

Civil Service Employees Association, Inc.
Local 1000, AFSCME, AFL-CIO
143 Washington Avenue
Albany, New York 12210

MEMORANDUM

TO: Labor Relations Specialists

FROM: Dean Adams - Director of Field Operations

DATE: January 2021

RE: Requirements for Ratification and LRS Signatures

Please be advised that CSEA policy regarding four important labor relations issues is herein reaffirmed.

First, in order to maintain the high standard of democracy and member participation that exists within CSEA, all negotiated agreements for new and successor contracts require ratification by CSEA members in good standing. Standards for the ratification process can be summed up as follows:

1. Ensure that members have the opportunity to be informed about the date, time and location of informational meetings and ratification vote.
2. Provide information about changes in the CBA by way of a meeting that includes a copy of the Memorandum of Agreement or an informational sheet that explains all changes to the current contract.
3. Make the ratification vote reasonably accessible to as many members as possible by scheduling opportunity for all shifts and locations to vote.
4. Protect the integrity of the ratification process by ensuring voting is limited to members only and ballots are protected.

The Local and Unit Officers Manual includes instructions for Contract Ratification for leaders. It can be found on page 63 of that document.

Significant changes negotiated to contracts in-term also require ratification by CSEA members in good standing. Ratification is an internal union requirement necessary for any agreement to be binding on CSEA. *However, during these difficult economic times, please do not consider this statement an invitation to reopen existing agreements to negotiate concessionary language to mitigate layoffs. Previous communication on this topic still applies.*

The Ratification Complaint Procedure helps ensure CSEA democracy is protected. The procedure is attached and can also be found in the Officer's Handbook.

Second, all collective bargaining agreements, including interim agreements, must include the signature of the appropriate Labor Relations Specialist.

The other two policy matters concern communication with rank and file members during the negotiations process.

As has been practice for a number of years, CSEA refuses to "blackout" members from information regarding negotiations. This is CSEA policy. We must be free to communicate about the table discussion with CSEA membership during the course of negotiations to ensure that members remain committed to the process, support the negotiating team and ultimately have a successful ratification. "Blackouts" have proven to have an adverse impact on a positive conclusion of negotiations. The level of detail shared with members during negotiations is subject to any number of variables including the tone of the talks, size of the unit, and depth of bargaining and is up to the discretion of the LRS and Negotiating Team.

Communication issues have been the number one issue among rank and file members when asked about union concerns. It is clear that our ability to ensure union member support in the negotiations process hinges on our ability to communicate effectively. It also impacts campaign activity and

ratification. A lack of information about bargaining leads to mistrust, inactivity and disapproval.

Accordingly, it is CSEA policy that a communication plan to inform rank and file members about the status of bargaining will be part of every local government and private sector negotiating strategy. This communication can take a number of forms depending on the circumstances, but at the very least, there must be regular updates to rank and file members about bargaining. Our ultimate goal is to ensure that CSEA members understand the struggle of bargaining and remain supportive of our negotiation teams regardless of the time it takes to reach a successful conclusion.

This message is also being distributed to local government Local and Unit Presidents and Private Sector Local Presidents. Attached is a copy of that communication titled "Procedures for Negotiations".

Should you have any questions or comments please contact me directly.

Attachments

cc: CSEA Officers
Region Directors
Cabinet
Department Heads
Field Staff

Contract Ratification Complaint Procedure

Complaints alleging violation of the administrative procedure of contract ratification should be filed within ten working days of the counting of the ballots of the ratification. The complaint should contain the specifics of the alleged violation including date, time, place, persons involved and circumstances alleged. The complainant must include his/her name, address, social security number and phone number.

The complaint should be filed in writing with the Director of Field Operations, CSEA, 143 Washington Avenue, Albany, NY 12210. Within ten working days of receipt, the complaint will be referred to the appropriate Region Director, with a copy to the Region President, for investigation.

The Region Director will request an investigatory report from the assigned LRS to be completed within 30 days of the request. The Region Director will also notify the complainant at this time that his/her complaint is being investigated and that any further relevant details must be submitted, in writing, within 30 days to the Region Director.

Upon receipt of the necessary reports and input, the Region Director will make a recommendation concerning the disposition of the complaint and will forward the recommendation and reports to the Director of Field Operations within 10 days.

After a review of the documents and additional input, if required, the Director of Field Operations will render a decision within 10 days as to whether or not the administrative procedure for contract ratification was violated. Copies will be forwarded to the CSEA President, Region President, Region Director and complainant.

The only options available under this procedure should a violation be found are that the violations were outcome determinative or that the violations were not outcome determinative. If the violations are deemed outcome determinative, the ratification vote must be re-run. If the violations are not deemed outcome determinative, the ratification results stand.

The Director of Field Operations may extend time limits, should it be required for further investigation at any level.