



# WHAT'S NEXT, AND WHY BE A MEMBER?

## The State Engineering Association of Wisconsin

### A VOICE FOR ALL

July 1, 2011

Dear SEA Member,

**M**any of you understandably still have questions about what will happen now that Gov. Walker's anti-public union bill has been signed into law. Huge uncertainties remain, including lawsuits and unfair labor practice complaints that could alter or interpret the law. But in the event the law survives all these obstacles and remains as it is, or something similar, how can SEA continue? Could SEA remain an effective organization?

**The short answer is yes. SEA will remain an effective organization serving your interests. But that will be true only if each of you supports our effort by remaining a member and by voting when required to retain SEA as your bargaining unit.**

You know that along with most other public employees, the new law forces SEA members to contribute more to our pensions and health insurance premiums, amounting to a significant compensation cut.

Years ago SEA agreed in bargaining to accept pension contributions from the state in lieu of wages, so this new law amounts to the state unilaterally going back on a deal. You also know that the new law would limit what we negotiate at the bargaining table going forward, essentially capping future wage increases to the rate of inflation.

**It is very clear to your elected officers and SEA's consultants that these changes are actually intended to seriously weaken our collective bargaining power and eventually destroy our efficacy as an organization.** It is no secret that some politicians do not like labor unions and would like all public labor unions to simply disappear. But beyond that, these politicians seem ready to punish public workers in general.

The governor and his enablers in the Legislative have sought to make it difficult for us to continue as a bargaining unit by forcing annual re-certification elections. Nor are they looking for true efficiencies; otherwise they wouldn't have reduced contract duration from two years to one. That costs the state money.

**The best way to fight back is by remaining united. Your board strongly believes that despite this law, SEA remains relevant, and that it will in some respects become even more important.**

**Given all that's transpired, what's the point of having a bargaining unit? Will SEA still be relevant? Will SEA still be able to help members? First, some challenges; then, some answers.**

**Dues are our first challenge.** SEA will soon contact you regarding a new method of paying dues. Under the new law, the state will stop collecting dues via paycheck deduction. Thus, SEA will need to implement a new method. We will consider this and other necessary changes at a July 16 board meeting.

We all know that as a result of “budget repair” measures, many state employees including all of our members will be forced to tighten their belts. Thus, even members who continue to believe in the value of SEA might be inclined to drop their membership in order to save a few dollars a month. That's what the governor wants and expects; he has said so. Your Association urges you to consider carefully the future importance of SEA and what it can continue to do for you.

### *On benefits in our contract*

Under the new law, bargaining will no longer include health coverage and other non-pay benefits. Therefore, SEA members are well advised to take advantage of the benefits in contract sections 9/6/1 and 9/7/1 regarding foot and eye protection, and to do it sooner than later.

**Our second challenge will be the first annual re-certification election.** The law provides that more than half the current members in good standing – not just more than half who vote but more than half of all members regardless of how many vote – endorse re-certification.

The first re-certification is not yet scheduled. Every re-certification will represent a very high bar, one that no elected official in this state has ever been made to leap on their own behalf. Your Association believes that the will exists among our very active and committed membership to overcome this new obstacle. We will contact you when more information becomes available regarding this process.

### **Time line**

Much remains to be learned but a time line of OSER-initiated changes is beginning to become clear. Here's a representative summary as shared by WisDOT:

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OSER has indicated the status-quo message from March 4, 2011, will remain in place until such time as a Compensation Plan covering represented employees is approved by the legislature's Joint Committee on Employment Relations. OSER will continue developing a new compensation plan through summer (October has been mentioned as a possible completion date). Therefore, with the exception of dues deductions, employee health insurance premium deductions, and employee contributions to the Wisconsin Retirement System (WRS), all other provisions of the master collective bargaining agreements already in place will continue.

Effective July 3, 2011, state payroll deductions for union dues and any union-sponsored insurance plans (ie., dental insurance) will be discontinued. Affected employees will notice these changes on the payroll check dated July 28, 2011.

Effective July 31, 2011, increases in the health insurance premiums and retirement contributions will reflect the rates in Wisconsin Act 32. Affected employees will notice these changes on the payroll check of August 25, 2011.

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### **WHY BE A SEA MEMBER? AN INTRODUCTION**

Football star Fran Tarkenton once said that when all a team's receivers are covered, a good quarterback needs to act think and act outside the box. Your Association is working hard to do just that, assessing all possible impacts of this law so we can make game-winning changes. That includes reviewing all our operations and expenditures to see where we might hold down costs. **Compared to other bargaining units, SEA membership has been a bargain. SEA will continue to offer good value in exchange for your hard-earned dollar.**

Besides benefiting its members directly, SEA serves to promote better, more efficient government. SEA has been very successful -- even more so in many cases than much larger public employee unions -- in making itself heard

in news media and other public forums. SEA has proven expertise in spreading word of your individual and collective concerns, along with supporting data we have developed with citizens, taxpayers, the media, and elected representatives.

This ability to represent member interests operates on two levels: **First**, our state board, elected from the membership by members, includes statewide officers elected at large. The board decides overall strategy and operations. **Second**, multiple sections assigned to departmental, categorical and geographical interests, run their own meetings, elections and events and set their own priorities and agendas, as well as taking the lead on annual meetings for sections and the entire membership.

The elected presidents of each section also serve on the board alongside the at-large executive officers, each of whom has an equal vote. We will continue to operate under this twin-level system so member interests, input and interaction will be similar to what it is today. Your section presidents – each nearby and close at hand – will remain your voice on the board. **Remember that while SEA has about 1,100 members, it also features an amazingly grass-roots structure. Officers are paid modest stipends and volunteer many hours of their time on your behalf.**

SEA has and will continue to provide the opportunity for individual state engineers and technical professionals to have a collective voice in their workplace regarding compensation, benefits, and working conditions. Our Association and other public employee unions in Wisconsin have been attacked by an administration and legislature that do not believe in collective bargaining. However, we still believe in it, and so, obviously, do many state voters. It will be up to us and others who agree with us to make collective bargaining a fully functional reality once again.

## **SPECIFIC BENEFITS OF SEA MEMBERSHIP**

Even though the governor and legislator have tried to kill collective bargaining, SEA will remain an influential and functional voice in matters relating to our workplaces, our jobs, and our compensation. Here are some of the ways SEA will continue to serve you:

### **Handling grievances**

Under the new law, grievance procedures will persist, though mostly only under civil service rules that are non-contractual. Grievances already in the pipeline may survive the changeover. Individual employees might be able to handle their complaints themselves; however, with SEA backing, you will have a much better chance of understanding your rights and winning. SEA has focused on helping members see their way through this often complicated and tedious process – which is likely now to become even more difficult.

### **Data collection**

SEA's pool of talent has been an important source of ideas about improving state work processes and efficiency. SEA monitors relevant developments in Wisconsin and elsewhere, such as salary and benefit comparisons, working conditions, workplace safety issues, policy issues including privatization and outsourcing of public employee work to private consultants, and more. Few outside organizations share this responsibility or do this work. Your low-cost membership will help us continue the good fight.

### **Collective bargaining**

Under the new law, represented employees will still have an opportunity to discuss wage increases with the state, and to educate politicians and the public on the need for increases beyond the new cost-of-living cap, based on hard evidence and analysis. That said, the state will have essentially unilateral power to limit our compensation. **The only way to improve working conditions and compensation going forward is to keep the lines**

**of communication to management open, sitting down with them to vocally advance our issues and find potential areas of agreement.** History makes clear that individual employees could not accomplish this on their own behalf.

## **Retirement system watch**

One important reason SEA will remain relevant and perhaps assume greater importance is that the initial battle over worker representation is not over. Increased employee contributions to health insurance and retirement are only the first phase of the anti-union agenda. **The second phase, included in the governor's anti-collective-bargaining law, provides for an upcoming study which will examine whether to continue the very successful Wisconsin Retirement System (WRS) as we now know it.**

Meanwhile, the governor's budget includes a new raid on WRS pension money that belongs to employees past and present. Business interests and think tanks that oppose collective bargaining might have been pulling many of the strings in phase one, but now, Wall Street wants its hands on our pension fund, which it sees as a money bin to manage and milk with fees. **Changing over from today's defined-benefit plan to a defined-contribution plan – a very real threat – would end up passing higher risks along to state employees. It would force workers to invest on their own in place of the traditional, secure, pension system.**

SEA has a history of standing up for the value and integrity of the retirement system. The Association twice has legally challenged moves by the governor and legislature to raid our retirement funds, and we succeeded in saving retirement dollars.

SEA's collective use of legal counsel and our knowledgeable retirement and benefits consultant are the most valuable things we have to offer members. **Forthcoming battles will be fought over more of your post-career benefits, involving a significant portion of your retirement income.** The Association has and will continue to serve as a collective watchdog over WRS on behalf of its members.

## **Legal counsel**

SEA retains a skilled, experienced, and proven attorney who can interpret the law, challenge the law in courts or administratively, and bring other resources to the table. Our legal counsel is also indispensable in pursuing workplace issues including resolution of grievances.

**SEA means having at your disposal a legal team that understands state civil service rules and collective bargaining law, and that knows the players.** Our legal counsel has argued in front of the Wisconsin Supreme Court on behalf of SEA and its members' interest in WRS. The legal counsel also provides our collective membership with other resources to assist with such issues as needed – such as an accountant, analyst, and legal interpretations of rules and laws.

SEA's legal counsel will continue serving as before, with issues selected, debated and assigned by your elected board. SEA will continue to use legal counsel in the manner we always have, discussing issues that need legal input and getting board approval to employ the counsel on an as-needed basis.

## **An information exchange for employees, engineers and citizens**

Through its web site, newsletter, meetings and direct communications, SEA serves as a forum among its members, sharing news across departments that include our members; monitoring state policies and management issues, and exchanging information, opinions and ideas with similar organizations in Wisconsin and across the nation.

SEA is an important conduit, but it's also a great networking and social organization for engineering and technical professionals looking to meet others and advance their careers. SEA also has worked to promote engineering as a profession. SEA supports programs, classes and other vehicles that will attract future college graduates to our discipline.

### **Institutional history**

Collective bargaining as we have known it can be restored, but it will take a consistent, continuing and active effort that is well organized and coordinated with other groups who agree with us. **Building up an organization from scratch is very hard and takes years; maintaining an organization is much easier.** Our records, methods and skill set will remain current and available to current and future members.

### **IN CONCLUSION**

Your membership and your dues are a modest investment in an important cause. They also have represented a very good return on investment to our membership over the decades, and will continue to do so, even when times are lean.

Please contact a SEA officer if you have further questions. This is an important time in our Association's history. Remember: One for all and all for one. We're glad you're aboard, and we hope you'll continue supporting your Association.

Respectfully,

Board of Officers  
The State Engineering Association

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