

LOCAL 399



**International Union of
Operating Engineers**

*Your Complete Guide to
Union Organizing*

**Serving
Illinois and Indiana**

Why Join The Union?

Our union members receive a fair wage that is negotiated by Local 399 and ratified by the members. Typically, union workers receive higher wages than non-union workers. This is only the tip of the iceberg. Why leave the decision of your yearly wage increase to someone whose responsibility it is to keep costs down? Why leave it up to someone who has no idea of your true value?

As a worker, you have a **RIGHT** under federal law to form a union, select representatives of your choice and bargain collectively with your employer. This helps balance the power that an employer has over his or her individual employees.

Belonging to the **union** gives you rights under the law that you do not have as an individual. Once you have successfully formed a union, your employer must bargain over your wages, hours, and working conditions.

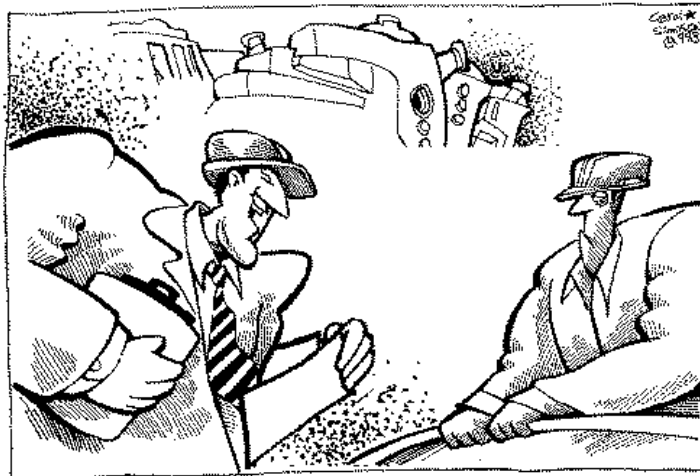


**LIVE BETTER, WORK BETTER
WORK UNION!**

What Are Your Rights Under The Law?

Even though the law protects your right to receive information regarding organizing your workplace, **the union will keep confidential your request for that information.** To explore the possibility of union representation in your workplace, it is important and necessary to discuss it with your co-workers. Remember, a majority of employees must agree to join for union representation to be successful. After it is determined that a majority of employees are interested, authorization cards are distributed for signatures. This gives the union the right to represent you and your co-workers.

It is illegal to terminate an employee for joining a union. It is your right under the law to seek union representation.



*Everyone makes mistake, Hargrove...
That's why we have termination procedures!*

Purpose of Local 399 Petition/Authorization Cards

Local 399 Petition/Authorization Cards have a twofold purpose. First, when 65% or more of the employees involved have submitted signed petition/authorization cards, Local 399 may request recognition from the employer. This request is made in a letter sent to the employer by Certified Mail. Normally, the employer returns a letter stating that they suggest that the secret ballot election procedure provided by the United States Government be utilized. This gives the employer time to attempt to change the employee's minds.

If the employer refuses or ignores his employees' request for union recognition, Local 399 files a petition for a secret ballot election. This petition is filed with the NATIONAL LABOR RELATIONS BOARD (NLRB), an agency of the Federal Government.

Signing an authorization card does not commit you to joining the Union or paying dues. It simply demonstrates to the federal Government that you would like to have a secret ballot election to determine if the majority of the employees want representation. In fact, if you sign an authorization card, you still have two more opportunities to say no to the Union, (once being at the time of the election, and the other being when your negotiating team comes back to you for your approval.) If at any of these times a majority say no to the Union, we will walk away with no questions asked or fees rendered.



Local 399 is confident that we can help you. So confident that we are giving you three chances to say no without asking for anything in return. The only thing Local 399 asks of you is to **GET THE FACTS!**

Sample Ballot

TIMES AND PLACE OF ELECTION

DATE: Friday, June 25, 2003 TIMES: 6:30 am - 8:00 am
and
PLACE: Central Utility Plant 2:30 pm - 4:00 pm
Break Room

Eligible employees are free to vote at any time during the polling periods

 <p>UNITED STATES OF AMERICA National Labor Relations Board <small>FORM NLRB-707N2 (RC, RM, RD CASES) (4-84)</small></p> <p>OFFICIAL SECRET BALLOT For certain employees of Name of Company</p> 	
<p>Do you wish to be represented for purposes of collective bargaining by - INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 399</p> <p>SAMPLE</p>	
<p>MARK AN "X" IN THE SQUARE OF YOUR CHOICE</p>	
<p>YES</p> <input type="checkbox"/>	<p>NO</p> <input type="checkbox"/>

DO NOT SIGN THIS BALLOT

Fold and drop in ballot box.
If you spoil this ballot return it to the Board Agent for a new one.

Union Advantages

Union membership provides members with many advantages, some of which are:

- A Right to Health & Safety on the Job
- A Voice at Work the Boss Can't Ignore
- A Right to Vote on your Contract
- Advancing Your Career Through Training and Education

Below are examples of items that are negotiable in your contract:

- Wages & on-call pay
- Pension
- Health Care including dental, vision & time-loss
- Work Schedule
- Overtime after 8 hours
- A grievance procedure that actually can benefit the worker
- Paid vacation, holiday pay, call-in pay

These are just a few of the many benefits of union membership. We look forward to explaining additional benefits that Local 399 offers to their membership.

UNION PEOPLE
America Needs 'Em!

Job Security

In a time of high unemployment and uncertain economic conditions, the right to retain your job is critical to you and your family. It is important to know that you cannot be fired without just cause or laid-off to make room for the owner's favorite nephew. But unfortunately, employees who work in Illinois and Indiana and who are not protected by a collective bargaining agreement are *at-will* employees, which means that they can be terminated at any time or for any reason. However, ALL members of Local 399 are covered by collective bargaining agreements, which contain a clause specifying that their employment can only be terminated for just cause—not some arbitrary excuse.

Most union contracts establish strict rules about job security and the conditions under which layoffs or reductions in the workforce take place. This language is to ensure that everyone is treated fairly, and that no one is discriminated against for voicing an opinion on the job, or for insisting on adherence to the terms of their contract.

**Without the protection of
a union contract, you are at the mercy
of your employer.**

**You have the power to change your working conditions.
You have the power (and LEGAL right) if you are a
union member.**

Pensions

Many Local 399 members choose to participate in the IUOE pension plan over their existing plan, which is bargained for on their behalf if they choose. Why wait until you're about to retire to realize that you and your family may have to live solely on Social Security, if it still exists. Anyone born after 1937 will not receive full benefits at age 65. Each year, the age to qualify will go up. What will it be 10 or 20 years down the road? If you've invested in the stock market, let's hope the economy is better than it is now when you're ready to retire. Even the experts can't predict what will happen with the stock market. You're at risk if you have a company retirement plan. Companies go bankrupt and aren't able to fund their pension programs. If you have a 401k plan, you should be aware that many companies have reduced their participation into these programs.



"Our apologies. We forgot your severance package."

What is the Central Pension Fund?

- It is the 4th largest labor-management pension fund in the United States with assets in excess of \$6 billion.
- It was established in 1960 by the International Union of Operating Engineers and union employers nationwide.
- It receives contributions from union employers at more than 8,000 locations throughout the United States.
- It has more than 150,000 active participants and pensioners.
- Its benefits are fully funded and it has never had any withdrawal liability for contributing employers.
- Its benefits are insured to the statutory limit by the U.S. Pension Benefit Guaranty Corporation.

Central Pension Fund

Our union pension fund is growing and each year pays a very comfortable retirement benefit.

401k Plan

Local 399's Multi-Employer 401k Plan

Local 399 members also enjoy the opportunity to invest in our multi-employer member directed 401k plan.

It's The Law!

“Do You Know?”

IT IS UNLAWFUL FOR YOUR EMPLOYER, SUPERVISOR OR FOREMAN TO INTERFERE WITH, RESTRAIN OR COERCE EMPLOYEES SEEKING TO ORGANIZE OR JOIN A UNION

SUPERVISORS CANNOT:

1. Attend any unions meetings, park across the street from the union hall to see which employees enter the hall or engage in any undercover activity which would indicate that the employees are being kept under surveillance to determine who is and who is not participating in the union program.
2. Tell employees that the company will fire or punish them if they engage in union activity.
3. Lay off or discharge any employee for union activity.
4. Grant employees wage increases or special concessions in order to keep the union out.
5. Bar employee union representatives from soliciting employee membership during non-working hours.
6. Ask employees about confidential union matters, meetings, etc. (some employees may, of their own accord, walk up and tell of such matters. It is not an unfair labor practice to listen, but to ask questions to obtain additional information is illegal.)
7. Ask employees what they think about the union or a union representative.
8. Ask employees how they intend to vote.
9. Threaten employees with economic reprisals for participating in union activities.
10. Promise benefits to employees if they reject the union.
11. Give financial support or other assistance to a union, to employees, regardless of whether or not they are supporting or opposing the union.
12. Announce that the company will not deal with a union.
13. Tell employees that the company will punish them if they engage in union activities.

The Truth About Contracts

Your employer will tell you:

"The union can't guarantee you anything"

or

"You may lose wages and benefits with the union."

The truth is, with a union, you have a right to negotiate a contract that is legal and binding and indeed does guarantee you the wages and benefits you deserve. Try asking your employer to sign a contract or guarantee your rights, wages and benefits!



*"It's on corporate standard time...
It loses an hour of your pay every day."*

Who Runs The Union?

Your employer will try to convince you that the union is some group of outsiders, trying to come in and dictate what goes on in the workplace.

The truth is, you and your co-workers are the union—you elect your officers and decide what you want your union to do by a democratic process.

What About Union Dues?

Most likely, your employer will try to persuade you not to go union by telling tall tales about the union dues you'll be required to pay.

It takes money to run any organization. The company doesn't want you to pay dues because they know that with your own organization, you can have better wages and benefits and an equal voice on the job. Many union members refer to dues as "job insurance".

Since new federal guidelines make Union fiscal policies more transparent than the companies you work for, union members are assured that their union dues are not being used to promote certain political candidates or political issues.

Contributions or gifts to the International Union of Operating Engineers are not tax deductible as charitable contributions; however, they may be tax deductible as ordinary and necessary business expenses. Please contact your tax advisor for more information.

And What About Strikes?

The scariest thing you may hear about unions is that they are always going out on strike and that you may be forced to go on strike.

The truth is 99% of all union contracts are settled without any sort of work stoppage at all. Because you control your union, you and your co-workers are the only ones who can vote to strike or not strike.

So What Can A Union Really Do?

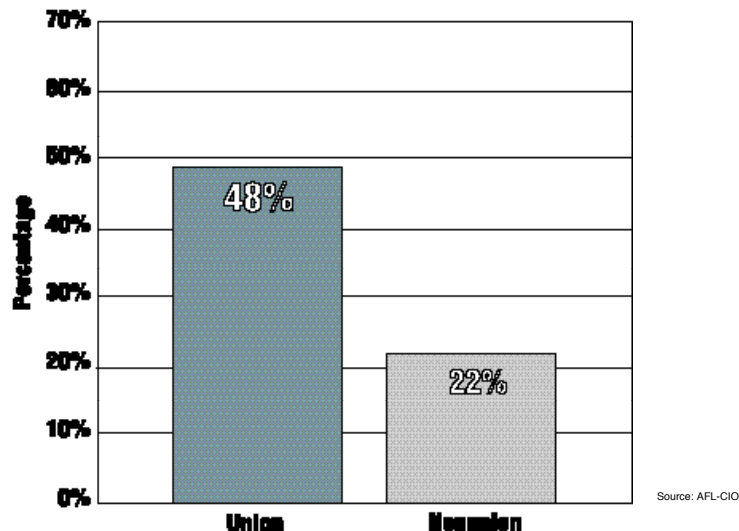
The job of your union is to negotiate on your behalf for better wages and benefits through a legal and binding contract—then to enforce that contract and to represent you when you encounter day-to-day problems with your employer. By joining together in a union, you and your co-workers have the collective strength to make sure you get decent contracts and fair treatment on the job.

Your right to join or form a union is guaranteed by federal law under the National Labor Relations Act.

Unions are built on the ideals that have made this country great ... including the right to stand up and speak out to improve our lives and gain a rightful share of the American dream.

UNION WORKERS AND JOB STABILITY

*Percentage of Workers with the Same Employer
for 10 Years or More, 1998*



Advancing Your Career Through Training and Education

Continuing education...the key to a secure future.

Local 399 remains committed to the importance of continuing education for our trade. We believe our members should possess the highest level of skill to stay current with the latest technology and advancements. The reputation of Local 399 to positively accept workplace challenges continues to be tested. Homeland Security preparedness, energy conservation, indoor air quality, codes, ordinances, and safety are just some of the many issues we face. Our training program is designed to teach the trainee, but also enhance journeyman skills.

Local 399's Continuing Education Programs Include:

- **Indoor Air Quality Solution**
- **Boiler Operation**
- **Automation, Direct Digital and Pneumatic Controls Electricity**
- **HVACR I**
- **HVACR II**
- **Testing and Balancing**
- **Energy Conservation**
- **IUOE Homeland Security Preparedness**
- **Chief Engineer Leadership and Development Seminars**
- **EPA Approved Testing to Handle Refrigeration Rule-608 Certification**
- **OSHA 501 Stationary Engineers Environmental Health and Safety Awareness Training Program**
- **Pool Operator's Program**
- **Associate's degree in Stationary Engineering through Triton Community College**
- **Online Bachelor's degree in Heating, Ventilation, Air Conditioning and Refrigeration-HVACR-through Ferris State University**

A Voice At Work The Boss Can't Ignore

Belonging to a union gives workers contractual and other legal rights they do not enjoy without union representation. Being a union member gives workers a voice on the job. Their collective solidarity forms the union which makes their voices more forceful and more influential with management than any individual voice. There is strength in numbers.

Belonging to a union allows you to establish a written agreement that specifies the terms of your employment.

**Once you have successfully formed a union,
your employer is required by law to bargain over
your wages, hours and working conditions.**

Additional Benefits

- Local 399 scholarships—available to children of members who are in good standing who are high school seniors and plan to continue their education.
- Short and Long Term Disability plans
- \$1,000 death disbursement for beneficiaries of members in good standing.
- Midwest Operating Engineers Credit Union
- Union Plus - Helping union members with credit counseling, online tax services, obtaining lawyers, plus many other benefits



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