



# THE WESTERN 5 ALERT

Spring 2008 Edition

A District

# 5

Publication

*Working to keep SEANC a member's association.*

## DISTRICT CHAIR RESIGNS; EARLY CONVENTION SCHEDULED

November 8, 2007

To Whom It May Concern:

For the past sixteen years I have been a loyal state employee and an active member of the State Employees Association of North Carolina (SEANC). Over the years I have developed a love for the organization and have enjoyed doing my part to make it successful. I have seen many changes in the last several years, many of which I do not agree with. I no longer enjoy the part that I play as district chair and as a member of the Board of Governors. The direction SEANC has chosen to take concerning affiliation and the excess spending of reserves has brought about a pessimistic attitude among the organization that we must affiliate or we will not survive. For this reason, I am offering my resignation as District 5 Chair.

I have spoken with the administration at the facility where I work and for me to support the last Board of Governors decision to make affiliation with a union as the organization's top priority is in direct conflict with the way the administration feels and of which I concur.

I would like to thank District 5 members for their confidence in me and allowing me to serve as district chair and I will continue to work on a district level.

Also at this time I am resigning my seat on the state planning committee.

Sincerely,  
Johnny Burnette

### THE VIEW FROM THE CHAIR

My name is Steve Jones, and I have become your SEANC District 5 chairman. I'm a 13 year state employee with the Department of Correction, and I've been a SEANC member from the start. You and I may have crossed paths during our years of service, and I may have recruited a few of you at Foothills CI. I rose to this office following the early departure of Chairman Johnny Burnette, a good man and great district leader. His resignation letter is printed in this newsletter, and I will only add that I know his decision was not made quickly or lightly.

To be honest, I've struggled with what to write here for quite some time. I have no shortage of things to say, but deciding what to print and, just as importantly, what not to print has weighed heavily on me. The answer came from an unlikely source: the 2007 SEANC District Officer Manual. It clearly informed me that, as district chair, my responsibilities are:

***"...first and foremost to keep the district membership informed of the activities of the Association, both at the district level and the state level."***

Simple, but profound. I interpret this to mean that I am not simply supposed to share with you the public statements coming from the SEANC leadership but the activities of the association. And that's what I intend to do. The most pressing issue in SEANC, one that will shape the future of the organization (and potentially of all state employees), is the pending vote on union affiliation. I'll discuss this in detail. Bear with me as this will be a rather long and detailed article, but in the end I hope to have given you a more accurate information base with which to guide your choices and activities as a SEANC member.

### SOME BACKGROUND

First, let me offer a quick review of some highlights in SEANC's pursuit of union affiliation over the last six years. Remember that two separate but closely entwined issues are involved in this history: union affiliation and collective bargaining.

Until the 2007 convention, union affiliation (meaning to join a labor union) was expressly prohibited by SEANC bylaws. It is now on the table and being pursued with vigor. Collective bargaining involves mandatory and binding negotiations between representatives of both employer and employee, and it is currently prohibited by state law. Legislation was introduced last year to change this law, and it will likely be considered in the approaching legislative session. Should collective bargaining become legal, the legislature would likely divide state employees into smaller bargaining units. Each of these units would then vote to determine the organization (like SEANC or the Teamsters) that would represent them, and that organization would then negotiate the contracts that would control many aspects of an employee's working life (whether the employee chose to be a member of that organization or not). SEANC would like to be the bargaining agent for all groups of state employees.

Early in 2002 SEANC president Shirley Bell appointed an impressive collection of members to prepare a thorough review and report of collective bargaining issues facing the organization. This committee completed a thorough, reasonably unbiased report (although clearly in favor of the principal of collective bargaining) and made this available to the membership (you may still find it at <http://www.seanc25.org/CB%20Report.htm>). I strongly encourage you to read it. Among the findings and recommendations included in the report that are relevant to current events:

- "The committee finds that it will be important for SEANC to act in concert with other similarly minded organizations in the pursuit of collective bargaining rights. There is nothing in the Bylaws to prevent SEANC's membership in a coalition formed for that purpose or to prevent us from drawing on the expertise of organizations with experience in collective bargaining."

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- “The literature on collective bargaining sometimes distinguishes between professional associations, professional unions, and unions. Essentially, there’s not much difference in the manner in which collective bargaining is carried out...Most members consider SEANC a professional association. That shouldn’t change.”
- “No one is suggesting that SEANC affiliate with a union or a national organization. SEANC is nearly as large as some national organizations already!”
- “In states having collective bargaining, most state employee associations are affiliated with unions. In several states, such as Vermont and Montana, the associations have remained independent and have successfully participated in collective bargaining. This suggests there is no necessity for SEANC to affiliate with a union to become a successful bargaining agent.”

The message from the 2002 collective bargaining committee was clear: the pursuit of collective bargaining was important for NC state employees; SEANC, as an independent organization, could be their bargaining agent; and partnering with other organizations could further this effort.

In 2004, the SEANC Board of Governors (primarily the district chairs and statewide elected officers) entered a 5-year partnership with the Service Employees’ International Union (SEIU) as a means to pursue mutually beneficial goals. At the time a member of the AFL-CIO, SEIU was a large and aggressively growing union. Primarily SEANC sought to benefit from SEIU’s political sophistication, national clout, and significant political funding. SEIU sought to benefit from SEANC’s significant presence in a Southern state, a region traditionally closed to unions and thus a prime target for SEIU expansion. SEIU made a commitment not to recruit state employees. Announced rather quietly at inception, this partnership became a primary issue later in the year at the annual convention when delegates (with no prior notice) were faced with literally hours of stump speeches by SEIU’s president and executive vice president. This same convention saw a relatively unexpected and poorly defined effort to repeal the long-standing SEANC bylaw prohibiting affiliation with labor unions. This effort did not succeed as convention delegates expressed surprise and concern at the union partnership that had quickly stepped to the front of the SEANC agenda. The affiliation issue would not formally reemerge for several years and until a carefully crafted SEANC education campaign could help insure its passage.

In mid-2006, Governor Easley enacted Executive Order 105 allowing employee organizations (like SEANC, Teamsters, and Police Benevolent Association) access to state facilities and directing his staff to meet with these employee organizations to discuss items of mutual concern prior to the start of the legislative session. Viewing this as both a significant move toward collective bargaining and an invitation to competition from labor unions to recruit state employees, SEANC leaders sought to strengthen ties to SEIU and to repeal the bylaw prohibiting affiliation with labor unions. In 2007 the SEANC leadership combined forces with SEIU personnel to begin the process of educating SEANC leaders and delegates on the benefits of union affiliation. I’ll discuss this process shortly.

The SEANC leadership strongly urged delegates to approve the option of affiliation. Emphasizing this subtle approach in the August, 2007 Reporter, President Linda Rouse Sutton wrote:

“We have many important decisions to make at our convention and one I know many of you are weighing is the proposed bylaws change that would allow us to consider affiliating with a like-minded organization.” [Emphasis retained from original article]

Prior to the 2007 convention, the executive committee sent out a letter endorsing the option of union affiliation and including a question and answer section to address member concerns. For example: “If SEANC passes the bylaws amendment [allowing affiliation], what happens next?”

„any decision to affiliate would require final approval by delegates at an annual convention. Since it would be in the best interest of SEANC to explore options and negotiate terms prior to making an affiliation decision, the earliest elected delegates would make a decision would be at the 2008 Annual Convention.”

Cutting to the chase: In September the 2007 convention approved the bylaw change and gave SEANC the option of affiliating with a union. In an exemplary effort to thoroughly “explore options and negotiate terms prior to making an affiliation decision” lasting exactly six months, the SEANC leadership just voted in March, 2008 to enter into negotiations to affiliate with SEIU. They then voted to call an early convention next month (May 2-3, 2008, in Greenville) at which delegates will be expected to vote on the affiliation agreement. SEANC conducts its important business at an annual convention held in September in a central location (Greensboro). Compelling reasons for such a radical change in conducting SEANC business (and for contradicting commitments on traditional convention approval of potential affiliation) have not been given. A large portion of the Board of Governor’s meeting in which these decisions were made was held in Executive Session (meaning attendees are prohibited from discussing details with their membership), so few details of the proposed affiliation agreement are available to you or me (as I was absent due to the birth of my son). However, the SEANC leadership and SEIU representatives have scheduled regional meetings to discuss these matters with members. The Western Region Summit, involving District 5 members, has been scheduled for April 22nd at McDowell Tech. This means that the SEANC leadership will inform us of important details that will shape the future of SEANC (and potentially state employment) exactly 9 days before your delegates will be required to vote on it.

#### **SEANC GETS SCHOOLED**

Among the many issues raised in the quest for affiliation, my single biggest concern is the stunning lack of objectivity demonstrated by the SEANC leadership in evaluating options for union affiliation. The research on affiliation and collective bargaining has largely been conducted for us by our partner, SEIU. This has included carefully worded telephone polls designed to assess our members’ views on union issues. The results of these polls have been used to support increased movement toward affiliation. In the real world, research that is conducted by parties with a vested interest in the outcome is typically viewed with skepticism (for example, smoking studies funded by cigarette companies). SEANC’s member “education” on union affiliation and collective bargaining has also been provided by our partner, SEIU. This has included bringing (at SEIU expense) representatives from SEIU affiliates in New Hampshire, Colorado, Michigan, Massachusetts, and Illinois to NC in April, 2007 to meet with SEANC members and attend regional summits. No groups unaffiliated with SEIU were in attendance, thus members were not given the opportunity to compare SEIU affiliation with other unions (like AFSCME or Teamsters). Being given one option is the same as being given no options.

SEANC leaders and staff made trips to Oregon, Connecticut, and Washington State (paid for by SEIU) to meet with SEIU affiliated state employee groups to discuss their experiences. Reports generally indicated the host associations were great folks (which I believe) and that the food was good. But reports do not provide any information on how SEIU affiliates compare to their non-SEIU brethren. And there was no lack of

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options for comparison. For example, in Oregon SEANC leaders met with the SEIU Local 503, the Oregon Public Employees Union (OPEU). Great folks, no doubt. But our leaders apparently did not take the time to meet with the Oregon chapter of the American Federation of State, County, and Municipal Employees (AFSCME), a group that represents 22,000 workers (including approximately 3,000 Corrections employees). I have no idea which group would best represent my district's interests, but because our leaders chose only to look at one option I have no information about alternatives. One option is no option.

In the process of education on affiliation and collective bargaining, SEANC leaders not only failed to meet with non-SEIU organizations, they neglected to meet with non-union organizations. The 2002 SEANC collective bargaining report specifically identified state employee association in Montana and Vermont as examples of independent organizations serving as bargaining agents for their states' employees. This is still the case today (although the Vermont State Employees Association narrowly defeated a proposal to affiliate with SEIU in 2001). As the organizations most like the "largest non-union public employees' association in the nation" (that is, SEANC), it would seem these groups would be prime sources of experience and information.

To be fair, I don't know for certain that SEANC leadership has not done thorough, unbiased research into affiliation (or retaining independent status) to insure that NC employees get the most effective representation possible. They may have met with organizations other than SEIU, they may have solicited information other than that provided by SEIU. But I can tell you with certainty that, if they have done these things, they have never shared any of this information with SEANC leaders or members. In contrast, they have been very open about the education process that SEIU has overseen, frequently publishing articles in *The Reporter* about the lessons learned. Failure to share information about alternatives to SEIU affiliation with the membership, if such information exists, prevents SEANC members from making informed decisions.

### **THE C-WORD REARS ITS UGLY HEAD**

The major role that SEANC leaders have given SEIU in guiding our affiliation "education" raises concerns about a perennial danger in organizational activities: conflict of interest. Here's a pretty good working definition:

"We can define a conflict of interest as a situation in which a person has a private or personal interest sufficient to appear to influence the objective exercise of his or her official duties as, say, a public official, an employee, or a professional." Source: Chris MacDonald, Michael McDonald, and Wayne Norman, "Charitable Conflicts of Interest", *Journal of Business Ethics* 39:1-2, 67-74, August 2002 p.68

When an organization (SEIU) that stands to benefit directly from another organization's (SEANC) decision plays a central role in shaping that decision, there can be no denying the potential for conflict of interest. It is the sole responsibility of SEANC's leaders to prevent any such conflict. In fact, it's their responsibility to prevent even the appearance of such a conflict. Failing this responsibility risks fundamentally undermining the credibility of any leader or leadership team. And SEANC leaders are fully aware of this. As President Sutton reminded us in the May, 2007 *Reporter*, "Pension fund investments shouldn't create the perception of a conflict of interest." Believing such a perception does exist, SEANC has launched a very public legal battle with Treasurer (and gubernatorial candidate) Richard Moore. "Ms. Pot, let me introduce you to Mr. Kettle..."

With respect to the appearance of conflict of interest, I'll end with this incredible fact. The urgently called May convention, held solely for

the purpose of having SEANC delegates decide on affiliation with SEIU, will be fully funded by SEIU. Convention center, hotel rooms, the works.

Perhaps, at this point, it would be more appropriate to provide the SEANC leadership with a definition for the appearance of objectivity.

### **ABOUT SEIU...**

Along with failure to provide objective affiliation information, failure to tell all sides of the SEIU story also prevents our members from making informed decisions. A full discussion of SEIU as an organization is the topic for another lengthy article. Instead, I strongly suggest you review their website (<http://www.seiu.org>) to review their clearly stated pursuit of federally mandated universal healthcare (not employer-based), support for immigration reform (strongly pro-legalization), and clear preference for Democratic national candidates. Whether you agree with them or not, it's important that you be aware of the political and social agendas of any organization that seeks to represent you (and with which you may become identified as a member).

It's also important that you be aware of the conflicts SEIU has faced in other states. An ironic example comes from the SEIU Local 1984, the State Employees' Association (SEA) of New Hampshire (yes, the same folks who came to share their experiences with us last year). Since their trip to NC, the New Hampshire SEA representing 10,000 employees voted at their 2007 convention to establish a committee to explore whether continuing SEIU affiliation is in their best interest. A November 26, 2007 article in the *Concord Monitor* reported that the association had raised concerns about the value of continuing SEIU affiliation (with a \$1.6 annual price tag), particularly in light of increased recruiting of association members by rival unions following SEIU's 2005 split with the AFL-CIO (a trend that has continued in 2008 with the loss of corrections employees to the Police Benevolent Association). Former SEA president Tim Decker was quoted as saying "That means they [SEIU] can't really protect us from other unions raiding us..." The New Hampshire SEA will address continued affiliation with SEIU at their 2008 convention.

The primary concerns raised by affiliates of SEIU center on the level of control exerted over local unions by the national organization. For a good review of the issue, take a look at this blog article <http://unionmaine.blogspot.com/2008/03/national-seiu-convention-in-june.html>. You also might want to check out the website for SEIU Member Activists for Reform Today (SMART), an organization of dedicated SEIU members concerned that the national organization is pursuing growth and forced consolidation at the expense of member representation (<http://www.reformseiu.org>). Each of these issues is critical to SEANC's decision to affiliate with SEIU and to the conditions of any affiliation, yet none of these issues has been addressed in the carefully and attractively packaged information provided by the SEANC leadership over the last four years. I strongly encourage you to acquaint yourself with these issues in the interest of our organization's future.

### **SO WHAT ARE YOU REALLY TRYING TO SAY?**

If you've made it this far in my article it would only be fair for me to tell you what I'm getting at. Believe it or not, I'm not specifically anti-union or anti-collective bargaining. I'm not anti-SEIU. Honestly, the SEIU folks have increasingly impressed me over the course of our partnership. I have found them to be honest, pleasant, and pretty clear about their agenda to use the relationship with SEANC to expand their presence in the South. As has been pointed out many times, SEIU is made up of hard working folks trying to improve their working lives, just like those in SEANC, and they have been great partners. But partnership and affiliation are very different animals. Partnership implies equality; affiliation means one

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State Employees Association  
of North Carolina~District 5  
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Morganton, NC 28655

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group joins the other as a subordinate (and SEIU is not looking to join SEANC!).

I am a strong believer in a powerful, independent organization that has the vision and confidence to represent the employees of the State of North Carolina. I cannot grasp the idea that an association with well over 50,000 members (significantly larger than many state unions) cannot accomplish its core mission (“protecting and enhancing the rights and benefits of current, retired and future state employees”) without the umbrella of a national organization carrying a national agenda. I believe this represents a fundamental loss of focus within SEANC, and I would not be doing my job as your chairman if I didn’t say so.

I do recognize that SEANC, while pursuing affiliation in ways that trouble me, has never failed to be an outstanding advocate for all NC state employees. Significant pay increases, improvements in health plans, and protection of retirement funds over the last few years have been made possible solely through the tireless efforts of the elected and professional leadership of this organization. For this I am truly grateful.

Above all, I am in favor of representing you to the best of my abilities. And here’s where it gets tricky. Some of you favor union affiliation (you’ve told me so). Many in our district do not. I have great respect for both viewpoints, for both sides are going to work every day and getting the jobs done. The leaders in our district have strongly advocated for remaining independent and unaffiliated, and our actions (and votes) have consistently reflected that belief. A super-majority of SEANC members have voted to allow affiliation, and one must fully respect that decision (even while questioning the information they were given in the process of making that decision). The Board of Governors have now set SEANC on a crash course for an affiliation decision in May, and your delegates will be

there to represent you. So here’s what we need from you:

- Attend the Western Region Summit on Tuesday, April 22 from 6:00 to 9:00 pm at the McDowell Tech Auditorium. Listen to what the SEANC leaders present, ask questions, and make up your own mind on SEANC’s current course. I’ll be there, and I’d be pleased to meet you.
- Watch for the details. The details of the proposed affiliation agreement with SEIU will be critical to determining the level of independence SEANC would retain as an affiliate. Make sure you get the specifics you need at the summit.
- Get in touch. Whether you favor or oppose union affiliation, the issues I’ve raised in this article should at least cause you some concern and generate some questions. Maybe make you a little mad. Let me or any of the other district officers know what you think and what you would like to see happen in May. You can email me at [sj2@charter.net](mailto:sj2@charter.net) , or you can write to any of us at:

SEANC-District 5  
211 Fox Street  
Morganton, NC 28655

*EMAIL:* [seancdistrict5info@yahoo.com](mailto:seancdistrict5info@yahoo.com)

I look forward to hearing from you.

Sincerely,

Steve Jones  
Chairman, SEANC District 5

# INFORMATION BOARD

Who: All District 5 Members  
What: Western Regional Summit  
When: Tuesday, April 22, 2008 at 6:00pm  
Where: McDowell TCC Auditorium  
54 College Drive  
Marion, NC 28752

Who: All District 5 Members Welcome  
Mandatory for Officers and Delegates  
What: Pre-Convention for Affiliation Consideration  
Planning Meeting  
When: Wednesday, April 23, 2008 at 6:00pm  
Where: WPCC Carr Hall Room 112  
1001 Burkemont Ave.  
Morganton, NC 28655

Who: Mandatory for Officers and Delegates  
What: Convention for Affiliation Consideration  
When: May 2-3, 2008  
Where: Greenville Convention Center  
303 SW Greenville Blvd.  
Greenville, NC

Who: All District 5 Members  
What: Annual Meeting  
When: Thursday, May 22, 2008 at 6:00pm  
Where: WPCC Cafeteria  
1001 Burkemont Ave.  
Morganton, NC 28655

Who: All District 5 Members Welcome  
Mandatory for Officers and Delegates  
What: Pre-Convention Meeting  
When: Friday, August 22, 2008 at 6:00pm  
Where: Broughton Hospital Picnic Shelter  
Morganton, NC 28655

Who: Mandatory for Officers and Delegates  
What: Annual Convention  
When: September 3-6, 2008  
Where: Joseph S. Koury Convention Center  
Sheraton Greensboro Hotel  
Greensboro, NC 27407

## **ATTENTION DISTRICT 5 RETIREE'S**

All SEANC District 5 retired members are invited to attend the meetings. Officers for 2007-2008 are Judy Causby, Chair; Lammar Wommack, Vice-Chair; and Gail Lawing, Secretary/Treasurer.

The chapter always meets on a Tuesday at Timberwoods in Morganton at 11:30am. Come join us for lunch and fellowship with your fellow retiree's. Meeting dates for 2008 are July 8 and October 14.

**District 5's meeting on February 28th meeting raised some concerns about the accuracy of our membership report. Please visit [www.seancdistrict5.org](http://www.seancdistrict5.org) to review the email sent by Vice-Chair Johnnie Carswell to Kevin LeCount, Director of the Member Action Department and his response.**

## **YOUR VOICE NEEDS TO BE HEARD!!! PLAN ON ATTENDING THE WESTERN REGIONAL SUMMIT ON APRIL 22TH!**

Regional Summits are held as a way of hearing all members' opinions and concerns. So please mark your calendar and join your fellow state employees for afternoon of idea exchanges.

## **DISTRICT 5 HAS A NEW WEBSITE!**

Visit [www.seancdistrict5.org](http://www.seancdistrict5.org) for up-to-date information on things going in District 5. Find information on upcoming meetings, chair comments, bylaws, download newsletters, find membership information, view pictures and much more. If you have any comments be sure to send them to our email at [seancdistrict5info@yahoo.com](mailto:seancdistrict5info@yahoo.com)



**District 5**  
**BYLAWS COMMITTEE**

The Bylaws Committee is accepting nomination for officers and proposed amendments for the bylaws to be voted on at the annual meeting, Thursday, May 22, 2008. If you have proposed amendments, please contact Lamar Wommack at (828) 433-0428.

The officers to be elected are the Chairperson, Vice-Chairperson, Treasurer, Policy-Platform Chairperson and Bylaws Chairperson. There will also be six Delegates-at-large elected. If you are interested in running for one of these Positions or would like to nominate someone, please complete the Candidate Information Form, detach and return by Thursday, May 1, 2008.

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**CANDIDATE INFORMATION FORM**

**NAME** \_\_\_\_\_ **AGENCY** \_\_\_\_\_

**ADDRESS** \_\_\_\_\_

Years of SEANC Membership \_\_\_\_\_

Prior offices held in SEANC/NCSEA/NCSGEA:

\_\_\_\_\_  
\_\_\_\_\_

Candidate for Office of:

\_\_\_\_\_

Would you accept nomination to another office? \_\_\_\_\_

If so, which office would be your second choice? \_\_\_\_\_

Further comments, if any: \_\_\_\_\_

**RETURN TO:** Lamar Wommack  
1500 Royce Street  
Morganton, N.C. 28655