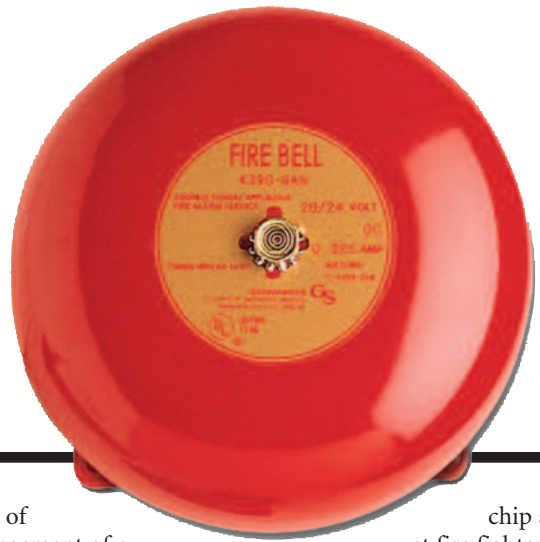


# Sounding the Alarm!

## IAFF Fights Back Against Attacks on Fire Fighters



**D**o you remember where you were when the attacks against fire fighters began?

Most likely you do not. Unlike seminal events like Pearl Harbor or September 11, the assault on unionized fire fighters is happening like a slowly building storm. In community after community, the attack on our members has been mounting steadily since the start of the recession in 2008-2009. And by all accounts the struggle will get more difficult in the coming year as public officials at all levels of government face massive fiscal shortfalls, and then look for easy scapegoats.

“What you are seeing is a politically orchestrated effort to demonize public servants in an effort to promote pension reform,” says Robert Bruno, Professor of School of Labor and Employment Relations and Director of the Labor Education Program at the University of Illinois.

And it’s unclear when — or if — it will end unless we fight back. These attacks — on fire fighters, their pay, pensions, jobs, right to bargain collectively — and their public image — are actually a full-throttle assault on this nation’s entire middle class. If we lose, the nation will be less safe and working conditions will decline for most Americans.

Fire fighters from New York to San Francisco and just about every municipality in between are engaged in this war, whether they want to be or not.

Unionized workers have always had to fight for every right, every pay increase and benefit they and their brothers and sisters now enjoy. Legions of IAFF leaders have battled at negotiating tables, city council meetings, state houses and picket lines to preserve the safety and the integrity of the fire service.

But what’s happening now is different. IAFF members face an onslaught of blame

from policymakers at all levels of government under the encouragement of a tenacious bloc of anti-labor interest groups.

“This effort is coming from two political parties that are simply bankrupt when it comes to political courage,” says Bruno. “Both Republicans and Democrats are

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—General President Harold Schaitberger

looking for easy answers to the nation’s problems. They’re not actually trying to solve those problems, only make political gains by attacking the most visible elements of our society.” And that visible element is US.

The attacks against fire fighters are coming in both deed and rhetoric. Anti-union policymakers at all levels of government are doing their level best to

chip away at fire fighters’ compensation and reduce

their ranks. Too often those attacks are laced with crass rhetoric suggesting fire fighters do not deserve adequate compensation, a safe retirement or job security.

Such sentiments sting when one considers how hard fire fighters work to keep the citizenry safe. Overpaid? Undeserving? Really? Beyond the day-to-day grind, one need not look too far back into history for examples of how fire fighters have responded to a nation in distress.

Like January 8, when fire fighters and paramedics from several departments raced to the scene of the bloody shooting in Tucson to administer life-saving emergency care to the wounded. Or December 22, 2010, in Chicago, when an ice-laden warehouse roof collapsed during a fire on nearly two dozen fire fighters, killing two and injuring 17. Though that warehouse was not in commercial use those fire fighters had heard homeless people might be inside.

Fire fighters are always there when they are needed. The fact, though it should not have to be mentioned, seems forgotten from the smallest city halls to Capitol Hill.

In Washington, anti-labor lawmakers stood fast against IAFF efforts to win collective bargaining rights for all fire fighters. The Zadroga bill providing benefits to Ground Zero workers — which should have been a no-brainer — was finally enacted in the final ticking hours of the 111th Congress after the heroic lobbying effort of our New York affiliates, legislative leaders and the IAFF.

A non-stop media blitz by satirist Jon Stewart also put pressure on Congress to pass the bill.

If you think 2010 was a tough year for

federal legislation, make no mistake, the incoming class of this 112th Congress just underway is crowded with lawmakers eager to go after public workers and weaken unions.

“Anti labor forces will be coming at us from all sides this year, and there is no doubt in my mind that we are entering one of the most challenging times for the labor movement, and fire fighters in particular,” says IAFF General President Harold Schaitberger. “Our foes and too many of our friends have forgotten what it means to be a first responder. We must get to work protecting all that we have won for our brothers and sisters over the years.”

### Bleak Forecast

Much of what unions have gained in hard-fought battles over the last 40 years is now under attack, including mandatory Social Security, health care, staffing, collective bargaining, pensions and wages, and other benefits.

It goes without saying that pushing any labor-friendly legislation onto the president’s desk will be challenging, but not impossible. The IAFF will need to mount a strong defense in the coming months to fend off anti-labor forces’ efforts to damage our union’s influence in the public workplace.

While conditions look bleak in Washington, they are downright grim at the state level where a new crop of governors is determined to bring budgets into balance on the backs of public sector workers by freezing wages, laying off workers, reducing or eliminating their bargaining rights and cutting pensions and health benefits. In addition, at least 16 states are mulling payroll protection bills that would prohibit unions from using payroll deductions to fund political activity. Several other governors, with Ohio Governor John Kasich leading the way, are considering Right to Work legislation to prevent workers from being required to pay union dues.

As states and municipalities continue to struggle with budget shortfalls, some policymakers — egged on by former House Speaker Newt Gingrich, who is eyeing a presidential run in 2012 — are exploring the possibility of putting forth federal legislation that would make it easier for states to file bankruptcy. The thinking behind this concept is that filing for bankruptcy would offer states an opportunity to tear up their contracts with

unions and get out from under pension obligations.

Legal experts have said such a move would be unconstitutional because states are sovereign entities. But that is not

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stopping anti-union forces from forging ahead and exploring legal avenues to help states avoid meeting their obligations on pensions, compensation and staffing.

### Pension Battlefront

The greatest challenge for our members right now is protecting and preserving their pension benefits. Anti-labor groups have always wanted to destroy government worker defined benefit pension programs. In part, they oppose pensions on philosophical grounds believing that government should not be involved in helping workers save for retirement. But they also see government employee pensions as a wasted opportunity for private sector investment firms, which hope to profit mightily by replacing defined benefit pension plans with defined contribution plans. It would become the next cash cow for Wall Street.

The financial crisis, which has drained local government coffers of tax revenue, was parallel to the collapse of the financial markets, which in turn also delivered a crushing blow to pension balance sheets, creating short-term unfunded liabilities. This has opened up an opportunity for pension opponents to launch attack after attack on our pension systems, arguing that taxpayers can no longer afford to cover the cost of public worker pensions.

Finding places in America where fire fighters’ pensions are under assault is quite simple. Put a map of the United States on a wall and grab a few darts. Now close your eyes and throw them at the map. Most

likely those darts landed in a state and near a municipality where top lawmakers are considering proposals to reform fire fighters’ pensions by raising costs on workers, raising the retirement age, or even

replacing current plans with defined contribution plans.

The strategic playbook behind these assaults, which includes conveniently ignoring the chronic underfunding of pensions while simultaneously demonizing public employees, has been designed in conservative think tanks like the American Legislative Exchange Council and the National League of Cities. Those playbooks have been distributed, and governors from coast to coast have begun the process of pecking away at government-sponsored pensions.

These pension rollback efforts are being spearheaded by conservatives and Democratic lawmakers alike who are seeking political fortune in going after public employee pensions.

- In New Jersey, the state legislature has signed on to Republican Governor Chris Christie’s pension reform mantra, proposing a measure that would force government workers to pay more for their pensions. Though they are insisting that the state — which has skipped payments into the fund for most of the past decade — commit to start paying into pensions.

- Democrat Andrew Cuomo made attacking unions a cornerstone of his successful bid to become governor of New York. Now that he is seated, Cuomo has signaled he plans to eliminate 15,000 jobs from the state workforce and reform pensions in a bid to close an \$8 billion deficit, while the state fire and police plan is 90 percent funded.

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● In Massachusetts, Democratic Governor Deval Patrick proposed increasing the state's retirement age for 90 percent of state workers to 60 from 55, and requiring public employees to work until they are 67 to receive full pension benefits. Fire fighters would not become eligible for full pensions until age 57.

● Rick Scott, the new republican governor of Florida, has put his state on notice that he intends to lead an effort to work with cities there to reform pensions, calling the whole system a "ticking time bomb." He is wrong, whether he knows it or not. Florida's pension system is 88 percent funded, which pension industry experts say is well within an acceptable and sound range.

One critical fact that anti-pension lawmakers seek to gloss over is that most state pensions are in fairly good shape, despite the crushing financial crisis — the worst since the Great Depression. The states facing the most pension trouble are ones where governors neglected to fully pay the state's obligated portion into the system. New Jersey, for example, has not made its required contribution to its pension system in 15 years. Christie himself refused to pay \$3.1 billion it owes to the system in 2010.

### Fair Weather Friends

One of the more surprising elements of this rising tide of attacks on the public sector is that lawmakers who were once allies are increasingly seeking political value in opposing our unions.

"This anti-tax era has turned Democrats into political cowards," says Bruno.

One of the more startling examples of this alarming trend occurred last fall in Pennsylvania where outgoing Governor Ed Rendell, a Democrat and former chair of the Democratic National Committee, blocked an overwhelmingly popular state bill that would have provided cancer-presumption benefits for fire fighters. The measure passed the Pennsylvania House by a vote of 195 to 1 and sailed through the Senate with just four nay votes before Rendell vetoed the bill.

The move left Pennsylvania Professional Fire Fighters Association President Art Martynuska enraged. In a letter to Pennsylvania fire fighters he said: "The last time we checked, we found that we still live in a democracy and when you have more than 90 percent of the states' elected representatives voting in bi-partisan favor of a bill that will give some comfort to terminally ill fire fighters and some

**"The IAFF recognizes that the challenges we face are serious. The International will be taking a serious, proactive approach to ensure the members of this great union are protected during this malicious time. While we will continue to use strategies that have proven successful in the past, the IAFF recognizes that the 'same ole,' same ole' is not going to work this time. That's why the IAFF is heavily engaged in devising new, more aggressive methods designed to help all of you keep the staffing levels, working conditions and benefits that you have worked so hard to get."**

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financial assistance to fire fighters widows and children, it's more than cold hearted, it's criminal."

Andrew Cuomo in New York has signaled that he, too, is willing to go up against unions over jobs and benefits in order to erase budget shortfalls.

### Striking at the Heart of Unions

While pension protection will be a top priority for the IAFF, members also face another battlefield on collective bargaining. Like the pension attacks, efforts to roll back and deny fire fighters collective bargaining rights are taking place at all levels of government: federal, state and local. In some cases, it is a result of political posturing. And in others, it's attempts at union-busting under the guise of saving a few dollars in a strained economy.

In December, the U.S. Senate voted 55-43 to bring up the IAFF's collective bargaining act for consideration, and was five votes short of the 60 needed to overcome a filibuster waged by anti-labor senators.

A united GOP Senate Conference voted en bloc to oppose a cloture motion on the bargaining bill until an extension of the Bush-era tax cuts was approved. Three Democratic quislings — Senators Michael Bennet (CO), Mark Warner (VA) and Kay Hagen (NC) joined with Senate Republicans in shunning workplace rights for fire fighters.

On the state level, some newly elected fiscally conservative governors are using the still-weak economy as an excuse to attack collective bargaining. These governors contend that it is necessary to abolish or weaken collective bargaining to help balance their budgets.

### Tying our Hands

Similarly, new Ohio Governor John Kasich has made dismantling the state's collective bargaining law a top priority for his administration. But his focus is more specific. Kasich says Ohio's binding arbitration laws award unions too generously, causing cities to go bankrupt.

"I don't think he understands the process," says Ohio Association of Professional Fire Fighters President Mark Sanders. "An arbitrator is required to consider whether or not the jurisdiction has the ability to pay for any award. In fact, I think it is fair to say that arbitrators have been very conscious of the fact that times are tough and have made their awards accordingly."

Other potential threats to collective bargaining in Ohio include proposals to eliminate pensions as a subject for negotiations or even replacing collective bargaining with meet and confer.

"Governor Kasich and his supporters fail to understand that collective bargaining benefits both sides," Sanders says. "They ignore the fact that many Ohio unions have been sympathetic during recent tough times and agreed to furloughs and pay freezes."

Collective bargaining, in fact, is saving government money in Ohio and in other places. In Maine, Lewiston Local 1773 waived its right to a 2.6 percent cost of living increase. Stockton, CA Local 456 offered \$5.7 million in concessions after the Stockton City Council declared a fiscal emergency to deal with a \$23 million deficit. Fairborn, OH Local 1235 was among Fairborn's other labor unions that agreed not to take any raises in their contracts. That move alone enabled the City to bring back four public service employees. Those are just a few examples; there are many others.

## Hitting Us in the Paycheck

Another way state governments are trying to weaken unions is to partner with the National Right to Work Legal Foundation to promote laws prohibiting unions from assessing a fee to people who do not want to join the union.

These laws — already in place in 22 states — make it difficult for unions to function because the non-union member can enjoy all union negotiated benefits without contributing dues.

Lawmakers in Indiana made it the first order of business, but the state's governor quickly put an end to further discussion of the right-to-work legislation, saying "now is not the time." But, such legislation could still be on the table in Maine, Missouri and seven other states.

Some Missouri lawmakers say they support a right-to-work law because they believe it will attract business to the state. However, it has been speculated that pro-labor Governor Jay Nixon would likely veto such a bill.

"This isn't the first time that we have had to fight against anti-labor initiatives," says Missouri State Council of Fire Fighters (MSCFF) President Tony Kelley. "Pensions have been under attack over the last several years. Last year, legislation to enact defined contribution plans was proposed, but it failed.

Kelley adds, "The success or failure of these efforts to thwart the labor movement depends on how all of labor reacts."

The stakes could not be higher, not just for fire fighters but for the entire American workforce.

"When you attack the labor movement, you are really attacking America's entire working class," says Bruno of the University of Illinois. "You are making it harder for all workers, not just union members, to benefit from the gains of the labor movement. That is why the Democrats have become less responsive to labor and the GOP has become downright hostile to labor."

## Time to Fight Back

"The IAFF recognizes that the challenges we face are serious," says President Schaitberger. "The International will be taking a serious, proactive approach to ensure the members of this great union are protected during this malicious time."

These efforts include a full-page ad in USA Today (see page 24).

He adds, "While we will continue to use strategies that have proven successful in the past, the IAFF recognizes that the 'same ole,'

same ole' is not going to work this time. That's why the IAFF is heavily engaged in devising new, more aggressive methods designed to help all of you keep the staffing levels, working conditions and benefits that you have worked so hard to get."

The IAFF will be unveiling a full-throttled campaign at the district, state and local levels to beat back these concerted attacks on IAFF members, with President Schaitberger visible at the state and local level and on the frontlines to defend IAFF members. "We are developing a major push-back effort to respond to the attacks by politicians and in the media," says Schaitberger. "This will be an aggressive campaign to fight back."

The IAFF has already established a new pension department (see story on page 34), and coupled with a multipronged public relations/media campaign, will burnish the image of fire fighters that too many politicians have sought to tarnish.

"We must remind wayward politicians that fire fighters are not the enemy; we are always there to protect the public, in both

good times and bad," Schaitberger says.

Meanwhile, state leaders are rallying the troops and getting ready to deploy. In traditionally anti-union states like South Carolina — where new Governor Nikki Haley is publically assembling a team to squash unions — boosting member numbers will be a top priority.

"There is definitely strength in numbers in the Palmetto state," says South Carolina Professional Fire Fighters Association President Mike Parrotta. "The more we organize, the more labor supporters we have. We have to ban together and look after ourselves."

In non-collective bargaining states, political prowess may be the most effective way to protect fire fighter resources.

"When it comes to fighting the good fight to keep our jobs, benefits, pensions and wages, we have to put our political positions on social issues and the like aside," says Professional Fire Fighters Union of Indiana President Tom Hanify. "We have to work with those who will work with us." ■

## Battles From State to State

**G**overnors and state legislatures across the country are taking aim at our members in an effort to blame them for the massive budget shortfalls at all levels of government and to vilify fire fighters and turn public sentiment against them.

It's open season on fire fighters, and the attacks are coming from all sides on pay, pensions, collective bargaining and other worker rights and benefits.

Many states have passed and introduced or plan to introduce legislation to strip fire fighters of these hard-earned benefits and protections.

### Right to Work

Right to Work legislation isn't what it seems. The more appropriate term should be the "Right-to-Work-for-Less" bill, because these bills are designed to weaken and eliminate collective bargaining.

Currently, Right to Work laws exist in approximately 20 states, but now legislation has been filed or is about to be filed in several states, including Alaska, Hawaii, Indiana, Maine, Michigan, Minnesota, Missouri, New Hampshire, Pennsylvania, Washington and West Virginia. In addition, bills are expected in Montana, Ohio and Wisconsin.

### Paycheck Deception

Paycheck deception legislation prohibits public employee payroll deductions for union dues unless the union does not use the dues for any political activity. Alabama just has passed a paycheck deception law, and legislation has also been introduced in Arizona, Kansas, Mississippi and Missouri. Ballot language in favor of paycheck deception has been filed in California. In addition, paycheck deception bills are expected in 17 states (Arizona, Arkansas, Florida, Georgia, Indiana, Kansas, Michigan, Minnesota, Missouri, Mississippi, New Hampshire, New Mexico, South Carolina, Tennessee, Texas and Wisconsin).

### Collective Bargaining

Fire fighters' rights to negotiate with their employer regarding working conditions, wages and benefits are under threat, with bills attacking collective bargaining rights being introduced in Colorado, Michigan, Nebraska and Oklahoma. Legislation outlawing public sector collective bargaining is also being considered in South Dakota. ■

This ad was published in the February 9 issue of USA Today.



# After a Career Saving Lives...

## Politicians Want to Take Our Life Savings

Fire fighters and paramedics are dedicated to protecting the lives of our neighbors. Whether it's a natural disaster, terrorist attack or another tragedy, we answer the call.

But we are under assault by politicians who are using us as scapegoats – blaming us for the Great Recession caused by Wall Street.

The attack on our pensions would devastate our retirement security. We understand that many Americans are hurting because of the Recession, but we will not apologize for putting our lives on the line, the dangerous work we do, or the pensions we've earned.

## We're Fighting Back, and Asking for Your Support

When politicians attack fire fighters and paramedics, something is wrong.

We're citizens, just like you – Americans who work to better our lives and provide for our families. We've chosen a career in public safety to make our communities and our nation better, safer.

If politicians and Wall Street bankers succeed in their attack on us, then all Americans who work for a living will lose.

**STOP POLITICIANS FROM SCAPEGOATING PEOPLE WHO SERVE YOUR COMMUNITY**

A message by the fire fighters and paramedics of the International Association of Fire Fighters

