

YOUNGSTOWN STATE UNIVERSITY
ORAL HISTORY PROGRAM

OEA – Union History Project

Association of Classified Employees Project
O.H. 2210

Ivan Maldonado

Interviewed

By

Heidi L. Scott

On

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YOUNGSTOWN STATE UNIVERSITY

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INTERVIEWEE: IVAN MALDONADO
INTERVIEWER: Heidi L. Scott
SUBJECT: Association of Classified Employees
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S: This is an interview with Ivan Maldonado for the Ohio Education Association Union History Project by Heidi Scott at Youngstown State University in Cushwa Hall in the Media Services Department on February 1, 2005 at approximately 9:00 AM.

S: Good morning.

M: Good morning.

S: Before we discuss your involvement with the union, I'd like to get a little bit of background information. First, could you tell me where and when you were born?

M: I was born here in Youngstown, Ohio on March 9, 1968 to be exact (that's coming up real soon) at St. Elizabeth Hospital.

S: Have you been a lifelong resident?

M: Yes.

S: Could you tell me, what was your childhood like?

M: Fun, fun, fun. I grew up in a very loving family, a lot of brothers and sisters. I have four sisters and two brothers, so there's always something going on.

S: What did your parents do for a living?

M: My dad worked in the mills. He was a steel worker. My mom was an at-home mom and raised us.

S: Could you tell me a little bit about your educational background?

M: It all started with Choffin Career Center in 1984. I went there for computer science, a program through the high school. From there I went to ITT Technical School. Then from there, I worked various jobs and then I came here to the university and have been taking classes off and on. I've yet to graduate, but I will at the end of my tenure here at the university.

S: Where did you graduate high school?

M: East High.

S: Prior to YSU, what work experience did you have?

M: Through a co-op program from Choffin Career Center, I got my foot in the door at the Bureau of Workman's Compensation as a clerk, so I was exposed to the public sector for the first time. Then after I graduated from high school and then ITT, then I went on to St. Elizabeth Hospital. I worked there for a little while and then it was hard to keep a job. Then I went to Cyro Steel. I was there for two years. Then that company was downsizing because our area was depressed. From there I started my own painting business. I had that for about two to three years and then one day I took a shot here at the university for a temporary job trying to apply what I learned through my other jobs and from ITT and schooling and got a temporary position here at the university in 1989 and that's all she wrote. I've been here ever since.

S: What was that temporary position you were originally hired for?

M: I was what they call a data entry operator. It was more like a clerk at the front desk in the human resources department and I started in April of 1989 there and from there, the position went on to be full-time. The individual I replaced never returned. I applied for the full-time position and I was awarded that position.

S: Have there been other positions from that to what you do today in payroll?

M: Yes, I was promoted several times within the department to a clerk, to an account clerk, and then from there in 1995, I took a position in the payroll department which I'm currently in and I was promoted probably about four years ago to an administrative assistant.

S: Okay. Discussing the unions a little bit. First, why do you consider unions important in higher education?

M: Unions are important in every aspect in every sector. In higher education, I can only address what is a current situation, with the defunding of higher education the unions have been playing a very strong role and holding our legislators accountable for funding higher education. These individuals from high school to college, this is our future here, and I believe unions have a very strong role in ensuring the education is available to all walks of life, reasonably, and I think we're doing a good at that.

S: Now you are a member of ACE, or the Association of Classified Employees, correct?

M: Yes.

S: First, how long have you been involved in ACE?

M: Since 1996.

S: Could you describe your position in there for me?

M: Well, let me go back. When I was first hired here at the university in 1989, I was an exempt employee. Then YSU ACE lobbied in 1995 to place me into the union. It took it to what is called the State Employees Relations Board. I was placed in a union and then in 1996 I moved over to payroll. So when I moved over to payroll, I wanted to get involved in the union, so I started as a grievance officer. Then it progressed to the executive committee of the union and now for the past year, I have been the Vice-President of YSU ACE and a current grievance chair.

S: Could you describe those offices for me?

M: Lots of work. Chris Domhoff is our President of YSU ACE and over the years, we've really developed the union into a very strong force and I give her lots of credit for it. She's doing a lot of work at the state level and national level. Well, since she's taking over those responsibilities, a lot of the local responsibilities have now fallen on my shoulders, the day-to-day kind of operations of the union. It's tough, because I hold a dual office. I'm also the grievance chair and everyday my phone rings. There's always a problem, but you have to decipher what is a problem. Is it someone who just wants to be heard, or is there a violation of the contract? It takes many hours of my day, but it's fulfilling and that's why I continue to serve in those capacities.

S: Could you describe the process that someone was to go through, or what you had to do to file that grievance if you deemed it legitimate?

M: First I would tell the bargaining unit member, "Okay, take a moment to pause. Think about what your complaint is." I always suggested that, because when you do something in that moment of anger, you're not really thinking it out. It could be something very

simple. So that's the first step that I take with a complaint. Then after they've thought about it overnight, I give them the contract, which they should have already, but sometimes they don't and I give them an incident report and I state to them, put your thoughts down on paper, what you believe was a violation of the contract. Then open up the contract and find what article it was, what you believe it was. Bring it to me, or I sometimes issue it to some of our committee people to review and then we fine tune it and then we decipher, "Was this a violation of the contract or not?" If it was, we proceed to call human resources, we have a contact person there, and we try to deal with the situation informally. If we can't arrive to a reasonable resolution, then I file the grievance at the proper step. Then from that point, if we can't resolution then we go to arbitration, which is usually the last step in this process, the step that we try to avoid, but due to circumstances, you can't. You have to go forward. Then we go through the system and our decision is rendered later on in the process. If we go through the complaint and find there is no violation, we sit down with the employee and try to evaluate the situation. Maybe they were unhappy that particular day, had a bad evening. They just needed to vent, a new procedure that they just didn't like. Then we try to explain to the employee, "Okay, this wasn't a violation of the contract, but maybe you should address this with your supervisor to make it a little bit easier. And if you need a union person there, that's what we're here for: communication." That's the process.

S: How many calls that you get go through all those steps? Are most of them just venting or are they usually legitimate?

M: I would say half and half. Half of the calls I receive are the latter, how I explained it. They just need to speak to someone. They weren't sure if it was a violation or not and the tendency of individuals is they just want to be heard. Part of my position is being a good listener and usually those go away, that you figure out it's not. The other half, in this current state at the university, it's very tough. Human resources, or the current management of human resources has taken a position that they're never wrong and the employee is always wrong. Did I get that right?

S: You said it right. They're always right.

M: When you have that kind of situation occurring, that's unfortunate and that's why we have to proceed through the arbitration procedure.

S: What are some typical grievances? What are the complaints?

M: One of the major complaints I field is overtime. The language in our contract gives management the right to determine when overtime occurs and you have employees state they were cheated out of overtime and you have to work through how this overtime came about or what job detail was there and that's the biggest one, figuring out when it's overtime.

S: So when employees typically feel they've been denied overtime, not that they've been forced to work too much of it?

M: Right.

S: Another follow-up question. What would be a typical resolution?

M: For overtime, an example: each department head handles it differently. Some department heads will acknowledge, "I made a mistake. I will compensate you for those hours." Other department heads will follow the letter to the law of our contract. "I made a mistake and I will offer you overtime the next available time or opportunity." Most employees are very unhappy with that one, but typically that is the resolution that all parties have to live with.

S: Your positions, because it sounds like you put in a lot of time as vice-president and grievance chair, are those paid or unpaid?

M: Unpaid.

S: That's what I thought.

M: After I put usually my eight hours in, I have a cell phone, usually on my breaks or on my lunch, I'm fielding calls from employees. After work, I put probably two or three hours minimum, if not more, depending on the project after work and that's every night, and on the weekends I'm here at the library doing research.

S: How long have you served in these positions?

M: Vice-President is going to be a year and a half. Grievance chair is the same. But I've been a grievance officer for probably the last six years.

S: Are there term limits to these offices?

M: Grievance officer or the grievance chair, no. Vice-President, I can only hold two two-year terms.

S: You did not have any role in organizing ACE, correct?

M: Correct.

S: Okay. We'll skip over that set of questions then. In your opinion though, how does higher education fit in with OEA since that's typically thought of as a K-12 organization?

M: Well that's an interesting question. With all the conferences I've been in, they have made major strides in OEA to recognize higher education. They realized the connection that once students are done through K-12, the next step is higher education and they have to keep that bridge open, and so they've been doing many initiatives in bridging the gap between K-12 and higher education with teachers and faculty getting together, the support personnel as myself as part of that process, we support the faculty, the staff, the

students. When they register, they go to pay their bill, they need their financial aid, or as like my current position in payroll, if they work on campus, they want paid, so we're all intertwined and we all have the same agenda and that's educating the students who are our future.

S: Talking about negotiations, they occur every three years. In your opinion, have they occurred smoothly?

M: Not since I've been involved. I've gone through two contracts and they've been very tough and I believe one problem associated with these tough negotiations has been the defunding of education in general, public education. When they defund K-12, they take from higher education, which we receive less subsidies, less funding and then it becomes very tough at the table, and then the students here at the university suffer our tuition increases. So it's a vicious cycle. The last contract we had, we were probably within four to five hours of a strike. Prior to that, within the last two days, we had a vice-president in administration come in and we went from nowhere to hammering out a contract. Nobody wanted a strike. It's not good for anyone, but we were prepared to do so. And for this current year of negotiating, I see no difference. It's going to be a tough year. I hate to use that "S" word, but I hear it more and more this contract year than I've ever heard. Management has done presentations already to just strip benefits from employees, reduce their pay, yet at the same time, they're increasing their pay and their benefits and putting more of a burden on students of this university. So it's going to be a tough road.

S: Do you think those will be the hot issues?

M: Health care, yes, job security and wages are always the top three and more so this year, than health care. I also serve another role. I'm the chair of the health care task force, which has two representatives from each union and two from management. What we try to do is review our health care plan to ensure the best bang for the buck for what we're paying for. It's been laid on the table already that health care is an issue that is going to be addressed very strongly at the table.

S: You're a busy man.

M: Yes I am.

S: Now there are three different unions on campus. Why do you feel there's a need for three separate ones?

M: Well, we each have a unique role here. OEA is of course faculty. The APAS union is the professional union, which consists of coordinators and up to some middle-management positions. Then we are the support staff. We each bring something different to the table, different views on current issues that the university is facing, whether it's funding or a new class or a program they're going to offer. I believe the

more unions you have here, the stronger everyone is. You get a different perspective so it works quite well.

S: You believe it's beneficial that they're all affiliated with the OEA?

M: Yes because we have communication where those are our sister unions there and when they are in a bind or need some assistance, OEA coordinates that among the union presidents and we evaluate what they're asking for and typically, we support each other and I believe it's great and I wouldn't have it any other way.

S: Now you say typically you support each other. How do you bargain though?

M: We bargain separately. Two of the contracts, OEA and ACE, expire roughly within one week of each other. Then the following year is the APAS union coupled with FOP, which is another union that's on campus also. Being part of the health care task force and the chair, when we sit down in that committee, we are actually negotiating health care for everyone, so there isn't one different plan under one of the different unions. We look out for each other in that way. When it comes down to the other specifics of the contract, they're all individual.

S: Could you discuss the current state of ACE?

M: We're stronger than ever. I believe the union started in 1985. We've had some very good presidents over the years. I believe by far the best president we've ever had is our current president. No disrespect to the other presidents, but it took time to build up to where we're at right now and we have a cohesive group of over 400 union members. They understand the issues; they understand what the union is all about. We've accomplished goals that we set probably two years in record time that our union would have never done probably 20 years ago. We established a scholarship fund. We have an outreach program for students in the local K-12 area, where we adopt a poorer school. We buy school supplies. We support many different charities in the area. Locally, we just did Buckle-up America in conjunction with the one of the local hospitals here and the highway patrol. We bought several car seats and we donated them. What I can say about ACE is we're more involved in the community than ever and we're more involved with the students, whether it's K-12 or higher education and we definitely give back.

S: What do you consider to be ACE's greatest achievement?

M: I would say the YSU ACE scholarship that we put into place for our students here at Youngstown State.

S: Could you tell me about that scholarship?

M: It took approximately three years to get it up and running. We wanted to recognize the student employees on campus for their hard work, working with support staff. Most of our union members came from their ranks. They were a student here, a student

employee; they graduated and eventually became employees of the university, so we wanted to recognize student employees at the university. Show our appreciation to give back. There's a criteria set by the YSU Foundation and once a year, we award two scholarships out of our fund. It's the best thing we've ever done. We've established something that no other union has done in higher education in the state of Ohio.

S: Really?

M: We are the first.

S: Very interesting. How specifically is ACE protecting its members today?

M: All those long hours of research I do in conjunction with our labor consultant, I'm always doing research into law. I guess one of our greatest victories, I like to state it that way, was a grievance I filed on behalf of the union members for prior service. The university was not recognizing this service, so our employees were not receiving the full benefit they should have received. I did some research and the university saw the errors of their ways for once and made it right. We are always researching the law to improve our collective bargaining agreement to protect their rights to earn a decent living, and have decent benefits.

S: I think you've kind of answered this, but overall, how would you rate the success of ACE?

M: 110%. Within the last seven years, we've accomplished a lot and I just see it getting better.

S: What do you hope for for the future for ACE?

M: I would like to see a program that our members are recognized as our sister union members are. OEA and APAS, when they have completed or received an award, high-level recognition from the state or from their peers, I believe that's the next step. We have a lot of great individuals in our union who've given back to the community and this university in so many ways but yet they are not recognized and my goal is to get an award for those individuals to be recognized as they have that system in our sister unions.

S: That concludes my questions. Is there anything else you'd like to add?

M: Unionism is growing again. I believe in this era that we're living in right now, legislators on a certain side of the aisle have done everything they possibly can to bring the unions down and I believe with what they have done, they've just made everyone stronger and understand why unions exist. I'm thankful for OEA for being there for us, so there's a bright future for unions, for OEA, for everyone here at this university.

S: Okay. Thank you.

M: Thank you.

S: That concludes the interview. Thank you for your time.

M: Thank you.