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# ◆ BREA News ◆

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Volume 1, Issue 1

BNL Retired Employees Association

July 15, 1997

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## From the President

Well finally we are getting the Newsletter published. I had intended to provide a short history of how all this came to be, but frankly so much happened so fast that I have forgotten many things. It all started one day when I arrived at the Lab (I am consulting occasionally) and found everyone in the hall talking about the cancellation of the AUI contract. I started asking around about the health benefits. The answer soon came that health benefits would be continued, but there was no guarantee that they would not be changed. A group of retirees from AMD/CCD had been getting together once a week for a while and this became a serious topic of conversation for us. At this time a for-profit contractor had not been ruled out and we had no idea of the intentions of DOE. But they had

*(Continued on page 4)*

## Organizational Meeting

The organizational meeting of the BNL RETIRED EMPLOYEES ASSOCIATION was held on June 26, 1997, at 11:00am in Berkner Hall, at Brookhaven National Laboratory following three weeks of preparatory work by four BNL retirees headed by Graham Campbell. Attending the meeting were about 200 BNL retirees, the DOE Source Evaluation Board, and representatives of the local DOE office and BNL management.

**"Existing retiree benefits, both medical and pension, will be preserved for the first year of operation. Future changes, if any, will take into consideration prior commitments made to retirees by AUI."**

Campbell chaired the meeting and opened it with a brief history of what has created the need for a retired employee association and the efforts to date to create one. He pointed out that the approximately 1400 retired employees of BNL had been sent a letter soliciting their participation and 351 had responded supportively so far, with more responses received daily. He then turned the floor over to the contingent from DOE.

Frank Crescenzo from DOE then introduced Steven Silbergleid, Chairman of the DOE Source Evaluation Board (SEB).

The SEB is generating the Request for Proposal (under which potential bidders for operation

*(Continued on page 2)*

## Steering Committee Report

As a result of the current, unsettled, contractual arrangements being deliberated by DOE, BNL and AUI, and future concerns of the Retired Employees of BNL, an organization dedicated to represent retiree issues has been formed. The "BNL Retired Employees Association" Steering Committee met on 6/30, 7/2 and 7/9 to define the immediate and long-term purpose of the organization and a strategy to accomplish same. Members of the "Steering Committee" are as follows: Jerry Barancik, Graham Campbell (unanimously elected as acting Chair), Alyce Daly, John Denes, Lew Jacobson, Susan Jason, Barney McAlary, Joe Meyer, Stu Rideout and Stan Seltzer.

The first order of business was to determine effective ways to represent the interests of retirees in the current process of hiring our new contractor, and to investigate the pros and cons of operating under the auspices of BERA. It was decided that a quote from the Strategic Solicitation Plan stating that retiree benefits would be preserved for only a one-year period needed to be addressed by the organization. After G. Campbell's meeting with the Source Evaluation Board, he in-

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## Organizational Meeting - cont d

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of BNL will respond) and will evaluate the resulting proposals. He gave a short presentation discussing the time table but his main role that day was to field questions from the audience.

The biggest issue was the following statement in the draft Request for Proposal (RFP): "Existing retiree benefits, both medical and pension, will be preserved for the first year of operation. Future changes, if any, will take into consideration prior commitments made to retirees by AUI". This statement appeared to many attending the meeting as an invitation for the new contractor to change medical benefits after one year. John Denes suggested that a period be placed after the word "preserved" and the rest of the sentence be deleted as well as the next sentence. Denes said that this group would not like to get involved in a legal suit that would be drawn out and cost both sides legal fees. He mentioned the UNISYS case that dragged on for six years where the employees finally won. Silbergleid said that the statement was unfortunate and that it was put in to allay fears that medical benefits could be changed immediately. Silbergleid said the statement would be changed, but did not commit himself to how it would be changed. Further responses generally indicated that they felt that this language did not represent the commitment made to them on medical benefits which, in many cases, was part of the basis for their accepting a retirement package. They expressed the belief that reduction or loss of these benefits would have a serious financial impact on their lives. On behalf of disability retirees, Susan Jason mentioned the possibility of any changes being in conflict with the American Disabilities Act.

It was acknowledged that pensions are fully vested and are not threatened.

The next major issue was completion of the retiree association creation process. The chair raised the following questions: structure of the organization; the role of a steering Committee; and inclusion in BERA (Brookhaven Employee's Association). R. D'Angio (BNL Personnel Manager) discussed the benefits and disadvantages of being part of BERA. The main advantages would be support from the Lab, both financial and access to facilities. The primary disadvantage is the restrictions on some forms of political action as a group. Obviously if the relationship to the Lab became adversarial (i.e. a law suit over benefits) a completely independent group would have to be organized. The general sense of the meeting was that we should organize under BERA and, if it actually comes to a law suit, we could later form an independent organization. But everyone is hoping this will not happen.

A motion from the floor was made, seconded, and unanimously supported for Graham Campbell to be president and pick a steering committee. Campbell asked the audience to sign a sheet as they left if they were willing to serve on the steering committee

The meeting adjourned.

## Steering Committee - cont d

formed the committee that Silbergleid called to say that the "one-year" statement which has caused so much apprehension, will be removed from the RFP. Silbergleid also stated that he has notified all interested bidders that Appendix A (from the contract between DOE and BNL) will be retained in the RFP except for some specific changes which the Board has specified - none of which affect retiree benefits. G.Campbell and Barney McAlary met with Bob D'Angio (BNL Personnel) to determined whether inclusion in BERA would, at this time, be beneficial to the organization and were able to receive a commitment enabling BREA to occupy an office in Bldg. 475 (yet to be determined), a phone, budget, and access to printing and photocopying.

***"...Although the current situation motivates us, such an organization should last after things settle down and provide a means for retirees to keep track of each other, share concerns, keep in touch with the lab and provide some historical context and perspective to current lab concerns."***

A vote on dues for membership was conducted and a fee of \$10.00/year was accepted. Dual membership qualifications pertaining to retirees and current BNL employees was discussed with the outcome to open membership to current employees with an "associate member" status. The medium used to distribute membership forms to interested parties was discussed and will be reported in the BNL Bulletin shortly. Graham Campbell volunteered to prepare a Newsletter which will be sent to all active members on a schedule to be determined. Barney McAlary was charged with the responsibility to prepare a draft of the Constitution and By-laws which will be fine-tuned at the next meeting. Stu Rideout volunteered to prepare an informational article for those retirees not able to attend the 6/26 meeting at the Lab with DOE. Susan Jason volunteered to prepare the Steering Committee Report to be printed in the BREA Newsletter. Election of Officers will include the selection of a President, Vice President, Treasurer and Secretary which will be announced at a later date. Stanley Seltzer distributed copies of a response to a letter he sent to Congressman Michael Forbes which indicated Forbes' assurance from Secretary Pena that no rank and file employees will lose their jobs or change pay scales, his environmental concerns for neighboring communities and that he has "urged" DOE to maintain retiree benefits. Jerry Barancik distributed a copy of a letter which he sent to Sen. Alfonse D'Amato requesting his intervention in current negotiations. Committee members expressed their intention to do the same. Alyce Daily invited a speaker from BWIS to attend a future meeting. To address the question of whether AUI has a responsibility to honor the terms of the benefits (medical and pension) contracted by employees, and to investigate similar situations faced by UNISYS, GM and others, Stan Seltzer volunteered his wife, a

lawyer, to speak at the next meeting regarding previous court cases and how they may directly apply to our specific circumstance.

Graham Campbell (Chairman) defined the focus of the organization by stating that

***"...Although the current situation motivates us, such an organization should last after things settle down and provide a means for retirees to keep track of each other, share concerns, keep in touch with the lab and provide some historical context and perspective to current lab concerns."***

Until we receive an office assignment and phone number, Graham has offered to receive any correspondence to his address at 159 Melrose Pkwy., E. Patchogue, NY 11772 or to his e-mail address (gc@users.buoy.com).

The next Steering Committee meeting was set for 10 a.m., Wednesday, 7/16 in Berkner Hall.

**N.B. We have a mailing address see the late breaking news on page 7.**

## From the President - cont d

*(Continued from page 1)*

demonstrated a willingness to terminate the contract very abruptly and give AUI no chance to address the problems. So I eventually decided that I had to “put up or shut up” and I started writing a letter to the retirees to see if there was enough interest to start an organization. The others in our weekly coffee group offered to help and we were off.

One weekend we sat down and addressed 1400 envelopes, put a return address stamp on them, folded and inserted the letter and put a U.S. postage stamp on them. The “we” were John Denes, Bob Marr, myself and my wife, and Art Scott. Art is not even a BNL retiree, he worked a BNL for a number of years, but then moved to California and LLNL. But in his misspent youth he worked in a mailroom and showed us several techniques for handling the paper and envelopes that were a great help. And we learned that 1400 is a very large number!

The letters went to the Post Office on Sunday night and Monday morning. By Monday afternoon, my phone was ringing. On Tuesday our poor little answering machine was totally overloaded. I rushed around and turned my computer into an answering machine in order to be able to record all the calls that were coming in. The peak was 27 calls during one day. Then the return mail started coming in and I got handfuls of letters every day for a couple of weeks. Before sending out the initial letter, I had decided that if I got a 10% return (140) I would go ahead with it. Before the week was out we had hit that number and were still counting, we currently have 371 members.

But the thing that amazed me was that people sent money! I had just asked for an expression of interest and here were people saying YES in the strongest possible way. So much so that the new association is starting out with a positive bank balance! (See the financial report in this newsletter) I am overwhelmed, gratified, pleased and any other adjectives you can think of. THANK YOU.

Based on the responses I received, I sent an initial e-mail to the Source Evaluation Board (SEB). See the letter on page 5. And then I started on convening an organizing meeting. At the same time other things were happening. Congressman Forbes had a set of 3 Town Meetings on the Environment at which BNL was a major topic. There was a good turnout of the local retirees at these meetings which was commented upon by Forbes. There were meetings sponsored by the SEB for getting local input from both BNL employees and the community. These were also heavily attended by local retirees and again this was definitely noticed. By this time our presence was being felt and acknowledged by both the politicians and the DOE.

Then the SEB issued the Strategic Solicitation Plan and scheduled meetings to discuss it. We then scheduled the organizing meeting to coincide with the time that they would be in town and invited the SEB to attend. See the report on this meeting in another article. After this meeting, a Steering Committee was formed to complete the organization (See its report in another article). By now we were recognized as a concerned group and when the potential bidders on the contract were to make a site visit to the Lab, we were invited to make a presentation to them.

Also after the organizing meeting I sent another letter to the SEB. This letter is reproduced on page 6. I knew we had made an impact when DOE invited me to address the potential offerors on behalf of the retirees.

***But the thing that amazed me was that people sent money!***

***...people saying YES in the strongest possible way.***

SOURCE EVALUATION BOARD  
FOR SELECTION OF A CONTRACT  
FOR BROOKHAVEN NATIONAL LABORATORY  
9800 South Cass Ave.  
Argonne, IL 60429-4899

Dear Sirs:

I am writing on behalf of the newly formed Brookhaven Retired Employees Association. The 1400 retired employees of BNL have been contacted regarding the re-negotiation and benefits to retirees. The response has been overwhelming and has resulted in the formation of this organization.

The position of the Brookhaven Retired Employees Association is:

The successor to AUI must be required to offer to the BNL retirees the option to continue the current benefits unchanged and at the current cost that each retiree now pays.

The medical coverage is of special concern. Retirees have made their financial plans for retirement assuming these benefits and many are now heavily dependent upon them. Any change at this point would be a heavy burden and one that would unjustly penalize them for problems that are not of their making.

Many employees on long term disability have also contacted me. They also are concerned about the continuation unchanged of their current benefits and we back their position.

Sincerely,

Graham Campbell  
Interim President of the Brookhaven Retired Employees Association

*Text of the first communication to the SEB.  
Sent via e-mail on June 10, 1997  
This resulted in the statement quoted on Page 1*

SOURCE EVALUATION BOARD  
 FOR SELECTION OF A CONTRACT  
 FOR BROOKHAVEN NATIONAL LABORATORY  
 9800 South Cass Ave.  
 Argonne, IL 60429-4899

Dear Sirs:

On behalf of the BNL Retired Employees Association, I would like to compliment you on the openness of the contract re-negotiation process. We understand that the specific time period for maintenance of retiree benefits, mentioned in the Strategic Solicitation Plan, will not appear in the RFP. We think this change is very positive.

However we have some remaining concerns.

We do not have a prior relationship with the new contractor and we do not know how they will regard prior AUI commitments. Yet we do want to establish a relationship with the new contractor that is cordial not adversarial. We believe that the best way to achieve this is for the new contract to specifically address the strength of the prior commitments.

We request that the new contract require that the prior AUI commitments to the retirees be honored, not merely taken into consideration.

Retirees have made irrevocable decisions about when to retire and have made financial plans all based on benefit commitments. Changes in the costs or nature of these benefits simply cannot be accommodated without significant impact.

We also request that DOE indicate to the new contractor that, at any time in the future, all proposed changes to benefits for existing retirees will require a higher standard of justification than other benefit changes.

Since the question of whether AUI could have changed benefits for existing retirees seems to be a matter for argument between lawyers, we want to be assured that any rights we may have under the current AUI contract will be retained in the transition to the new contractor.

Sincerely,

Graham Campbell  
 Brookhaven Retired Employees Association  
 159 Melrose Pkwy.  
 E. Patchogue, NY 11772  
 gc@bnl.gov  
 gc@users.buoy.com

*Text of the second communication to the SEB.  
 Sent by e-mail and U. S. Mail on July 3, 1997.*

# Financial Statement

## LATE BREAKING NEWS

We have an office at the Lab in Bldg 475 (the "H" building). Our mailing address is:

BREA  
Bldg. 475C  
BNL  
Upton, NY 11973-5000

and the phone number is:

(516)344-2707

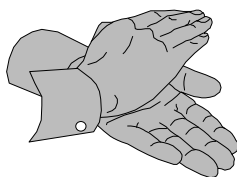
which will have voice mail by the time you get this.

Reggie Seltzer, the wife of retiree Stan Seltzer, is a lawyer and volunteered to prepare a "Memorandum of Law" to send to the SEB. This will outline our understanding of the law and the legal status of changes to retiree benefits. This is an area of active litigation however we are NOT contemplating litigation. This step will give us additional bargaining power.

**Wanted** - Web page expert. We will soon be constructing a Web page.

The accompanying table summarizes the current financial situation of BREA. So far we have made 3 mailings. The first was the large mailing to all 1400 retirees. This cost \$553.93. The other two mailings have been postcards, one to all prospective members (i.e. those who responded to the first mailing). This cost \$109.79. The second postcard went to LI people only and it cost \$66.20. The Internet access charges are for a commercial internet account that was necessary before we decided to become part of BERA. The Steering Committee will decide at the next meeting whether or not to continue this account.

As you can see from this table, we are starting in the black by slightly over \$500.



## Budget

.Making a budget for the first year of an organization is a very inexact process. We probably will have some startup expenses that we did not anticipate, we do not know how many mailings that we will really send out (mailings are the major expense), and we don't know the extent of Lab support that will be offered. Given all these uncertainties, the proposed budget is:

Item	Expense	Income
Mailings - Newsletters	\$ 1678.50	
Mailing - Postcards	\$ 414.00	
Office Supplies	\$ 200.00	
Starting Balance		\$ 508.43
Membership Dues		\$ 3750.00
Surplus in reserve		\$ 1965.93

(To those of you with a knowledge of accounting, I apologize if the above looks odd.) If the surplus turns out to be real, I propose to reduce dues in following years.

## Year-to-Date Cash Flow 1/1/97 Through 7/15/97

Subcategory	Total
<b>INCOME</b>	
Income - Contributions	\$ 1,281.65
<b>TOTAL INCOME</b>	<b>\$ 1,281.65</b>
<b>EXPENSES</b>	
Internet access	\$ 43.30
Mailing	\$ 557.20
Reproduction	\$ 127.32
<b>Office supplies</b>	
Address labels	\$ 19.98
Envelopes	\$ 11.97
Office supplies - Unassigned	\$ 10.81
Total Office supplies	\$ 42.76
<b>Taxes</b>	
Sales	\$ 2.64
Total Taxes	\$ 2.64
<b>TOTAL EXPENSES</b>	<b>\$ 773.22</b>
<b>INCOME LESS EXPENSES</b>	<b>\$ 508.43</b>

BREA  
M. Kay Dellimore  
Bldg. 185  
BNL  
Upton, NY  
11973-5000

BULK RATE  
U.S. POSTAGE  
**PAID**  
PERMIT NO. 2  
Upton, New York



n i e...

The Beginnings .....

If you sent a check in response to the original mailing and want that considered to be your dues, just add a note to that effect. But please send in the form with or without a check.

If you send in the whole page, you don't need to fill in the mailing address.

# MEMBERSHIP FORM

**Regular members are retirees from the BNL community or those out on long term disability**  
**Associate members are all other members of the BNL community.**



Annual Dues are \$10 for all members. Additional contributions are WELCOME.

Please check here for an associate membership

Make checks to BREA and send to BREA, Bldg. 475C, BNL, Upton, NY 11973

<b>Name:</b>	
<b>Address:</b>	
<b>E-mail :</b>	<b>Phone:</b>
<b>Date Retired:</b>	