

# Badger Lodge News

Newsletter for United Lodge 66, Machinists Union, AFL-CIO

Chartered: November 30th, 1895

Vol. 23 No. 2

www.unitedlodge66.org

February 2021

United Lodge 66

Business Meeting

February 9th at 7:00 PM

**IS CANCELLED**

1650 S 38th Street  
Milwaukee, WI 53215  
414-671-3800

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**Office Hours:**

**Suspended until notice due to Covid-19 guidelines. See pg. 2**

**All Contract issues must be settled by your Business Rep at District 10. See Last Page**

## **Laws That Govern Our Workplace**

*By Don Aiello*

I hope the New Year finds everyone safe and healthy. This month's article is going to be a little longer than normal; as I missed last month's deadline due to my wife and I getting Covid, but I wanted to stay on track. I feel it is important to have a basic understanding of the laws that govern our workplace and at least have an idea of where these laws come from and how they affect us. In the previous articles we covered the basics of which labor laws, if any apply to you, some of the minimum requirements employers must meet to be covered under them and the various sources where they come from.

In the next articles we'll cover the laws legislated at the federal, state and sometimes local level. Most of our focus will be at the federal level because the laws passed by Congress apply to the country as a whole. But the states play an important role in forming our labor laws as well. For example, the states are responsible for the laws that govern workers' compensation and unemployment insurance. The states are also responsible for the administration of these laws. As state laws can vary by state, most of our focus will be on Wisconsin. However, laws passed in one state can sometimes influence the laws in another.

For example, in 2015 the Wisconsin state legislature passed "Right to Work" laws and in 2017 repealed the state's prevailing wage laws. A few years prior to this, two neighboring states had done the same thing. Recently in California, the state legislature passed a law requiring companies that hire independent contractors, such as Uber and Lyft, to reclassify them as employees as of January 1st 2020. Many of these workers struggled during the pandemic and initially were not eligible for unemployment or other benefits. The state took legal action against the various companies, including Uber and Lyft that had refused to comply with the law. Uber and Lyft then threaten to shut down operations in California and spearheaded a campaign to have the law reversed. After several legal challenges, the state court of appeals decided to leave it up to the voters.

*See 'Laws' on pg. 3*



## United Lodge No. 66

of the

International Association of Machinists and Aerospace Workers, AFL-CIO

1650 S. 38th Street, Milwaukee, Wisconsin 53215 • Phone 414-671-3800

<http://www.unitedlodge66.org>

### Lodge 66 Operations during Covid-19 Situation

The Executive Board of United Lodge 66 has made some decisions to protect the Membership and Office Staff of Lodge 66.

First of all we would like to encourage our members and their families to stay safe during this health crisis. Following the recommendations from the Federal, State and Local Governments is advised.

To protect our members and staff the office will be closed for drop-in traffic.

The office telephone will forward to Secretary-Treasurer Ivan Collins phone. The phone number for Lodge 66 is (414) 671-3800. The Lodge email is [lodge66@gmail.com](mailto:lodge66@gmail.com). The lodge address is 1650 S 38<sup>th</sup> Street, Milwaukee WI 53215. Mail can be put in the mail slot at the office. Members are encouraged to do as much as possible through the mail. Emails and communications will be monitored. If an appointment needs to be made we will try to accommodate on an Individual basis. Several of the offices within the Machinists Organization will be staffed with reduced workforce. During these critical times we want to express to the membership that we will serve to the best of our ability and you are our main concern. The Brothers and Sisters of the Machinists Union will get through this challenge. Thank you for your patience and understanding during this major event.

In Solidarity,

*Hunter Scott*

United Lodge 66 President

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## ***'Laws' from pg. 1***

On November 3rd, 2020 the voters approved Prop 22 which kept the workers as independent contractors. However, a group of Uber and Lyft drivers in January of this year filed suit in the state supreme court to overturn Prop 22, claiming it violates the state's constitution because it limits the power of the legislature to grant workers the right to organize and excludes drivers from being eligible for workers' compensation.

Next, we'll cover the executive branch which includes; executive orders (orders issued by Presidents or Governors) and executive department or agency rulings. Whenever a legislative branch of government passes a law, they must then create or use an existing department or agency to administer and enforce it. At the federal level, many of these agencies, such as the Occupational Safety and Health Administration (OSHA) and the Wage and Hour Division are part of the Department of Labor. Other agencies, like the Equal Employment Opportunity Commission (EEOC) and the National Labor Relations Board (NLRB) are independent agencies. Each state then has their own variation of the Department of Labor - in Wisconsin it's called the Department of Workforce Development, in Nevada it's called the Department of Business and Industry and in Florida it's called the Department of Economic Opportunity and so forth.

Executive orders and departmental or agency rulings can change back and forth depending on which course of action the current President or administration decides to take. In 2015 the Department of Labor issued rules clarifying the standard for "employee versus independent contractor", which was more of an employee friendly approach. On January 6th of this year, the Department of Labor announced new rules for clarifying the same standard that will take March 8th of this year.

Another example; in 2014 the Department of Labor tried to expand the overtime rules to include roughly 4 million more workers by increasing the annual salary threshold from roughly \$23,000 to \$47,000. Under the new rules, blue-collar workers would have been able to make about \$24,000 more a year and still receive overtime pay. But in 2017 before the new rule could take effect, a Texas federal judge invalidated it; arguing that the Labor Department didn't have the authority to make such a change. In 2019, the Department of Labor tried again with a new annual salary threshold of roughly \$35,000 which took effect January 1st 2020. However, with a new President and administration taking office in January these rules may change.

Finally (unless I forget something - which I might), we'll cover Federal and State court rulings. As you can see from the various examples the courts have been playing a big role in deciding our labor laws - as almost all laws or rule changes are challenged in the courts. Many of these rulings we don't hear about unless they make their way to the Supreme Court, but can have an impact nonetheless.

In June of last year (2019), workers at the Amazon facility in Staten Island filed a lawsuit against Amazon for lack of Covid-19 protections. The workers allege the company has painted "a façade of compliance" to meet public health guidelines while simultaneously pressuring employees to report to work under unsafe working conditions. These conditions include; rationed hand sanitizer, lack of personal protective gear, insufficient quarantine leave policies and work expectations that make it impossible to maintain social distancing. In November of last year the lawsuit was dismissed by the presiding US District Judge. The ruling stated that the courts are not adequately prepared to handle such a case and the case should be brought forth to OSHA.

Below I have a chart of the main federal laws that govern our workplace. This is by no means a complete list and most of these laws have had several amendments throughout the years. But in the next articles we'll start with covering the basics of these laws...



***Don Aiello is a steward at Ocean Spray and a Trustee for United Lodge 66***

***See Table on pg. 4***

1926	Railway Labor Act	Provides a way for the railroad and its employees to resolve disputes. Allows for railroad employees to join unions. Provides collective bargaining guidelines. Later modified to include the airline industry.
1935	Nation Labor Relations Act	Gives private sector employees the right to unionize, engage in collective bargaining and collectively strike. Prohibits unfair labor practices by employers. Bans company unions.
1935	Social Security Act	Created the Social Security program. Established unemployment insurance. Later amended to create Medicare and Medicaid.
1938	Fair Labor Standards Act	Creates a minimum wage. Sets overtime pay. Places restrictions on child labor.
1947	Labor Management Relations Act	Restricts the activities and power of labor unions. Allowed states to pass right-to-work laws. Requires union officers to sign non-communist affidavits with the government.
1963	Equal Pay Act	Eliminates pay differences based on gender.
1964	Title VII Civil Rights Act Title VII	Prohibits employment discrimination based on race, color, sex, national origin, religion and recently add in June 2020 - sexual orientation and gender identity.
1967	Age Discrimination in Employment Act	Prohibits age discrimination against anyone 40 years of age or older.
1970	Occupational Safety and Health Act (OSHA)	To ensure employers are providing workers with safe and healthy working conditions.
1974	Employee Retirement Income Security Act	Regulates retirement plans (401k, pension, etc.) and health plans in the private sector. Also created the Pension Benefit Guaranty Corporation to provide coverage in the event that a pension plan does not have enough assets to provide the earned benefits.
1978	Pregnancy Discrimination Act	Prohibits discrimination based on pregnancy, childbirth or related medical conditions.
1985	Consolidated Omnibus Budget Reconciliation Act (COBRA)	Allows for employees and their families, under certain conditions, the ability to continue coverage under their previous employer group health plan.
1986	Immigration Reform and Control Act	Requires employers to verify their employee's immigration status and prohibits employment of illegal immigrants.
1988	Worker Adjustment and Retraining Notification Act (WARN)	Requires most employers with 100 or more employees to provide 60 day advance notice of plant closings and mass layoffs.
1990	Americans with Disabilities Act	Prohibits employers from discriminating against a qualified individual with a disability. Also requires employers to provide reasonable accommodations to job applicants and employees with disabilities.
1993	Family and Medical Leave Act (FMLA)	Requires employers to provide employees unpaid leave - for childbirth, adoption and foster care; to care for an immediate family member with a serious health condition; or when the employee is unable to work because of a serious health condition.
1994	Uniformed Services Employment and Reemployment Rights Act	Protects service members and veterans employment rights and prohibits discrimination based on their military service or affiliation.
2010	Patient Protection and Affordable Care Act	Covers health plans. Prohibits excessive employee cost-sharing. Prohibits exclusions for preexisting conditions. Prohibits discrimination. Requires coverage for immunizations and other preventive care services. * However, there are many court challenges to this law.

# We Are Here For You

## VIRTUAL Retirement/Financial Readiness Education Webinars

2<sup>nd</sup> & 3<sup>rd</sup> Wednesday of every month 10:00am & 6:00pm CST

Although we cannot meet in person, we would like to meet with you virtually to review your retirement account and cover any questions or concerns you might have.

### Month/Topic:

- **Jan:** Your 401K Retirement Plan
- **Feb:** College Planning
- **March:** Estate Planning Basics
- **April:** Social Security
- **May:** ROTH IRA Basics
- **June-Aug** – Summer- None

*All virtual education meetings are 30 minutes or less*

We look forward to continuing to be a resource for your retirement goals!

### 3 Easy Steps to Participate



1. **On day / time you desire go to website: [www.ZOOM.com](http://www.ZOOM.com) (try to be 5 minutes early)**
2. **Click on "Join a Meeting" (top right of webpage).**

**Enter your meeting number(#) below & click to join.  
"All Times are Central Time Zone "**

**2<sup>nd</sup> Wed 10:00 am Meeting# 954-9209-5389**

**2<sup>nd</sup> Wed 6:00 pm Meeting# 985-6376-7044**

**3<sup>rd</sup> Wed 10:00 am Meeting# 992-5296-0816**

**3<sup>rd</sup> Wed 6:00 pm Meeting# 918-5309-6105**

3. **Enter Meeting Password: #unionedu1**

### **Brian Goode**

Financial Representative  
Unionized Financial Advisor  
Principal Securities Registered Representative

[goode.brian@principal.com](mailto:goode.brian@principal.com)

Direct: 262-835-9111

[www.unionplanning.com](http://www.unionplanning.com)

# Machinists Union Looks Forward to Partnering with Labor Secretary Nominee, Working People's Champion Marty Walsh

*From goiam.org*

Robert Martinez Jr., International President of the International Association of Machinists and Aerospace Workers (IAM), issued the following statement on President-elect Joe Biden's nomination of Marty Walsh to serve as U.S. Labor Secretary:

"In the midst of the current COVID-19 pandemic and the worst economic period since the Great Depression, working people could not have asked for a better nominee for Secretary of Labor than Marty Walsh. As a long time union member, Mayor Walsh truly understands the needs of working men and women. He will restore fundamental labor rights, especially after four years of attacks from the Trump administration.

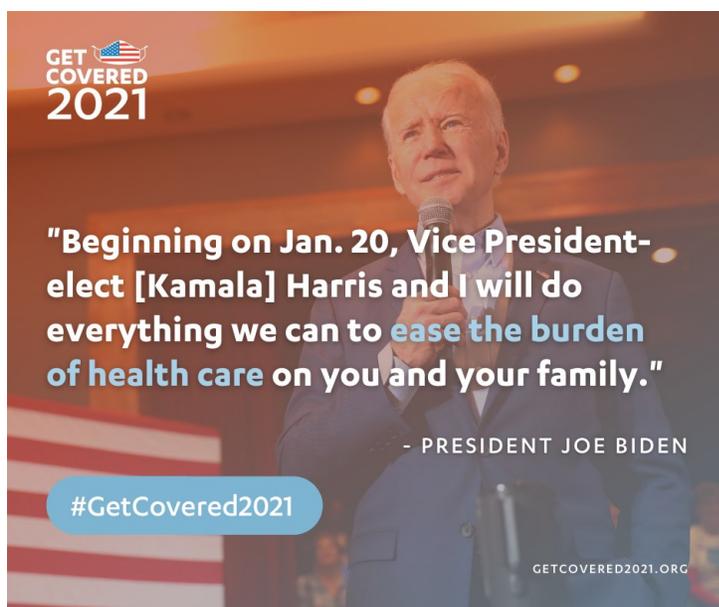
"Mayor Walsh proved himself to be a fierce ally of our union by helping us fight back against the privatization of more than 400 IAM Local 264 bus mechanic jobs at the Massachusetts Bay Transportation Authority. Thanks to Mayor Walsh joining our strong labor coalition, we saved those jobs for working families

and Boston public transit riders. Mayor Walsh is a true fighter for working families, and we can't wait to see what we can accomplish together on a national stage.

"The Machinists Union is eagerly looking forward to working with Mayor Walsh as he 'builds back better' at the Labor Department. The Senate should swiftly confirm him as the next Secretary of Labor."

## Seniors Corner

As refreshing as it is to have a President that will work for America's seniors we need to hold this administration's feet to the fire to ensure we protect our seniors.



<h2>Upcoming Events and Important Dates:</h2>		<p><b>Deadline to submit articles for the next Badger Lodge News is</b>  <b>February 21st</b>  <b>Submit articles by email:</b>  <b>lodge66@gmail.com</b></p>	
<p><b>Milwaukee Area Labor Council Delegate Meeting</b>  <b>Wednesday, March 3rd</b>  <b>At 6:30 PM</b>  <b>Milwaukee Labor Temple</b>  <b>633 S. Hawley Rd.</b>  <b>Milwaukee, WI</b></p>	<p><b>Organizing Committee Meeting</b>  <b>Tuesday, March 3rd</b>  <b>at 7 PM</b>  <b>Local Lodge 66</b>  <b>1650 S. 38th Street</b>  <b>Milwaukee, WI</b></p>	<p><b>District 10 Business Meeting</b>  <b>Monday, March 9th</b>  <b>at 7 PM</b>  <b>Satellite Meeting @ Lodge 66</b>  <b>1650 S. 38th Street</b>  <b>Milwaukee, WI</b></p>	<p><b>Lodge 66 Business Meeting</b>  <b>Tuesday, March 10th</b>  <b>at 7 PM</b>  <b>Local Lodge 66</b>  <b>1650 S. 38th Street</b>  <b>Milwaukee, WI</b></p>

**District 10 Office Directory:**

107 Warren St. Suite 2 Beaver Dam,  
WI 53916

Call 920-219-4919 followed by the extension for you Business Rep

- Alex Hoekstra ..... 1
- Scott Parr ..... 2
- Di Ann Fechter ..... 3
- Jeremy Terlisner ..... 6
- Todd Humleker ..... 5
- Joe Terlisner ..... 7
- Greg Pursell ..... 8
- Brandon Mortenson ..... 9
- Anne Wiberg, Organizer: 414-305-8486  
or annewiberg@gmail.com

**Officers of Local Lodge 66**

**Machinists Union**

- President ..... Hunter Scott
- Vice President ..... Frank Riedijk
- Recording Secretary ... Michael Oettel
- Secretary/Treasurer ..... Ivan Collins
- Conductor/Sentinel .....  
Adam Duedenhoef
- Trustees: Don Aiello, Doug  
Staniszewski and Kenny Mullan
- Communicator ..... Jon Zancanaro
- Educator ..... TBD
- Editor ..... Jon Zancanaro

The views and opinions expressed by the various writers in this publication are their own and not necessarily those of the editor, Lodge 66 Executive Board or the Membership of Lodge 66. The Editor reserves the right to publish, edit or exclude publication of any article submitted to the Badger Lodge News. Any member may contribute articles for publication by sending them to United Lodge 66, 1650 S. 38th Street, Milwaukee, WI 53215 or via e-mail to lodge66@gmail.com.

Visit us on the web:

[www.unitedlodge66.org](http://www.unitedlodge66.org)

[www.YouTube.com/badgerlodge](http://www.YouTube.com/badgerlodge)

**Do you have any concerns, complaints or congratulations you would like to bring up to those representing you in Government? Give them a call or send them a note and let your voice be heard**

**President Joe Biden (D)**

1600 Pennsylvania Ave  
Washington D.C. 20510  
202-224-5323

<https://www.whitehouse.gov/contact/>

**Senator Ron Johnson (R)**

328 Hart Senate Office Building  
Washington D.C. 20510  
202-224-5323

<https://www.ronjohnson.senate.gov/public/index.cfm/email-the-senator>

**State Rep. Bryan Steil (R)**

1st District of Wisconsin  
1408 Longworth HOB  
Washington D.C. 20515  
202-225-3031

<https://steil.house.gov/contact>

**State Rep. Gwen Moore (D)**

Wisconsin State District 4  
2252 Rayburn House Office Building  
Washington D.C. 20515  
202-225-4572

<https://gwenmoore.house.gov/contact/>

**State Rep. Glen Grothman (R)**

Wisconsin State District 6  
1427 Longworth H.O.B.  
Washington D.C. 20515  
202-225-2476

<https://grothman.house.gov/contact/>

**Governor Tony Evers (D)**

115 East Capitol  
Madison, WI 53707  
608-266-1212

<https://appengine.egov.com/apps/wi/governor/voice-an-opinion>

**Senator Tammy Baldwin (D)**

709 Hart Senate Office Building  
Washington D.C. 20510  
202-224-5653

<https://www.baldwin.senate.gov/feedback>

**State Rep. Ron Kind (D)**

Wisconsin State District 3  
1502 Longworth H.O.B.  
Washington D.C. 20515  
202-225-5506

<https://kind.house.gov/contact>

**State Rep. Scott Fitzgerald (R)**

Wisconsin State District 5  
1507 Longworth H.O.B.  
Washington D.C. 20515  
202-225-5101

<https://fitzgerald.house.gov/contact>

**State Rep. Tom Tiffany (R)**

Wisconsin State District 7  
1714 Longworth HOB  
Washington D.C. 20515  
202-225-3365

<https://tiffany.house.gov/contact>