



COUNCIL 4 NEWS RELEASE

March 2, 2011

Council 4 Files Labor Board Complaint Against City; Action Prompted By Mayor's Letter To Employees

New Britain, CT — Council 4 AFSCME, a union with nearly 1,500 members who reside in New Haven, filed a municipal prohibited practice complaint (MPP) against the City of New Haven, alleging that Mayor John DeStefano, Jr. “interfered with, restrained and coerced employees in the exercise of [their] rights” guaranteed under municipal labor law.

Council 4 filed the complaint on behalf of the member of Locals 287, 884, 1303-102, 3144 and 3429 in response to a letter DeStefano sent to city employees the day after he ordered the layoffs of more than 80 city workers, including 42 from Council 4 unions.

According to Kevin Murphy, Council 4's Director of Collective Bargaining and Organizing, the mayor's letter is an attempt to undermine local union leadership by illegally attempting to circumvent collective bargaining. “The mayor has a right to communicate with New Haven public service workers, but he doesn't have a right to intimidate those workers and deny them their rights under law,” Murphy said.

Council 4 filed the complaints with the Connecticut State Board of Labor Relations on Feb 22, 2011. Copies of the board charges are attached to this press release, along with Mayor DeStefano's letter and Council 4's response.

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Contact: Larry Dorman (860) 612-3855 (work) or (860) 989-9127 (cell)

Council 4 of the American Federation of State, County & Municipal Employees (AFSCME) represents 35,000 employees and is the state's largest AFL-CIO union. To learn more, go to www.council4.org.

STATE OF CONNECTICUT
LABOR DEPARTMENT
CONNECTICUT STATE BOARD OF LABOR RELATIONS

IN THE MATTER OF

City of New Haven and
New Haven Board of Education

(RESPONDENT)

-AND-

Locals 287, 884, 1303-102, 3144 and 3429
of Council 4 AFSCME, AFL-CIO

(CLAIMANT)

RESPONDENT'S ADDRESS: 165 Church Street, New Haven, CT 06510

RESPONDENT'S PHONE: (203) 946-7151

PURSUANT TO SECTION 7-471(5) OF THE MUNICIPAL EMPLOYEE RELATIONS ACT THE UNDERSIGNED ALLEGES THAT THE ABOVE-NAMED RESPONDENT HAS ENGAGED IN AND IS ENGAGING IN PROHIBITED PRACTICES WITHIN THE MEANING OF SECTION 7-470 OF SAID ACT, IN THAT:

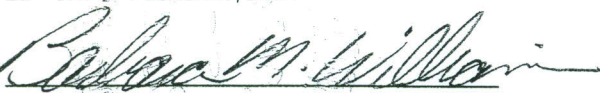
Respondent has interfered with, restrained and coerced employees in the exercise of the rights guaranteed in Section 7-468; dominated or interfered with the formation, existence or administration of Complainant Union; and refused to bargain collectively in good faith with Complainant Union which has been designated as the exclusive representative of employees employed by Respondent. Said actions constitute a violation of, but not limited to, Sections 7-470 (a) (1), (a) (2) and (a) (4) of the Act.

Specifically, on February 18, 2011, the Employer, through the Office of the Mayor, sent the attached letter to the members of Locals 287, 884, 1303-102, 3144 and 3429 in an attempt to undermine the elected leaders of the respective locals. The Employer through Mayor John Destefano is Direct Dealing with the members of the respective units. This is an attempt at intimidation of the employees of the City of New Haven and to deny them their respective rights under the provisions of the Municipal Employees Relations Act (MERA).

Complainant seeks comprehensive statutory remedy including but not limited to an order to cause Respondent to cease and desist with the obvious violations of MERA; post a written apology from the Mayor on all Union bulletin boards; send a letter to each employee with said apology contained therein; and pay to Complainant all costs borne by Complainant in pursuance of this Complaint and compliance therewith.

SUBSCRIBED AND SWORN TO BEFORE ME THIS

22ND DAY OF FEBRUARY, 2011


NOTARY PUBLIC
MY COMMISSION EXPIRES: 07-31-2011

Locals 287, 884, 1303-102, 3144 and 3429 of
Council 4, AFSCME AFL-CIO

COMPLAINANT

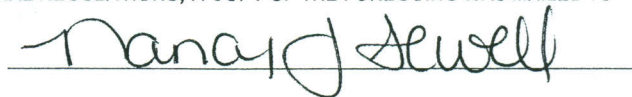
Kevin M. Murphy, Director Collective Bargaining & Organizing
Council 4 AFSCME, AFL-CIO


SIGNATURE

444 East Main Street
New Britain CT 06051
(860) 224-4000

CERTIFICATION OF SERVICE

I HEREBY CERTIFY THAT, PURSUANT TO SECTION 7-471-20 OF THE CONNECTICUT GENERAL REGULATIONS, A COPY OF THE FOREGOING WAS MAILED TO THE RESPONDENT BY REGISTERED OR CERTIFIED MAIL.



OFFICE OF THE MAYOR

165 CHURCH STREET • NEW HAVEN • CONNECTICUT 06510



JOHN DESTEFANO, JR.
Mayor

February 18, 2011

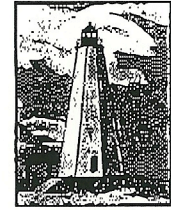
Dear Employees:

Yesterday, 96 City employees were dismissed from their jobs as part of a workforce reduction required to balance out the current and next fiscal year's budgets. The result of these cuts will mean residents will receive less in services and dozens of families will now face financial hardship. This is not a measure which I agreed to lightly, but rather a difficult choice which I came to accept as necessary given what choices the City has. I do not blame any City employee for the financial crisis, the benefits awarded to them in their union contracts or for any jobs being eliminated now or in the future. Yet, this reduction in positions is the direct result of both the necessity of balancing the budget and the failure of leadership.

Problems with the City budget are more a matter of expenditures than revenues. In fact, had it not been for Gov. Malloy's state budget the layoff list this week would have been much longer. For the past several years the City has seen revenue from state aid shrink, healthcare and pension expenditures rise, and we had passed those cost drivers and revenue shortfalls unto the taxpayers in three out of the last four years. New Haven taxpayers are in the same financial boat as are all of us, facing the same difficult choices and challenges. In recent years residents have done their share as we had asked of them, but they cannot afford another tax increase. We have an unsustainable expenditure problem with pension, healthcare and workforce costs.

Over this same period of the last four-years the City had engaged union leadership on recurring savings in contracts - not just one-time givebacks like furloughs or forgoing a raise. Many in leadership ignored the problem or offered up something which couldn't be done or that was not a recurring savings. Yet, some answered the call and gave concessions. As a result those units had no members laid-off. Today, all but three of the City's bargaining units have their contracts open with the exception of police and fire to come open this summer and teachers in 2014. Currently, the attempt is being made at the table or in arbitration to get recurring savings in the form of changes in healthcare, pension plans and custodial work rule changes. Let me be clear that in neither case am I looking to take away healthcare or pensions, but we must make reforms as the costs of the current plans are not sustainable over the years.

To date the City has been unable to achieve any savings from our discussions with union leadership. Talks of both formal and informal nature have failed to produce significant, recurring savings for taxpayers or to secure any pension longevity for City workers. Without someone at the negotiating table with the City who recognizes that these fiscal challenges are real, is willing to lead and is able to make difficult choices, we can expect that the City will be left to manage the budget with the only tools it unilaterally has - position eliminations and service reductions. Neither of these are good choices for residents or the families of City employees. To this point in time I have failed to get union leadership to recognize this is not a one or two year problem and



*The vision of New Haven's children
is our city's greatest resource**



phone 203.946.8200 fax 203.946.7683

**This creative impression is the work of Sanja Benak, a student at High School in the Community.*

because of that I have not been able to get them to any agreement. They still choose to ignore the gravity of the situation.

We must reform our pensions and find affordable healthcare for City employees. In this ever changing world of ours a new normal is emerging from this fiscal crisis we are now experiencing. City employee benefit packages must be fiscally reasonable, offer fair healthcare coverage, allow long serving employees the right to retire with dignity and be sustainable for the near future. City employee benefits must come into line with benefits offered in the private sector in comparable industries if we are to control costs and have pensions in the future. I cannot tell you what the next five or ten years will hold for America, but I can tell you this: a promise made today which cannot be paid for ten or fifteen years down the road is not much of a promise at all. This not just a one or two year problem requiring a one or two year solution, rather this is about sustainability for the near future so we don't have position eliminations every other year.

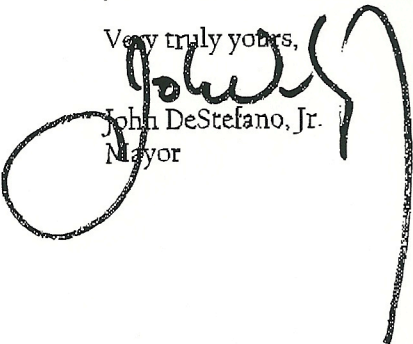
This round of workforce reduction will require the City to end doing some of things it has always done in the past. It also requires us to be more productive in the ways of getting stuff done as we become leaner and have fewer co-workers to depend upon when workloads increase. These cuts are felt across the board in virtually every aspect of government from teachers-to-police-to-nurses-to-finance-to-crossing guards-to-the Office of the Mayor where I am eliminating positions from the budget.

These are trying times for employees and their families, residents and managers. The public has insatiable wants and desires in services and the expectation that managers deliver those services from an ever reducing universe of resources. Employees often feel as they are the ones targeted to take the blame for the fiscal crisis we all face, but I know none of you are to blame. And the Board of Aldermen is unable to find consensus on making difficult decisions. So where do we go from here?

The City will continue to talk both on the record and off to Union leadership and their Executive Boards about healthcare, work rules and pensions. The City will aggressively pursue the arbitration process for those units where we reach an impasse. The FY11-FY12 City Budget will be introduced on March 1, 2011 and with that budget there will be more position eliminations at the end of June.

Workforce reductions have occurred in the past, and will likely occur in the future to some scale. We have been down this road in the past and have survived as we shall this time as well. I will say it again that if the City is the only one reducing expenditures we are left to use the only tools we have available unilaterally which are blunt instruments of balancing the budget - layoffs and service reductions. It is my hope that we can reach agreements which save taxpayer money, balances out the budget, provides healthcare and extends the life of our pension plans. I hope you will be as vocal about your desire for an agreement as I am.

Very truly yours,


John DeStefano, Jr.
Mayor

Feb. 22, 2011

Dear Sisters and Brothers,

I am writing to you as Council 4 AFSCME members employed by the City of New Haven or the Board of Education in response to a letter you just received from Mayor DeStefano wherein he tries to explain why he ordered 96 layoffs, including 42 from AFSCME local unions represented by Council 4. DeStefano's letter was not only misleading and offensive, but in our view, a violation of municipal bargaining law due to its obvious attempt to intimidate city employees and circumvent any negotiations with your bargaining units. Therefore we have filed a municipal prohibited practice complaint with the State Board of Labor Relations. Consequently, we have filed a formal complaint.

We agree with the mayor on one thing and one thing only: New Haven, like so many other cities and towns, faces difficult choices with an operating deficit. But unlike other cities and towns where we represent municipal and board of education employees, your mayor has decided to employ a slash and burn approach, rather than work in good faith to protect the public services New Haven's residents and businesses deserve.

You have received a letter from the mayor with his characteristic "spin." Please take a few moments to read what really happened:

On Saturday, Feb. 12, the presidents of our five bargaining units (Local 287, Local 884, Local 3144, Local 3429 and Local 1303-102) met with the Mayor, School Superintendent Reginald Mayo and Chief of Staff Sean Matteson. I participated in the meeting, as did Kevin Murphy, Council 4's Director of Collective Bargaining and Organizing. Also in attendance was Lawrence Fox, a mediator retained by the city.

Right out of the gate the mayor claimed that New Haven's pensions are no longer sustainable. He demanded a series of dramatic cuts that would effectively destroy the pensions' viability. DeStefano demanded to roll back pensions in a City that does not provide Social Security and where the pension payout averages around \$18,000 (\$32,000 if the few high paid recipients are included). What's more, 40 percent of New Haven city and school workers receive no pension at all.

We reminded Mr. DeStefano that elderly people are the most affected by a lack of revenue. They are the ones least likely to pull themselves out of poverty while often requiring more income for help in doing simple daily chores such as shopping, transporting themselves and other activities younger people take for granted. Even though we didn't cause the mess, we said we would ask our members to help fix it.

We asked the mayor why he has not embraced Public Act 10-131; legislation that allows municipalities like New Haven to buy prescription drugs at the reduced rate the state pays. We reminded the Mayor that Hartford has joined this program and expects to save \$2 million dollars! State analysts calculate that New Haven would save around \$1 million. On top of that, Local 287, which represents school custodians, offered to take a lesser medical plan that would save an additional \$250,000. But we didn't stop there.

We said we would ask you to agree to a 9% pension contribution. That contribution increase would raise \$3.8 million dollars. So DeStefano had a choice: Say "yes" to the

Sal Luciano
Executive Director
Local 2663
State of CT - DCF

Thomas Ledoux
President
Local 2930
Town of Newington

Clarke King
Secretary
Local 1716
City of Hartford

Vice-Presidents

Linda Armstrong
Local 335
State of CT - Administrative/Clerical

Jay Bartolomei
Local 714
State of CT - Social Services

Blair Bertaccini
Local 269
State of CT - Dept. of Labor

Gil Bironi
Local 184
MDC

Mark Blumenthal
Local 566
Hartford Board of Education

Steven Curran
Local 1565
State of CT - Corrections

Marie DeSousa
Local 391
State of CT - Corrections

Tony Duarte
Local 749
State of CT - Judicial

Robert Facey, Jr.
Local 3713
MDC

James LoMonaco
Local 2836
State University Administrators

Brian Mitchell
Local 1303
CT Municipals

Anna Montalvo
Local 1522
City of Bridgeport

Robert Montuori
Local 287
City of New Haven

Roberta Price
Local 610
State of CT - Administrative/Clerical

Thomas Stough
Local 991
Town of Manchester

Claudine Wilkins-Chambers
Local 3429
New Haven Paraprofessionals

prescription plan, "yes" to Local 287 and "yes" to 9% for a saving of \$5 million; or persist in his proposal to effectively destroy the retirement plan. You read his disgraceful letter; you know what he did.

Together, those savings added up to \$ 5million. That's when the mayor and his staff walked out.

The mayor's behavior is erratic and destructive. His words and actions indicate he perversely prefers to lay off workers and slash services than to reach an agreement.

John DeStefano terminated 96 employees last week. He wants to put 200 school custodians' jobs out of existence — permanently. He has promised more layoffs and service cuts. He has vowed to take every contract to arbitration if city unions do not slavishly agree to his outrageous demands. The Mayor is spending hundreds of thousands of tax dollars to fight all of us, through costly outside lawyers, mediators and the like, while he continues to fill city positions.

If this all feels a bit like Wisconsin, or New Jersey, or Ohio, you're right. Mayor DeStefano has taken a page out of the anti-worker playbook circulating around the country. Instead of focusing on creating good jobs and protecting New Haven's workers and its tax base, he has chosen to play politics by attacking city workers and using every opportunity to blame them for the economic downturn.

In my years as local union president and Executive Director, I have seen many layoffs, and in every instance, I have heard from workers who are literally sick about their sudden inability to provide the services to the citizens. This includes a broad array of jobs, from the custodian who knew the cutbacks would lead to a compromised and unsafe learning environment; the social worker who dedicated years to protecting Connecticut's children; to a refuse worker who refused a higher paying job to stay to keep the streets clean — only to get laid off. These are the careers that this callous mayor seeks to destroy.

We are fighting to accomplish two goals: protect public services in New Haven and reach contractual agreements that protect your rights and your dignity. These are not mutually exclusive, but rather, wholly intertwined objectives. We will pursue those objectives because the quality of life in New Haven and all across America depends on our success.

In the coming days and weeks, it is important that you participate. We need you to contact the members of the Board of Aldermen and tell them to support our services. We need you to be present at aldermanic meetings and any special events that will be coming. We need you to talk to your friends and neighbors to enlist their support. We need you to defend your services on local news blogs.

Please do not hesitate to contact us with ideas or concerns. And stay posted on the latest developments in New Haven by going to www.council4.org.

Thank you very much.

In solidarity,



Sal Luciano, Executive Director
Council 4 AFSCME Council 4

SL/bw