



The Bucket and Buoy

THE OFFICIAL NEWSLETTER OF THE JBLC Dennis M. Kane, Editor JULY 21, 2009

The Best Is Yet to Come

By Tom Donovan, President, JBLC

We are now fully into the 2009 season. A rainy June has given way to a pleasant and sunny July. The beaches are full and we are busy saving lives...doing our job!

As with any job, both management and labor have expectations. In the most basic view, our employer expects us to be on time, in uniform, and carry out the required job functions. In return, we expect to have fair and decent working conditions and to be paid appropriately.

Our new association with NYSUT/UUP is changing the relationship we have with our employer. To make certain that both groups understand each other, we have set up a joint labor/management informational meeting. It will be on Wednesday, July 22, at 7:30 PM, at NYSUT offices in Woodbury. The joint presentation will review the rules and expectations of our employer, as well as the rights and protections provided by our new relationship with NYSUT/UUP. We cordially invite all JBLC officers (boatswains, lieutenants and captains) and Beach Representatives. This is a very important meeting, and we urge all of you to attend. We want you to be fully informed, so you may in turn inform your crew. We invited the Reps at the July 8th BRA meeting. I will be contacting all the officers to personally invite them. I look forward to speaking with each of you.

I view our job as preventing failure. We see non-swimmers daily at the ocean, pools, bays and the sound that we protect. Time after time, we prevent them from failing, as failure could result in their death. This is our job.

It is also the job of your union and your Executive Board. For 40 years, we have fought to prevent our employers from failing. It has been a real struggle. We continuously show or suggest the proper path, and they, like the non-swimming public, endlessly attempt to fail! Here is a partial listing of their failures.

1. A state budgetary system that never provides enough money to properly run the parks, failing the needs and wants of tax-paying residents and tourists who come to enjoy those parks.
2. The closing of Field 9, not once but twice!
3. The closing and destruction of the Gilgo Pavilion!
4. The closing of West End Beach Overlook (WEBO), located at the west end of WE2.
5. The closing of West End 2, going first from 7 days a week down to 5, then to 2, and finally closing this year.

6. The closing of East Bath House Pool in 1982 and allowing it to sit fallow for many years. And then closing it again in 2009, after spending tons of money to rehabilitate the facility – another failure!
7. Robert Moses Field 4: Full Time to Weekend, then finally back to 4 days a week. (Progress?)
8. West End 1- Closed!
9. Field 1 – Full Time to Weekends to Closed!

Don't get me wrong, I love my job. I love being part of one of the greatest lifeguard corps in the world. I love saving lives. But it is frustrating to be working for an employer that seems to want failure.

An analogy comes to mind. There is a big swell on a south wind day at low tide, and we are trying to swim past the sandbar to save a life. Working against all they can throw at us, we are persistent and tenacious, and even though we are not always making progress, we do not give up. We go on and on and on. This is what we have done, and this is what we will continue to do. Despite whatever they do to prevent us moving forward, we are stronger. In the end, we will be victorious and save the life.

Your Executive Board and Beach Representatives have spent the last two years formulating plans and acting on those plans to move forward. But much of that time was dedicated to casting off the chains of our former union, NYSCOPBA. They totally failed to represent us, and lived up to the nickname given to prison guards, "Screws"!

With huge support provided by NYSUT/UUP, we were finally freed from NYSCOPBA and allowed to join NYSUT/UUP. Our new union includes all lifeguards employed by NYS, and we now number around 1200. It's a lot of work, but we are expanding and moving forward, one stroke at a time.

We are available to answer any questions you have. Regarding your union rights, contact your Beach Representatives first, and then Executive Board members. Dismiss the negativity and hearsay. Getting information directly from the correct source is always the best way. We have a structure, please use it!

Recently we heard some claim "The union isn't doing anything!" That is disappointing to hear, and quite inaccurate, as we have been very busy and productive. Some of it you've heard about. We tell you **what** we can **when** we can. But in truth, we have not been able to comment on some of our efforts, for several reasons.

First, it is bad strategy to comment on what we're doing and why, when the situation has yet to be resolved. A perfect example is our current negotiations for a raise and retro.

Second, in grievance matters, we simply CANNOT comment, because that would violate the involved party's right to privacy. Without violating anyone's rights, we CAN tell you that we have been / are involved in over 15 grievance issues. We're working on the rest. We CAN say that those who faced termination are still working because of our efforts.

Third, many of these situations are best handled discretely, without engaging the rigid and more formalized system that is applied when the incident becomes public.

Fourth, when asked about certain situations, we've often answered "We're working on it." Either we can't comment (see above), or we don't have anything (new) to report.

That hasn't been good enough for some of you. But recently, many of those very same situations have been resolved, successfully. Many of them are listed below.

Listed here is some of what your current Executive Board has accomplished.

- 1) Completed the transfer from NYSCOPBA to NYSUT/UUP! A seven year process that was finalized in January of this year.
- 2) Re-instated formal meetings with local parks management.
- 3) Faced with massive lay-offs, we offered a number of fund-raising and staffing alternatives. This resulted in the Voluntary Leave of Absence (VLOA), which was highly instrumental in preventing layoffs/terminations.
- 4) No lifeguards were terminated.
- 5) All “displaced” lifeguards were offered an appropriate position, via a special draft. (Ocean to Ocean; Still Water to Still Water.)
- 6) All “Out-backs” were rehired.
- 7) All displaced officers maintained title and are currently working.
- 8) We have already received more in **one** dues check from NYSUT than we received from NYSCOPBA in 8 years.
- 9) Through creative fund-raising techniques, paid off all past debt, and established a positive balance in the JBLC treasury. That money is being utilized for many projects, picking up where our employer fails to provide!
- 10) Established many committees that carry on the work of the JBLC. Examples are: Races, Fundraising, Alumni, Competition, Public & Community Relations, Political Action, Recognition, Safety & Equipment, and Seniority. (If you want to be on one or more of these committees, please contact your Beach Representative, or attend the next Beach Representative Meeting and volunteer.
- 11) Established and maintained a schedule of year-round meetings, on a monthly basis in the off-season, and generally every third week in the summer.
- 12) Re-invigorated “The Races”. Last year, despite severe weather interruptions, we had some of the best races in years. We had the full cooperation of Parks, and their efforts were fully appreciated! (Non-failure).
- 13) We now have a full-time dedicated Labor Relations Specialist, and his legal services and union expertise have been utilized many times.
- 14) Moved the “second attempt re-swim” from the same week as the original test to an indoor pool, just prior to the draft. This gives those who failed the first test enough time to continue training.
- 15) Conducted a rally at Jones Beach to protest the beach closings. This was an attempt to involve the public, who are being disserved by the closing of beaches and pools, in a public display of their anger.
- 16) We created letters of protest that were accessed online and sent directly to Governor Paterson.
- 17) We contacted all local NYS Assembly and Senate members, seeking their support at our rally and in countering the Governor’s budget cuts. We were successful in having six members of the Assembly and Senate attend our rally and speak in support of our efforts. Their additional efforts to support Legislative action to re-instate funding have so far failed. (Anyone who reads a newspaper knows of the failures that our NYS Senate has recently exhibited.)
- 18) Provided legal representation, through our LRS, to a number of lifeguards who have found themselves on the wrong side of management. We have been totally successful in preventing the termination of those lifeguards, even though this was the original attempt by management in many of these cases!

- 19) Formulated a salary package that was presented recently to the Albany “Powers That Be”. We expect, even in these difficult economic and legislative times, successful resolution to our seven years without a raise! (Failure of our former union and management to provide proper wages for their members and employees!) On a side note, it has been two decades or more since we last sat across the table in Albany to present our issues and demands. We are making progress!!
- 20) Transformed the Bucket & Buoy back to its original purpose, a union newsletter.

Communications is the key to our success. It is hard to constantly update all of you, but we try. Sometimes I take the negative or misinformed comments on our web sites very personally, because I care. We all care. We are trying to represent your interests the best we can. Respect the effort, respect the intent, and remember we are all volunteers.

Much more is accomplished by working **with, not against**, our employers in finding solutions to issues. Every issue is not a crisis that needs to be aired publicly. Many issues involve individual lifeguards, and those are private affairs. Our policy is that issues should be handled **at the beach or facility where you work!** Work it out! But if it goes to another level, proper representation is available. If you would like union representation at a meeting, please contact your Beach Representative first. They represent you and your needs. They and the Executive Board are available if you need us.

Bob Davison, one of the best officers I ever worked for, said at the end of his lifeguard career, “I ask only one thing. Keep up the fight!” Help us with the fight.