

# STANDING STRONG at SOLVAY

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## Solvay Council Meets to Confront Bargaining Challenges

Problems in reaching a fair agreement with Solvay management at two Illinois locations and a desire to strengthen the USW Solvay Council prompted a council meeting at the end of June.

Representatives from eight USW Solvay locals and International officials and staff met June 23 and 24 in Tinley Park, Ill., south of Chicago, and spent most of the first day discussing the status of bargaining at the University Park, Ill., and Chicago Heights, Ill., facilities.

They also heard a presentation on Solvay's finances, a report on the Solvay Global Forum from forum member Jeff Hill, and the USW safety resources available to them.

### University Park Bargaining Issues

The USW organized this location in 2010 with the help of the Solvay Global Framework Agreement, and since then Local 2011 bargained two contracts. Before the second contract expired on Nov. 15, 2015, the local began negotiations for a third agreement on Nov. 2 for over 90 workers.

In nine months, Solvay management and the local met only 14 times. Members rejected the company's last, best and final proposal on Dec. 17, 2015. The local is working under the existing agreement until a new one is negotiated.

USW District 7 Staff Representative Frank Schubert, who services the USW locals at Solvay's Illinois plants in University Park, Chicago Heights and Blue Island, said the Local 2011 membership's top priority is to negotiate a disciplinary program and limit the time discipline is recorded in an employee's file.

Schubert said other priorities include strengthening contract language on what is considered union work; clarifying contract

language so layoffs are done by plant-wide seniority instead of departmental seniority; premium pay, and increasing unpaid time for union education, conferences and meetings to 200 hours per year.

Local 2011 also wants to negotiate stronger health and safety language, improvements in the short-term disability program, expanded unpaid bereavement leave and severance language.

### Company Intimidation

Prior to the start of negotiations, Solvay laid off workers even though it was expanding the University Park facility to pick up the resin business BASF relinquished.

The local believes the company used the layoffs to intimidate workers into accepting its regressive proposals, which include increasing the probationary period, tying mandatory overtime to the attendance policy, reducing short-term disability pay and shortening the contract term to one year.

Solvay used departmental instead of plant-wide seniority to keep junior employees and lay off those with greater years of service. The local challenged the layoffs  
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Solvay Council members at the June 23-24, 2016 meeting in Tinley Park, Ill.

# Solvay University Park, Chicago Heights USW Locals Challenge Company's Regressive Proposals

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and has taken the case to arbitration.

## Health & Safety Problem

University Park has a major ventilation problem that management failed to resolve when it installed a new roof, Schubert said. He said some employees, who never had problems before they worked at the plant, developed asthma and chronic obstructive pulmonary disease (COPD) as a result of their exposure to chemicals. The local filed charges with OSHA.

## Chicago Heights Bargaining Issues

Local 7-765's contract expired Jan. 16, 2016, and the local began negotiations on Jan. 4. Both parties met 10 times through the end of June, and agreed to a contract extension, then let it expire.

Schubert said the company insists on supervisors being able to do bargaining unit work. Other company proposals include changing when overtime is paid, preventing the local union from issuing information requests to the company, increasing the probation period for new hires and restricting the grievance committee to two members.

Members overwhelmingly rejected the company's last, best and final offer on Feb. 1.

Besides wage increases, the local is seeking pay for the production records workers set at the plant. Its other proposals include money for safety shoes as well as improvements in premium pay, sick leave accrual, sick days and lunch allowance.

## Negotiation Process

Both locations said company managers will meet with the union to negotiate by dropping off their proposals and leaving to caucus. Schubert said management spends more time in caucus than meeting face-to-face with union negotiators. At the council meeting he said that Chicago Heights management admitted it had not looked at the union's proposed package in 73 days.

Before the meeting ended, the council planned a July 6 sticker and letter mobilization action to support the locals engaged in bargaining or about to start negotiations. Every Solvay local would get "Fair Contract Now" stickers for their members to wear. The International also wrote an open letter to Solvay management about bargaining and each local would hand this letter to the plant manager.

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## USW to Solvay: U.S. Managers Either Respect the Union or USW Pulls Out of Global Framework Agreement

Solvay corporate labor and industrial relations directors invited to the USW Solvay Council's June 23 and 24 meeting listened to council members detail their issues with U.S. management and problems with negotiating a fair contract.

They also heard clearly from USW International Vice President Carol Landry that the union would pull out of the Global Framework Agreement (GFA) if the company did not take action to ensure U.S. managers followed Solvay's policy of working with unions.

Jean-Christophe Sciberras, head of Solvay industrial relations, attended the second day of the council meeting with Gerald (Jerry) Prete, Solvay's North American labor relations director, and Albert Kruft, the European Works Council representative on the Solvay Global Forum.

Landry invited the officials to hear firsthand how the company's U.S. managers at the University Park and Chicago Heights plants are not following the GFA.

"There is a lack of respect for the members and union at these two sites," she said. "When we have local management shaking their heads and rolling their eyes and saying that the GFA does not apply in the U.S., as the USW we can't let that happen."

## Respect Workers

The GFA binds the company to uphold workers' rights and operate in a socially responsible manner. It means that workers are respected and their input is taken seriously.

Management is to communicate clearly with worker representatives and keep them informed of company decisions and changes. It also means non-union workers have the right to organize without company interference.

This agreement sets the standard for Solvay's global labor relations in the chemical sector, and is supposed to apply to all the company's worldwide sites.

## Worker Frustration with Management

USW District 7 Staff Representative Frank Schubert shared the local unions' frustrations and concerns with management at the University Park and Chicago Heights plants. He represents the locals at both sites as well as at the Blue Island plant.

Despite promises to do so, Solvay did not roll out its  
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Jean-Christophe Sciberras, Solvay's head of Industrial Group Relations.

# Solvay U.S. Managers' Anti-union Behavior Frustrates USW Locals at University Park, Chicago Heights

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401(k) plan at the University Park, Chicago Heights and Blue Island sites, and this caused workers to miss the company's 9 percent match this year, Schubert said.

Local 7-765 Unit President David McGowan, from the Chicago Heights plant, said the local filed National Labor Relations Board (NLRB) charges to get information on the 401(k) plan because the company gave false numbers in response to the local's information request.

District 7 Sub-District 1 Director Jose Gudino said management proposed in bargaining to limit the number of information requests Local 7-765 could file because it claimed the local was using these requests as a "revenge tool."

McGowan said his members understand labor law and their workplace rights, and this unnerves management.

"Management is used to talking to a non-conscious employee who says, 'Yes, master.' We are not that way. We are a self-directed work force."

With only 27 people in the bargaining unit at Chicago Heights, there are over 200 grievances since new management arrived several years ago, McGowan said. Previously, the local had six grievances over an eight-year period and only one went beyond the first step.

## Contract Re-interpretation

Schubert said Chicago Heights management for many years adhered to contract language on premium pay. Then, when the new plant manager arrived in 2014, he re-interpreted the premium pay contract language and workers stopped receiving this compensation.

"We have had lots of unilateral changes from the company," McGowan said. "The union had an additional shoe proposal, and the company said we can't get safety shoes

unless we sign a contract. That is bargaining in bad faith, and the NLRB said it was a violation."

He said the company threatened to lay off the packing department before negotiations started, and the union filed an NLRB charge.

"These are tactics to bust unions," McGowan said. "Our plant manager said he posted the GFA, but he did not tell where he posted it."

## Contractor Problems

Landry talked about the negative impact of the company's use of contractors.

"We have contractors on site whose work is a lot to be desired. Rework has to be done, and that costs more money for Solvay," she said. "We're told the contractors are brought in under capital expenditures and that's not true."

She also expressed concern over the use of non-union contractors who pose a danger at the sites because they are not trained to handle the jobs they are assigned.

"Contractors put in valves backwards. They don't do lockout/tag-out. They are setting themselves up for catastrophe," McGowan said.

## Solvay Response

"Thank you for helping me understand your concerns," Sciberras said after hearing the council's issues.

"I would like to meet the local management at the two plants with Jerry (Prete). After listening to the managers, we will return to Carol and give feedback. Your concerns are strong.

"My commitment is to ensure the process we have of social dialogue is properly done. This process should be respectful, transparent," Sciberras said.

## Solvay Workers Mobilize for Fair Contract

All 27 employees of Solvay's Chicago Heights plant participated in the July 6 Day of Action. They wore "Fair Contract Now" stickers and handed a letter about bargaining to their plant manager, who stayed in his office all day. Workers at other Solvay sites participated as well.

Local 7-765 at Chicago Heights and Local 2011 at University Park will return to the bargaining table the week of Aug. 22.

To learn of future actions sign up for the USW chemical sector text messages. Text the word "chemical" to 47486 and when asked type in your company name.



# Two USW Local Unions Quickly Reach Contracts with Solvay

While labor-management relations are rocky at Solvay's Chicago Heights and University Park facilities, two other USW-represented sites recently settled their contracts, one after only five days of bargaining.

On July 19, USW Local 7-4294 members at the Solvay Fluorides, LLC plant in Alorton, Ill., overwhelmingly ratified a three-year contract that expires July 31, 2019. It covers 20 workers in the bargaining unit.

Wage increases are 3 percent the first year and 2.7 percent the second and third years. All current bargaining unit employees will receive a one-time signing bonus of \$500. The shift differential increases 10 cents an hour. In addition, if a member is called out and assigned to a second assignment, that worker will receive a minimum of two hours of pay for the second assignment.

**“The benefits are top-shelf,” said District 7 Sub-District 2 Director Dave Dowling. “The company contribution to the 401(k) plan is quite good, as is the company’s match for employee contributions to the plan.”**

He said the members have the Steelworkers Health & Welfare plan for their health insurance benefits. Solvay will contribute 7 percent of employees’ wages to their 401(k) account, and will match 100 percent of the employees’ contribution to their 401(k) account up to 8 percent.

The union also made improvements in sick leave, and a physician’s certificate as proof of disability to receive sick leave will be waived for an employee’s first single-day absence in a twelve (12) month period.

In addition, the company will no longer deduct the pay received for jury duty and witness service from an employee’s paycheck.

The company, located near St. Louis, processes anhydrous hydrogen fluoride (HF), an extremely toxic chemical.

## Charleston, S.C., Bargaining

Negotiations only took five days for Local 9-863 negotiators to reach a tentative, three-year agreement on July 22 for 51 hourly employees at Solvay’s Charleston, S.C., plant. Members overwhelmingly ratified the agreement on July 29 with 98 percent approval. The contract begins August 22, 2016 and expires Aug. 19, 2019.

“This is the first time in a long while that the local does not have to eat concessions,” said District 9 Staff Representative Ken Nettles. “Local 9-863 members thank the other Solvay locals for applying pressure to management through the July 6 action. Also, we were able to get a decent contract with Inter-

national Vice President Carol Landry’s help.”

Wages increase 2.75 percent the first year and 2.5 percent the second and third years. A license and certification premium provides a 5 percent hourly wage premium to maintenance employees who certify at certain skills, such as welding, crane operation, thermography, and heating and air conditioning.

Both sides agreed to extend unit progression to warehouse operators so they can train for more skills and receive the unit progression premium. They also reached agreement on a 12-hour shift option, which will give workers more time off. Employees also gain four pay hours every fourth week on this schedule.

The local resolved the 401(k) issue. Employees covered by the hourly defined benefit pension plan have the option to participate in the Solvay 401(k) plan beginning Jan. 1, 2017. Solvay will provide a 9 percent match for this defined contribution plan. Hourly workers who are not covered by the defined benefit pension plan will have the 401(k) plan starting Jan. 1, 2017.

The new contract streamlines the grievance procedure by eliminating the 2nd step because both sides saw it as being redundant and unproductive.

Nettles said the new agreement contains positive language changes and interpretation on issues such as attendance tracking and recording and short-term disability application.

## Return to the Bargaining Table

Local 7-765 at Chicago Heights and Local 2011 at University Park will return to the bargaining table the week of Aug. 22.

Contact your local for details on future actions.



Carlos Reed from Local 4294 in Alorton, IL, discusses his local’s upcoming contract talks with the rest of the Solvay council members attending the June 23-24, 2016 meeting.