



# International Union of Operating Engineers

*Your Complete Guide to  
Union Organizing*

**Serving  
Illinois and Indiana**

## Thank you for your interest in Local 399!

As an organization representing over 10,000+ skilled maintenance employees, we are confident that we can assist you in elevating the conditions of your life and labor. Through collective bargaining, Local 399 will better the conditions at your workplace and provide you with opportunities to advance to the highest level in your field through our Education and Job Referral Programs. Local 399 is the second largest Stationary Local in North America covering the entire state of Illinois and 21 counties in Indiana plus the Indianapolis Area.



Local 399 is part of the International Union of Operating Engineers (IUOE) which has 123 Local Unions throughout the United States and Canada totaling approximately 400,000 members. The IUOE is made up of Stationary Engineers and Hoisting and Portable Engineers. Stationary Engineers are the skilled employees responsible for the maintenance and repair of building operating systems. We work in private industry, government complexes, hospitals, hotels, commercial office buildings, industrial facilities and schools. Hoisting and Portable Engineers are heavy equipment operators whose primary focus is on earth moving equipment in the construction field.

Unions are important because they help set the standards for education, skill levels, wages, working conditions, and the quality of life for workers. As you read through this pamphlet, keep in mind that when we organize we obtain more of the market share of skilled maintenance employees. The more market share we obtain, the more leverage we have at the negotiating table to bargain for higher wages and benefits. Non-union employers drive down wages and benefits. Our goal is to turn all of these jobs into good paying union jobs to secure a good future for yourself, for your family, and for generations to come. The IUOE is building a better tomorrow for its members. We look forward to having you join us to build a better future!

## Why Join The Union?

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Belonging to a union gives workers contractual and other legal rights that they do not enjoy without union representation. Being a union member gives workers a strong and important voice in the workplace. The collective solidarity of individuals forms the union which makes their voices more forceful and more influential with management over that of the individual voice of a single worker. **There is strength in numbers.**

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

**YOUR RIGHT TO JOIN OR FORM A UNION IS GUARANTEED BY FEDERAL LAW** under the National Labor Relations Act. This right allows you to 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 a 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, benefits, retirement and working conditions.



LIVE BETTER, WORK BETTER,  
JOIN A UNION!

## What Are Your Rights Under The Law?

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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's important and necessary to discuss the option of joining the union with your co-workers. Remember, a majority of employees must agree to join for union representation to be successful. After it is established 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.

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

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

# It's The Law!

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## "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.

### **EMPLOYERS, SUPERVISORS, OR FOREMAN 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.

## So What Can A Union Really Do?

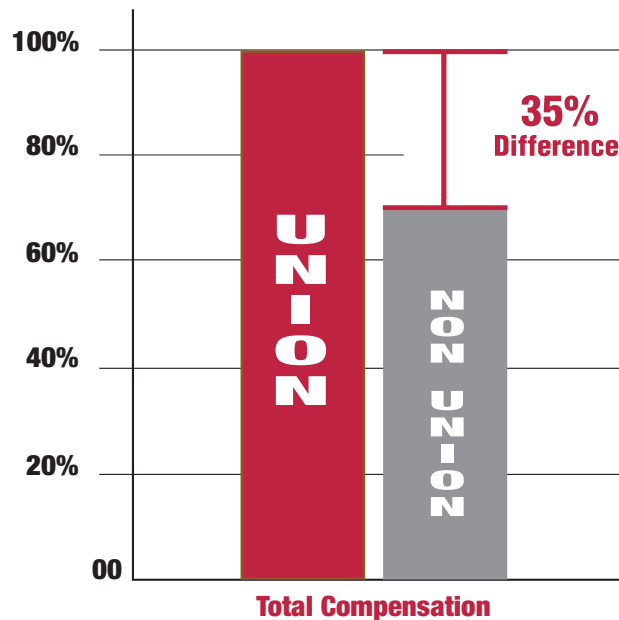
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The job of your union is to negotiate on your behalf for better wages, benefits and working conditions through a legal and binding contract – then to enforce that contract and represent you if/when you encounter day-to-day problems with your employer.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

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

### TOTAL COMPENSATION AND THE UNION ADVANTAGE!

Private Industry Workers by Bargaining Status, March 2014



Union Workers total compensation is 35% higher than their non-union counterparts, based on the national average in the private sector.

Source: Bureau of Labor Statistics NOTE: The sum of individual items may not equal totals due to rounding.

## A Voice At Work The Boss Can't Ignore

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As the global economy expands, the right of workers to organize and bargain for wages and working conditions has become more important than ever! The rise of company consolidation and multi-national corporations means that individual employees are increasingly at the mercy of ever larger companies who's only concern is Wall Street investors with "race to the bottom" business models that seek to reduce workers' wages and benefits in order to maximize profits.

Only by organizing and forming a union can workers hope to defend their right to achieve a better life for themselves and their families.

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

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## Additional Benefits

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- 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
- \$10,000 death disbursement for beneficiaries of active members in good standing
- Midwest Coalition of Labor Benefits
- Union Plus – Helping union members with credit counseling, online tax services, obtaining lawyers, plus many other benefits

# The Truth About Contracts

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## 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?

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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?

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Most likely, your employer will try to persuade you not to join the 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, better benefits and an equal voice on the job. Many union members refer to dues as "job insurance".

Since federal guidelines make Union fiscal policies more transparent than the companies you work for, Local 399 members are assured that their union dues are not being used to promote 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?

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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.

## Union Advantages

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*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**
- **Retirement & 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

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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 UNION MEMBERS** 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. This provides our members with a level of security that non-union workers do not enjoy.

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 meant 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.

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

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

## Health and Welfare Benefits

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Local 399 members enjoy the benefit of collective bargaining agreements that in many cases include healthcare benefits fully paid by the employer to the union's Health & Welfare Fund. This self-funded plan of benefits is available to the member and their families and includes a:

- **Medical plan with a low deductible and a 90% benefit when medical services are provided by the extensive BCBS PPO network**
- **Prescription drug benefit**
- **Dental and vision benefit**
- **Short term disability income and death benefit**

The Plan is overseen by a Board of Trustees comprising of three union and three employer trustees. The contributions paid by the Plan directly fund the costs of this comprehensive plan. You also have the advantage of Local 399's Health & Welfare staff who will assist you in answering any eligibility, coverage or payment questions you have regarding the plan of benefits.

In addition, a more recent addition to Local 399's benefits is the implementation of a Retiree Savings Program where in certain collective bargaining agreements, the employer funds a health reimbursement account to assist you in paying retiree health plan premiums for you and/or your spouse when you retire with vested service.

All of these bargained benefits are designed to provide you and your family with peace of mind in a period of medical treatment.

In addition to major medical benefits, Local 399 also makes available voluntary disability insurance options in order to provide members with comprehensive coverage for every situation.

## Pensions

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Many of the employers who hire Local 399 members contribute to a pension plan per the contracted agreement. Over the course of a career as a Local 399 member, pension contributions can accumulate to a generous pension when you retire. 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?

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- It is the 3rd largest labor-management pension fund in the United States with assets in excess of \$22 billion dollars.
- It was established in 1960 by the International Union of Operating Engineers and union employers nationwide.
- It receives contributions from more than 6,000 union employers throughout the United States.
- It has more than 200,000 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.

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### Central Pension Fund

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

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## 401k Plan

### Local 399's Multi-Employer 401k Plan

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Local 399 members also enjoy the opportunity to invest in our multi-employer member directed 401k plan. This plan has successfully helped to provide to a secure retirement for many of our members and current retirees.

## Advancing Your Career Through Training and Education

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*Continuing Education ... the key to success and a secure future.* Local 399 is committed to the importance of continuing education for all of our members. We're proud that our members possess the highest level of skill possible allowing them to stay current with the latest industry technologies and advancements. Local 399 stationary engineers and maintenance professionals have a reputation for excellence in the workplace based in large part on their ongoing commitment to continually challenge themselves to meet the growing trend toward sustainability and energy efficiency in the workplace.

With a state-of-the-art training facility, Local 399 offers members a wide variety of classes and seminars throughout the year that keep you on the cutting edge of trends and ever changing technologies throughout our industry. This emphasis on an education based approach makes Local 399 members valuable to the buildings and facilities we maintain and makes us highly sought after for positions throughout our jurisdiction. Our training program is not only designed to teach the trainee, but also enhance journeyman skills as well.

Green Technologies, LEED, Energy Conservation, Homeland Security Preparedness, Critical Systems, Boiler Operations, CFC Universal, Indoor Air Quality, Codes, Ordinances, and Safety are just some of the many issues we face and train for.





*Continuing Education Programs Include (but not limited to):*

### Facility Engineering Technology (FET) Classes

- Basic Boiler Operations
- Commercial Heating & Cooling Systems I
- Commercial Heating & Cooling Systems II
- Chief Engineer
- Critical Systems
- Electricity for Facilities Engineers I
- Electricity for Facilities Engineers II
- Energy Conservation
- Facilities Sustainability & Green Technology
- Indoor Air Quality
- Pneumatic & Direct Digital Controls
- Plumbing Repair and Maintenance
- Testing & Balancing
- Understanding Plan Drawings

### Seminars

- City of Chicago Boiler License Prep.
- Chief Engineers Association Generator Certification
- EPA 608 Certification CFC
- Homeland Security
- OSHA 10 General Industry
- Pool Certification from Illinois Department of Public Health

### Certificate Classes

- Commercial Food Service Equipment Repair
- Fire Alarm Systems
- Healthcare Maintenance
- Industrial Maintenance
- Labor History
- Locksmith Course
- Mobile Maintenance
- Variable Frequency Drives





# Purpose of Local 399 Petition/Authorization Cards

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When 65% or more of the employees have submitted signed petition/authorization cards, Local 399 may request recognition from the employer. If the employer refuses or ignores the 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 with your participation, we can help to improve your working conditions and way of life!** In fact, we’re so confident that as outlined above, we give 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!**

America Works BEST When We Say ...  
**UNION** *Yes!*

# Sample Ballot



When employees agree, the union will hold a vote on whether to join the union. This vote is done by secret ballot (*Sample shown below*)

## TIME AND PLACE OF ELECTION

DATE:  
PLACE:

TIME:

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

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

When you join Local 399, you become a part of our highly-trained, highly-skilled membership with access to our state-of-the-art training facility and accredited educational program that will allow you to advance both your education and your career to the highest levels of our industry!





## IUOE • Local 399

**Patrick J. Kelly**

*President & Business Manager*

### **UNION HALL & TRAINING FACILITY**

2260 S. Grove Street • Chicago, IL 60616

Phone: (312) 372-9870 • Fax: (312) 842-1590

[www.iuoe399.org](http://www.iuoe399.org)

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America Works BEST When We Say ...

**UNION** *Yes!*

If you are interested in becoming a member of Local 399 and putting the strength of its 10,000+ members behind you to bargain for a better future, please contact our Organizing Department.

## **LOCAL 399 ORGANIZING DEPARTMENT**

**(312) 372-9870 Ext. 5000**

or, email us at:

**[organizing@iuoe399.com](mailto:organizing@iuoe399.com)**

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### *Offices*

**Champaign/Urbana**  
(217) 337-4399

**Fort Wayne**  
(260) 413-9111

**Indianapolis**  
(502) 533-3676

**Peoria**  
(309) 417-8846

**Southern Illinois**  
(618) 925-7012

**Wood River**  
(618) 254-6441