

Badger Lodge News

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

Chartered: November 30th, 1895

Vol. 23 No. 3

www.unitedlodge66.org

March 2021

United Lodge 66

Business Meeting

March 9th at 7:00 PM

1650 S 38th Street

Milwaukee, WI 53215

414-671-3800

All lodge members are encouraged to attend. Please be advised that we will be using social distancing and wearing face coverings for the safety of all members

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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

What are your Weingarten Rights?

You have probably heard the term “Weingarten Rights” before. You may already know what they are. Your co-workers however, may not. Let’s take a moment to review what they are, a brief history, how to use them and why you should use them in your workplace.

Weingarten Rights give you the right to union representation during any conversation with your employer that may result in discipline or termination. The United States Supreme Court in 1975 upheld a National Labor Relations Board decision that gives employees the right to union representation during any investigatory interview. In 2000 the National Labor Relations Board under the Clinton administration extended this right to non-union employees but was ultimately overturned in 2004 by the National Labor Relations Board under the George W. Bush administration.

You can invoke your Weingarten Rights before or during an interview by clearly asking for union representation. Your employer cannot punish you in any way, shape or form for making such request. Once invoking your Weingarten Rights your employer must follow these 3 options.

KNOW YOUR RIGHTS

option to continue without representation or end the interview.

WEINGARTEN NOTICE:

If this discussion could in any way lead to my being disciplined or terminated, or affect my personal working condition, I respectfully request that my union representative, officer, or steward be present at the meeting. Without representation, I choose not to answer any questions.

International Association of Machinists & Aerospace Workers



See 'Weingarten Rights' on pg. 7



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. The lodge address is 1650 S 38th 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

Laws that Govern our Workplaces

By Don Aiello

In the United States, the prevailing employment law is the “Employment at Will” doctrine, which simply means an employee can be let go at any time for any reason. This doctrine dates back to an 1884 Tennessee Supreme Court case - *Payne vs Western & Atlantic railroad*. The Tennessee Supreme Court in that case ruled that; an employer may dismiss their employees at will... for good cause, for no cause, or even for cause morally wrong, without thereby being guilty of a legal wrong. This quickly became the standard employment law in the U. S. During the latter part of the 1900’s, congress started passing employment laws that created exceptions to this employment at will doctrine. This month we’ll focus on those laws that cover the “Protected Classes.”

A protected class is a group of individuals possessing a common characteristic who are legally protected from employment discrimination on the basis of those characteristics. Employment discrimination is defined as any aspect of employment; hiring, firing, pay, job assignments, promotions, layoffs, training, fringe benefits and any other condition of employment. The common characteristics themselves are not easily altered or changeable and have no bearing on a person’s ability to do a job. The protected classes are as follows:

- Race, Color, National Origin, Sex and Religion - Title VII of the Civil Rights Act of 1964
- Sexual Orientation and Gender Identity - a 2020 Supreme Court ruling
- Age 40 or Older - Age Discrimination in Employment Act of 1967
- Pregnancy - Pregnancy Discrimination Act of 1978
- Citizenship - Immigration Reform and Control Act of 1986
- Disability - American with Disabilities Act of 1990
- Military Service - Uniformed Services Employment and Reemployment Rights Act of 1994
- Genetic Information - Genetic Information Nondiscrimination Act of 2008

Title VII of the Civil Rights Act applies to employers with 15 or more employees. The law prohibits employment discrimination based on race, color, religion, sex, or national origin. It also prohibits employment discrimination against an individual because of his or her association with another individual of a particular race, color, national origin, sex and religion such as by an interracial marriage. In June 15, 2020 the Supreme Court added sexual orientation and gender identity under the classification of sex.

This law also requires an employer to reasonably accommodate an employee's religious beliefs or practices, unless doing so would cause more than a minimal burden. This “minimal burden” threshold stems from a 1977 U.S. Supreme Court case - *TWA vs Hardison*. Hardison, a member of the International Association of Machinists & Aerospace Workers, was discharged by TWA for refusing to work on Saturdays because of his religious beliefs. The Supreme Court ruled in favor of TWA, stating that more than a minimal cost would be considered an undue hardship. This court ruling allows an employer to refuse a religious accommodation if it involves any cost.

The Age Discrimination in Employment Act applies to employers with 20 or more employees. The law prohibits employment discrimination against people who are age 40 or older. It does not protect workers under the age of 40, although some states have laws that protect the younger workers.

The Pregnancy Discrimination Act applies to employers with 15 or more employees.

See ‘Laws on pg. 4

'Laws' from pg 3

The law prohibits employment discrimination based on pregnancy, childbirth or related medical conditions. If a pregnant woman becomes temporarily unable to perform her job due to a related medical condition, the employer must treat her same as it would any other temporarily disabled employee. The employer may also have to provide light duty, alternative assignments, disability leave or unpaid leave to pregnant employees if it does so for other temporarily disabled employees. Pregnant employees may also have additional rights under the Family and Medical Leave Act and the American with Disabilities Act.

The Immigration Reform and Control Act applies to employers with 4 or more employees. The law requires employers to verify employees' immigration status and makes it illegal to knowingly hire or recruit unauthorized immigrants. The also law prohibits employment discrimination on the basis of citizenship or immigration status. For example, an employer may not refuse to accept legal documents that establish employment eligibility because the employer likes to hire only U.S. citizens who were born in this country.

American with Disabilities Act applies to employers with 15 or more employees. The law prohibits employment discrimination based on a disability. The law also requires employers to provide reasonable accommodations to employees and job applicants with a disability unless doing so would cause an undue hardship for the employer. An undue hardship means that the accommodation would be too difficult or too expensive to provide based on the employer's size, financial resources and business needs. Unlike religious discrimination, an employer may not refuse to provide an accommodation just because it involves some cost. In order to be protected, a person must be qualified for the job and have a disability as defined by the law. A person can show that he or she has a disability in one of three ways:

If he or she has a physical or mental condition that substantially limits a major life activity (such as walking, talking, seeing, hearing, or learning, or operation of a major bodily function).

If he or she has a history of a disability (such as cancer that is in remission).

If he or she is subject to an adverse employment action and is believed to have a physical or mental impairment that is not transitory (lasting or expected to last six months or less) and minor (even if he or she does not have such an impairment).

The Uniformed Services Employment and Reemployment Rights Act covers virtually every individual in the United States who serves in or has served in the uniformed services and applies to all employers in the public and private sectors, including Federal employers. The law ensures that those who serve their country can retain their civilian employment and benefits, and can seek employment free from discrimination because of their service. The law also provides health insurance protection for the employee and their dependents for up to 24 months while in the military.

Genetic Information Nondiscrimination Act applies to employers with 15 or more employees. The law prohibits employment discrimination against employees or applicants because of genetic information. It also restricts employers from requesting, requiring or purchasing genetic information, and strictly limits the disclosure of genetic information. Genetic information includes information about an individual's genetic tests, the genetic tests of an individual's family members, as well as information about an individual's family medical history.

The government agency responsible for enforcing workplace anti-discrimination laws is the Equal Employment Opportunity Commission or EEOC. The EEOC is an independent federal agency with five commissioners (which includes a Chair and Vice Chair) and a general counsel; which are appointed by the President and subject to confirmation by the Senate.

See 'Laws' on pg. 7

Brothers and Sisters

Happy Hour with Local Lodge 66



VIA: BLUE JEANS

Look for direct link on our Facebook: United Lodge 66

or

Contact Wendy for link

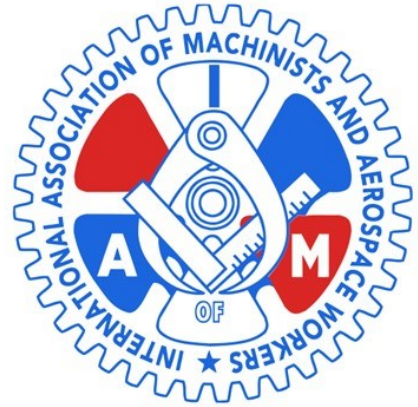
spendy1970@aol.com

262-412-5398

MARCH 12, 2021 AT 7pm

BE SAFE AND STAY SOCIAL WITH US

United Lodge 66 Meeting Notice



Please be advised that we will be using social distancing and wearing face coverings for the safety of all members

March

9th

**United Lodge 66 Business Meetings are held at 7pm at the LL66 Hall
Located at: 1650 S 38th St. Milwaukee WI 53215**

'Weingarten Rights' from pg. 1

If your employer declines your request for representation and they continue to ask questions it is an unfair labor practice and your right not to answer any more of their questions.

These are your rights in your workplace. Having Union representation during an interview holds the employer accountable for their questions or accusations. Union representation levels the field in your favor when faced with discipline or termination in your workplace. These are your rights and cannot be ignored or infringed.

'Laws' from pg X

For more on information about employment discrimination you can visit the EEOC website at - <https://www.eeoc.gov/laws-guidance>

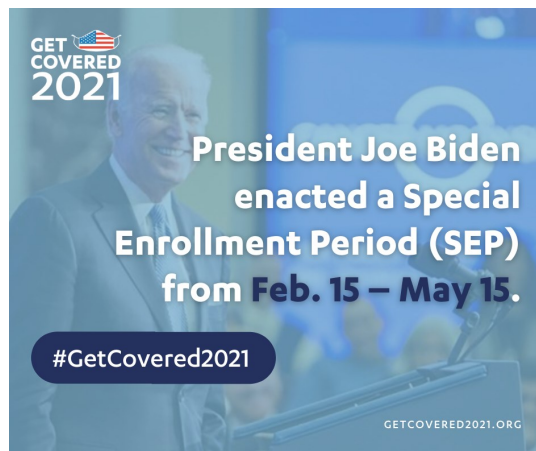
The Uniformed Services Employment and Reemployment Rights Act, however, is enforced by the United States Department of Labor, through the Veterans' Employment and Training Service (VETS) agency. For more information about your rights under the act you can visit the Department of Labor website at - <https://www.dol.gov/agencies/vets/programs/userra>

Seniors Corner: Special Enrollment Period

On February 15th president Joe Biden announced a Special Enrollment Period that will allow American's to enroll in and obtain health insurance until May 15th, 2021.

In a statement the president said "We will get through this crisis if we look out for one another and work together to expand coverage, lower costs, and ensure that health care truly is a right for all Americans.

If you are in need of health insurance please go to <https://www.healthcare.gov/> to enroll.



<h1>Upcoming Events and Important Dates:</h1>		Deadline to submit articles for the next Badger Lodge News is March 21st Submit articles by email: lodge66@gmail.com	
		Milwaukee Area Labor Council Delegate Meeting Wednesday, April 7th At 6:30 PM Milwaukee Labor Temple 633 S. Hawley Rd. Milwaukee, WI	Organizing Committee Meeting Tuesday, April 6th at 7 PM Local Lodge 66 1650 S. 38th Street Milwaukee, WI

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 Mike Stark
- 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

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)

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1408 Longworth HOB
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State Rep. Gwen Moore (D)

Wisconsin State District 4
2252 Rayburn House Office Building
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202-225-4572

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

State Rep. Glen Grothman (R)

Wisconsin State District 6
1427 Longworth H.O.B.
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202-225-2476

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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)

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202-224-5653

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

State Rep. Ron Kind (D)

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202-225-5506

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State Rep. Scott Fitzgerald (R)

Wisconsin State District 5
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State Rep. Tom Tiffany (R)

Wisconsin State District 7
1714 Longworth HOB
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202-225-3365

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