

INTERNATIONAL BROTHERHOOD
OF
ELECTRICAL WORKERS
LOCAL UNION 1288

4000 Clearpool Circle *Memphis, TN 38118 * Office: 901-363-1563 * Fax: 901-363-3289

Newsletter

AUGUST
2009

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Rick Thompson
Business Manager

Trent Ward
*Assistant Business
Manager*

Bill Hawkins
*Assistant Business
Manager*

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IBEW Business Manager

Employee Wins Grievance Through Arbitration

MLGW's Human Resource Department and EEC Department practice of retaliating on bargaining unit employees when they attempt to file a EEC complaint and/or file a charge with the Human Resources Department has been vindicated for one employee through arbitration of denial of due process. July 2009, an Arbitrator handed down a decision ordering MLGW to remove the two day suspension of bargaining unit employee Debbie Coats.

Employee Debbie B. Coats, a Teller at the Lamar Community Office, filed a grievance after she had been given a two day suspension for attempting to file a EEC complaint on her Chief, Margaret Vaughn for alleged harassment, hostile work environment and other issues of mistreatment. She has since transferred to the Downtown Office.

Debbie Coats' statement in the arbitration report stated that **Marcia Mason**, (then, Manager of Human Resources, now Manager of Corporate Security), **Verlinda Hennings** (then, Human Resources Generalist), **Virginia Leonard**, (Human Resources Generalist), **Steve Day**, (then, Assistant Manager of Labor Relations, now Acting Vice President of Human Resources) and **Margaret Vaughn**, (Chief Teller) under the pretense of investigating her original complaint filed against Margaret Vaughn, abused their power and positions and failed to properly, fairly and justly investigate her complaint. Instead, management wrongfully and unjustly issued her a two (2) day suspension.

The Arbitrator, Mitchell B. Goldberg, stated that, "**management's original rush to judgment attitude, violates the expressed Memorandum of Understanding (MOU) language and policies that specifically provide for a procedure where the investigation is done with an open mind, evidence is gathered, and the employee is provided with an opportunity to explain and defend against the evidence before a decision is reached. This did not happen. This was an issue of due process, which is an integral part of the just caused arbitral principle.**"

The Arbitrator also stated that, "When a due process guarantee such as that contained in the Collected Bargaining Agreement (CBA) and the Employer's policies has been violated in a significant way, many arbitrators will moderate the degree of penalty. Accordingly, based upon the above findings, this grievance should be sustained in part. The two (2) day suspension shall be removed from the grievant's employment record. **She shall be awarded all lost pay and benefits as the result of the original suspension penalty.**"

Debbie Coats was also denied union representation by management, such as many bargaining unit employees at MLGW have been denied in the last two (2) years. MLGW's Human Resources, Labor Relations and EEC Department management consistently violates the Memorandum of Understanding (MOU) in their so-call investigations and discipline of bargaining unit employees.

According to many employees, in the past two (2) years MLGW's management staff has made a practice of intimidating and threatening employees for use of the grievance process and for filing EEC charges. This practice by management is why bargaining unit employees have no confidence or trust in MLGW's EEC Department, Human Resources Department, nor in upper management and many of the middle management staff. MLGW's management choose not to properly investigate an employee's complaint filed to resolve the issues with their immediate management or in their departments, but rather focus on finding ways to discipline bargaining unit employees for having the courage to use the grievance process or use the EEC Department.

*Executive
Board*

Electric:

Brian Cook
Tony Carter

Gas:

Greg Vailes
John Jones

Water:

Corey Hester
Phillip Richmond

General Services:

Michael Jones
Tammy Brown

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This arbitration ruling should encourage and motivate all bargaining unit employees to not be afraid, to **stand up, speak out** and **take action** when they have been violated. Employees should be inspired to have the courage of their conviction to go the distance when they have been violated, no matter how intense or long it takes because justice can and will prevail in the end in one way or the other.



Debbie Coats
I Love my Union!

Remember, our Union is always here to represent us against unfairness!

Ms. Coats, as Business Manager of your Union, I would like to say on behalf of the Union Membership, we give you a public apology for the unjust and mean-spirited discipline and denial of due process. Stay strong, keep your head held high and remember, *this too shall pass.*



J. D. POWER SURVEY JULY 2009

By Rick Thompson, Business Manager



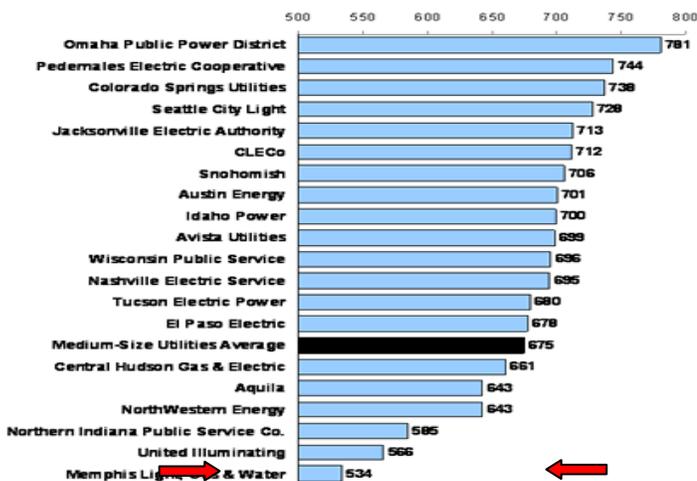
Memphis Light, Gas and Water Division ranks last place in the J.D. Power survey for July 2009 in customer satisfaction. Ironically, Memphis Light, Gas and Water Division was also in last place for the J.D. Power Survey for July 2007 and 2008. Even though the overall number ranking shows a very small improvement for 2009 compared to 2008, it still does not diminish the fact that we still came in last place in the South Region.

You may question why MLGW has continuously ranked in last place in the J.D. Power Survey for 2007, 2008 and 2009 with very minor changes towards improvement. MLGW is the **lowest** in the South Region and is ranking **117** out of **121** in the nation, **this is fourth from last place**. It is embarrassing and disappointing, to say the least to their customers and employees who are their stakeholders. **The bargaining unit employees of MLGW are definitely not the reason why the division has been at the bottom of the J.D. Power Survey for the past three years.** MLGW has some of the most dedicated and hard working employees who go to great lengths to serve the customers and these employees take great pride in working for MLGW. It is quite discouraging to employees that the only thing MLGW's management can do is go around the company and use the excuse that MLGW gained a lot of points, but still came in last place. In essence, last place is last place whether it is the bottom, middle or top. **It is what it is.**

To move from the bottom of the J.D. Survey, management must **start** to treat their internal customers (employees) and their external customers with dignity and respect. The tone of **mean-spiritedness** that appears to be passed down from the MLGW's Executive Management staff upon their front line employees must stop to signal an improvement in internal customer (employees) satisfaction. MLGW can improve at a faster rate and in a shorter time span in getting off the bottom of the J.D. Power Survey by **stop handcuffing** the employees from really helping the customers, **start truly** listening to their employees who are at the front line of customer service and by **truly** working with the Union Leadership. First and foremost, many of MLGW's upper Executive staff and middle management staff employees **lack the experience and expertise necessary to adequately move us from the bottom of the J.D. Power Survey.** Management must also stop violating the Memorandum of Understanding (MOU) in passing over senior qualified employees for promotions in order to promote their less senior qualified friends or "cherry picked" employees. Morale at MLGW is lower than it has been in the past thirty (30) plus years. The employee's morale at MLGW has been ranking at the bottom for the past two plus years and is similar to MLGW ranking at the bottom of the J.D. Power Survey. This **can** change, this **should** change and this **must** change in order for MLGW to once again become the best utility company in the **South region** and in the **nation.**

J.D. Power and Associates 2007 Electricity Residential Customer Satisfaction Study™

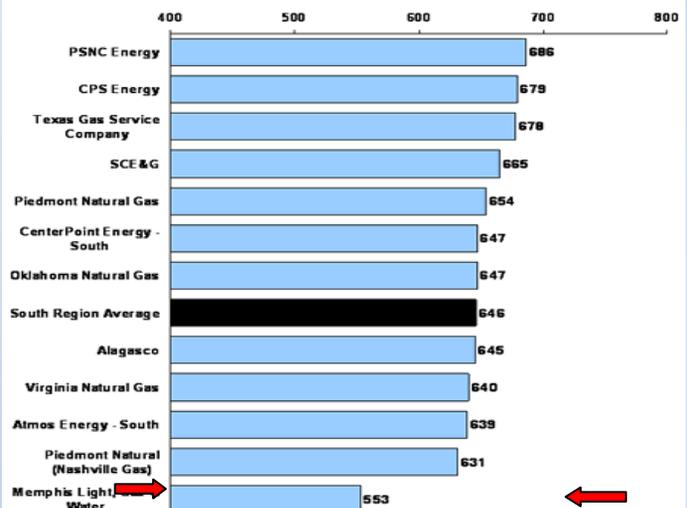
Medium-Size Utilities
(Between 160,000 and 400,000 Customers)
(Based on a 1,000-point scale)



Source: J.D. Power and Associates 2007 Electric Utility Residential Customer Satisfaction Study™

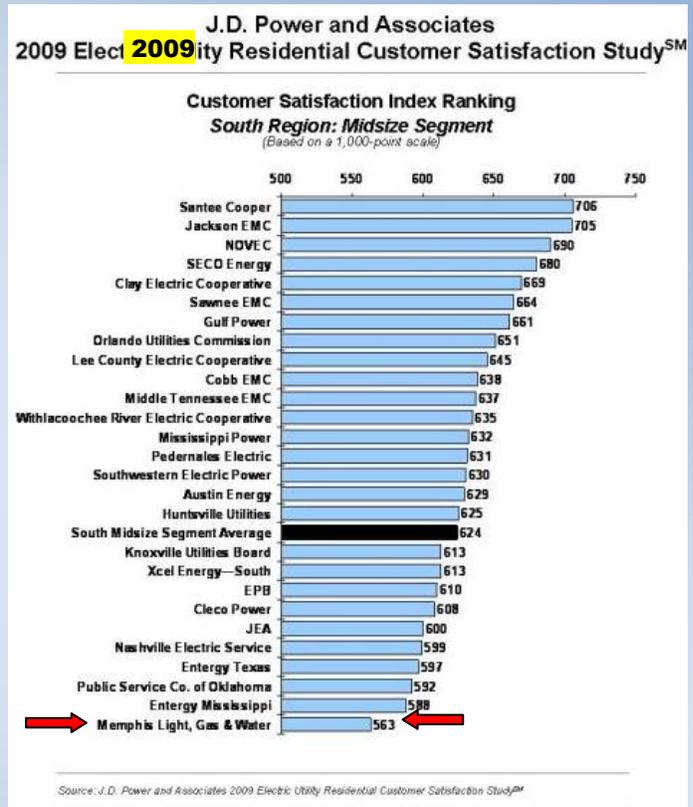
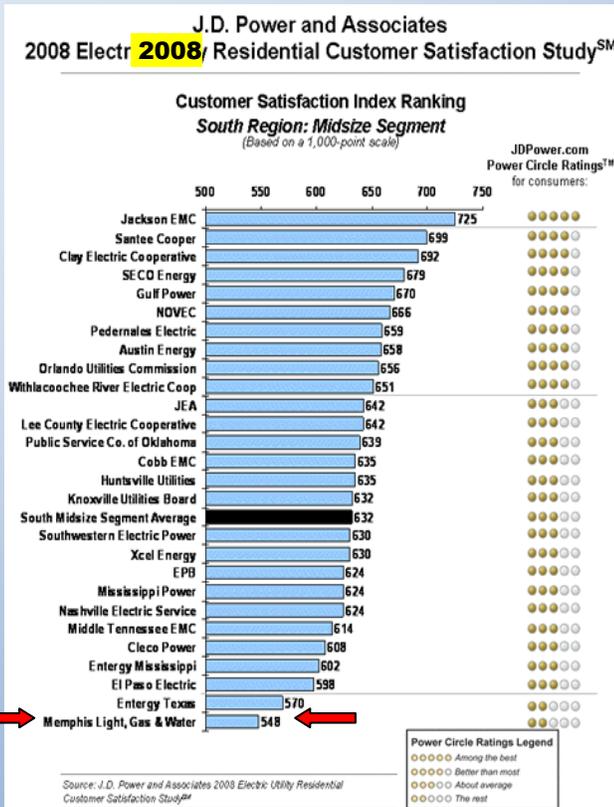
J.D. Power and Associates 2008 Gas Utility Residential Customer Satisfaction Study™

South Region
(Based on a 1,000-point scale)



Source: J.D. Power and Associates 2008 Gas Utility Residential Customer Satisfaction Study™

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The J.D. Power Survey should be adopted and used as **Management's Report Card**. It would be the recommendation of the Union that a **City Council Task Force** come to MLGW and do a study on why the customers and the employees are so dissatisfied and not just be lead around by MLGW management as they have done in the past;

but set up a booth at every center and location to allow employees to come and express their problems and concerns. Hopefully, with the changing of the City's Mayor Office there will be a focus on the real reasons MLGW is constantly coming in last place on the J.D. Power Survey and why the customers and the employees are so dissatisfied.

Memphis City Election

By Rick Thompson, Business Manager

Mayor Willie Herenton retired on Thursday, July 30, 2009 at 12:00am as Memphis' first African American Mayor. Friday, July 31, 2009 City Council chairman Myron Lowey assumes the position of Mayor Pro-Tem until the city special election **October 27, 2009**. It is time for us to come together as a Union to try to get a Labor Friendly Mayor elected. The next mayor must be one that will be fair to working people as well as the elderly and poor people alike. It is time for all organize labor (Unions) to come together for a common cause. We must educate our members, families, co-workers and friends about registering to vote and then encouraging as many people as we can to go to the polls to vote on Election Day. **We must also encourage our people to early vote.** Remember, voting is the only chance we have to replace insensitive and uncaring administrators and administrations, as well as elected and appointed officials in city government. Your vote can be renewed hope for our members who are being harassed and fired for no reason at all, simple because **mean-spirited** administrators have the power to do so. Your vote can also renew hope for thousand of rate payers/tax payers in this city that have fallen through the safety net. Union membership represents about **30,000 employees** in Memphis. If we count four (4) family members per household, that equals out to approximately **150,000 voters**. In conclusion, I will discuss calling a joint meeting with all Union Leadership, our members in City Government and the Private Sector's Union Leaderships to discuss this matter.

"IBEW WANTS YOU – IBEW NEEDS YOU"

By Trent Ward, Assistant Business Manager

All bargaining unit employees who are not a member of IBEW Local Union 1288 are needed and wanted. IBEW is now negotiating with MLGW for a new contract for all bargaining unit employees, effective January 1, 2010. MLGW's contract proposals for Negotiation 2009 is the most anti-union/anti-worker that has been proposed by management in the last thirty (30) years. This is the most punitive administration that MLGW employees have worked under in the past thirty (30) years. The outcome of the new contract can very well determine the future employment and benefits of all bargaining unit employees at MLGW. Your membership will create a unified front of solidarity in the survival of you as an employee and of your union in these economic times.

Remember, **united we stand and divided we fall.**

Please Note: Address Changes for Union Members **MUST BE TURNED IN to the Union Office, BY THE MEMBER.** MLGW **DOES NOT** provide us with Address Changes.

MOVING



INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS

LOCAL UNION 1288
4000 CLEARPOOL CIRCLE
MEMPHIS, TN 38118

Non-Profit Org.
U.S. POSTAGE
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Permit No. 381
Memphis, Tenn.

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International Brotherhood of Electrical Workers Local 1288

August 2009

NEWLY APPOINTED BOARD MEMBER



By Paul Lundy
Vice President and Executive Board Chairman

Tammy Brown
General Services, Executive Board

Congratulations, to Tammy Brown for being appointed as General Services Representative to IBEW's Executive Board, June 2009. This position became vacant when Brunetta Mason took a position in Management. Tammy Brown will be representing the bargaining unit employees in the General Service areas.

Tammy Brown works in Customer Accounts and Records as an Account Processor. She is also the Steward for Customer Accounts and Records. Tammy has been faithful and consistent in attending the IBEW's Monthly Membership Meetings and the Steward Meetings. Proven to be well versed and visible in her department and at IBEW meetings has caused her to be chosen for Special Meetings called by IBEW regarding concerns that affected her department and our customers.

Tammy is a welcomed asset to IBEW'S Executive Board and she looks forward to working with the other Executive Board Members and representing the bargaining unit employees in General Services.

THOUGHT FOR TODAY

The Myth of Time

Some people are victims to some strange illusions. One of our illusions is the myth of time. They say just wait and don't push things; be patient and pray and time will work this thing out. These people fail to realize that time is neutral. It can be used positively or negatively. We have seen this myth work in the South. The fact is the segregationist have made a much more effective use of time than some forces of good will, even the federal government. I am convinced that we may have to repent not only for the blasphemous words of the bad people, but the appalling silence of the good people. We must get rid of the notion that human progress rode in on the wheels of inevitability. We must come to see that human progress is never inevitable. It comes through the efforts and the continuous work of dedicated individuals, and without this hard work time itself becomes ally of the primitive forces of social stagnation. We must make it clear that the time to do right is now and that the time to do right is always right to do right.

Dr. Martin Luther King, Jr.

GENERAL MEMBERSHIP MEETING

1ST Thursday of each Month
5:30pm (Promptly)



STEWARDS MEETING

3rd Thursday of each Month
5:30pm (Promptly)

IBEW LOCAL UNION 1288 BUSINESS MANAGERS



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