

IBEW 98

Local 98 News
Spring 2011



WE ARE ONE

Our New Spring Garden Street Solar Installations



Councilman Bill Green, State Rep. Michelle Brownlee, Councilmen Darrell Clark and Bill Greenlee, Ben Franklin, Sean Angelini from Angelini Electric, Business Manager John J. Dougherty, Apprentice Training Director Michael Neill and State Rep. Bill Keller at our Solar Installation Ribbon Cutting.



Dear Brothers and Sisters,

We live in extremely challenging times. Across our great nation, unions and the hard-won gains of the union movement are under attack from far-right politicians and the greed-driven corporations and billionaires who fund them.

That foul smell coming from the State of Wisconsin isn't a wheel of moldy cheese; it's the union-busting antics of Republican Governor Scott Walker. This pawn of the far-right is on a crusade to strip municipal unions' collective bargaining rights and is being financed by the Koch Brothers, two anti-union billionaires who are behind Americans for Prosperity, the Cato Institute, the Competitive Enterprise Institute, the Reason Foundation and other organizations whose sole purpose is to destroy unions.



Despite the unethical way in which Walker got the bill passed in the Wisconsin legislature to kill collective bargaining, he hasn't completely succeeded yet. As a result of a pending lawsuit brought by Democratic legislators who say their Republican counterparts broke the "Open Meetings Act" when they passed Walker's collective bargaining execution plan, a Wisconsin judge has issued a temporary restraining order, blocking the law from taking effect. Regardless of the outcome, the Wisconsin battle has provided a much-needed wake-up call to unions across the country. The message is simple, yet universal: We must work even harder to elect only those candidates who support the principles of the labor movement – fair wages and benefits, work site safety, and the right to collective bargaining.

Come May 17th, all of us will have another opportunity to make our voices heard and make our votes count! There are several important races in the City of Philadelphia that will shape the future of City Council and our courts for years to come. Of course, Local 98 is most proud that one of our own, Political Director Bobby Henon, is leading the race to replace the retiring Joan Krajewski in Northeast Philadelphia's 6th Councilmanic District.

Bobby will be a great addition to City Council. As former governor and mayor Ed Rendell said in announcing his endorsement, "Bobby was an invaluable ally to me in helping to move my important growth agendas forward, both as mayor and governor. He will be an extraordinary public servant for the people of Northeast Philadelphia because he will not be outworked, he knows how to create jobs, and he understands the importance of public safety, personal responsibility, and civic pride. **Philadelphia City Council needs young, smart, energetic leaders like Bobby Henon.**" I couldn't agree more.

The only way to prevent the further incursion of anti-union, right-wing zealots like Scott Walker into American politics is to vote into office those people who identify with and have a history of supporting America's working families. Like the old saying goes, "You're either with us or against us." It's time to fight back – with our votes. **I urge you to get out and vote in the May 17th Primary.** For a partial listing of those candidates Local 98 is supporting for election this year, please see our "Political Round-Up" page in this edition of the 98 News.

Yours in solidarity,



Dear Brothers and Sisters,

I am pleased to inform you that IBEW Local Union 98 completed successful negotiations with the National Electrical Contractors Association (NECA) on a new three-year agreement that protects our hard-earned rights to competitive wages and the finest available health and welfare benefits.

I sincerely thank you, our members, for hanging tough with us while we stood firm in our contractual demands.

Your management team successfully negotiated a \$2 an hour wage increase in Year One, a \$3 an hour increase in Year Two, and a \$3 an hour increase in Year Three of the new contract.

Two percent (2%) of the Year One increase will be directed to the Health and Welfare Fund so that we can maintain the Blue Cross Personal Choice 5 health plan, the finest health insurance available anywhere.

We also recently signed a three-year extension with Blue Cross, ensuring Personal Choice 5 coverage for you and your family through 2014.

One percent (1%) of the wage increase will be directed into Profit Sharing to benefit your Retirement Fund and an additional one percent (1%) will be directed to the Pension Fund.

Finally, the remaining 11 cents per hour will be directed to the IBEW Local 98 Scholarship Fund so that we may continue to provide educational opportunities to our future workforce and keep our local union strong for the foreseeable future.

IBEW Local 98 is well-positioned for future growth and prosperity as our country continues to emerge from this long national recession. Our union workforce is educated, trained and prepared to seize the lion's share of the work opportunities in the regional construction industry, as well as in the emerging green energy industries.

Although we have ample reasons for optimism, we will not rest until every one of our union brothers and sisters are back at work. That is our promise to you.

Yours in solidarity,

Brian Burrows

Brian Burrows
President

**98 brings back a 3
year contract!**

\$2 wage increase in 2010

\$3 wage increase in 2011

\$3 wage increase in 2012

BEST IN THE COUNTRY!

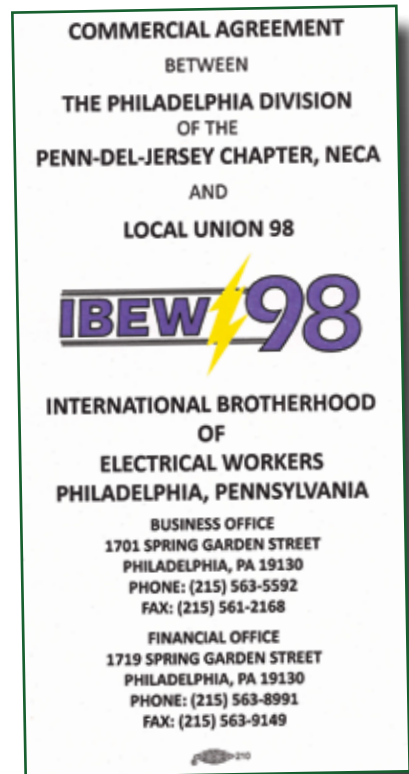
Thanks to our great Local 98 negotiating team, the tireless work of our agents and organizers and most of all the members, we resolved the contract with NECA through tough but fair negotiations and signed a multi-year contract that includes pay increases, Health and Welfare improvements and new pension benefits.

Additionally, there have been changes made to the pension section of the contract that are outlined here.

Construction Pension Fund Update

For participants Retiring in 2010, the initial benefit is based upon the plan in effect in 2010. After January 1, 2011, participants that fall within the “Special Retirement Windows” will be provided additional benefits.

The “Special Retirement Window” eligibility requires that you are retiring from active status and you are age 57 with at least 25 years of service OR your age plus your service points are 88 or more with an effective pension date between January 1st, 2010 and December 1st, 2010.



Pension Benefits between Jan. 1st and Dec. 1st 2010

Points	Supplement
83	\$600
87	\$750
91 (33 service years) *	\$1800

Pension Benefits After Jan. 1st, 2011

Points	Supplement
82	\$750
84	\$900
88 (30 service years) *	\$2000

* To a maximum of the pension benefit amount



Lump Sum January 1st, 2011

A lump sum payment will be issued after January 1st, 2011 in the amount of \$15,000. If the participant returns to covered employment in any calendar month after receiving the lump sum payment, the full amount must be returned to the Fund along with interest in the amount of 1% simple interest per month.

Retirees

Anyone in payment status on January 1st, 2011 will receive a lump sum of \$1,000 except for retirements that are eligible for the Special Retirement Window. If there is more than one named beneficiary in payment status, payments will be aggregated to total \$1,000.



*Political Director Robert Henon
with President Barack Obama*



OFFICE OF THE SHERIFF
Jewell Williams



REGISTER OF WILLS
Ron Donatucci

Perhaps at no other point in the modern history of the labor movement will our votes count as much as they will in the upcoming May 17th Primary Elections in the City of Philadelphia.

All of us at IBEW Local 98 and within the broader labor community in the city have an opportunity to reshape City Council and the Philadelphia Courts system for generations to come. It is imperative that we vote for those candidates who support us, the city's many working families!

Tops on that list are Local 98's own, Political Director Bobby Henon, who is running for City Council's 6th District seat, and former 98 in-house attorney Sean Kennedy, who is running for a judicial post in the Philadelphia Court of Common Pleas.

Here is the first set of Local 98's endorsed candidates who are worthy of your vote. More endorsements will be announced in the next few weeks via email.



**PHILA. COURT OF
COMMON PLEAS**
Sean Kennedy

GET OUT AND VOTE
TUESDAY MAY 17
MAKE OUR VOICE HEARD!



PA COMMONWEALTH COURT
Kathryn Boockvar



PA SUPERIOR COURT
David N. Wecht



PHILA. MUNICIPAL COURT
Martin S. Coleman



*Just Say NO To
Marge Tartaglione*



Jannie Blackwell

PHILADELPHIA CITY COUNCIL

- 1st District - Mark Squilla
- 3rd District – Jannie Blackwell
- 4th District – Curtis Jones, Jr.
- 5th District – Darrell Clarke
- 6th District – Bobby Henon
- 7th District – Daniel Savage
- 10th District – Bill Rubin



Mark Squilla



Bill Green

COUNCIL AT-LARGE

- Bill Green**
- Bill Greenlee**



Daniel Savage

IBEW LOCAL 98 WINS ARBITRATION AGAINST NBC 10



IBEW Local 98 recently won an important arbitration ruling stemming from a dispute over work jurisdiction with local television station NBC 10, with whom we have a long-standing Collective Bargaining Agreement.

The arbitrator ruled that NBC 10 violated the terms of the CBA when, in 2009, the station began assigning non-bargaining unit employees to use digital cameras and ancillary equipment such as tripods, lights and external microphones. The bargaining unit covers technicians, who are also referred to as photographers or cameramen. NBC 10 assigned the non-bargaining unit personnel - typically content producers who propose, write and edit news stories - to gather news material in the field, as well as in-house. NBC 10 assigned, on average, up to four non-bargaining unit employees to use digital cameras and ancillary equipment three days a week.

On November 5, 2009, IBEW Local 98 submitted an instant grievance against the station, requesting that NBC 10 cease the practice immediately. When the station failed to comply, Local 98 took matters to the next level by filing an Unfair Labor Practice charge with the National Labor Relations Board (NLRB). The NLRB subsequently deferred this charge to arbitration.

The arbitrator not only sustained Local 98's grievance, he also granted a monetary award (remedy) beyond the cease and desist order. He ruled that all staff technicians of NBC 10 are entitled to be made whole for all contract violations committed by the employer. The arbitrator also opted to retain jurisdiction over the remedy phase of the arbitration proceeding to ensure the integrity of the process.

A great deal of credit goes to IBEW Local 98 Business Representative Larry Del Spechio, who first uncovered this contractual violation and filed the instant grievance that precipitated the arbitrator's eventual ruling in the union's favor. This is just one more example of how the IBEW Local 98 management team consistently fights for and protects our jurisdiction and members' rights.

WHYY Channel 12

WHYY TV 12 AND 91 FM has managed to maintain their technician staffing. WHYY is dependent on public and corporate contributions and the recession has been tough.

IBEW technicians have been able to do work in other areas at WHYY.

Our in-house technicians have recently built a new High Definition TV control room and separate digital audio production room.



Business Agent Larry DelSpechio leading 98 volunteers in community service helping put up lights in his neighborhood.

PHILADELPHIA FREELANCE TELEVISION TECHS

In August of 2010, with the help and guidance of IBEW Local Union 98's Broadcast Division Business Agent Larry DelSpechio, Philadelphia's freelance television technicians agreed to their first contract with Total Production Services of Radnor, PA. The contract runs through March of 2012 and covers Broadcast Sports, Corporate and Entertainment events in the Philadelphia area. Work includes Phillies, Flyers, and Sixers visiting television broadcasts.

The Bargaining unit contains over 90 freelance members and continues to grow. Member jobs include Technical Directors, Camera Operators, Audio and Video engineers, Tape Replay Operators and many other technical positions. The Unit has elected several Shop Stewards to help facilitate and implement the contract at the many venues where their broadcast work is done including The Wells Fargo Center and Citizen Bank Park.

The goal is to continue to expand membership and the scope of the Unit by adding more signatories in the near future. Philadelphia's freelance broadcast community and IBEW 98 look forward to a long and successful partnership!

Important Information for Divorced Members

If you should divorce, it is imperative that you submit a copy of your divorce decree to the Financial Office as soon as the divorce is final. If your former spouse uses benefits past the date of your divorce, you will be responsible for reimbursing the fund for the entire cost of the benefits utilized!



98 Electricians beginning the Solar Panel installation at the Bourse.

DO NOT patronize these NON-UNION businesses!!

*Block Jewelers
Baltimore Pike, Springfield, PA*

*Planet Fitness
All Locations*

*Save-A-Lot
48th & Brown, Upper Darby, PA*

*Tan World in Roxborough
Philadelphia, PA*



SAFETY IN THE TRADES AWARD

Jim Dollard, Health and Safety Representative for IBEW Local 98, has dedicated his entire career to making all jobsites safer for Local 98 members, and for educating youth and the public about workplace safety and health. Brother Dollard has been out front with Local 98 advocating for “green” construction and jobs, but has also been a loud voice for safe installation of solar panels through sufficient training for workers and greater education of consumers.



On November 19th, IBEW Local 98’s Safety Director Jim Dollard received the Philaposh Safety in the Trades Award. Jim was honored before an audience of 200 people drawn from unions around the region. Jim’s wife Rosemary was also in attendance to see Jim receive the award. Philaposh, headed by Barbara Rakhe, is both an advocate and watchdog organization whose constant mission is improving occupational safety for workers in the Philadelphia area.

While we all know of Dollard’s consistent vigilance on safety issues for Local 98 members and contractors, the Philaposh award recognized Jim’s commitment to safety issues for all unions.

98’S JOBS AT THE NAVY YARD ARE PRESERVED AT TASTYKAKE AFTER THE SALE!

In May 2007, Tastykake Baking Company announced a decision to move the main bakery and Corporate Headquarters to the Philadelphia Navy yard. The move was completed at the end of 2010, right before the sale of TastyKake to Flowers Foods.



Over the past few years the construction of these projects has created countless work opportunities for our members. Not to mention the environmental impact by replacing the antiquated bakery and Corporate Offices with new state of the art, energy efficient facilities.

Our members were not only responsible for the maintenance of the old facilities on Hunting Park Ave., but are also responsible for the new facility located at the Navy Yard. In May 2009 with the expiration of their initial Collective Bargaining Agreement nearing and in a tough economic environment to have to negotiate wages, benefits and conditions, the negotiating committee was proud to announce they were able to bring a proposal back to the membership which was successfully ratified.

Special thanks to our stewards Joe Sickman Sr., David Slemmer, John Betz and Ted Grant for their continuous dedication.

Local 98's Apprentice Training Graduation Dinner honored 70 Inside Wireman and 12 Sound and Communication Apprentices. The 2010 apprentice class was congratulated for their accomplishments!

Congratulations to the 2010 graduates! Remember you represent the future of IBEW Local 98!



ELECTRICAL

Kareem Ali, Christopher Baldino, Brian Beattie, William Black, Brittany Brown, Sergio Buccierelli, Bradley Buck, Ryan Bucksar, Paul Budzilowicz, Paul Callen, Steven Campbell, Brian Carulli, Rocco Cedrone, Matthew Cleary, Mauro Conte, Fran Costello, Eric Da Costa, Robert Dailey III, Gregory DeMarco, Mark Domizio, Michael Donovan, Matthew Downey, Roy Elk, Roberto Falso, Paul Flannery, Ryan Gerold, Darry Greene, Matthew Hamilton, Gregory Hampson, Michael Harris, Brad Instasi, Mark Kelleher, Anthony Leone, David LeVan, Marc Longo, Mark Lynch Jr, Timothy Mahon, Matthew Martin, Francis McIntyre, Kevin McSwiggan, Thomas Meisse, Michael Mills, Dustin Misztuk, Jeffrey Nagle, Edward Neilson, Anthony Nestore, Brian Neville, Kendell Nichols, Louis Olivieri, Michael Palmer, Stephen Pio, Rory Power, Robert Queroli, Richard Reahm, Christine Rhoads, Michael Richardson, James Rogers, Christopher Rueth, Joseph Scavuzzo, James Silvanio, Dominic Spasari Jr, Michael Spataro, Alex Squillante, Robert Sweeney, Brian Tana, Carol Thrower, Timothy Trahey, Kyle Unger, Elwood Walton, Robert Wilkins

SOUND & COMMUNICATIONS

Kevin Ambrose, Michael Brearey, Daniel Caputo, John Connor, Paul Hallman, Michael Hinchey, Stephen Nazarok, Jr., Raymond Pica, Omar Reeves, Carl Szollosy, Duane Thorpe, Michael Zarembo



50 Year Pin Recipients

John E. Beck, Robert J. Burns, Donald F. Christy, Richard L. DelViscio, William I. Gillies, Ronald A. Gratz, Robert L. Hoelzle, Elwood G. Houser, Raymond J. Johnson, Jr., James G. McAnally, Robert E. McElhone, William F. McHugh, Neil C. Moyer, James W. Olexa, Joseph F. Sommer, Jr., Howard Stratton, Thomas F. Volpe



55 Year Pin Recipients

William J. Byrne, James J. Cahill, Jr., David P. Craig, Donald C. Elfreth, Mark E. Evert, Jr., William F. Foster, Jr., James L. Foulke, Paul C. Getz, James P. Henry, III, Stuart G. Johnson, Terry E. Keim, James F. Kelly, Allen F. Kenna, Lawrence C. Killoran, John J. Maloney, Thomas A. McDevitt, Francis M. McQuillen, Thomas D. Neilson, Edmond E. Neville, Robert R. Randall, Paul J. Sweeney, Mitchell E. Tubin, Thomas R. Vickers, Jr., Norman Wolf



60 Year Pin Recipients

Richard Beck, Donald Brown, Ronald Conover, Allen R. Davis, Jr., Anthony DelViscio, Charles Dunfee, Jr., Anthony J. Focht, Joseph A. Leach, John A. Lynch, Philip F. Lynch, Thomas J. Maxwell, James J. Murtha, Thomas J. O'Dore, John R. Raines, William H. Speck, Jr., Francis J. Taddei, Martin J. Walsh, Edward Yudof, Edward H. Zoolallian

65 Year Pin Recipient

Richard C. Crouthamel

70 Year Pin Recipient

Bernard Freedman

2010 Scholarship Winners

Michell Adamczyk, Derek M. Bendetti, Kira Blome, Danielle Brasch, Chad Burns, Rochelle Cohen, Joseph Cotton, Jr., Amanda Darragh, Lauren Hammond, Amber Hibbs, Agnieszka Jagla, Stephen E. Jones, Kristin Z. Munson, Alyssa Osano, David T. Queroli, Alicia Quinn, Israel Simmons



Temporary Wiring - OSHA and NEC Requirements

Both the NEC and OSHA have a serious impact on temporary wiring in construction. Both documents must be complied with on all temporary installations.

The NEC is a consensus document that becomes law in Pennsylvania through formal adoption. The edition in effect at this time is the 2008 NEC, adopted in January of 2010.

It must be understood that the entire NEC applies to temporary wiring installations. While Article 590 Temporary Wiring applies, the rules in this Article will only supplement or modify the general rules contained throughout the NEC.

The OSHA 1926 construction standard contains rules for temporary wiring in subpart K. The following will address a few common installations and misapplications of temporary wiring.

Use of listed wiring methods, devices, equipment etc.

OSHA 1926.403(a) requires all conductors and equipment to be approved. The OSHA definition of approved literally means listed or tested by a nationally recognized testing laboratory (NRTL). OSHA 1926.403(b)(2) and 110.3(B) of the NEC mandate that listed equipment be used only in accordance with the listing/labeling.

Common misapplications include the use of:

IMPORTANT SAFETY REMINDER!

All accident reports must be called in to the incident reporting system at **1-800-707-3615**. Store this number in your cell phone now! The new system logs all accident reports electronically for safe storage. It is imperative that all accidents be reported to the Local.



- Triplex/quadplex, this product is not listed, and is a clear OSHA violation. It is not insulated, it is only covered with non-rated plastic and is therefore an NEC violation.

- Use of standard junction boxes and devices on extension cords.

Use of junction boxes/covers

OSHA 1926.405(a)(2)(ii)(H) requires a junction box wherever a change is made from a non-metallic cable assembly to (1) a raceway or (2) a metal jacketed cable assembly. This means that OSHA permits non-metallic sheathed cable assemblies such as types NM, UF and SE to be spliced together without a junction box provided no raceway or metal jacketed cable assembly is involved. Section 590.4(G) of the NEC permits the same.

Common misapplications include:

- Type NM (Romex) spliced to type MC or AC without a junction box
- Conductors leaving a raceway and splicing directly to a cable assembly

Ground Fault Circuit Interrupters (GFCI) and the Assured Equipment Grounding Conductor Program (AEGCP)

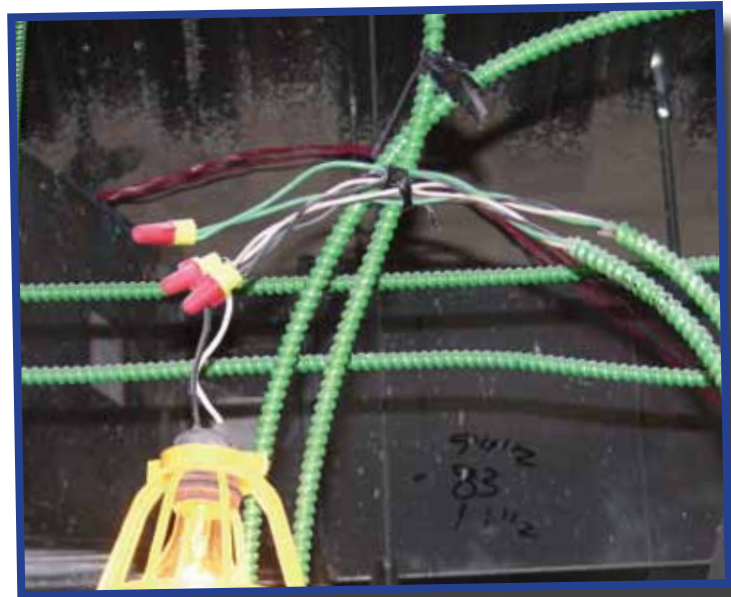
The NEC (590.6) requires all single-phase, 125-volt, 15-, 20-, and 30-ampere receptacle outlets that are not a part of the permanent wiring of the building or structure and that are in use by personnel to be protected with a GFCI. The NEC permits a receptacle(s) that is installed or exists as part of the permanent wiring of the building or structure to be used only where GFCI protection is provided through a listed GFCI device that is identified for portable use. OSHA (1926.404(b)) also requires GFCI or an AEGCP. Both the NEC (590.6(B)) and OSHA (1926.404(b)) require all receptacle outlets, regardless of voltage or ampacity rating to be protected by a GFCI or an AEGCP must be in place.

Common misapplications of these rules include:

- The use of existing (permanent) receptacles by personnel during construction, remodeling, maintenance, repair, or demolition of buildings, structures, equipment, or similar activities without GFCI protection
- The use of (home-made) GFCI with cord cap and FS or 1900 box. A violation of 1926.403(b)(2) as such a device is not listed as portable, no open neutral protection would exist
- Use of extension cords to supply swing scaffolds and other loads that are typically other than 125-volt, 15-, 20-, and 30-ampere receptacle outlets without GFCI protection or the implementation of an AEGCP

Note that each OSHA violation starts at \$7,000.00. Installing temporary systems in accordance with OSHA and the NEC is not, "nice to do" or a "best practice", it is the law. The intent of these rules is safety driven to protect persons and property from the hazards of electricity. In the event of a serious injury, loss of life or loss of property due to improperly installed temporary power, there will be serious fines and significant legal action.

These are only a few of the common mistakes made. Be sure to sign up for the Journeyman Training classes to keep yourself safe!



Where a metal jacketed assembly, such as type AC or MC is used for temporary power, all splices **MUST** be made in a junction box with a cover.

***Stay safe! Observe all applicable codes and standards!
Your family is counting on you coming home from work!***

IN MEMORIAM

Albert Hagopian
12/9/2009

David H. Tomkinson
12/12/2009

Edward J. Tingle
1/3/2010

Robert J. Moran
1/9/2010

Omer V. Davenport
1/15/2010

John J. Judge
1/23/2010

Paul C. Brusch
1/25/2010

Barry Swartz
2/6/2010

Terence Byrne
2/10/2010

Franklin L. Seidel
2/17/2010

John F. Charlton
3/5/2010

Henry A. Hutchinson
3/5/2010

Andrew J. Carney
3/7/2010

Alvin J. Perry
3/8/2010

Leonard E. Hardy
3/10/2010

Robert Young
3/13/2010

Elwood G. Culp
4/6/2010

Anthony J. Focht
4/11/2010

James R. Shisler
4/20/2010

Patrick J. Lanneaux
6/3/2010

William F. Cipollone
6/18/2010

Joseph A. Leach
6/23/2010

James W. Fields
7/1/2010

Leo J. Jordan
7/8/2010

Raymond L. Sanders
7/22/2010

Ronald Gratz
7/27/2010

Robert F. Lower
8/18/2010

William G. Gray
9/8/2010

Thomas J. Maxwell
9/25/2010

Walter J. Helhowski
10/14/2010

Charles Kachigian
10/20/2010

Carl A. Britsch
10/28/2010

Shelton Mack
11/25/2010

Joseph F. McHugh Sr.
12/5/2010

William M. Delaney
12/9/2010

Albert Kolman
12/28/10

Joseph J. Sparks
1/1/2011

Vladimir Shmihluk
1/22/2011

Matthew P. Spaeth
2/3/2011

Harald Neilsen
2/4/2011

Samuel M. Doughty
2/12/11

Henry S. Mrowczynski
2/19/2011

John D. McCuaig
3/15/11

Stephen J. DeAngelo
4/10/2011

IN LOVING MEMORY

The entire IBEW Local 98 family mourns the tragic passing of Jennifer Owens, wife of Local 98 Business Agent Chris Owens. Jennifer lost her long, brave battle with cancer this winter. In addition to Chris, Jennifer is survived by her beloved children, Madison and Aidan. Our hearts go out to the Owens and Roby families.



1701 Spring Garden St.
Philadelphia, PA 19130

IBEW Local 98 lighting up the holidays!

Rittenhouse Square was "all lit up" for the holidays and it is truly a labor of love for the Friends of Rittenhouse and Local 98.

A special thanks goes out to MJK Electric for being there and making this project a huge success!

