect my personal working conditions, I respectfully request that my union representative, officer or steward be present at this meeting. Without union representation, I choose not to answer any questions.**



*Weingarten Cards are available from the Union Office.*



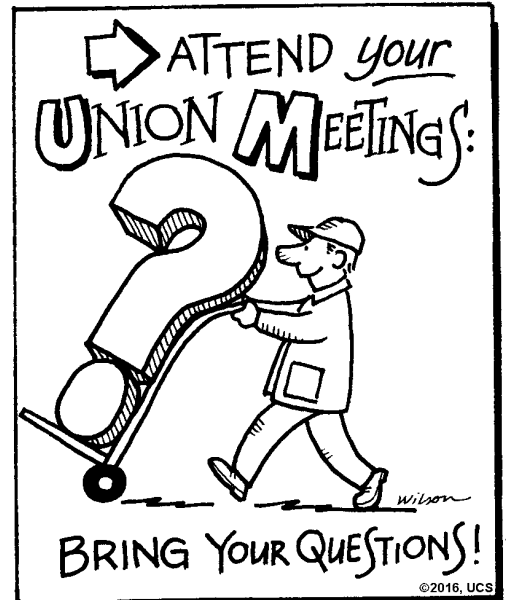
## **IBEW 1837 Unit Meetings** **2020 Revised Schedule**

*IBEW 1837 members are welcome at any unit meeting to discuss issues affecting their jobs and their union.*

*Some meeting dates, times and locations have changed.*

*Units may not meet during storms or on holidays.*

*Check with your steward, the union office, or log on to [www.ibew1837.org](http://www.ibew1837.org) before driving!*



**Unit 1, Dover:** Fourth Tuesday at 5:00 p.m.

*IBEW Local 1837 Office; 680 Central Ave., Suite 201; Dover NH 03820*

**Unit 2, Manchester General:** Second Tuesday at 5:15 p.m.

*Plumbers and Pipefitters Local 131 Union Hall; 161 Londonderry Turnpike; Hooksett, NH 03106*

**Unit 2, Concord Electric Sub-unit:** Third Wednesday at 3:00 p.m. (As Needed)

*West Congregational Church; 499 No. State Street; Concord, NH 03301*

**Unit 3, Laconia:** Third Thursday at 5:15 p.m.

*Laconia Elks Lodge; 17 Sugarbush Lane; Gilford, NH 03249*

**Unit 4, Berlin/ Lancaster:** Fourth Wednesday at 5:15 p.m. (Call 603-470-4239 to confirm.)

*Randolph Town Hall; 130 Durand Road; Randolph, NH 03593*

**Unit 5, Keene:** First Thursday at 5:00 p.m. (New Keene location!)

*February, April and October only: Parlin Field Airport; Airport Road; Newport, NH 03773*

*All other meetings: St. Joseph Regional School (Side door, top floor, Teachers' Lounge), 92 Wilson Street, Keene, NH*

**Unit 6, Portland:** First Tuesday at 7:00 p.m.

*Teamsters Local 340; 27 Main Street; South Portland, ME 04106 (Use rear entrance for Meeting Hall)*

**Unit 7, Lewiston:** First Wednesday at 7:00 p.m.

*IBEW Local 567 Union Hall; 238 Goddard Road; Lewiston, ME 04240*

**Unit 8, Augusta:** Third Wednesday at 4:30 p.m.

*IBEW Local 1837 Office (Conference Room); 16 Old Winthrop Road; Manchester, ME 04351*

**Unit 9, Waterville:** Second Wednesday at 6:00 p.m.

*IBEW Local 1253 Union Hall; 176 Main Street; Fairfield, ME 04937*

**Unit 10, Bangor/Ellsworth:** Third Thursday at 4:30 p.m.

*Solidarity Center; 20 Ivers Street; Brewer, ME 04412*

**Unit 11, Presque Isle:** Fourth Thursday at 6:00 p.m. (Call 207-441-2033 to confirm.)

*Hampton Inn; 768 Main Street; Presque Isle, ME 04769*



# International Brotherhood Electrical Workers

## Local #1837 Utility / Broadcasting

**NEW HAMPSHIRE OFFICE**  
 680 Central Avenue, Suite 202  
 Dover, NH 03820  
 (603) 743-1652  
 Fax (603) 743-1654  
 nhlocal@ibew1837.org

**K. Richard Rogers, Business Manger**  
 Michelle Crocker, President  
 Tony Sapienza, Assistant Business Manager  
 Matthew Beck, Business Representative  
 Renee Gilman, Business Representative

**MAINE OFFICE**  
 16 Old Winthrop Road, Suite 1  
 Manchester, ME 04351  
 (207) 623-1030  
 Fax (207) 621-8384  
 union@ibew1837.org

Dear Member,

2019 was a typically busy year dealing with the normal negotiations, grievances and arbitrations, organizing and corporate changes at a number of our represented companies. Additionally, we had the added tasks of dealing with so many HR issues concerning benefits of our active and retired members along with legislative issues affecting our members' jobs.

In 2020 I expect we will have another busy year due to the still changing environment we are working in along with a number of contract negotiations.

As always, I want to thank our Stewards for the tireless work they do. It's worth repeating that with their assistance, our negotiation efforts continue to conclude with very favorable decisions on grievances, arbitrations and contracts (which I believe are the core reasons why we are here). Again, without the input and involvement of our stewards, the Union would certainly not be as strong. With the retirement and loss of a few of our Chief Stewards and Stewards I encourage anyone even thinking about becoming a Steward to call us. I want to thank all those individuals for their service to the Local.

As a members you can help to strengthen the Union by contacting us with questions or any concerns. I know our lives are hectic and your employer is putting more demands on you which can make attending unit meetings difficult. While I want to encourage you to attend your local unit meetings, please help us by contacting us directly with any questions or concerns. I've placed the contact information below for our office and staff.

For the past eight years I have worked with the IBEW 1837 Budget Committee and Executive Board to maintain a tight and fiscally responsible budget. For 2020 I will propose to the E-Board another such budget. Again, this year as last, I'm pleased to report that we continue to be in strong financial shape.

In 2020 as in 2019, we will again put a great emphasis on working with our younger members to get them involved in the Union. We will do this through more training and exposure to what we do here at IBEW 1837.

As always, I again want to thank the staff for the continued work they do. Their ongoing commitment makes my job easier and IBEW 1837 the effective union it is.

Please be safe and enjoy this time of year in your celebrations. Merry Christmas and Happy New Year!

Business Manager  
 NH Assistant Business Manager  
 Business Rep  
 Business Rep  
 Office Manager  
 Secretary

Dick Rogers: 207-446-4239 or email drogers@ibew1837.org  
 Tony Sapienza: 603-470-4239 or email tsapienza@ibew1837.org  
 Matt Beck: 207-441-4123 or email matt@ibew1837.org  
 Renee Gilman: 207-441-2033 or email renee@ibew1837.org  
 Laurie Kelley: 207-623-1030 or email union@ibew1837.org  
 Susan Ekola: 603-743-1652 or email nhlocal@ibew1837.org

