LOCAL UNION 160, IBEW 2909 Anthony Lane St. Anthony, MN 55418 NON PROFIT
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NEWSLETTER - 201ST EDITION

MAY/JUNE 2020

OFFICERS

Robert J. Boogren- Business Mgr/Financial Secretary

Alan P. Rademacher- President

Darrin L. Helget- Vice President

Mark A. Ring - Recording Secretary

Dan A. McConnell - Treasurer

EXECUTIVE BOARD

Clayton E. Kaeter

Kevin J. Kaeter

Scott E. Knight

Randal L. Nass

James M. Tobin

OFFICE STAFF

Daniel J. Kieffer - Assistant Business Manager

Kurt W. Zimmerman - Business Representative

Thomas D. Cassidy - Business Representative

Martin A. Carey - Business Representative

Eric W. Spielmann - Business Representative

Michael J. Ringstad - Business Representative

Nicholas J. Steckelberg - Business Representative

Andrew D. Kieffer - Membership Development

Rose M. Eiden - Bookkeeper

Shari L. Johnson - Office Manager

Stacy L. Helget - Secretary

General Membership Meetings

Our Next Union Meetings Will Be Held:

Minneapolis: June 4 & July 2, 2020

6:30 p.m. - St. Anthony Union Hall

2909 Anthony Lane

Becker: June 18 & July 16, 2020

6:30 p.m. - 12423 Pine St

Becker Union Hall

Mo Valley: June 30, 2020 - 7:30 p.m.

St. Anthony - Union Hall **July 24, 2020 - 7:30 p.m.** Grand Rapids Union Hall 300 SE 17th St, Grand Rapids



Reps Cell Phone #'s

Bob Boogren - (612) 308-5520 Dan Kieffer - (612) 309-8640 Kurt Zimmerman - (612) 991-0022 Tom Cassidy - (763) 213-3536 Marty Carey - (612) 723-2001 Eric Spielmann - (612) 799-3997 Mike Ringstad - (763) 355-7283 Nick Steckelberg (612) 655-5210 Andy Kieffer - (612) 258-5833

Minneapolis Tel # (612) 781-3126 **Minneapolis Fax** # (612) 781-4225

Grand Rapids Phone Number

Tel. # (218) 326-0533 Fax # (218) 326-0534

Becker Office Numbers

Marty C.- (763) 262-1197 Eric S.- (763) 262-1198 Kurt Z. - (763) 262-1189 Fax # (763) 262-1168

Local Union 160 web site - www.ibew160.org L.U. 160 general email address - 160@ibew160.org

From the Editor, Rose M Eiden

The information contained in this newsletter has been obtained from sources believed to be reliable, & the editor has exercised reasonable care to assure its accuracy. However, the Local Union does not guarantee that contents of the publication are correct, & statements attributed to other sources do not necessarily reflect the opinion of Local Union #160.

Retiree's Club - Due to Covid-19 the retires have decided to cancel their May 27, 2020 meeting.

Should you have any questions, please call either **Pete Sandberg** or **Fran Stade**.

So Pete, Fran and the rest of the retiree committee would like to wish everyone a happy, safe and healthy summer. See you at the Pig Roast.

ATTENTION ALL MEMBERS PLEASE NOTE

Last newsletter I talked about making sure to call Local 160 with your new address if you have moved in the last year or so. With the Executive Board letter that was just mailed out the week of April 20, 2020, we have received over 160 address changes that we have never received before. Yes, most of them still received the letter, but I would say roughly 25 did not it and we have no forwarding address. So please, be sure to contact the hall at (612) 781-3126 and check with us to see if we have your right address. It helps out tremendously. Thank you. Rose

Local Union 160 office will be closed the following days:

Monday, May 25, 2020 for Memorial Day Friday, July 3, 2020 for 4th of July

WEINGARTEN RIGHTS

What are Weingarten rights?

The U.S. Supreme Court ruled that federal law gives workers, including federal employees, the right to request union representation during investigatory interviews. The name of the court case was the *National Labor Relations Board v. Weingarten*. These rights are now known as "Weingarten rights." The Federal Service Labor-Management Relations statute codified these rights in 5 USC Chapter 71 at 7114(a)(2)(B) and required that the Agency annually notify the employees of these rights at 7114(a)(3).

When can an employee exercise his/her statutory Weingarten rights?

Weingarten rights ONLY apply during an investigatory interview. The worker can request union representation before or at any time during the interview.

What is an investigatory interview?

An investigatory interview occurs when both these factors exist:

- Management questions an employee to obtain information; AND
- The employee has a reasonable belief that discipline or other adverse actions may result.

A Word or Two From Your Business Manager Financial Secretary



Dear Sisters and Brothers:

PLEASE NOTE: Per the Executive Board: Because of Covid-19 the Nominations have been changed from May 14, 2020 to July 2, 2020 at the St. Anthony Union Hall. Nominations for the Mo-Valley Executive Committee, Chairman, Vice Chairman, Recording Secretary and Board Members will be held on July 24, 2020 at the Local 160 Grand Rapids Hall.

Please be safe out there and watch each others backs and of course, my door is always opened.

In Solidarity, Robert J. Boogren

Weingarten Rights continued from previous page

What does an employee need to do to exercise his/her statutory Weingarten rights?

• The employee must clearly state to the management official that he/she want a union representative to be present.

What does an employer have to do when a worker asks for union representation?

An employer has three options when a worker requests union representation:

- ° Grant the request and delay questioning until the union representative arrives;
- ° Deny the request and end the interview immediately; OR
- ° Give the employee the coice of:
 - Having the interview without representation
 - ° Ending the interview

NOTE: the employer does NOT have to inform the worker that he/she has the right to a union rep.

NOTE: if a particular union representative is not available, and will not be available in a reasonable period of time, the employer can ask that another union representative attend the meeting instead.

What are an employee's rights if the employer denies his or her request for union representation?

The employee can refuse to answer questions. Further, the worker or union can file a ULP.

What are a steward's rights during an investigatory interview?

- ° The steward's role is NOT just to observe. The steward must be allowed to advise and assist the employee in presenting the facts.
- When the steward arrives at the meeting, the employer must:
- ° Inform the steward of the subject matter of the interview i.e. the type of misconduct being investigated
- ° Allow the steward to have a private meeting with the worker before the employer begins questioning the employee
- ° Allow the steward to speak during the interview. (BUT, the steward cannot insist that the interview be ended)
- Allow the steward to object to a confusing question and ask that the question be clarified so the worker understands what is being asked.
- o Allow the steward to advise the employee NOT to answer questions that are abusive, misleading, or harassing.
- o Allow the steward to provide information to justify the worker's conduct (once the interview ends).
- Further, a steward may enter a meeting where the steward reasonably believes that a worker is being interviewed and may be disciplined. However, if the worker refuses representation, the steward must leave.

Examples of when Weingarten rights apply

- When the worker reasonably believes the interview will result in discipline.
- Meetings that do not start out as investigatory interviews but that become one.
- Meetings in which the employee at first does not reasonably believe he/she will be disciplined, but later realized displine is possible.
- During phone interviews.
- During polygraphs (lie detector tests).

Examples of when Weingarten rights do NOT apply

- When the worker does not clearly ask for union representation.
 - ° Ex: During an investigatory interview, the employee asks his manager if he/she should ask for a union rep, instead of directly stating he/she wants a union rep.
- During non-investigations, such as a urine test or locker search.
- During a disciplinary announcement (i.e. no questions), which federal law states is different than an interview.
 - BUT, if the supervisor begins asking the employee questions (interviewing), then Weingarten rights apply and the worker has the right to union representation.

"ATTENTION MEMBERS"

TO: All Members of Local Union 160, I.B.E.W.

SUBJ: NOMINATION & ELECTION OF LOCAL UNION OFFICERS, EXECUTIVE BOARD & DELEGATES TO THE INTERNATIONAL CONVENTION

Nomination for election of Union Officers, Executive Board and Convention Delegates will be conducted in conformance with the I.B.E.W. Constitution and Art. III of the Local Union By-Laws. Nominations will take place at the regular membership meeting on Thursday, July 2, 2020, at 7:00 P.M. at the Local Union 160, I.B.E.W. Hall, 2909 Anthony Lane, Minneapolis, Minnesota. No member shall be nominated for office unless he or she is present or signifies his or her willingness in writing. Written acceptance of a nomination must be presented at the meeting when nominations are held. Members who are not in attendance can make or accept nominations by written letter or email to judge.jeff.peterson@ibew160.org. The Officers elected will serve a two (2) year ten (10) month term commencing on September 3, 2020

The offices to be nominated and filled are: President, Business Manager/Financial Secretary, Vice President, Recording Secretary, Treasurer, five (5) Executive Board Members and seven (7) I.O. Convention Delegates (Business Manager & President are included by virtue of office to total nine (9) Delegates.

Ballots will be mailed out on Thursday, July 16, 2020. If you do not receive a ballot by July 23, 2020, contact Election Judge Jeff Peterson. Phone number (612) 760-0260 (to call or text) or email at judge.jeff.peterson@ibew160.org. The Election Judge will be checking the P.O. Box for return envelopes periodically throughout this time frame.

The Election Judge and Tellers will open the locked P.O. Box at 9:00 A.M. on Monday, August 17, 2020, and proceed to count the ballots (in accordance with Art. III, Sec. 8, (k), of the L.U. By-Laws) at the IBEW Local Union 160 Hall, 2909 Anthony Lane, St. Anthony, Minnesota.

In case a run-off election is necessary, such run-off election shall be held twenty-one (21) days after the regular election is held. (Local Union By-Laws Art. III, Sec. 7, (q)). Ballots to be mailed out <u>Tuesday, September 8, 2020</u>, and counted on <u>Tuesday, September 29, 2020</u>, beginning at 9:00 A.M. at the IBEW Local Union 160 Hall, 2909 Anthony Lane, St. Anthony, Minnesota

All voting for the above shall be by mail ballot as provided for in Art. III of the L.U. By-Laws.

As per Art. XII, Sec. 2, of the L.U. By-Laws - Unit Officers for the Missouri Valley Unit shall be nominated at the regular meeting on Friday, July 24, 2020 at 7:30 at the Grand Rapids Union Hall and elected by secret ballot on Tuesday, August 25, 2020 at 7:30 P.M. at the St. Anthony Union Hall the same year the Local Union elect's officers (Art. XII, Sec 6 of the L.U. By-Laws). Only members of each Unit in good standing are eligible to nominate and vote for the Unit's officers.

ELECTION RULES

- 1. Nominations for Local Union Officers will be held at 7:00 P.M., July 2, 2020 at the regular Membership Meeting at the Local Union Hall, 2909 Anthony Lane, Minneapolis, Minnesota
- 2. At the conclusion of nominations for each office the Chairman shall call "Are there anymore nominations" three (3) times before closing the nominations for that particular office.
- 3. All nominating speeches will be limited to three (3) minutes.
- 4. There will be no more than two (2) seconding speeches and they are limited to two (2) minutes each.
- 5. At the meeting of the Local Union when nominations are made, after nominations have closed, the President shall appoint an Election Judge and as many Tellers as are required, who shall serve as an Election Board to Conduct the election. No candidate for an office shall be eligible to serve on this Board (Excerpt: Article III, Section 8(c) L.U. By-Laws).
- 6. The Election Board shall conduct the Local Union elections in accordance with the procedures as outlined in the By-Laws and I.B.E.W. Constitution.
- 7. After nomination's have been made and those nominated are found to be qualified in conformance with I.B.E.W. Constitution and the Local Union By-Laws Article III, Section 7(e) which provides the "No member shall be eligible for office unless he/she has been a member of Local Union 160 in continuous good standing for at least two (2) years immediately prior to nomination. No member shall be nominated for office unless he/she is present or signified their willingness in writing to be a candidate at the time of nominations". (Note: Article XVI, Section 10, I.B.E.W. Constitution.) Written acceptance of a nomination must be presented at the meeting when nominations are held. Nominations and acceptance may be done either in person on nomination night, by written letter or email to judge.jeff.peterson@ibew160.org. The candidate must verify that the Election Judge has received his/her written request to accept the nomination, prior to the start of the Membership Meeting on July 2, 2020. In each Local Union whose members participate in the Pension Benefit Fund, no member shall be eligible to serve as Financial Secretary unless he/she is also a participant in Pension Fund (A Membership), unless this requirement is waived by the International President. (Note: Article XVI, Section 6, I.B.E.W. Constitution.)
- 8. The Election Board shall have ballots prepared, listing in alphabetical order the names of all candidates for each respective office, beginning with President. Such ballots shall not contain any identifying numbers or marks (Excerpt: Article III, Section 8(d) of the Local Union By-Laws).
- 9. The Election Judge may be off the job at his discretion all the time he feels necessary to oversee the Election and Election Procedure.
- 10. The Election Judge and Tellers be paid straight time for the first (8) hours in any one day and time and one half after that including expenses.
- 11. Ballots shall be mailed out no later than Thursday, July 16, 2020.
- 12. The Election Judge and Tellers will open the locked P.O. Box at 9:00 A.M., Monday, August 17, 2020 and proceed to count ballots at the IBEW Local Union 160 Hall, 2909 Anthony Lane, St. Anthony, Minnesota.
- 13. When the total ballot count is made, the Election Judge and each Teller shall receive a copy of the total ballot count, also, one copy shall be placed on the Union bulletin board.
- 14. In case a run-off election is necessary, such run-off shall be twenty-one (21) days after the regular election is held. Ballots to be mailed out on Tuesday, September 8, 2020 and counted on Tuesday, September 29, 2020 at the IBEW Local Union 160 Hall, 2909 Anthony Lane, St. Anthony, Minnesota, beginning at 9:00 A.M. (Local Union By-Laws, Article III, Section 8(p) and (q)).
- 15. As per Article XII, Sections 2 and 6 of the Local Union By-Laws and in conformance with I.B.E.W. Constitution, the Unit Officers for Missouri Valley Unit shall be nominated at the regular meeting on Friday July 24, 2020 at 7:30 at the IBEW Local Union 160 Grand Rapids Hall, 300 SE 17th St., Grand Rapids, Minnesota. The voting shall be done by secret ballot on Tuesday, August 25, 2020 at 7:30 P.M. at the IBEW Local Union 160 Hall, 2909 Anthony Lane, St. Anthony, Minnesota. Only members of each such unit in good standing are eligible to nominate and vote for the Unit's Officers.
- 16. The offices to be nominated and filled are: President, Vice President, Recording Secretary, Treasurer, Business Manager/Financial Secretary, five (5) Executive Board members and up to seven (7) I.O. Delegates. (President and Business Manager/Financial Secretary go by virtue of office Art/VII, Sec. 3 of the Local Union By-Laws.).

With the Nominations and Election coming up, it was suggested to list the duties of the Officers and Executive Board per the IBEW Constitution that was amended at the 39th IBEW Convention in St. Louis, Missouri, September 2016 and Local Union 160 By-Laws approved November 27, 2019.

Local Union 160 holds the Executive Board Meetings on the fourth (4th) Thursday of every month and two (2) General Membership Meetings per month. They are the first (1st) Thursday of the month at the St. Anthony Hall location and the third (3rd) Thursday of the month at the Becker Hall location.

Listed below are some of the duties of each office. For the complete list of duties please refer to the IBEW Constitution Article XVII, Section1 through Section 14 and L.U. By-Laws Articles II through Article V.

President

Per Article XVII, Section 1. The L.U. president shall be held responsible for the strict enforcement of this Constitution and the rules herein and the L.U. bylaws. He shall be held personally liable and subject to penalty by the I.P. for failure to conduct orderly meetings or failure to carry out the responsibilities and duties imposed upon him herein.

- (a) Preside at all meetings of the L.U. and see that each meeting is promptly adjourned not later than 11 p.m. prevailing time. When he deems it necessary to preserve order, he shall appoint members to aid him in doing so and in carrying out his ruling.
- (j) He shall cooperate with the business manager of the L.U., if the L.U. has one, and shall not work in conflict with him.

He shall perform such other duties as are prescribed herein, or may be assigned to him by his L.U. when such duties are not in conflict with this Constitution and these rules.

Example: Must be available to learn the Electronic Warrant System (E.W.S.) to approve or disapprove all expenditures of the Local Union. This is done on a average of 1-2 times a week. This must be done in a timely matter so the bills are paid on time and no late fees are assessed.

Vice President

Sec. 2. The vice president shall assist the president in the discharge of his duties and shall fill his place in case of the president's absence and perform such other duties as are required by this Constitution and the bylaws of the L.U.

Recording Secretary

Sec. 3. The R.S. shall keep correct minutes of each meeting of the L.U.; answer all correspondence in accordance with instructions given him by the L.U. or president; make out all orders on the treasurer for the payment of authorized bills; notify the I.S.T. of all changes in officers, giving names and addresses; and perform such other duties as are directed by the president or required by this Constitution and the bylaws of the L.U.

Example: Must also be available to learn the E.W.S. and approve or disapprove all expenditures of the Local Union.

Financial Secretary

- Sec. 4. The F.S. shall keep such books and records, and issue such receipts, as are required or approved by the I.S.T. He may, when necessary and when approved by the L.U., employ an assistant or assistants. He shall be responsible for all moneys collected by the L.U. until such funds are turned over to the treasurer or deposited in the L.U.'s bank account without delay. When he deposits any L.U. funds, he shall furnish the treasurer with the bank record of all such deposits not later than the close of the month. He shall make known to the L.U. the receipts received at such time as the L.U. decides. He shall mail to the I.S.T. the per capita report, and the money due, by the tenth (10th) of the month, unless special arrangements with the I.S.T. are made. (The L.U. shall be responsible to the I.S.T. for such payments.) If the F.S. fails to do this as required, the L.U. may be assessed an amount determined appropriated by a policy developed by the I.S.T. He shall keep a record of each member, the full name and address, and notify the I.S.T. of all suspended or expelled members.
- Sec. 6. The F.S. shall submit his books and records for inspection or audit when called upon by the I.P., the I.S.T., the L.U. president, or Executive Board.

Treasurer

Sec.7. The treasurer shall receive from the F.S. all moneys collected or the bank record of money deposited in the L.U.'s bank account and give proper receipt for the same. He shall deposit all L.U. moneys turned over to him by the F.S. in a bank or banks designated by the L.U. in the name of the L.U., except for payments of regular or standing bills such as rent, salaries, and payments to the I.S.T., which do not require a vote of the L.U., and upon an order or warrant signed by the president and the R.S. He shall make an itemized statement to the L.U. as and when required by the L.U. or the president. He shall submit his books and records for inspection or audit when called upon by the I.P., the I.S.T., the L.U. president, or Executive Board.

Example: Must also be available to learn the E.W.S. and approve or disapprove all expenditure of the Local Union.

Business Manager

Sec. 8. The business manager shall be the principal officer of the L.U. and shall be held responsible to the L.U. and to the I.P. for results in organizing his jurisdiction, for establishing friendly relations with employers, and for protecting the jurisdiction of the I.B.E.W. It shall be his responsibility to keep accurate statistics, or to see that such statistics as required by the I.P. are kept, and shall cooperate fully with the Research Department of the I.B.E.W. The business manager or his designee shall serve as a permanent member of the negotiating committee and serve as a trustee on all trust funds of the L.U. provided for in the collective bargaining agreements. He shall attend all meetings of the L.U. Executive Board and have a voice but no vote. He shall have such authority and perform such other duties as are provided in the Constitution or may be provided for in the L.U. bylaws

As per L.U. By-Laws Article V, Sec. 2. The Business Manager shall report to the Executive Board and the Local Union when called upon, or when he/she deems such necessary. The Executive Board and Local Union Officers shall cooperate with the Business Manager in the performance of the duties of the office and shall not work in conflict with the Business Manager.

Executive Board

- Sec. 9. The L.U. Executive Board shall meet between regular meetings of the L.U. It shall have the power to take any action that the L.U. can take, and which should be taken prior to the next regular meeting of the L.U. Matters referred to the board by the business manager, or any of his assistants, shall take precedence over all other matters before the board.
 - Sec. 10. A quorum of the board shall consist of the majority of its members.
- Sec. 11. The board shall see that all members, officers, or others who are not entitled to remain in the board meetings, shall retire after they have been heard and submitted their business to the board. When a board member is directly interested or involved in any case before the board, he or she shall retire.
- Sec. 12. The Executive Board shall act as the trial board; hear all charges; and try all members, except officers and representatives of L.U.'s, for any violation of the Constitution, or the bylaws and working rules of the L.U. (See Article XXV)
- Sec. 13. The board shall submit a report of its actions and findings to each regular meeting of the L.U. for approval, except that no approval or disapproval is to be made or action taken by the L.U., nor is any discussion to be allowed when the board reports on the cases of members charges with violations of this Constitution or the bylaws and working rules of the L.U.
- Sec. 14. The Executive Board shall cooperate fully with other officers and the representatives of the L.U. to the end that the interests of the L.U. and its members may be properly protected and advanced. The board shall perform such other duties as are outlined in this Constitution or as may be provided for in the bylaws of the L.U.

Per Article XVI, Section 14 of the IBEW Constitution states: Any officer failing to discharge the duties of his office for two (2) consecutive meetings, unless satisfactory excuse if given in writing, shall have his office or position declared vacant by the L.U. president, and the Executive Board shall then fill such vacancy until the next regular elections.

Again, for the complete list please see your IBEW Constitution and L.U. 160 By-Laws.

All Members Please Note: Eligibility For Voting Is As Follows:

You MUST be a member in good standings with IBEW Local Union 160. Any member who is three (3) months in arrears is suspended; therefore, a member two (2) months in arrears but not yet three (3) months, will be allowed to vote.

Any member who happens to be (3) months but not yet (6) months in arrears is allowed to pay their arrearage and then a ballot will be mailed out to the member.

Please remember to call 160 union hall with your new address.

LOCAL 160 WELCOMES NEW MEMBERS

Jacob Biese Parker Boyum Susan Brehmer Glenn Erickson Nicholas Esposito Mitchel Flanagan DuWayne Fredrickson Tyler Fredrickson Samuel Frogner Samuel Gazette James Hellzen Joseph Hartman Nicholas JJ Jackson Chad Jarvis Ryan Kessler Robert Klippen Jacob Koehler Joshua Kruse Aaron Laven Derek Mayo

Haley McCauley Matthew McClannahan

Jacob Menth Joseph Miller
Brandon Neuschwander Michael Preston
Jack Rivard James Smith
Lukas Smith Matthew Stumpf
Christopher Swoboda Hunter Thom
Alejandro V. Ramirez Bryan Westfall
Robert Wilson Garrett Zabel

Membership Count = 3208

CONGRATULATIONS TO THE FOLLOWING BROTHERS & SISTERS ON THEIR RETIREMENT.

Daren Cedar - Xcel Energy

Barry Dunning - Xcel Energy

Jeffry Hawkins - Great Rive Energy

Raymond Isle - Mo Valley

Randy Johnston - Mo Valley

Patrick Koehnen - Connexus Energy

Michael Kunz - Xcel Energy

Richard Kurzweg - Xcel Energy

William Milless - Xcel Energy

Mark Wimmergren - Xcel Energy



GET WELL WISHES WERE SENT TO THE FOLLOWNG MEMBERS



Brett Melby - Mo Valley
Jim Nading - Xcel Energy
John Naig - Agralite Electric Coop
Mark Ring - Xcel Energy

IN MEMORIAN

We are deeply saddened by the loss of our brothers. Our deepest sympathy goes out to their families & friends.

Frederick Bielke - Retired NSP - Died 3/2/2020

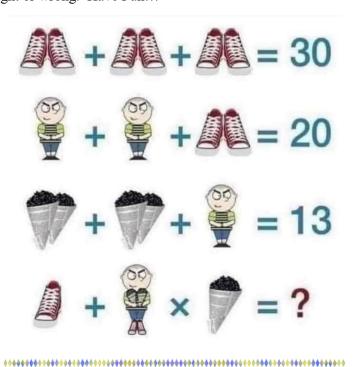
Ellery Erickson - Retired McLeod Coop - Died 3/12/2020

Charles Sanocki - Retired Xcel Energy - Died 3/14/2020

Douglas Trnka - Retired Mo Valley - Died 3/20/2020

James Wehr - Retired NSP - Died 3/20/2020

With the Covid-19 and all the stress everyone is feeling I thought I would put this in the newsletter to give everyone even more stress (LOL). When you think you have the answer you can email me at rme@ibew160.org and I will tell you if you are right or wrong. Have Fun!!!



Give someone a smile When a frown would be easy A smile is contagious And is always pleasing

So smile if you please Put someone at ease Perhaps they would forget pain If only your smile They could obtain

A smile costs nothing Not a thing you can pay You can't buy it or sell it Only give it away

To be accepted only as a gift To enjoy and treasure The value of your smile No one can measure

