

Stewards' Strength

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SEIU LOCAL 32BJ
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This month's Steward Quiz: Pay for Play

Question:

A commercial building worker with 9 years seniority retires. She gives her employer one week's notice that she is retiring on January 15. Is she entitled to vacation pay and if so how much does she get?

Under the 2002 Commercial Building Agreement and 2002 Contractors Agreement:

- An employee who leaves her job voluntarily gets vacation pay if she gives her employer five days' notice that she is leaving. So, this employee is entitled to vacation pay.



Here's how to calculate vacation pay:

- These contracts define a vacation period — from April 1 to September 15.
- The amount of vacation depends on how long an employee has been employed. To figure out vacation entitlement, first see how long the employee would have been employed on September 15th of the upcoming vacation period.

If, on September 15th, an employee would have worked

6 months
1 year
5 years
15 years
21 years
22 years
23 years
24 years

She would get

3 working days
2 weeks
3 weeks
4 weeks
21 working days
22 working days
23 working days
24 working days

So, our employee would have gotten 3 weeks vacation.

- However, employees who leave employment before April 1st (which is the beginning of the vacation period) only get a pro rated portion of their vacation pay, based on the number of months they worked since the end of the last vacation period (the previous September 15th).

Since our employee only worked 4 months since September 15th (September 15th to January 15th), she gets 4/12 of 3 weeks, or 1 week's vacation pay.

If she had worked until April 1 (the beginning of the vacation period), she would have gotten all 4 weeks of her vacation pay.

All this is spelled out in the 2002 Commercial Building Agreement in Article XIX, Section 13, pages 76-80; and in the 2002 Contractors Agreement in Article XIV, Section 17, pages 77-82.

The same principles apply in the 2000 Apartment Building Agreement (Article XVII, Section 10, pages 68-72), and in the 2000 Apartment House Agreement (Article X, Section 10, page 7), except that the vacation period is May 1 – September 15.

The First Spike on the Road to Labor Day

Pullman, Illinois was a company town, founded in 1880 by George Pullman, president of the railroad sleeping car company.

The town was strictly organized: row houses for the assembly and craft workers; modest Victorians for the managers; and a luxurious hotel where Pullman himself lived and where visiting customers, suppliers, and salesman would lodge while in town.

Its residents all worked for the Pullman company, their paychecks drawn from Pullman bank, and their rent, set by Pullman, deducted automatically from their weekly paychecks.

In 1893, the Pullman company was caught in the nationwide economic depression. George Pullman laid off hundreds of employees. Those who remained endured wage cuts, even while rents in Pullman remained consistent. Take-home paychecks plummeted.

The employees walked out, demanding lower rents and higher pay. The American Railway Union, led by a young Eugene V. Debs, came to the cause of the striking workers, and railroad workers across the nation boycotted trains carrying Pullman cars.

The strike instantly became a national issue. President Grover Cleveland, faced with nervous railroad executives and interrupted mail trains, declared the strike a federal crime and deployed 12,000 troops to break the strike.

Violence erupted, and two men were killed when U.S. deputy marshals fired on protesters in Kensington, near Chicago.

On August 3, 1894, the strike was declared over. Debs was imprisoned, the ARU was disbanded, and Pullman employees henceforth signed a pledge that they would

never again unionize.

Out of the ashes, Labor Day was born.

The movement for a national Labor Day had been growing for some time. In September 1892, union workers in New York City took an unpaid day off and marched around Union Square in support of the holiday. But now, protests against President Cleveland's harsh labor policies made appeasement of the nation's workers a top political priority.

1894 was an election year. President Cleveland seized the chance at conciliation, and Labor Day was born. However, he was not reelected.

In 1898, Samuel Gompers, head of the American Federation of Labor, called Labor Day "the day for which the toilers in past centuries looked forward, when their rights and their wrongs would be discussed...that the workers of our day may not only lay down their tools of labor for a holiday, but upon which they may touch shoulders in marching phalanx and feel the stronger for it."

More than 80 years in the making, Local 32BJ is proud to be the largest building service union in the country today, and the largest private sector union in New York City, with more than 70,000 members. We continue to welcome aboard new members every day, and will continue to fight to ensure that our brothers and sisters receive the respect they—and all—deserve—good wages and health benefits for our families. In unity, there is strength.

This is an excerpt from a transcript, which can be read in its entirety, at http://www.pbs.org/newshour/bb/business/september96/labor_day_9.2.html



Stewards' Strength is published in the interest of the members of Local 32BJ, Service Employees International Union, AFL-CIO.

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WE MAKE
POLITICS WORK.**

ELECTION DAY NOV. 5, 2002

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