

Professionally Speaking

NEWSLETTER of the
Wisconsin Science Professionals



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Who's minding the store?

Editor's Note: In the extended budget debate this fall and in the elections to come, we heard and will hear a lot of rhetoric about fiscal responsibility and the need to limit government spending. Many of us believe in government accountability and fiscal restraint. While these concepts are easy to embrace, conspicuously absent from the public discussion are the benefits gained from supporting programs in which we work or what might be lost as a result of budget cuts. The current state budget eliminated 2.55 food scientist and 4.25 sanitarian positions. Will the job losses weaken their respective programs? Could this have a direct or indirect effect on economic development plans or tourism? What do these position losses mean for public health in Wisconsin? When is it time to sound an alarm? The answers to these questions may not be obvious.

The technical work Science Professionals do can be difficult to explain in ways that capture politicians' or the general public's interest much less convey why it is an essential government function. I've realized that even within Wisconsin Science Professionals, many of us don't know much about the diverse functions represented in the union. Rather than focusing on educating the general public, maybe it's time to start the process within WSP. This column can't possibly begin to answer the questions posed about food scientists but it's my hope that it can begin discussions we need to have.

Over the last year, we've heard news stories about *E. coli* outbreaks, spinach recalls, and massive meat recalls. One of those recalls affected a meat processor here in Wisconsin. You may have heard about countries restricting food imports from particular locations because of concerns about the food's safety. Stories in the press attribute some of the growth in the organic food market to public concerns about the safety of our food supply. So who's minding the store?

People recognize the Food and Drug Administration's (FDA) responsibility for insuring food safety; however, many of the responsibilities have been delegated to the states. For Wisconsin, FDA delegated to the Department of Agriculture, Trade and Consumer Protection (DATCP) Division of Food Safety the responsibility for retail food inspection, as well as the non-meat wholesale inspections that go on daily. Within that Division, food scientists and veterinarians who inspect meat and meat food products in partnership with the USDA, fellow Science Professionals play a vital role in assuring the safety of food products and meat processed or sold in Wisconsin. This article focuses on some of the roles the food scientists play.

One of the first functions that may come to mind when thinking about food scientists is inspection. At DATCP, four food scientists cover the state, providing oversight and support to the retail inspection program, a major portion of which is contracted to 37 city or county agents.

Food processors need a plan that identifies the food handling process and the monitoring conducted as part of the operation. Food scientists analyze these plans to identify critical controls and monitoring. As one food scientist put it, "nothing else will matter if they make a mistake in this step. For dairies, several other food scientists perform functions that include the timing and sealing of pasteurizers to assure that the milk supply is free of bacteria like *listeria*. Food service in restaurants, nursing homes, hospitals, grocery store delis, and other facilities all must comply with the *Wisconsin Food Code* enforced by DATCP as well as by the public health sanitarians at the Department of Health and Family Services (DHFS). These inspection programs are handled collaboratively so the facility only needs one inspection if an Agent program handles both retail (DATCP) and restaurants (DHFS). In a nutshell, food inspectors can assess potential health risks, detain potentially unsafe food, and recommend food disposal or reprocessing (source: DATCP website). With contracting the front line inspection program, oversight involves evaluating the contract programs to assure that the numerous agent programs use appropriate inspection techniques and consistently apply the FDA food codes across the state. Support functions include training programs on the applicable rules and standards as well as key processes such as the Hazard Analysis

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PRESIDENT'S COLUMN

by Gary Steffen

God must love apathetic Science Professionals

God must love apathetic Science Professionals because God made so many of them or so it seems. Few WSP members participated in the recent budget impasse in Madison, the vigil in the capitol or the rally that followed it which is too bad because the beneficiaries of these legislative contacts are WSP members.



WSP is unique among state employees because the public service that we do has a more positive effect on the quality of life in Wisconsin than what other state employees groups do. Even though you may not agree with your legislator's politics, that should not stop WSP members from meeting, calling or sending letters or emails to your legislators telling them that the public service you do is valuable. The thing that I have realized in the past

few years is that few voters contact their legislators over anything in the state budget. Because of this, any contacts by WSP members can have a positive effect for state employees. Even if the legislator is not from your "political party" you will find that they will take the time to listen to you. Getting regular contact (at least once a year) from state employees will make it harder for legislators to author bills that hurt our interests.

The WSP board realizes this and helped write a letter to the members of the conference committee on the budget. The gist of the letter stated that from 1999 to 2006 wages for state employees that we represent did not keep up with inflation because of 10% cuts to the compensation reserve by the legislature for the previous five state budgets.



WSP members Dennis Presser and John Burger. Photo credit: Suzanne Murphy.

All the work that we and other state unions did this year on the state budget did have a positive effect for state employees. I can say that because the Governor's budget had \$120 million for the compensation reserve.

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What the heck is “professional time”?

by Matt Roach

The words “professional time” are often used to refer to two distinctly different contract provisions. The first is “professional time,” a vague concept of being paid for 80 hours every pay period regardless of how many hours you actually work. The second is “professional development time” which refers to the five paid days each calendar year that we are allowed to use for non-mandated career development, training opportunities, and seminars or conferences. The latter use is fairly straight forward and outlined in our contract (Sec. 10/2/1, p. 54) and will not be dealt with here. The former is vague, amorphous and often misunderstood by both management and employees. This article will try to explain what professional time is and how, from the union’s perspective, it should be used.

Professional time entered our contract several bargains ago to help deal with issues related to the Fair Labor Standards Act (FLSA). The FLSA identifies job classes that are considered hourly labor and subject to traditional overtime pay of time and a half for hours in excess of 40/week. It also spelled out types of positions that are “exempt” from the FLSA standards. Exempt positions are considered salaried “professionals.” In our bargaining unit, only employees in the pay progression and a few forensic scientist titles are covered by the FLSA (i.e., nonexempt). Although “professional” employees are considered salaried, some in management treat us as time-clock punching hourly employees when it comes to setting work schedules and allowing for flexible use of work hours. However, they also want us to be “professionals” when it comes time to get the job done, even if that means working extra hours for no compensation. Under FLSA, employers have discretion in whether they pay for any overtime hours to professionals. Treating us as “professionals” when being compensated for directed overtime saves money because, by contract, professionals only get paid

straight time (or comp time) and not time and one-half.

Professional time is supposed to be an agreement between management and employees that allows us to be treated like professionals within the hourly salary structure of the State’s pay system. The “professional” part comes with the expectation that operational needs may require more than 8 hours a day or 40 hours in a week on occasion, though not on a regular basis. The “time” aspect refers to the ability or responsibility of an employee to work a schedule that can be flexible, whether that includes time for appointments, long lunches, early afternoons or even full days off when allowed. Essentially professionals should have discretion in getting the job done with consideration for the operational needs of the unit.

Professional time does NOT mean that an employee should work 45 hours a week regularly without any consideration for the extra hours even if management believes that it does. It also isn’t intended to balance out hours within a pay period to consistently limit work to 40 hours a week. Professional time isn’t something that is necessarily

compensated on an hour for hour basis (that’s comp time).

What it boils down to is this: IF you do your job, the work gets done, you put in at least 2080 hours a year (or FTE equivalent), and the needs of the unit are met, you should be able to put in your time in the most efficient and productive manner possible. There should be an assumption that professional time be granted when asked for; that management should be flexible enough to allow its professional staff to take advantage of this time as long as the above things have been satisfied.

We are working to clarify this at the bargaining table, but in the meantime it is an option you can (and should) use. If you ask for professional time and it is denied, please describe the situation to a union representative. The more examples we have the better.

UW Hospital negotiations end with breathtaking contract

by John Burger

The Bargaining Team at the UW Hospital and Clinics (UWHC) effectively ended over 30 years of salary compression by negotiating a \$0.70/ hour wage increase combined with a seniority stratification of \$0.045/hour/year of seniority up to \$1.35/hr for each year of the contract! For the most senior WSP-represented employees, this means over a 20% salary increase over the life of this contract. This contract, which also includes improved contract language, is key in the unions efforts to implement a salary structure that shows members their potential for advancement at UWHC.

Chaired by Donna Lawler, the winning team included Peggy Frickenstein, Terry Broxmeyer, John Burger and District 8 Representatives Dan Seibel and David Vandermeuse. Together, with all the members who stood up when the bargaining team asked them to help push negotiations to the next level, they achieved amazing results.

WAY TO GO!

Healthcare news

Wisconsin's healthcare coverage for public employees came closer to that offered by surrounding states when the legislature reduced the waiting period after hire from six months to two months. Employees hired between January 1 and May 1 will be eligible for state paid coverage on July 1, 2008. Background material provided by ETF and OSER indicates that Illinois, Iowa, Indiana, Michigan and Minnesota offer coverage ranging from the first day to 35 days of employment. A survey of employers in the greater Madison area indicated that 80% offer coverage within the first 90 days of employment. The primary reason given for this change was concerns about recruitment. These are interesting times.

Share your healthcare story. The AFL-CIO invites members with their friends and families to participate in its largest-ever online survey to capture Americans' real experiences with our healthcare system. Does your health insurance cover all the care you need at a price you can afford? Has an insurance company initially refused to cover a medical treatment for you or a family member that should have been covered? And what do you think overall about today's healthcare system? How important will healthcare be to you as a voting issue this year? You can access the survey from the AFT home page: www.aft.org.

... Store

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Critical Control Process (HACCP).

The meat program at DATCP has its own bureau within the Division of Food Safety. Requirements for processing meat are significantly different from other food processes and include requirements that may apply to farms, slaughter plants, and food processors. Inspections occur both before and after animal slaughter and the meat inspectors benefit from regular veterinary oversight. Food scientists review and approve formulations and assist with the evaluation of processing protocols. The program is also responsible for training on-site inspectors for the facilities. The USDA doesn't allow audits to be delegated so unlike the retail program (FDA), there are no contract programs. The meat program is essentially a partnership with the USDA.

Like many regulatory programs food scientists are involved in writing administrative rules and answering questions on how those rules should be interpreted and applied. They take a proactive role in insuring sound food safety practices by reviewing and approving HACCP plans and evaluating dairy equipment functioning. Another key function is evaluating the labeling of food products to ensure that the products are accurately presented, and all ingredients, including allergens, are listed. They provide consulta-

tion on labeling to both the state and local inspectors to help evaluate the labels, and to industry to ensure accurate labels.

Not to be overlooked, food scientists respond to public complaints. According to the DATCP website, examples of incidents in which they may assist include:

- a commercially processed food is implicated in an outbreak of a

foodborne illness

- a commercially processed food is alleged to be contaminated
- people or animals have become ill or died due to foodborne illness or food contamination
- accidents involving commercial food transports such as trucks or trains
- other food emergencies due to natural disasters such as tornadoes and floods that affect the commercial food system (dairies or farms, processing plants, warehouses and retail stores)

Like many Science Professionals' jobs, it's difficult to boil down the functions that food scientists perform to a few brief paragraphs and still convey their significance or the education, skills, and experience needed. The bottom line here is training and standardization. The food safety program is not immune from the move to privatization in the past few years, but a good regulatory program performs a two-fold function. It provides a measure of impartial protection to the public, and its oversight gives the public confidence in the food supply which is a benefit to the producers. Is it appropriate for the regulated community to write their own rules or to entrust the oversight of critical public health functions to private consultants who also may have contracts with the business that they are overseeing? So who's minding the store?

Special thanks to the Food Scientists at DATCP for providing background for this story.

... God must love

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The figure that came out of the conference committee and into the final budget was \$138 million. The usual 10% cut to the reserve did not happen.

Since the coming year is an election year for many offices, there will be many

opportunities for WSP members to contact and interact with their legislators. I encourage all of you to make a face-to-face contact with your legislator telling the simple message of the important public service that you perform for the citizens of the State (provide concrete examples). This contact is in your best interest no matter what political party your legislator is from.



WSP president Gary Steffen and WPEC member Bill Franks. Photo credit: Suzanne Murphy.

The 2008-09 State Budget

by Gary Steffen

The Wisconsin State Budget took far too long to be approved for the present biennium. The final approval affected WSP and other state employees greatly.

This was the first budget that WSP spent any time on to advocate for our members. When the budget process started to bog down, the WSP board sent a letter to Senate members of the combined committee on the budget explaining how state employees had already sacrificed for the state for the past 10 years. We used the concerns raised by a Sanitarian from DHFS to show that wages for state employees were not keeping up with inflation.

WSP board members participated in the vigil that was primarily being staffed by WSEU employees. While all we were doing was walking around the circle under the rotunda on the first floor, there was some fun to be found. That fun occurred when members of the people's legislature showed up with pots, pans and wooden spoons. We made so much noise that day that the clerk from the democratic caucus came and asked us to quiet down because they could not hear inside their meeting room.

WSP worked with AFT-W to issue a press release about the potential layoffs of DNA Analysts at DOJ if the budget was not passed.

The culmination of our efforts came after the rally at the capitol. An antitax group, funded by a large oil company, held a rally to protest taxes in general. However, there were only four items in the budget that were holding up a compromise – increased taxes on cigarettes, a hospital bed tax, additional money for the UW and a tax on the revenues of oil companies. None of them really affected state employees directly. WSP members, along with other state employee unions, showed up in greater numbers to urge legislators to do their jobs by ending the impasse and passing a state budget.

Were our efforts successful? In some areas they were. The compensation reserve, which is used to pay for pay raises and health insurance coverage, was kept intact. This has been the first time in over 10 years

that there was not a cut in the reserve. The Governor's original budget asked for \$120 million for the compensation reserve. The final budget had \$138 million for this. We will have to see what happens in bargaining before we know the full effect of preserving the reserve. Other budget wins included reducing in the wait time for new employees to get health coverage from six months to two months, full funding for the new DNA analyst positions at DOJ and the Governor's veto of the phase out of the PECFA program which would have affected several of our members if it was left in the budget.

There were a few negatives too. The Governor's \$60 million budget cut for state agencies increased to \$200 million. This means a preliminary hiring freeze for all state agencies which will

affect our members. The budget eliminated 2.55 vacant food scientists positions at DATCP and 4.25 vacant sanitarian positions at DHFS. A continuing appropriation was created which would use revenues from timber sales on state forest lands to pay contractors to setup timber sales.

In retrospect, there are not enough people involved to make an impact in all of the areas where WSP was affected. In some of those areas, we did not know what was happening until the budget was passed due to the secret deals being made to get the budget passed. WSP will continue to be active in future budget processes, an imperative with state employees interests being continually under attack.

Legislative action news

If you've ever wondered why the AFT Public Employees and its affiliates are involved in political and legislative action, it's because the people voted into office at every level of government make decisions that affect the work, resources and rights of public employee members on the job.

Lawmakers endorsed by AFT affiliates in recent elections have given workers a boost over the past year in the form of new laws that allow public employees to form a union when a majority of workers sign union authorization cards.

Majority authorization streamlines the representation process and expedites the onset of contract negotiations by allowing for card or petition signatures to demonstrate majority representation status. While the ballot election process is still available, card check can side step costly campaign battles that have been used by employers to influence employee choice. In 2007, governors in Massachusetts, New Hampshire and Oregon signed majority authorization measures into law for public employees. Source: AFT On-line Steward.

Here is Wisconsin, the Senate Committee on Agriculture and Higher Education recommended passage of Senate Bill 353, Collective Bargaining Rights Bill, with Sen. Sheila Harsdorf (R-River Falls) casting the sole no vote. The bill will still need to be scheduled by the Joint Finance Committee but it's one step closer.

State Representative Cory Mason (D-Racine) introduced a bill to waive the state's "Sovereign Immunity", restoring public employee whistleblower, antidiscrimination and Fair Labor Standards Act protections. Recent decisions by the Supreme Court diminished these protections.

Events	
2008	
Feb. 9	WSP Rep Council Meeting, AFT-W, Madison
Mar. 29	WSP Rep Council Meeting, AFT-W, Madison
April 24	Stewards Retreat
April 25	Professional Development Day, Pyle Center, Madison
April 26	WSP Convention
July 10-14	AFT Convention, Navy Pier, Chicago, IL

AFT-W Convention happenings

by Ron Grasshoff and Donalea Dinsmore

Have you ever wondered how AFT-Wisconsin (AFT-W) sets priorities or takes public positions on issues, claiming to speak for the membership?

The answer to those questions revolves around what happens at annual conventions.

Conventions typically begin with a fun event and workshops designed to help the affiliated unions deal with current issues facing our unions and membership. Following committee meetings, delegates can network with members from other locals within the state federation and have a little more fun before the business meeting begins. Convention business includes setting fiscal priorities by voting on the budget, voting on operational issues through constitutional amendments and establishing many of AFT-W's political and social priorities through decisions on resolutions. Every other year, delegates elect the officers and executive board that will lead the organization. Like other conventions, debates and decisions at this year's convention, AFT-W's 75th annual gathering, will definitely affect how the organization moves into the future. This year's elections brought many firsts.

For the first time in many years, the elections were competitive, with multiple candidates for most of the races. Delegates had the choice between experienced activists and new faces. For the first time ever, two WSP members, John Burger and Ken Olson ran for Vice Presidents at Large and both were eligible to hold office. John Burger will continue to serve as an AFT-W VP. In this election, several new activists prevailed including the new president, Bryan Kennedy. In his address to the convention after his election Bryan Kennedy recognized that the debate, disagreement, and controversy are products of any exercise in democracy and this convention was no exception.

Constitutional amendments included passing a members bill of rights and updating criteria for part-time dues. Although few WSP members will be affected by the change in dues structure, WSP provided the impetus for the change to a more equitable funding structure among the locals. Delegates were asked to take positions on a range of issues from support for collective bargaining rights at UW and solidarity fund spending to the war in Iraq. While some resolutions passed and others failed, the union benefited by the healthy debate.

WSP delegates were very influential in affecting the outcome of the election of new officers and voting on constitutional amendments and resolutions because WSP is one of the larger locals in the state federation. WSP was well represented at the AFT-Wisconsin annual convention with several first time attendees, longtime participants including retirees, officers, and representative council members.

WSP VP and delegate Ron Grasshoff reflected, "It is very gratifying to be part of this annual event as I'm always reminded that institutions like organized labor, local groups, and local government are the foundation of democracy; it is not just state and national government. The AFT-Wisconsin president and officers will need to put aside differences, build on the strengths of the organization, resolve outstanding issue, and begin new initiatives."

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