

Machinists

DOL Sets Rules to Conduct Nominations, Possible Election of Machinists Officers

Nominations for candidates to be officers of the International Association of Machinists will take place Jan. 25 at each of the union's more than 600 local lodges, under rules issued late last month by the Labor Department's Office of Labor-Management Standards.

The nominations and a possible new election, if opposing candidates get enough endorsements from local lodges, will be conducted under the auspices of the DOL, which in August found that the IAM violated federal labor law during the election of officers earlier this year. In order to avoid legal proceedings, the union entered into a voluntary compliance agreement with the DOL to conduct new nominations and a new election, if necessary, for the offices of international president, general secretary-treasurer, and eight general vice presidents.

So far, at least two candidates have announced they plan to seek nomination and oppose the incumbent president as well as a general vice president, who took office this year.

Under the terms of the agreement, the union is preparing shortly to send letters to all members of the 600,000-member union, informing them of the process for the nominations, Rick Sloan, an IAM retiree volunteering as the point of contact for the IAM officers, told Bloomberg BNA Dec. 9.

A DOL spokesman Dec. 11 declined to discuss the compliance agreement. But, a brief description of the voluntary compliance agreement appearing on the DOL's website said that an OLMS investigation of the election "disclosed that the union failed to provide notice of nomination to the membership regarding the nomination of international officers, local lodges did not provide notice of their nomination meetings to all members, and members were denied a reasonable opportunity to nominate candidates when some members were working at the time of the nomination meeting and/or endorsement vote and no alternative method of nomination was provided."

According to the DOL rules, which were sent to the parties Nov. 28, each of the union's more than 600 local lodges will hold nominating meetings Jan. 25 at two different times—6:00 a.m. to 8:00 a.m. and 6:00 p.m. to

8:00 p.m. If two or more candidates receive a nomination, members of those locals then will meet Feb. 8, again in two sessions, to vote by secret ballot to endorse one candidate.

The IAM constitution requires all candidates for office to be endorsed by 25 different local lodges. If no challenging candidates receive endorsements from that number of locals, the incumbents are elected to their offices, according to Sloan. However, if a challenger receives endorsements from 25 local lodges, then a new election would be held sometime in April, Sloan said.

The DOL rules require the IAM to provide direct notice of nominations by mail during the week of Dec. 16, including the dates, times, and locations of the nominations process as well as the endorsement voting process. It also sets out requirements for eligibility to hold office, eligibility of nominators, campaign procedures, as well as distribution of campaign literature and procedures for members to protest the election.

Contender Filed DOL Complaint After Election. Following the January 2013 nomination and election process for national officers at the IAM, Karen Asuncion, a 30-year IAM member, filed a complaint April 9 with the Labor Department protesting the result of the process. She alleged that her name had been placed into nomination at well over the 25 local lodges required, but agents of the union coerced, influenced, and interfered with the nomination process so she did not secure the nomination of those locals.

In her complaint, Asuncion also charged that the union violated the Labor-Management Reporting and Disclosure Act and the union's own constitution by not providing all members "reasonable notice" of the nomination and election process, including failing to advise of "the offices to be filled, date, time and location of such nominations and election; the proper method of submitting nomination," as well as the "complete and utter failure to provide those same members in good standing with any 'reasonable opportunity,' in the procedures followed, to make, stand for, solicit, and/or vote on those nominated."

Asuncion also charged the union violated its constitution by nominating and endorsing for a general vice president position a candidate who "does not hold membership in any IAM Local Lodge," thus disqualifying her from running for office.

Dissidents Challenge Incumbents. Meanwhile, Asuncion and Jay Cronk, a former staff representative at the union's headquarters, have announced they intend to seek nomination. Cronk intends to challenge incumbent President Thomas Buffenbarger, while Asuncion is seeking a general vice president position.

Cronk told Bloomberg BNA Dec. 9 that he decided to run for president to "restore integrity and pride" in the union through greater membership involvement and activity. He charged that the current officers don't ask the members for their input, pointing to the negotiations that took place in Seattle with the Boeing Co. Members did not know negotiations were going on until they were told they would be voting on a proposal from the company in a week, he alleged.

The eight-year contract proposal would have guaranteed thousands of jobs in the Puget Sound region of Washington and in Portland, Ore., building the new 777X aircraft in return for workers giving up defined-benefit pensions and making larger contributions for medical, dental and insurance coverage (221 DLR A-12, 11/14/13). The membership rejected the proposal by a 67 percent margin.

The platform Cronk and Asuncion are running on calls for cutting union spending and costs, including selling the union's private jet; amending the constitution to "ensure legitimate elections every four years"; and reducing the "per capita tax imposed on members and change the dues structure so it's fair to lower-wage workers, part of a strategy of growing the size of the union by organizing new members," among other issues.

According to Cronk, he was terminated from his position as a staff representative at IAM headquarters, about one week after he launched the website <http://www.IAMreform.org>, where he announced he was seeking nomination for president. He said he was told he was being terminated because on multiple occasions he had publicly taken a position that was critical of policies of the elected officials, which he denied having done.

Sloan defended Cronk's firing, contending the policies that he opposed were a matter of importance to the union, and most of them had been approved by delegates at IAM conventions.

For example, he said, Cronk was critical of the IAM dues structure. Sloan said at the 2008 convention there was an effort to change the structure and lower the per capita tax, which was rejected (176 DLR C-1, 9/11/08).

At the 2012 IAM convention delegates also rejected changes in dues ranging from granting dispensation to allow payment of a lower per capita tax in certain circumstances to basing the per capita tax on a percentage of the monthly wages. Another proposal would have set the per capita tax on the average hourly rate of each local (177 DLR C-2, 9/12/12).

Sloan added that Cronk has "every right to run as a member" and "say anything he wants to say."

Buffenbarger Defends Boeing Negotiations. Meanwhile, in a Dec. 4 letter to all IAM members employed by Boeing in Seattle, Portland, Ore., and Wichita, Kan., Buffenbarger defended how the national leadership had handled the negotiations with Boeing.

According to Buffenbarger, since the Nov. 13 vote he has received many telephone calls and e-mails about the vote and the talks that led to the proposed agreement. He said it became apparent that there is "confusion as to how these events unfolded and misinformation about the reasons why the IAM and Districts 751, W24 and 70 engaged Boeing in talks regarding the planned 777X program."

Buffenbarger wrote that during initial conversations in June, Boeing management told the union it would entertain talks to build the 777X project in Puget Sound, but "without an agreement with the IAM, Washington State would have very little chance of landing the 777X project."

According to the IAM president, a preliminary discussion was held with the company July 16, but no specifics were discussed. At another meeting in late August, the parties exchanged financial and benefits data. Data gathering meetings were held in several cities in September and October to verify "raw data necessary for the IAM's research economists in the Strategic Resources Department to prepare the IAM's negotiators for pending discussions," he wrote.

The full IAM bargaining committee met the morning of Oct. 28 and discussed the initial Boeing proposal, Buffenbarger said. Later in the day, the company team presented its future business plan and reasoning for the economic proposal to the union. Bargaining took place every day thereafter until Nov. 2 when the union asked the company for a proposal, which Boeing made later that day. The bargaining committee met for numerous hours to discuss the proposal and decided not to bring the proposal to the membership for a vote, he said.

Two days later, the company appealed to the bargaining committee to accept the proposal, but District 751 Directing Business Representative Tom Wroblewski was unable to get agreement from the bargaining committee to present the proposal to the membership for a vote, Buffenbarger wrote. Later that evening, Wroblewski ordered the proposal be voted upon by the membership, Buffenbarger said.

The rank-and-file rejected the final offer, which asked them to freeze their defined-benefit pension, replacing that with a retirement savings plan, and to dramatically curtail wage growth for new hires.

Buffenbarger wrote that he wanted to make the "chain of events clear." Noting that since the vote members had told him they did not know what Boeing had proposed because the "proposal was not presented or explained to the membership," he enclosed a summary of the rejected proposal, which showed that the total accumulated potential value for an employee earning \$80,000 was \$143,794 for the term of the eight-year agreement.

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