



Science in Action

Wisconsin Science Professionals Local 3732

Volume 14, February 2010

WSP Board Meetings: February 20th and May 1st starting at 9:00 a.m. All members are welcome to come to our board meetings; however meetings may be closed if there are grievance issues. Meetings are held at the AFT-Wisconsin Headquarters at 6602 Normandy Ln in Madison. Also please note that the WSP convention has been moved from Spring to Fall (date to be determined).

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SAVE THE DATE!

Friday, April 30 Professional Development Day

Mark your calendars for **Friday, April 30** for the State Employees Council Professional Development Day! This popular conference features keynote speakers and workshops on a wide array of topics. Watch your email for registration information, which will be sent to you in early March.

This is a day that is pre-approved for using your Professional Development time*** (section 10/2/1 – 10/2/3 of your contract). Be aware you need to request the professional development day 14 days before the day you want to use for professional development. Save the e-mail with your supervisor's response. Also since many Agencies use different time accounting make sure you check with your payroll office on how to account for that time on your timesheet. We hope to see you in Madison on April 30!

*****NOTE:** This is NOT “professional time” which is the squishy, undefined time that your employer doesn't understand and doesn't want you to use, but rather it is the contract defined 5 paid days allowed for training, conferences, or other professional development and covered in the sections above.

State Budgets and Finances

State finances and how the economy affects them has been much in the news lately. The following are some interesting and informative articles on some of the issues surrounding how

This is a member-to-member communication from the Wisconsin Science Professionals to its members pursuant to Wisconsin State Statutes 11.29. Members should check workplace rules regarding political action in the workplace before responding.



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States pay for things.

Wisconsin Near the Bottom in Number of Public Employees

An October 2009 report from the Wisconsin Council on Children and Families looked at census figures and compared public payrolls from last spring's census numbers. They showed that Wisconsin's per capita spending on all public employees in 2008 was below the national average. So when you think to yourself that you're doing more with less, it's because you are. Here is the full report: http://www.wccf.org/pdf/spending_tax_rankings_FY-2007_100209.pdf

Who's Paying for Government?

Around the nation, state lawmakers are facing budget shortfalls on a larger scale than at any time in recent memory. As elected officials evaluate tax-reform strategies for balancing state budgets, the question of who pays the most and the least of their income in state and local taxes is especially relevant. Here's a report from the Institute for Taxation and Economic Policy on who actually pays for government: <http://www.itepnet.org/whopays3.pdf>

If You Fly in a DNR Air Plane You Need to Read This

By Gary Steffen

Earlier this year a DNR pilot was killed when the plane he was flying crashed. He was flying as a spotter for fires in the spring. The plane was a DNR plane and that distinction is important. After the memorial services ended, his widow tried to collect the life insurance policy that husband had signed up for from the Employee Trust Funds. ETF said they could not pay her because of state statutes and the wording in them in regards to how her husband died. The Department of Justice issued its opinion that ETF was correct in their interpretation the statutes.

What was in the statutes on this topic?

The statutes provide for payment of a life insurance policy if a state employee dies in a commercial airliner while flying. The reason for the wording goes back to the 1970's/1980's when hang gliding was popular. Apparently the legislature passed the statute change in response to accidents that occurred to hang gliders. The legislature at that time changed the statutes in regards to life insurance redemption for government employees covered by the state life insurance fund.

When state employees at the DNR fly in DNR airplanes they are not covered by the state life insurance. DOA planes are covered by the state life insurance because the legislature did not exclude them from the coverage.



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What is being done to rectify this?

There are other union leaders that have started an effort to change the statutes to cover DNR airplane accidents for life insurance coverage. The Board of the Employee Trust funds either will or has voted on changing the policy to consider DNR airplanes as covered under state statutes. This would not have happened if the state employee unions had not gotten involved in changing the ETF policy.

WSP and the Bill to Have the DNR Board Select the Secretary

The Wisconsin Science Professionals do not engage in any political endorsements or support of any politician. We have taken stances on the state budget and other legislation that affects our members. One that we felt was important was the bill to have the DNR Secretary selected by the DNR board. Many WSP employees work at the DNR and all of us are affected by its policies. Prior to the Governor selecting the DNR Secretary the agency had a level of freedom from politics that other agencies did not enjoy. Many observers of politics will tell you that logic and reason are not always a part of political decisions or actions and when that sort of reason can be restored, it should be. Because of this WSP is supporting the bill to have the DNR Board select the DNR Secretary.

The President of WSP has testified 3 different times in support of the bills that would return appointment authority back to the board. During these hearings the vast majority of people testifying supported the bills. Usually when this happens the bills get approved and signed by the Governor. There were several groups opposed to the bills. The largest organization opposed to it was the Wisconsin Manufacturers and Commerce. Many of the members of this organization are regulated by DNR employees enforcing state statutes and the reason for their position was obvious. Other opposition appeared to come from those trying to score political points.

The latest bill was passed by both the Assembly and Senate only to be vetoed by a Governor that had promised to sign any bill that came to him on this matter. Needless to say this Governor has not always been a friend to state employees. Organizations that support this bill have reported that the DNR deputy secretary has been working with opponents to defeat this bill and to have it vetoed. It is our hope that enough votes can be found to override the Governor's veto in the next two months.

IRS Rule May Affect Protective Occupation Employees

The Wisconsin Retirement System (WRS), has been monitoring an Internal Revenue Service (IRS) regulation that has the potential to increase the current normal retirement age for protective occupation employees (police, firefighters, forester/rangers, etc.). The effective date of the



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regulation, originally January 1, 2011, has been postponed to January 1, 2013. More information can be found on the ETF website (see links below). However, because this is an IRS regulation you should contact them or your congressman.

[http://etf.wi.gov/news/New%20IRS%20Rule%20\(Protectives\).pdf](http://etf.wi.gov/news/New%20IRS%20Rule%20(Protectives).pdf)

UW-Stout, Department of Commerce and Asbestos Exposure

By Gary Steffen

The Wisconsin Science Professionals have been spending a lot of time on the UW-Stout asbestos exposure that occurred during remodeling on the campus during April through August of 2009. The actions taken by both UW-Stout and Commerce have adversely affected WSP employees who were only doing their jobs, and WSP has been standing up for those employees.

In April 2009, UW Stout began a remodeling project. The Department of Administration Division of State Facilities selected the contractor to do the work. UW-Stout management chose to keep the environmental health specialist with asbestos certification out of the preplanning and project work. This is an unusual step that is not followed by any other UW system school. What followed were several asbestos exposures to UW-Stout employees, students and citizens of the state. The environmental health specialist was contacted by several employees and even the contractors asking if material on the floor or in the items being remodeled was or contained asbestos. After those reports he made all the appropriate steps to clean the area when possible.

When he reported what he had done and observed to UW-Stout management, they responded by ordering him to stay off the remodeling projects and then ordered him to stay in his office. He was not allowed to go anywhere on campus except to the HR office. This employee did nothing improper and did not violate any work rules or laws. This restriction is still in place and is in the process of being contested by WSP.

Once this happened UW-Stout employees contacted the environmental health specialist – industrial hygienist at the Department of Commerce for her to inspect the work. Her inspection resulted in 11 separate violations of state statutes in regards to asbestos exposure (the report had 100 pages and 51 total violations of statutes). OSHA also gave the contractor 7 citations for violations. The final report of this environmental health specialist was immediately attacked by UW-Stout management. This was the third report in 6 years of violations of asbestos exposures at Stout. No other UW School in the system had even one report in that time frame.

UW-Stout management asked Commerce management to revise the report and had no factual information in the request to show that any of the reported violations were incorrect. That request resulted in Commerce management caving into the UW request and issuing a report for asbestos



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that had 7 violations and was only 8 pages in length. The other violations are being put into another report that still has not been released. The “revised” Commerce report was released on Wednesday December 30th. The timing of the release gave it little exposure to the public.

With the withdrawing of the first Commerce report both WSEU and WSP issued press releases that sounded the alarm of what was happening. Commerce responded by ordering the environmental health specialist that issued the original report to have nothing to do with the UW-Stout. Another employee was designated to deal with Stout. On his first visit to the Stout campus, he cited Stout for a separate asbestos exposure.

This is the abridged version of what happened. WSP has worked to assist and support both of the members involved. There will be more to this story in the coming weeks.

Here is a link to the WSP Press Release on the issue and an article in the local paper:

<http://www.thewheelerreport.com/releases/nov09/nov19/1119wspstout.pdf>

http://www.leadertelegram.com/news/front_page/article_e6222a84-14c7-5504-b607-3ec7e5daa680.html

Bargaining Update

A bargaining bulletin went out a few weeks ago and nothing has changed. We are planning to have another face to face meeting with the State this week. At this point things are moving slowly at best. If you have any bargaining concerns feel free to email bargaining co-chair Matt Roach at mjroach@wisc.edu.

Unit Clarification at the University of Wisconsin

The latest Wisconsin budget bill contained a provision that allowed the University of Wisconsin academic staff employees to organize into unions. Up until this change, State law did not allow the formation of unions for UW employees that were categorized as academic staff. Once this change in the law was signed by the Governor several state employee unions began making and implementing plans for organizing those employees.

The change in the law also re-ignited significant questions regarding the authority of the UW to designate its employees as academic staff. Some state unions have asked whether many academic staff should have been allocated to represented positions covered by those unions in the first place. The only way to settle this disagreement is through the unit clarification process. The Wisconsin Employment Relations Commission is the statutory agency with the authority to make this



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determination, and the process to determine whether an employee is academic staff or not will be made by them. The history of this change in the law goes back over 35 years and started with the concept that UW employees should be allowed to choose whether they can join a union.

Since the 2009 budget bill was signed the Wisconsin Science Professional board has been looking at all the information associated with the unit clarification process and how it may affect us. Estimates of the number of UW personnel from all campuses that could be considered WSP employees vary from 200 to over 1,000. In its review of the clarification, the WSP board had to decide whether we would be part of the process that other state employee unions were pursuing. The decision by the WSP board was to stay out of the unit clarification process for the UW employees. The reason for this were we are a union of volunteers without the resources to provide the service that these members will need. The issue itself is complex and as of this writing the UW System is contesting it vigorously. It is our belief that the unit clarification process will take many years to be cleared up.

Receiving E-Newsletters

If you know someone that is a member, is not getting the newsletter and wants to, please have them send an email to membership@wspunion.org.