

# The United Worker

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## AFL-CIO President Weighs in on New NAFTA

### 'Close is Not Good Enough' for Workers When Crafting New Trade Deal

*Editor's note: The following piece was written by Mark Gruenberg, editor, Press Associates News Service. It has been edited slightly to conform to local style and sensitivities.*

AFL-CIO President Richard Trumka is warning both the administration and workers' allies on Capitol Hill that "close is not good enough" for workers when it comes to crafting a so-called "New NAFTA."

Trumka's warning was in his speech Nov. 18 to the Maryland State -D.C. AFL-CIO 32nd Biennial Convention in Hanover, Maryland, and responded to a prediction by House Speaker Nancy Pelosi (D-California), at a press conference the week before that the controversial trade pact could get done this year.

President Trump negotiated a "New NAFTA," formally called the U.S.-Mexico-Canada Agreement (USMCA), a year ago. He wants to push the enabling legislation through Congress, though he has yet to send the measure to Capitol Hill, where it must go through up-or-down votes, with no congressional changes.

The USMCA would replace the 25-year-old North American Free Trade Agreement (NAFTA), which workers and unions strenuously battled, predicting its corporate-written provisions would lead to a mass exodus and transfer of U.S. jobs.

It has, including both 770,000-1 mil-

lion factory jobs – such as, Trumka noted, from the now-closed GM plant in the Baltimore suburb of White Marsh – and white-collar jobs, such as at call centers.

The president's USMCA includes worker rights provisions in its text, but enforcement is left to the three nations, and Mexico's corporate tilt, low wages and worker repression are stumbling blocks. Almost all of the House majority Democrats are dubious, at best, of the USMCA.

Their negotiators, led by veteran pro-worker Rep. Rosa DeLauro (D-Connecticut), have been bargaining with administration officials over both strengthening the worker rights provisions of the USMCA and writing them into the enabling legislation before the president sends it up.

"The goal for the renegotiated NAFTA must continue to be putting working people first," DeLauro tweeted on Nov. 13. "House Democrats are fighting for strong, enforceable labor & environmental standards, as well as the removal of giveaways to pharmaceutical companies that will lock in high drug prices."

"The substance of the ongoing negotiations will determine the timeline — not politics or artificial deadlines. #ReplaceNAFTA," DeLauro's tweet concluded.

That didn't stop Pelosi from predicting the pact could come up soon, or Trumka from saying "wait." Other union leaders flat out dislike it.



Richard Trumka, president, AFL-CIO

"I do believe that if we can get this to the place it needs to be, which is imminent, that this can be a template for future trade agreements. A good template," Pelosi told her weekly press conference Nov. 14. She agreed with Trumka, by saying worker rights enforcement is the key issue. Still, "I'd like to see us get it done this year. I mean, that would be my goal."

Getting the USMCA through by the end of this year would leave workers and their allies little time to lobby lawmakers on the pact. Trumka retorted it's more important to get the USMCA done right than it is to get it done quickly.

"The labor movement jumped at the chance to make trade work for working people," Trumka explained to the Maryland-D.C. convention delegates.

"We've been lobbying the White House specifically on NAFTA for more than two years, slowly but surely moving the ball down the field. But we are not there yet. Let me repeat: We are not there yet."

"I know from experience this can be one of the most dangerous points in a negotiation. An agreement is in sight so you fold on core issues in order to get across the finish line. I will not allow that to happen."

Citing the congressional support for strong workers' rights in the new NAFTA, Trumka declared organized labor is "in a position of tremendous strength," because lawmakers too "understand getting this done right is more important

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## Season's Greetings



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## Payroll Employment Beats Expectations; Wage Growth Stagnant, Underperforms

U.S. employers in November hired 266,000 additional workers last month, higher than most expectations and further confirmation that employment growth remains solid.

Over the last three months, payroll employment growth has averaged 205,000 new jobs, more than enough to keep up with population growth and pull in thousands of workers off the sidelines each month, according to Elise Gould of the Economic Policy Institute.

With the return of striking GM workers, manufacturing employment rose by 54,000 jobs. On average over the last three months, about 4,000 jobs were created in manufacturing. This represents a meaningful slowdown from 2018. Construction also continues to be softer than it was last year (growing by only 1,000 jobs in November). Retail employment grew by 2,000 jobs in November, significantly slower than September (12,000) and October (22,000). Retail employment is potentially weaker than typical at this point in the holiday season because of the late Thanksgiving.

The unemployment rate ticked down slightly to 3.5% from 3.6% in October.

This is the 21st month in a row when unemployment has been at or below 4.0%. At the same time, the labor force participation rate fell slightly as the overall employment-to-population ratio held steady. The prime-age employment-to-population ratio also held steady in November, matching again its peak rate before the Great Recession began, but still significantly lower than its peak in 2000.

Unfortunately, according to Gould, this tightness isn't translating into stronger wage growth. Nominal wages rose 3.1% year-over-year in November, which is slower than expected in an economy that has had historically low unemployment. Nominal wages for production/nonsupervisory workers rose significantly faster than the overall, increasing 3.7% over the year.

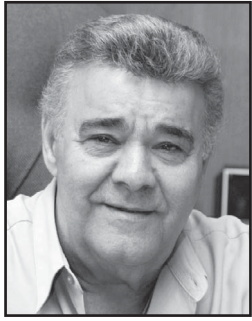
It is important to remember that periods of stronger wage growth for production/nonsupervisory workers in this recovery tend to be followed by periods of relatively weaker growth, Gould suggested.

Definitely a promising sign if the stronger trends continue, but the slowdown for all private sector workers is still troubling, she concluded.

## From the President

### Ready for Success in New Year

As the conclusion of another successful year for our union draws near, I extend my sincere thanks to all of our vice presidents, representatives, staff, shop stewards and rank-and-file members for their collective roles in helping keep the UIW moving in the right direction.



Michael Sacco

Such an achievement may appear to be small or insignificant to some, but in my view it's huge. And it becomes even more so especially in view of everything that's been thrown our way during the past 12 months.

History was made in June as Congress marked a decade of failing to pass legislation to raise the minimum wage. This is the longest stretch without such an increase since the federal minimum wage was first enacted in 1938. As a result, according to the Economic Policy Institute, the federal minimum wage today is worth 17% less than it was 10 years ago, and 31% less than it was in 1968. (The minimum wage itself is important for many reasons, including its indirect effect on other wages.)

In short, the richest Americans have gotten wealthier, while everyone else has gotten relatively poorer. Minimum-wage workers in many states have to work at least two full-time jobs to make a living. Meanwhile, one state legislature after another has passed so-called right-to-work laws to undermine unions.

To make matters worse, numerous anti-worker actions are happening in the nation's capital. These include scrapping several worker safety rules, rolling back a regulation that extended overtime pay to millions more workers and killing a rule that required Wall Street firms to act in the best interest of workers when overseeing their 401(K) plans. In September, the U.S. Senate confirmed as labor secretary a lawyer who has spent decades fighting on behalf of corporations to weaken worker protections.

Despite these challenges, more and more Americans want to join unions. A recent Massachusetts Institute of Technology study found that nearly half of all unrepresented workers would join a union if they could, and public approval of unions (at 64%) is the highest it has been in nearly 50 years.

It doesn't hurt public perception when the government's own data consistently, year after year, shows that union workers earn more money and have better benefits, on average, than their non-union counterparts.

Given all that's at stake, we shouldn't be surprised to see workers from all corners of the country protesting, striking, and even going to jail to get lawmakers' attention. Collectively, they are demanding change.

For too long, politicians have paid lip service to the labor movement's demand that Congress modernize and strengthen the laws protecting our freedom to join together and negotiate for better pay and a voice on the job.

In the coming year, it is my hope that the House of Representatives make labor law reform a top priority. In my view, no candidate for Congress or the White House should expect the support of organized labor if they are not prepared to stand with workers in their fight for justice.

#### Happy Holidays

The winter holidays once again are upon us. As indicated earlier, I am grateful to everyone for their hard work and continuing support.

On behalf of all UIW officials, I extend warmest wishes to all UIW members, retirees and their families for a safe, healthy and happy holiday and a highly productive and prosperous New Year.

Additionally, I offer heartfelt greetings and prayers for all men and women of our armed forces – stateside as well as overseas – who are protecting our freedom. May all of your missions be successful and may you return home to your families safe and sound.

# Current NLRB Erodes Workers' Rights Rather Than Safeguard Them

*Editor's note: The following article, written by Lora Engdahl, was posted on the Economic Policy Institute's October 24 blog. Because of the importance of its subject matter to our readers, it is being reprinted in this space. The piece has been edited slightly to conform to local style and sensitivities.*

The current administration came into office promising to uplift workers, but its actions have done the exact opposite.

According to a new EPI report, titled *Unprecedented: The Trump NLRB's Attack on Workers' Rights*, administration appointees on the board of a small, independent agency called the National Labor Relations Board (NLRB)—and the NLRB's general counsel—are working hard to undermine workers' rights to join together in collective action to improve pay and working conditions.

As authors Celine McNicholas, Margaret Poydock, and Lynn Rhinehart warn in the report, the administration's appointees have ticked off, one by one, the 10 items on a U.S. Chamber of Commerce hit list of NLRB policies to overturn. And they're not done yet: The NLRB plans to go after more worker protections in the months ahead.

Under the National Labor Relations Act (NLRA), most nonsupervisory private-sector workers have the right to join together in collective action—whether that is through forming a union or some other means—to negotiate with employers about the terms and conditions of their employment. The NLRB was established to safeguard those rights by investigating and prosecuting violations of the law.

Instead, the administration's three appointees to the agency's board and its general counsel are systematically rolling back workers' rights through a flurry of employer-friendly case decisions, rulemakings, and guidance memos. At the same time, the agency has downsized its staff by 10%: The ratio of covered workers to NLRB staff is now roughly 96,000-to-1, up from 65,000-to-1 in 2011.

In general terms, following are just a few of the things the current NLRB is doing:

#### Making it even harder for workers to communicate with their co-workers about workplace issues

Under current law, workers seeking to form a union are at a big disadvantage when it comes to workplace communications. Employers are allowed "to communicate their anti-union views freely, over the company e-mail system, in one-on-one meetings with employees, and mandatory group meetings" where employees who refuse to attend may face termination or other discipline, the report notes. Employees have no such rights. And because of board decisions in recent cases (*Bexar*, *UPMC*, and *Kroger Limited*), workers' and unions' rights are even further restricted. Now, union organizers can't talk with employees even in nonwork public spaces like cafeterias, nor can off-duty employees leaflet in leased but not owned company premises. Union organizers cannot solicit support in areas where other organizations (like charities)

have been able to solicit. These decisions tip the scales even further in employers' favor by "allowing them to blatantly discriminate against union communications—singling out and excluding union organizers and union communications while allowing the public generally and other groups."

#### Making it easier for employers to interfere with workers' choice about who to bargain with

Under the law, employees seeking to form a union designate the group of workers who want to organize. The NLRA gives workers the right to organize in "a unit appropriate" for collective bargaining (i.e., negotiating the terms and conditions of employment) with the employer.

In a 2011 case, *Specialty Healthcare*, the Obama NLRB ruled that the bargaining unit sought by employees when petitioning to form a union at their workplace was presumptively appropriate if the employees shared a "community of interest." In a 2017 case, *PCC Structural*, the current NLRB overruled that decision, making it much easier for employers to interfere with workers' choice.

#### Granting employers the ability to make unilateral changes to the terms and conditions of employment without consulting the union

A collective bargaining agreement (CBA) is the "contract" that the union and the employer negotiate, setting out the terms of pay and employment. The two parties are bound by the terms of the CBA. However, the current NLRB's decisions in the cases *MV Transportation* and *Raytheon* create loopholes allowing employers to change the terms of employment without bargaining with the union.

#### Allowing employers to disregard an existing union and put the burden on employees to hold another election to keep their union

When workers form a union, the union remains the bargaining representative unless and until it is voted out by employees. There has long been a narrow exception in the law allowing employers claiming to have evidence that the union no longer has the support of a majority of employees to notify an incumbent union that the employer would be withdrawing recognition of the union at the end of the current collective bargaining agreement.

However, the employer can't legally do that if the union proves that it did in fact have majority support when the employer withdrew recognition. In the case *Johnson Controls*, the administration's board reversed this longstanding rule, allowing employers to unilaterally withdraw recognition of a union if they have evidence that the union has lost majority support. If workers want to get their union back, they must file a petition for a new election—giving the employer time to deploy all its resources to defeat the union.

#### The ability to strike, Scabby the Rat, and other things are also on the hit list

The current NLRB is also restrict-

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### Notice

Please be advised that the permissible period of time during which a dues or agency fee check off authorization can be revoked has been changed. The new revocation period which is contained in newly printed authorization forms is as follows: "This assignment and authorization shall be irrevocable for a period of one (1) year from the date hereof, or until the termination date of the current collective bargaining agreement between the Union and the Employer, whichever is the shorter period, and shall be automatically irrevocably renewed for like periods unless, within the thirty (30) day period beginning fifteen (15) days before and ending fifteen (15) days following the end of any renewal period, I submit a written revocation signed by myself and sent by registered mail, return receipt requested, to the Union's Secretary-Treasurer." This is the new policy and procedure as adopted by the union for all individuals who have signed check off authorizations.

# Union Conducts Shop Steward Training

UIW members in a pair of West Coast locations in September and October expanded their knowledge and honed their abilities to represent fellow members by participating in instructional shop steward workshops.

Conducted at UIW-contracted Sodexo/Ruvilla Solutions in 29 Palms, California and Refresco in San Bernardino, California, respectively, the workshops took the form of fast-paced, hands-on seminars. They were conducted by UIW/SIU Legal Counsel Stan Dubin and UIW National Director Karen Horton-Gennette.

Numerous topics were covered during the workshops' extensive agenda, including matters such as the steward's position as a problem solver, being a spokesperson for the union and being an effective communicator. Participants discussed the wide-ranging duties of stewards signing up new members and the absolute necessity of keeping accurate documentation. Various printed teaching aids and hands-on drills were utilized for this portion of the training.

Instruction was also given in the steps for good listening, self-evaluation of communication skills,

and how to write grievances and other important communications documents. Using actual scenarios, the stewards explored and examined methods of differentiating between complaints and grievances, investigat-

ing grievances and avoiding common problems associated with handling grievances. They also analyzed various wording and word patterns commonly used in specific sections of contracts.



UIW/SIU Legal Counsel Stan Dubin, standing, conducts the shop steward training workshop at Sodexo/Ruvilla Solutions in 29 Palms, California.



Posing for this photo following the shop steward training at Sodexo/Ruvilla Solutions (from left) are: UIW Rep. Laura Lopez, Shop Steward Shawn Clifford, Shop Steward Kapiolami Bess, Shop Steward Wallace Currie, UIW National Director Karen Horton-Gennette and Shop Steward Sandra Molina.



Six UIW members from Refresco attended the shop steward training. Included (above, from left) were: Chief Shop Steward Ray Adkinsson, Ronald Sherrod, lead, quality control, Shop Steward Tim Fitzgerald, Shop Steward Sergio Castaneda, Robert Fuller, production machine operator II; and Shop Steward Paul Simmers.

## National Director Pays Visit to U.S. Virgin Islands

UIW National Director Karen Horton-Gennette in June visited UIW officials, representatives and members at job sites in St. Croix and St. Thomas, U.S. Virgin Islands. During her visit, she took these snapshots. In photo at left, UIW VP Caribbean Region Eugene Irish poses with UIW member Joelfry Polanco, a maintenance worker at Cruzan Rum. UIW/SIU Assistant VP Jacqueline Dickenson, seated in background in photo directly below, meets with UIW members Deborah David (foreground, left) and Edward Eddy. Both are Senior Aide Chauffeurs from the Department of Human Services. In bottom photo, UIW/SIU Field Representative Kevin Challenger (third from left), chats with David Webb (far left) and Kwame Benjamin (second from left). Both are UIW members who work at the Virgin Islands Port Authority Maintenance Department. Administrative Assistant Sharika Wesselhoft is seated at right.



## Board Fails to Protect Interests of Workers

*Continued from Page 2*

ing the kinds of strikes workers can call to create negotiating leverage, working to strip thousands of Uber and Lyft drivers and student workers of their NLRA rights, and trying to let companies avoid their labor law responsibilities when they use contract employees.

And it is trying to exterminate Scabby the Rat! The NLRB general counsel is trying to bar from protest sites an inflatable rat balloon that is a long-recognized form of protest speech.

The current board's actions are a direct attack on the roughly 8.5 million private-sector workers who have union representation and the millions more who report that they would vote for a union if a union election were held at their workplace.

As McNicholas, Poydock, and Rhinehart note, "The manner and speed with which the .... board has reversed precedent lays bare their anti-worker, anti-union agenda.... Congress must hold the .... NLRB accountable and prioritize legislative reform that will restore the original promise of our nation's labor law—to encourage and promote the practice of collective bargaining by working people."

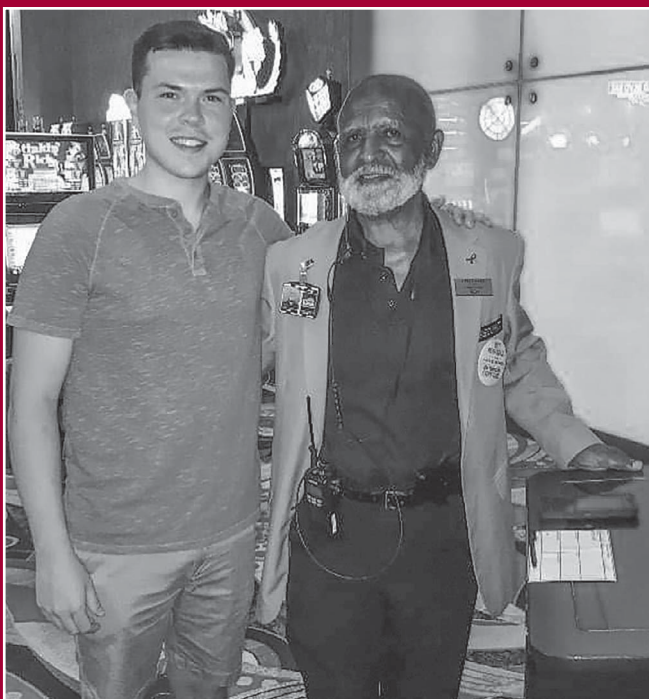
The report is available in its entirety at [www.epi.org/publication/unprecedented-the-trump-nlrbs-attack-on-workers-rights/](http://www.epi.org/publication/unprecedented-the-trump-nlrbs-attack-on-workers-rights/)



Participating on the contract negotiations committee at New Jersey-based Rossmoor (from left) were: Rossmoor Reps Dan Jolly and Jerry McQuade, Union Stewards Adam Morolda, Paul Thibault and Darren Nemow, UIW Rep Eddie Ruiz (rear), UIW National Director Karen Horton-Gennette, and Rossmoor General Manager Jane Balmer.

### Contract Negotiations Underway

Negotiations for new collective bargaining agreements took place at several UIW-contacted companies around the country in September and October. UIW National Director Karen Horton-Gennette was present at several of these meetings and reported that while talks at times were challenging, committee members from both the union and companies worked hard, bargained in good faith and came up with work accords that benefitted all concerned. Specific features on these contracts were not available at press time, but will be highlighted in future editions of *The United Worker*.



UIW Delegate Roy Baugh (right) was instrumental during negotiations at Kansas City Speedway. He is pictured with Zac Martin, a friend.



Representing the union during the Sodexo/Ruvilla Solutions negotiations (above, from left) were UIW Rep. DeCarlo Harris, UIW Rep. Laura Lopez, Shop Steward Shawn Clifford, UIW National Director Karen Horton-Gennette, Shop Steward Wallace Currie and Shop Steward Sandra Molina.

## Trumka Says New NAFTA Deal Must be Good for Workers

*Continued from Page 1*

than getting it done fast.”

And the Trump administration still hasn't produced enforceable worker rights “in writing (his emphasis).” Until it does, labor can't back the USMCA, Trumka warned.

“Close is not good enough. Not when millions of jobs are at stake. Not when lives and livelihoods hang in the balance. Not after 25 years of devastation and destruction. We are ready for a victory on NAFTA. Bring us a deal that's good for workers and we will use our voice and muscle to pass it.” But we cannot and will not support any deal that does not deliver for working people.”

The United Auto Workers (UAW) also gives the new NAFTA mixed reviews.

“Since NAFTA passed in 1994, the Mexican auto workforce grew seven-fold from 112,000 to 767,000, all but 7% in parts,” said the union's fact sheet on the

USMCA. “In 1994, the U.S. accounted for 82.5% of the workforce and by 2016, that number had dwindled to 51.3%.”

Mexico's share of North America's auto workforce is now 41.3%, because

GM, the largest of the Detroit 3, doesn't.

“The UAW wants NAFTA renegotiated. But, it's a very complicated issue,” the union stated. UAW President Gary Jones, who has since been forced out

U.S. jobs.”

International Union of Electronic Workers-CWA President Carl Kennebrew was even more caustic in a November op-ed for the *Columbus Dispatch*. His union particularly got clobbered when Delphi Auto Parts, predecessor of Aptiv, moved jobs to Mexico – before Delphi went broke and reorganized.

“Because of NAFTA, these multinational corporations can easily move American jobs to Mexico, where workers have been exploited, unable to form democratic unions and make \$2 an hour or less, and work without any rights or health and safety provisions,” he said.

“Hardworking families on both sides of the border know we need a new deal to replace NAFTA,” but the USMCA “is not acceptable.” The pact, Kennebrew added, “relies on too many elements of the failed model of corporate-friendly trade policies that harmed working families in recent decades.”

Mexican auto workers make an average of \$6.63 per hour and parts workers make half of that, the UAW added. The union also pointed out that Ford still has a majority of its workers in the U.S., but

of the job, said. “We want enforcement of labor provisions and a level playing field. That only happens when we hold feet to the fire and judge the ‘New NAFTA’ by how it protects and adds

**“Close is not good enough. Not when millions of jobs are at stake. Not when lives and livelihoods hang in the balance. Not after 25 years of devastation and destruction . . .”** - AFL-CIO President Richard Trumka during his Nov. 18 address to the Maryland State and D.C. AFL-CIO 32nd Biennial Convention in Hanover, Maryland.



### **Union Headquarters, Piney Point Halloween Costume Contests**

Twenty total contestants dressed out in their finest attire Oct. 31 to participate in the annual Halloween Costume Contests staged at UIW/SIU Headquarters in Camp Springs, Maryland and the union-affiliated Paul Hall Center for Maritime Training and Education in Piney Point, Maryland. Thirteen contestants constituted the field at headquarters while seven comprised the Piney Point contingent. The headquarters group (photo above, in alphabetical order) consisted of Contessa Anderson (Angel), Tiffany Blake (Angel), Joan Branch (Fallen Angel/Devil), Suzanne Hildebrandt (Angel), Leigh Ann Koch-Dewitt (Angel), Marilyn Kornreich (Angel), Sandy McDonald (Mummy), Leetonja Scott (Cat), Anneliese Sonon (Butterfly), Stacy Thacker (Pirate), D'Audray Thomas (Devil's Spawn), and Anna Trybus (Angel). McDonald's Mummy costume (left in photo at immediate right) claimed top honors in the headquarters competition. Scott and Thacker (center and right in same photo) finished second and third respectively at headquarters. Piney Point competitors (photo below, from left) included Machel Terry-Courtney (Skeleton), Mark Goldsmith (Robin), TiShawna Bush (Football Player), Heather LoBianco (Lady Guinevere), Wanda Loheed (Lumberjack), Minette Clarke (Sock Monkey) and Becky Howe (Shark). Clarke's Sock Monkey (left in photo at right below) costume landed her top honors in the Piney Point competition. Second and third place honors were claimed by Bush and Howe (center and right respectively in the same photo). Assorted awards were provided to the top three finishers at both locations by the Seafarers Health and Benefits Plan.



## UIW Directory

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606 Kalihi Street 96819  
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**JACKSONVILLE, FL**  
5100 Belfort Rd. 32256  
(904) 281-2622

**JERSEY CITY, NJ**  
104 Broadway  
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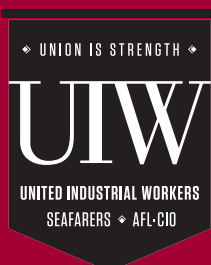
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# Beck Notice

## Notice to Employees Covered by Union Agreements Regulated Under the National Labor Relations Act

The United Industrial, Service, Transportation, Professional and Government Workers of North America (UIW) assists employees by representing them in all aspects of their employment and work with various industries in job sites throughout North America and the United States Virgin Islands. For the most part, the union spends a majority of its financial resources on collective bargaining activity and employee representation services. In addition to these expenditures, the union also spends resources on a variety of other efforts such as organizing, publications, political activities and community services. All of these services advance the interests of the union and its membership.

This annual notice is required by law and is sent to advise employees represented by the United Industrial Workers about their rights and obligations concerning payment of union dues. This notice contains information which will allow you to understand the advantages and benefits of being a union member in good standing. It will also provide you with detailed information as to how to become an agency fee payor. An agency fee payor is an employee who is not a member of the union but who meets his or her financial obligation by making agency fee payments. With this information, you will be able to make an informed decision about your status with the United Industrial Workers.

**1. Benefits of union membership** - While non-members do receive material benefits from a union presence in their workplace, there are significant benefits to retaining full membership in the union. Among the many benefits and opportunities available to a member of the United Industrial Workers are the right to attend union meetings, the right to vote for candidates for union office and the right to run for union office. Members also have the right to participate in the development of contract proposals and participate in contract ratification and strike votes. Members may also play a role in the development and formulation of union policies.

**2. Cost of union membership** - Dues for UIW members are based upon an employee's hourly wage. Individuals pay two (2) times the UIW member's hourly wage with a \$20.00 (twenty dollar) minimum, and the payment is generally done through payroll deductions during the first pay period of each month.

**3. Agency fee payors** - Employees who choose not to become union members may become agency fee payors. As a condition of employment, in

States which permit such arrangements, individuals are obligated to make payments to the union in the form of an agency fee. The fee these employees pay is to support the core representational services that the union provides. These services are those related to the collective bargaining process, contract administration and grievance adjustments. Examples of these activities include, but are not limited to, the negotiation of collective bargaining agreements, the enforcement and administration of collective bargaining agreements and meetings with employers and employees. Union services also include representation of employees during disciplinary meetings, grievance and arbitration proceedings, National Labor Relations Board hearings and court litigation.

Employees who pay agency fees are not required to pay for expenses not germane to the collective bargaining process. Examples of these expenses would be expenses required as a result of community service, legislative activities and political affairs.

**4. Amount of agency fee** - As noted above, dues objectors may pay a fee which represents the costs of expenses related to those supporting the collective bargaining process. After review of all expenses during the 2018 calendar year, the fee cost associated with this representation amounts to 96.40 percent of the dues amount an employee would pay for that year.

As a result, this would be the percentage applied to the agency fee calculation for the 2020 calendar year. This means that any individual who elects to pay agency fees and submits a letter between December 1, 2019 and November 30, 2020 will have this calculation applied to their 2020 dues payment which may still be owed to the union. As noted below however, to continue to receive the agency fee reduction effective January 2021, your objection must be received by December 1, 2020.

A report which delineates chargeable and non-chargeable expenses is available to you free of charge. You may receive a copy of this report free of charge by writing to: Secretary-Treasurer, United Industrial Workers, 5201 Auth Way, Camp Springs, MD 20746. This report is based upon an audited financial report of the union's expenses during 2018.

Please note that as the chargeable and non-chargeable expenses may change each year, the agency fee amount may also fluctuate each year. Individuals who are entitled to pay agency fees and wish to pay fees rather than dues, must elect this

option each year by filing an objection in accordance with the procedure noted below.

**5. Filing of objections** - If you choose to object to paying dues, an objection must be filed annually. To receive the deduction beginning in January of each year, you must file by the beginning of December in the prior year. An employee may file an objection at any time during the year, however the reduction will only apply prospectively and only until December 31 of that calendar year. Reductions in dues will not be applied retroactively. As noted above, each year the amount of the dues reduction may change based upon an auditor's report from a previous year.

The objection must be sent in writing to Agency Fee Payor Objection Administration, Secretary-Treasurer's Office, United Industrial Workers, 5201 Auth Way, Camp Springs, MD 20746.

**6. Filing a challenge** - Upon receiving this notice of calculation of the chargeable expenditures related to core representation activities, an objector shall have 45 days to submit a challenge with the secretary-treasurer's office if he or she believes that the calculation of chargeable activities is incorrect. Every person who wishes to object to the calculation of chargeable expenses has a legal right to file such an objection.

**7. Appeal procedure** - Upon receiving the challenge at the end of the 45-day period, the union will consolidate all appeals and submit them to an independent arbitrator. The presentation to the arbitrator will be either in writing or at a hearing. The method of the arbitration will be determined by the arbitrator. If a hearing is held, any objector who does not wish to attend may submit his/her views in writing by the date of the hearing.

If a hearing is not held, the arbitrator will set the dates by which all written submissions will be received.

The costs of the arbitration shall be borne by the union. Individuals submitting challenges will be responsible for all the costs associated with presenting their appeal. The union will have the burden of justifying its calculations.

The UIW works very hard to ensure that all of its members receive the best representation possible. On behalf of all the UIW officers and employees, I would like to thank you for your continuing support.

Sincerely  
David Heindel  
Secretary-Treasurer

## Union Member Rights, Officer Responsibilities Under The Labor-Management Reporting and Disclosure Act

The Labor-Management Reporting and Disclosure Act (LMRDA) guarantees certain rights to union members and imposes certain responsibilities on union officers. The Office of Labor-Management Standards (OLMS) enforces many LMRDA provisions while other provisions, such as the bill of rights, may only be enforced by union members through private suit in Federal court.

### Union Member Rights

**Bill of Rights** - Union members have:

- Equal rights to participate in union activities
- Freedom of speech and assembly
- Voice in setting rates of dues, fees, and assessments

- Protection of the right to sue
- Safeguards against improper discipline

**Copies of Collective Bargaining Agreements:** Union members and nonunion employees have the right to receive or inspect copies of collective bargaining agreements.

**Reports:** Unions are required to file an initial information report (Form LM-1), copies of constitutions and bylaws, and an annual financial report (Form LM-2/3/4) with OLMS. Unions must make the reports available to members and permit members to examine supporting records for just cause. The reports are public information and copies are available from OLMS.

**Officer Elections:** Union members have the right to:

- Nominate candidates for office
- Run for office
- Cast a secret ballot
- Protest the conduct of an election

**Officer Removal:** Local union members have the right to an adequate procedure for the

removal of an elected officer guilty of serious misconduct.

**Trusteeships:** Unions may only be placed in trusteeship by a parent body for the reasons specified in the LMRDA.

**Prohibition Against Certain Discipline:** A union or any of its officials may not fine, expel, or otherwise discipline a member for exercising any LMRDA right.

**Prohibition Against Violence:** No one may use or threaten to use force or violence to interfere with a union member in the exercise of LMRDA rights.

### Union Officer Responsibilities

**Financial Safeguards:** Union officers have a duty to manage the funds and property of the union solely for the benefit of the union and its members in accordance with the union's constitution and bylaws. Union officers or employees who embezzle or steal union funds or other assets commit a Federal crime punishable by a fine and/or imprisonment.

**Bonding:** Union officers or employees who handle union funds or property must be bonded to provide protection against losses if their union has property and annual financial receipts which exceed \$5,000.

**Labor Organization Reports:** Union officers must:

- File an initial information report (Form LM-1) and annual financial reports (Forms LM-2/3/4) with OLMS.
- Retain the records necessary to verify the reports for at least five years.

**Officer Reports:** Union officers and employees must file reports concerning any loans and benefits received from, or certain financial interests in, employers whose employees their unions

represent and businesses that deal with their unions.

### Officer Elections: Unions must:

■ Conduct elections for officers of national unions or intermediary districts at least every four years by secret ballot.

■ Conduct regular elections in accordance with their constitution and bylaws and preserve all records for one year.

■ Mail a notice of election to every member at least 15 days prior to the election.

■ Comply with a candidate's request to distribute campaign material.

■ Not use union funds or resources to promote any candidate (nor may employer funds or resources be used).

■ Permit candidates to have election observers.

■ Allow candidates to inspect the union's membership list once within 30 days prior to the election.

**Restrictions on Holding Office:** A person convicted of certain crimes may not serve as a union officer, employee, or other representative of a union for up to 13 years.

**Loans:** A union may not have outstanding loans to any one officer or employee that in total exceed \$2,000 at any time.

**Fines:** A union may not pay the fine of any officer or employee convicted of any willful violation of the LMRDA.

*Note: The above is only a summary of the LMRDA. Full text of the Act, which comprises Sections 401-531 of Title 29 of the United States Code, may be found in many public libraries, or by writing the U.S. Department of Labor, Office of Labor-Management Standards, 200 Constitution Ave., NW, Room N-5616, Washington, DC 20210, or on the internet at www.dol.gov*

# CDC Offers Safety Tips for Holidays

*Editor's note: The following article was provided by the Centers for Disease Control.*

The holidays are a great opportunity to enjoy time with family and friends, to celebrate life, to be grateful, and to reflect on what's important. They are also a time to appreciate – and safeguard – the gift of health.

"The holiday season is a time to reflect on family and friends, but don't forget to take time to care for yourself," said Robert R. Redfield, M.D., director of the Centers for Disease Control. "We wish you a healthy and happy New Year, and send along some reminders on how best to keep you and your family well this winter."

Following are some holiday tips to support your efforts for health and safety during the season.

## Eat Healthy and Be Active

It can be challenging to eat healthy and stay active during the holidays. Healthy eating is all about balance and moderation. Holiday parties and big family meals may tempt us away from our healthy eating habits. Allow yourself to have your favorite foods but stick to smaller servings and balance them with healthier options. Choose fresh fruit as a festive and sweet substitute for candy. Limit fats, salt, and sugary foods and drinks.

Staying active can help you keep a healthy weight during the holiday season. Look for opportunities to work physical activities into your holiday: Go for a stroll after a family meal, take a walk at the mall, or dance to your favorite holiday music. Aim to get at least 150 minutes a week of physical activity. For example, that could be at least 20 minutes a day or 30 minutes five days a week. It's important to move more and sit less.

## Food Safety

Food poisoning can ruin even the most festive celebrations. Each year, an estimated 1 in 6 Americans get sick from eating contaminated food.

Take simple steps to protect your family's health when you prepare and serve holiday meals such as:

Wash your hands and work surfaces before, during, and after preparing food, and before eating.

Keep raw meat, poultry, seafood, and eggs separated during preparation.

Cook food at the right internal temperature to kill harmful germs. Use a food thermometer to check.

Refrigerate perishable foods, including leftovers, within two hours of buying or cooking.

## Handwashing

Handwashing is one of the most effective ways to prevent the spread of germs and to keep kids and adults healthy, especially during the winter months. Evidence shows handwashing can help prevent 1 in 5 respiratory illnesses like the cold or flu, so understanding how and when to wash hands is critical for staying healthy.

CDC's newest handwashing campaign – "Life is Better with Clean Hands" – includes resources and educational materials to help spread the word about the importance of healthy hand hygiene. If soap and water are not available, you can use an alcohol-based hand sanitizer that contains at least 60% alcohol.

## Cold Weather Safety and Home Heating

Outdoor activities during cold weather can expose you to several safety hazards, but you can take steps to be prepared while getting the exercise you need.

Start by wearing warm clothing, a wind-resistant coat or jacket, mittens, hats, scarves, and waterproof boots. To protect from hypothermia, don't forget to dress in layers. Additional safety precautions when participating in outdoor recreation include: always carry a cell phone,

work slowly when doing outside chores, sprinkle cat litter or sand on icy patches, and take along a buddy and an emergency kit.

Have your heating system, water heater, and any other gas, oil, or coal burning appliances serviced by a qualified technician every year to keep your family safe from carbon monoxide (CO) poisoning. Install a battery-operated or battery backup CO detector where it will awaken your family at night if the alarm is triggered. Each year, more than 400 Americans die from unintentional CO poisoning not linked to fires, more than 20,000 visit the emergency room, and more than 4,000 are hospitalized.

## Cope with Stress

Everyone—adults, teens, and even children – experiences stress from time to time. Feeling emotional and nervous or having trouble sleeping and eating can all be normal reactions to stress. Learning healthy ways to cope with stress and getting the right care and support can help reduce stressful feelings and symptoms.

## Travel Safety

Winter storms and cold temperatures can be dangerous. Stay safe and healthy this winter by planning ahead. Whether you're traveling across town or around the world, ensure that your trip is safe:

Get your car ready for cold weather before winter arrives.

Don't drink and drive – and don't let others drive when they've been drinking.

Wear a helmet when riding a bicycle or skateboarding to help prevent head injuries.

Wear a seat belt every time you drive or ride in a motor vehicle, and always buckle your child in the car using a car seat, booster seat, or seat belt appropriate for their weight, height, and age.

Before traveling abroad, check out health and safety risks at your destination. Don't forget to get needed vaccinations at least 4 to 6 weeks before you leave to ensure protection by the time you travel. CDC's latest traveler's health updates include information about measles and malaria.

Anyone traveling more than four hours, whether by air, car, bus, or train, can be at risk for blood clots. Blood clots can form in your legs during travel because you are sitting still in a confined space for long periods of time. Protect yourself during the holiday travel season by moving your legs frequently, know the symptoms of blood clots and when to get help and if you are at risk for blood clots talk to your doctor.

## Prevent Injuries

Injuries can happen anywhere, and many occur around holidays. Take these steps to avoid common injuries:

Use step stools instead of climbing on furniture when hanging decorations.

Leave fireworks to the professionals.

Wear a helmet when riding a bicycle or skateboarding to help prevent the most serious types of head and brain injuries.

Prevent chain saw injuries by wearing proper protective clothing and glasses. Always operate, adjust, and maintain chain saws according to manufacturer's instructions.

Most residential fires occur during the winter months. Keep candles away from children, pets, walkways, trees, and curtains. Never leave fireplaces, stoves, or candles unattended. Carbon monoxide poisoning is 100% preventable. Don't use generators, grills, or other gasoline or charcoal-burning devices inside your home or garage.

Brighten the holidays by making your health and safety a priority. These tips will help keep you and your loved ones safe and healthy—and ready to enjoy the holidays. More information about Holiday Healthy and Safe Tips is available at [www.cdc.gov/family/holiday/index.htm](http://www.cdc.gov/family/holiday/index.htm).

## UIW Pensioners

**Maryann Chernesky**  
A&E Products Group  
Shenandoah, Pennsylvania

**Ester Davis**  
Sodexo Management, Inc.  
29 Palms, California

**Ludvina Dell**  
Severson Group  
Twentynine Palms, California

**Rogelio Guerra**  
Crown Cork & Seal  
Houston, Texas

**Michael Jaffey**  
Petro Diamond Terminal Co.  
Anza, California

**William Van Luvender**  
John Friend Co.  
Brooklyn, New York

**Jonathan May**  
American Casting & MFG Group  
Ridge, New York

**David McAnaney**  
A&E Products Group  
Wilburton, Pennsylvania

**Robert McNevech**  
A&E Products Group  
Shenandoah, Pennsylvania

**Luis Mendez Ortiz**  
Victory Refrigeration  
Camden, New Jersey

**Marco Paiz**  
Queen Mary  
Long Beach, California

**Charles Persing**  
Paulsen Wire Rope  
Sunbury, Pennsylvania

**Paul Tristan**  
Crown Cork & Seal  
Houston, Texas

**Rebecca Vigil**  
Severson Group  
Twentynine Palms, California

**Cecelia Wilkins**  
A&E Products Group  
Frackville, Pennsylvania

## Gone But Not Forgotten

### ROBERT COOPER

Pensioner Robert Cooper, 71, died October 11. A Virginia native, Brother Cooper joined the union in 1984 while working at Plymkraft, Inc. He began receiving stipends for his retirement in 2013. Brother Cooper was a resident of Smithfield, Virginia.

### HERMAN GRIFFITH

Pensioner Herman Griffith, 88, passed away September 10. Born in West Virginia, Brother Griffith signed on with the UIW in 1970 while working at Church & Dwight. He retired and went on pension in 1997. Brother Griffith was a resident of London, Ohio.

### SNOWDEN HATFIELD JR.

Pensioner Snowden Hatfield Jr., 89, died September 6. A military veteran, Brother Hatfield was born in Mechanicsburg, Ohio. He became a member of the union in 1970 while working at Church & Dwight. Brother Hatfield began receiving stipends for

his retirement in 1992 and resided in Catawba, Ohio.

### ANTHONY HEWITT

Pensioner Anthony Hewitt, 78, passed away October 4. Born in Alabama, Brother Hewitt signed on with the UIW in 1966 while working at Victory Refrigeration. He retired and went on pension in 2006. A U.S. military veteran, Brother Hewitt made his home in Audubon, New Jersey.

### WILLIAM HOLLENBACH

Pensioner William Hollenbach, 66, died October 29. A native of Pennsylvania, Brother Hollenbach joined the union in 1973 while working at A&E Products. He retired and went on pension in 2004. Brother Hollenbach was a resident of Manteo, Pennsylvania.

### JANICE KNISLEY

Pensioner Janice Knisley, 67, passed away August 8. Sister Knisley came

under the UIW umbrella in 1977, joining while working at Church & Dwight. A native of West Virginia, Sister Knisley began receiving stipends for her retirement in 1998. Springfield, Ohio, was her home.

### JULIE MCGILVARY

Sister Julie McGilvary, 58, died July 10, 2018. The California native joined the UIW in 2007 while working at Save The Queen. Sister McGilvary was a resident of Long Beach, California.

### JOANNE PAYNE

Pensioner Joanne Payne, 85, passed away September 22. A native of Madison County, Ohio, Sister Payne signed on with the union in 1970 while working at Church & Dwight. She retired and went on pension in 1996. Sister Payne resided in Youngstown, Ohio.

### ALBERT TERAN

Pensioner Albert Teran, 64, died

February 10. Brother Teran became a UIW member in 1987 while working at Crown Cork & Seal. Born in Texas, he retired and went on pension in 2005. Brother Teran was a resident of Conroe, Texas.

### EULA WILSON

Pensioner Eula Wilson, 91, passed away September 19. Sister Wilson joined the UIW in 1972 while working at Plymkraft, Inc. She hailed originally from Halifax County, North Carolina and went on pension in 1989. Sister Wilson made her home in Kernersville, North Carolina.

### HOWARD WINCH

Pensioner Howard Winch, 72, died October 3. A U.S. military veteran, Brother Winch became a member of the union in 1976 while working at Argo International Corp. He started receiving pension stipends in 1995 and resided in Blairstown, New Jersey.



## Flu Shots Provide Best Defense for Avoiding Influenza

*Editor's note: The following piece was provided by the Mayo Clinic. It has been edited slightly to conform to local style*

Getting a flu shot often protects people from coming down with the flu. And, according to staff members at the Mayo Clinic, although the flu shot doesn't always provide total protection, it's worth getting.

This year's annual flu shot will offer protection against three or four of the influenza viruses expected to be in circulation this flu season. A high-dose flu vaccine also will be available for adults age 65 and older.

Influenza is a respiratory infection that can cause serious complications, particularly in young children, older adults and people with certain medical conditions. Getting an influenza vaccine — though not 100% effective — is the best way to prevent the misery of the flu and its complications. The Centers for Disease Control and Prevention (CDC) recommends that everyone 6 months of age or older be vaccinated annually against influenza.

Following are the answers to common questions about flu shots:

### When is the flu vaccine available?

The flu vaccine is made by private manufacturers and takes about six months to produce. The availability of the flu vaccine depends on when production is completed, but generally, shipments begin sometime in August. Doctors and nurses are encouraged to begin vaccinating people as soon as the flu vaccine is available in their areas.

It takes up to two weeks to build immunity after a flu shot, but an individual can benefit from the vaccine even if they don't get it until after the flu season starts. It's usually best for people in the United States to get their flu vaccine by the end of October. However, individuals can still protect themselves against late flu outbreaks if they get the vaccine in February or later.

### Why do I need to get vaccinated every year?

Because flu viruses evolve so quickly, last year's vaccine may not protect people from this year's viruses. New flu vaccines are released every year to keep up with rapidly adapting flu viruses.

When an individual gets vaccinated, their immune system produces antibodies to protect them from the viruses included in the vaccine. But antibody levels may decline over time — another reason to get a flu shot every year.

### Who should get the flu vaccine?

The CDC recommends annual influenza vaccinations for everyone age 6 months or older. Vaccination is especially important for people at high risk of influenza complications, including:

- Pregnant women
- Older adults
- Young children

Children between 6 months and 8 years may need two doses of the flu vaccine, given at least four weeks apart, to be fully protected. A 2017 study showed that the vaccine significantly reduces a child's risk of dying of the flu. Parents should check with their children's doctor to be sure.

Chronic medical conditions also can increase people's risk of influenza complications. Examples include:

- Asthma



Briana Smith, a legal secretary at UIW/SIU Headquarters in Camp Springs, Maryland, receives an Oct. 4 influenza injection from Tayo Akada, a Walgreens Drug Store pharmacist. In addition to Smith, 41 other UIW/SIU Headquarters employees also received the vaccine. A few days later on Oct. 9, flu shots were administered to 40 UIW/SIU employees at the union-affiliated Paul Hall Center for Maritime Training and Education in Piney Point, Maryland. All shots were provided free of charge to employees through CIGNA under a program jointly sponsored by the Seafarers Officers and Employees Welfare Plan and the Seafarers Officers and Employees Pension Plan.

- Cancer or cancer treatment
- Chronic obstructive pulmonary disease (COPD)
- Cystic fibrosis
- Diabetes
- HIV/AIDS
- Kidney or liver disease
- Obesity

### Who shouldn't get a flu shot?

People should check with their doctor before receiving a flu vaccine if they:

- **Are allergic to eggs.** Most types of flu vaccines contain a small amount of egg protein. People who have mild egg allergies — those who only get hives from eating eggs, for example — can receive the flu shot without any additional precautions. Conversely, those who have severe egg allergies should be vaccinated in a medical setting and be supervised by a doctor who is able to recognize and manage severe allergic reactions.

- **Had a severe reaction to a previous flu vaccine.** The flu vaccine isn't recommended for anyone who had a severe reaction to a previous flu vaccine. Check with your doctor first, though. Some reactions might not be related to the vaccine.

There are also flu vaccines that don't contain egg proteins, and are Food and Drug Administration (FDA) approved for use in people age 18 and older. Those desiring these types of vaccines should consult their doctors about options available to them.

### What are my flu vaccine delivery options?

The flu vaccine is available as an injection or as a nasal spray. In recent years, there was concern that the nasal spray flu vaccine wasn't effective enough against certain types of flu. The nasal spray vaccine is expected to be more effective in the 2019-2020 season.

The nasal spray vaccine is approved for people between 2 and 49 years old.

The nasal flu vaccine isn't recom-

mended for:

- Children under 2
- Adults 50 and older
- Pregnant women
- Children between 2 and 17 years old who are taking aspirin or a salicylate-containing medication
- People with weakened immune systems

- Kids 2 to 4 years old who have had asthma or wheezing in the past 12 months

There are other groups advised to be cautious about the use of a nasal spray flu vaccine. People should check with their doctor to see if they fall into one of these groups.

The flu vaccine can also be delivered by an injection that's usually given in a muscle in the arm. Adults under the age of 65 may also choose an in-the-skin (intradermal) vaccine, or they may prefer to have their vaccine delivered using a jet injector device, which uses a high-pressure, narrow stream of fluid to penetrate the skin instead of a needle.

### Can the vaccine give me the flu?

No. The flu vaccine can't give a person the flu. People may, however, develop flu-like symptoms — despite getting a flu vaccine — for a variety of reasons, including:

- **Reaction to the vaccine.** Some people experience muscle aches and a fever for a day or two after receiving a flu vaccine. This may be a side effect of your body's production of protective antibodies.

- **The two-week window.** It takes about two weeks for the flu shot to take full effect. If a person is exposed to the influenza virus shortly before or during that time period, they might catch the flu.

- **Mismatched flu viruses.** In some years, the influenza viruses used for the vaccine don't match the viruses circulating during the flu season. If this occurs, an individual's flu shot will be less effective,

but may still offer some protection.

- **Other illnesses.** Many other illnesses, such as the common cold, also produce flu-like symptoms. As a result, some may think that they have the flu when they actually don't.

### What kind of protection does the flu vaccine offer?

How well the flu vaccine works can vary. The flu vaccine is generally more effective among people under 65 years old. Some older people and people with certain medical conditions may develop less immunity after receiving a flu shot.

Reviews of past studies have found that, on average, the flu vaccine is about 50% to 60% effective for healthy adults who are between 18 and 64 years old. The vaccine may sometimes be less effective.

Even when the vaccine doesn't completely prevent the flu, it may lessen the severity of a person's illness and the risk of serious complications.

### Can I lower my risk of the flu without getting a flu shot?

The flu vaccine is a person's best defense against the flu, but there are additional steps people can take to help protect themselves from the flu and other viruses. These steps include the following:

- Wash hands often and thoroughly with soap and water.
- Use an alcohol-based sanitizer on hands if soap and water aren't available.
- Avoid touching the eyes, nose or mouth whenever possible.
- Avoid crowds when the flu is most prevalent in your area.

- Practice good health habits. Get plenty of sleep, exercise regularly, drink plenty of fluids, eat a nutritious diet and manage stress.

People can also help prevent the spread of the flu by staying home if they do get sick.