



# LOCAL 3197



**SHOUT!**  
February 2007

***Representing employees of the Seattle VA, VA Regional Office,  
Seattle Vet Center, Bremerton CBOC, and Metropolitan Park***

*In December, members at the General Membership meeting voted to fund a newsletter to inform members of the local's situation. Outgoing and incoming officers were asked to contribute to this newsletter. First is a letter to the members from NVP Swanke.*

**Message from AFGE District 11  
National Vice President Gerry Swanke**

Dear AFGE Local 3197,

The recent disclosure of financial transactions within Local 3197's treasury is painful for all of us. Recently, a preliminary audit has been completed by National Representative Steve Clapp. A copy of this report has been sent to the Department of Labor to assist them with their investigation. Your Local President also has a copy of this document. NOTE: Copies are NOT to be distributed.

As a result of this audit, I have filed Article 23 charges of misconduct against a former officer of your Executive Board (instead of the internal procedure for the Local). I have chosen to do so for many reasons.

1. With the completed audit, the charges can now go directly to an Arbitrator for a trial. A Trial Committee would take longer. Because of the amount of money involved here, I want the determination of guilt or innocence determined quickly. I hope this will encourage the Department of Labor to expedite their investigation and findings.

2. By avoiding an investigation and trial committee of Local members, any potential procedural missteps are minimized. A good trial with good evidence can result in guilty individuals winning a trial because of procedural errors.

I also believe a trial outside the Local will insure fairness for the accused and avoid unnecessary rumor(s) in the worksite for Local 3197 members. Any related expenses will be the responsibility of the District.

A finding of guilt can render a judgment for repayment, BUT only the Department of Labor (and law enforcement authorities) can enforce a repayment of lost funds. Their investigation for the time period in question, will examine the fiduciary activities of all your officers.

The facts of this matter are painful enough – please respect some fact finding before drawing conclusions. A Treasury can be rebuilt – guilty individuals can be (will be) prosecuted – but tearing down each other can cause permanent damage.

Thanks for your patience – and your loyalty to your Local AFGE 3197.

Sincerely and Fraternaly,

Gerald Swanke, National Vice President  
AFGE District 11, 16420 SE McGilivray Blvd, Suite  
103, PMB 1065, Vancouver, WA 98683



**NOTE:** To update your mailing address on the AFGE website, ([www.afge.org](http://www.afge.org)): Log in as a member. Under “Members Only” click on “My Profile” and you can edit all your personal information. If you have never logged in, click on “Get A Username” to create your login name and password. You only need your Social Security number to do this. (You DO NOT need your membership number.)

## Message from Local President Phinney

Dear Members of Local 3197,

On October 25, 2006, I discovered that the Local's bank account was drastically lower in funds than indicated by the Financial Reports given us at General Membership Meetings, including the last one on October 10th. I immediately called AFGE National Representative Greg Fox and notified him of my findings and asked for guidance. The next day, I notified NVP Swanke, and initiated safeguards to protect the remaining funds.

On October 26th, former Treasurer Bailey resigned her position as elected Treasurer and withdrew her candidacy from the election for Treasurer in the next term. On November 2, per AFGE National Constitution, Article 23, I filed charges with remaining Eboard members Martinez, Frye and Hall, against Bailey, including misappropriation and fraud.

The Department of Labor (DoL) has the jurisdiction to investigate allegations of misappropriations of union funds. On November 3, 2006, Chief Steward Roy Frye and I called the DoL and told the official that there appears to be a big discrepancy between the Local Treasurer's Reports and the bank (credit union) statement and it looks like \$100,000 is missing. We were told an agent would be assigned and that if crime was found the US Attorney (Department of Justice) would be notified. On November 15, a DoL agent accompanied by a criminal investigator from the VA Office of the Inspector General (VA OIG) met with me, Roy Frye and Bianca Plank. (Bianca was the Treasurer from February 2004 to March 2005 – the DoL agent had said that it would be helpful for the preceding treasurer to be present.) We were told by the federal agents that in white collar crime “the audit is the centerpiece of the investigation” and the audit of Local 3197, being conducted by AFGE National Representative Steve Clapp would be essential. NR Clapp finished this audit, of the period May 2005 through October 2006, on January 5, after almost four weeks of work (at no cost to our Local for his labor).

At the November 15th meeting, I gave to DoL copies of all pertinent records of 3197. They have acknowledged our cooperation and asked for no further interviews with Local 3197 officials to date (I do not know about interviews with former treasurer Bailey, the agents said they would not be sharing that with Local officials.)

On Saturday January 20, 2007, charges were sent via certified mail from AFGE District II National VP Gerald Swanke to the former treasurer. The letter charges the former treasurer with offenses against the Federation (AFGE) including fraud and embezzlement of approximately \$108,843. The letter further states, “the National President of AFGE has determined that the conditions within Local 3197 are

such that a fair and impartial investigation and trial cannot be conducted by the Local under the provisions of AFGE National Constitution Article 23, Section 3. The National President will appoint an arbitrator to conduct the trial.” A copy of the letter was delivered to the Local, per the Constitution.

The letter also says the accused has due process rights outlined in Article 23 and that the time and place of the trial have not been set but will not be more than 180 days after the preferring of charges.

I am advocating that the trial be held in the Seattle VA and open to members of the Local. Local 3197 members are welcome to come to the union office and read this letter. To arrange this, members may contact any Executive Board member.

The loss of our Local's savings during my term as president has caused me profound grief, and we all have learned some painful lessons from this experience.

Our Local has enjoyed many successes and some acclaim within the Federation (AFGE National). The management of VA PSHCS Seattle and more recently VARO have been confronted with a new, more assertive “partner” in Local 3197, working on behalf of employees' rights.

Since January 2004, many wins were attained for individual employees, work sections and work groups, as well as on behalf of veterans' access to care and funding for the VA.

In 2004, Local 3197 staged a series of Informational Pickets across the street from the VA, calling for stable and sustained funding to support the continuation of quality health care for veterans. Local 3197 played a key role in Senator Murray's success in forcing the Administration and Congress to mandate up to 3 billion in supplemental emergency funding for FY05 and FY06. We helped by providing to her office real information about the situation for patients on the wards, and waiting times for different outpatient areas. Local 3197 has become a resource for Congressional reps on Seattle VA and VARO.

Local 3197 negotiated 2 more Goalsharing Pilot programs for '05 and '06; in Partnership we stopped management from decreasing the size and number of parking spaces for employees.

Our Union took testimony from Housekeepers and then talked to Senator Murray's staff and sent a letter about their work conditions and poor staffing due to an imposed “hiring freeze” that caused unreasonable workloads and many work injuries. Management heard from the Senator and ended that work section freeze and hired more Housekeeping Staff.

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GIMC wanted to pull compressed work schedules from ARNP's. After ongoing discussions with the Union, they have not yet done so. The VARO management attempted to take compressed work schedules from over a hundred employees, and did not count on a demand to bargain and compelling arguments that they did not have the right to do so; the employees did not lose CWS.

Local 3197 was instrumental in stopping a scheme, proposed by national Veterans Canteen Service (VCS) and VHA, that would have filled Wage Grade kitchen vacancies in Nutritional and Food Services by moving in Canteen workers making little more than minimum wage. This effort to phase out good Wage Grade jobs in the kitchen would have placed Canteen workers side by side with Wage Grade Kitchen workers, doing the same job for about half the salary!

Since 2004, we have actively helped the Canteen workers, who are represented by our Local but are kept isolated and at times managed harshly, by demanding they have computer training and access and assisting them individually with applying for merit promotion positions. Many have subsequently been hired into VA jobs.

Local 3197 helped bring to national attention the contracting out of Comp & Pen (Compensation and Pension Disability) exams from the Seattle VA to the private corporation of QTC, Inc., with its close ties to the former Secretary of Veterans Affairs Principi. One thousand exams per month were moved from the PSHCS to QTC with the rationale that it would save some money. Our union was not able to stop this but Principi's profiting from disability exams diverted to his firm was brought to light of day by the Los Angeles Times, with help from Local 3197.

Local 3197 has been vigorous in challenging VA to come up with training funds for all work sections, including for Physicians and Dentists, by lobbying Congress and taking the issue to the VISN and VA Central Office.

We have won Arbitrations on behalf of employees and an Unfair Labor Practice was sustained in our favor.

The Union has helped many, many employees. For example, we facilitated employees signing onto the military back pay case, clearing up misunderstandings or violations of the contract with managers, requesting waivers for repayment of salary when the VA made that big overpayment mistake affecting hundreds of employees, and filing many, many grievances. These successes, and many more, are a testament to what can be achieved collectively by an employees' union.

Local 3197 also saw unprecedented growth in membership between 2004-2006: over 300 new members were signed up, with an increase of over 20%. In December of 2006 our ranks swelled to 800 members. And this was accomplished during a time of VA budget crisis, accompanied by a "hard freeze" in hiring, termination of many temporary employees (many who were members), and attrition from employee retirements.

Based on this progress toward better representation, advocacy for employees' wages, benefits and work conditions, talented and dedicated members stepped forward to help lead our Local in the next term, through 2009.

Our Local deserves support along with oversight and that means more members stepping up to do that work. I hope you will. Every Agency needs a watchdog – that's what makes our union in the public interest.

Sincerely, Barbara Phinney, RN



### **Message from Bianca Plank, First VP**

Dear Union Members,

Thanks to those who voted for me in the election for Vice President. When I made the decision to run in early October, I had no idea the term would begin in such turmoil. Luckily the Local remains financially solvent, but the discovery of misappropriation has torn the fabric of the local and revealed a different landscape from what we saw before.

On November 15, representatives from the DoL and the VA OIG interviewed Barbara Phinney and myself (being the Treasurer preceding Bailey), in the presence of Chief Steward Roy Frye. They impressed upon us that the details of the case should not be widely discussed. "Everyone is innocent until proven guilty," and discussing a case too widely in advance of a proper investigation could interfere with due process and jeopardize the outcome. Thus, union officers have been hesitant to discuss details of the case. Unfortunately, this created a vacuum that was filled with rumors and hostile speculations.

There are a number of lessons for us to learn here, in addition to the importance of monitoring bank statements. It will be very beneficial for all of us on the Executive Board to take an interest in the financial management of the Local.

The day to day representation by union Stewards may be the most important work the union does. But besides representation, the administration of *the*

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local by the Executive Board (the “E Board”) requires the application of rules and procedures prescribed by the Local Constitution, the National AFGE Constitution, and the National VA Council. Conducting meetings, producing minutes, obtaining and documenting consensus between Eboard meetings, bargaining work conditions, collecting information from bargaining unit employees, responding to all manner of inquiries from employees, recruiting and orienting committees (such as audit and election committees), responding to the myriad demands from National AFGE, as well as providing input on the many matters for which the agency is mandated to ask the union’s approval, these and many other matters, all add up to a lot of time and intensive effort.

For our Local, a constant source of stress is the fact that no officer but the President is allotted Official Time. This is unheard of for an AFGE local the size of 3197. This condition was inherited from previous local administrations, along with a Local Supplemental Agreement that was bargained in 1983 (yes, nineteen hundred eighty-three). And since 2003, when the VA-DVA Master Agreement was reopened, any further local bargaining for Official Time has been prohibited.

Given these obstacles, the successes this local has enjoyed are a testament to the hard work, dedication and personal sacrifices of many people, but most notably of President Barbara Phinney. I am very proud to serve with Barbara.

Sincerely, Bianca Plank



**From Gil Veyna, Fair Practice Coordinator  
—Some history of 3197 and AFGE**

The American Federation of Government Employees has a rich history of advocating socially progressive causes in both domestic and foreign policy, including opposition to the racist regime in South Africa. In the late 1960s, the influx of women and African Americans into leadership roles and into the rank and file, sparked a growing militancy among federal workers that continued into the 1980s. (*See box on next page for a history of AFGE.*)

In 1982, the defeat of the Professional Air Traffic Controllers Organization (PATCO) by President Reagan had a resounding impact throughout the labor movement. For federal workers in particular, it ushered in a period of complacency and a group of leaders who were not interested in rocking the boat.

At the Seattle VA, a succession of such officers ascended to leadership. In one fateful instance, an agreement was made between a union officer and management that negotiated away grade increases for all employees in Housekeeping (Facilities

Management), thus depriving a service mostly made up of veterans, many of them disabled, from ever moving into a higher grade.

Because of poor representation and misleadership, union membership was at an all time low and apathy was rampant. From the mid 1990’s to 2000, conditions had slightly improved. But this was due to the rank and file – not the leadership. Our affiliations with Jobs with Justice and the King County Labor Council provided our members with first hand information of what was happening in the broader labor movement, as well as in our own community. Our delegates were able to raise and get support from the labor movement on issues affecting Federal workers.

During this period our Local passed many resolutions and motions in support of other labor struggles and actions, garnered support from other Unions for our very first picket at the VA, and passed motions in support of Gay/Lesbian Rights. We supported a number of anti-Nazi demonstrations in 1999, which I attended, in Enumclaw and in Coeur d’Alene. Individual members were able to get assistance from the Labor Council Food Bank.

In 1997, the Local sent a delegate to speak for us at the AFL-CIO’s historic “Ask A Working Woman” Conference in Washington, DC, attended by over 1,300 women from all across the country. The majority of these were women of color and agitators in their own locals. Lastly our Local was able to remove an odious and discriminatory clause (which barred members from being officers based on political affiliation) from our Bylaws.

These changes couldn't have happened without the staunch support of the mainly women and Black employees who supported them. The debates over these issues became a springboard for having more democracy at our local meetings.

This history of our union – with all its high and low points – is very relevant as we struggle to recover from the shocking theft of our union savings account. An important lesson from our history is that the union is strongest and most effective when we have leaders with a proven record of standing up to management and defending the interests of the membership, leaders that can rally labor and community support for our union by making sure that we are visible in demonstrating our solidarity with other unions and struggles. And it is weakest when our leaders are more concerned about getting along with management in order to get ahead in their careers. These are important considerations to keep in mind in evaluating our current leadership and those who would like to take their places.

Sincerely, Gil Veyna



Excerpts from "Organizing Federal Workers," by VM Rainieri (Chapter 88 in *The Cold War Against Labor*, Ginger F and Christiano D, eds., 1987, pp. 772-9):

"In the late 1960s, rank and file members argued for using the strike as a weapon to gain equitable treatment. At the 21st National Convention in 1970, delegates were ready to vote to delete the no-strike clause from the union constitution, but they were quashed by the top union leadership...

"AFGE's 1972 National Convention was described as "one of the greatest shakeups we ever had." The delegates rebuffed the national leadership on many resolutions and proposals, paving the way for a Women's Department, revitalizing the Fair Practices Committee, and starting rank-and-file formations including a Minority Coalition and a Hispanic Caucus."

"The 29th Convention in 1984 adopted a Report on National and International Affairs, which stated: "The American Federation of Government Employees has long understood that our vision must extend beyond our bargaining units to the world around us. Our desire to eliminate discrimination in the federal workforce cannot succeed if discrimination persists and is accepted in the larger society. Our attempts to secure job security for federal and DC employees is meaningless if our very existence is threatened by foolhardy foreign policy."

"The 1984 policy statement also noted; "While the Reagan administration builds for war, churches and communities throughout this country build for peace." ... It urged the US government to negotiate a bilateral, verifiable nuclear freeze ... It decried government support of the government of El Salvador, opposed US intervention in Nicaragua . . . and opposed expansion of US military bases in Central America. . . . AFGE called for the elimination of apartheid and the institution of majority rule in South Africa, and pledged not to invest in corporations that do business in South Africa.

"In national affairs, AFGE called for ... the federal government to "take responsibility for ensuring full employment, focusing on conversion of wasteful defense spending to jobs for peace... "

"The federal workers called for enactment of "universal, comprehensive health insurance."

"It's hard sometimes for government workers to "make the government work" under rules and regulations they consider wrong or unfair. This includes concern among some Immigration and Naturalization Service (INS) workers about harassment of the Mexican community. Some rules are also seen as unenforceable and put INS employees at great risk. . . . The 1984 AFGE convention went on record supporting "an effective but humane immigration policy which fully protects the civil liberties of all people who live and work in the US. It opposed the exploitation of the undocumented."

"[Federal employees] carry out controversial policies and must depend on Congress to change such policies. They are subject to the caprices of the President; he issues executive orders and can rescind them at will..."

## Message from Karen Lasota, RN 3East Women's Coordinator, Local 3197

Hello Sisters and Brothers,

Last year I wrote a response to a hospital-wide email regarding nurses encouraging patients to speak with elected representatives. You will find this article reprinted below. Nursing staff ratios at PSHCS continue to be a significant problem on most if not all of our units. Some days, the situation feels dire for individual nurses. Morale is deeply disrupted; patient care is compromised; and staff satisfaction is low. In the big-picture view of the nursing profession, I think about the long history of nursing work not being valued by our societies, governments, and people who control funding. I have been thinking about what other things hold this problem in place. Is it conceivable to you that our veterans are accustomed to so little for so long from their military experiences that this habit of "settling for less" carries over to their care received at our VA? I do not believe that a constituency of largely middle-class people or female veterans would be able to tolerate the effects that this nursing shortage renders on our mostly male, elderly veterans at PSHCS. Without this unintended collusion from our vets, the chronic staffing problems would not be able to exist for very long. Male vets are known for "making do" and tend not to ask for a lot. From a patient perspective, this helps keep the nursing shortages unchallenged. Shortages in other departments are intricately connected with patient care as well. SPD, Escort and the Laboratory have definitely felt the impact of patient care demands and staffing shortages. Nurses need to include other departments in conversations regarding the current crisis and strategies for resolving it. In this respect, we really can draw strength as a team.

It is important to speak out to our elected representatives and encourage our veteran patients to do so as well. VA nurses have struggled long and hard with shortages and it sometimes happens that we blame other nurses for these difficulties. We are each other's best allies – every time we remind ourselves that the real problem is the nursing shortage and not other nurses, we have made a step forward. Please, let's go in that direction together. Thank you.

### What Is Caring Behavior?

*"I am sending this message to ensure we all understand our roles. Recently we have received several complaints where patient's and families have stated staff told them they did not do something because of short staff. In addition some staff members have asked family members to call their congressperson. This is unacceptable, uncaring and unethical behavior. The patients and families are here for our care, not to be burden with our issues. If you are in such shortage you must inform your manager, supervisor and myself 24/7. Remember our duty is to care. Please call if you have a question, concern or comment. Thanks, FTM" (email received by all VAPSHCS Nursing staff 1/30/05)*

Hello fellow workers. I would like to write a response to a recent email sent to nursing staff about our roles. Nurses have a myriad of roles centered on health care. Many of these roles are well known to the general public and images are readily conjured up to include them. Some examples are things like bandaging wounds, giving medicine, and teaching diabetic patients about good nutrition. Regardless of where a nurse performs nursing duties, two things that run constant throughout the profession are educating others and having a caring attitude.

Patients have the right to be informed about their own health care, treatment issues, risks and benefits, alternatives, and prognosis. Part of what nurses do on a day-to-day basis is to educate the public about health care policy; this absolutely includes the financial aspects of health care. Patients have a right to know how their tax money is being spent, where health care financing is coming from, and how they can participate in the future of health care. They should know what is happening and what they might expect in the near and distant future regarding VA hospitals.

Nurses are poised to disseminate such information to patients and families. It is the responsibility of nurses to become more knowledgeable about these issues. All nurses should consider themselves stewards of public health regardless of what their job looks like. We come into contact with the public constantly and are all faced with opportunities to discuss health care. It is an act of caring to inform people about health care and their rights; and, it must be done in a professional manner. What a fabulous opportunity to empower the public including our veteran patients! Veterans especially could benefit from the type of empowerment that would ensue after becoming more fully informed consumers.

It is unethical to exclude veterans from the larger discussion of health care. They are worried and they notice that things are not going well. These issues belong to veterans and their families, not just VA hospital staff. Veterans need to be included every step of the way; we need their thinking and input. Veterans, whether they vote or not, should have access to their congress representatives. They need to know that the VA budget is organized and approved annually by our congress so they can make their voices heard.

Staff have an ethical responsibility to educate the public about all health care issues and must do so in a professional and caring manner. The situation is hopeful especially as more staff and veterans become actively involved in health care policy. As we work together on these issues, we will be in awe of our ability to positively effect change in our world.

Thank you, Karen Lasota



## What is the Patient Safety Reporting System? Answers to Commonly Asked Questions

—by Sharon Hall, LPN

What is the Patient Safety Reporting System? PSRS is a *learning* program jointly developed by two federal agencies, the Department of Veteran's Affairs (VA) and the National Aeronautics and Space Administration (NASA). PSRS is a voluntary, confidential, and non-punitive reporting system. VA medical facility staff is invited to voluntarily report any events or concerns they have, which involve patient safety. Reporters submit PSRS reports directly to NASA via the U.S. mail.

What do you mean by a “learning program”? For example, if there is an increase in falls reported in VAs in December, January and February, they would look for trends and causes. Were the falls happening because of the cold winter weather or is it because VA decided to reduce use of de-icer on walks for environmental reasons? If VA then uses “green” de-icer for the next year there should be a decreased number of falls reported.

How does PSRS compare to the Patient Incident Reports? The Patient Incident Report (PIR) is internal only and is meant to quickly investigate an incident and take corrective action if necessary.

Why is NASA involved? NASA has administered a similar and very successful program, the Aviation Safety Reporting System (ASRS), since 1976 without ever violating a reporter's confidentiality. NASA is an independent, respected research organization that does not have a regulatory or enforcement interest. It therefore serves as an objective, trustworthy custodian of reports submitted by VA personnel.

Is PSRS replacing any of the VA's other reporting systems? No, PSRS is completely different and is *complementary* to the VA's other reporting systems. For example, the VA's internal Root Cause Analysis system identifies the basic or controlling causal factors associated with Adverse Events and Close Calls and provides detailed action plans to decrease the likelihood of recurrence of these events. In contrast, the PSRS system is designed to identify broad system vulnerabilities and act as a "safety valve." For example, if there were a defective device that is released for use then there will be a marked trend or spike in that data. This can be relayed back to VA quickly and action taken before a serious event occurs.

Why did NASA contact AFGE to ask for help implementing the PSRS? VA did not appear to be cooperating with the original agreement. There has been no training in this facility.

PSRS forms will be available from the following sources:

- ✎ Look for displays throughout the facility easily accessible to staff.
- ✎ Patient Safety Manager,
- ✎ AFGE Safety Representative,
- ✎ NASA by mail: PSRS, P.O. Box 4, Moffett Field, Ca. 94035-0004
- ✎ Internet Copies may be downloaded at <http://psrs.arc.nasa.gov>

*Sharon Hall is the outgoing Chief Professional Steward. That office has been replaced by the Professional Vice President, now held by Valerie O'Meara, ARNP.*

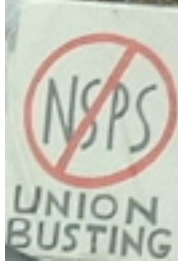


### Dues Increase

National AFGE has increased the monthly per capita tax on locals by \$2.00, as of pay period 07-01 (from \$15.50 to \$17.50 per month). Local 3197 Bylaws Section 20 reads: “The biweekly amount for active member dues . . . shall not differ from AFGE’s monthly per capita tax by more than \$2.50 and shall adjust accordingly if the per capita tax is raised. The biweekly amount of member dues for VA Canteen employees shall remain fixed at \$9.05.” Therefore, starting pay period 2007-01, Local 3197 dues are increased by \$2 (from \$13 to \$15) per pay period. Don’t forget to itemize your tax return.

**Union dues are tax deductible.**

# AFGE Local 3197



*We are "ONE BIG UNION"*

Representing Employees at the Seattle VA Hospital,  
VA Regional Office, Seattle Vet Center, Bremerton  
Pre-separation Center, Bremerton CBOC, and  
Metro Park Research Group



## AFGE LOCAL 3197 Officers:

Barbara Phinney, President  
Bianca Plank, 1st Vice President  
Valerie O'Meara, Prof. Vice President  
Christine Brown, Treasurer  
Roy Frye, Chief Steward  
Gil Veyna, Fair Practice Coordinator  
Karen Lasota, Women's Coordinator

Union Offices: I-405, I-406,  
100-6C104,  
Federal Bldg Rm. 1314

**General Membership Meetings  
Every Second Wednesday  
Bldg I Rm 240  
5:00 PM at Seattle VA  
1660 S. Columbian Way  
Seattle, WA 98108**

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NEXT MEETING WEDNESDAY FEBRUARY 14, 2007

*Happy Valentine's Day*

