

RED TALES

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(612-726-2230) Newsletter of the MSP ESSC Shop Committee (612-201-0383)

Sedgewick and ESIS – When you are applying for FMLA, you will be dealing with Sedgewick CMS, an outside third party. For OJI, you will be dealing with ESIS, also a vendor. When dealing with either of these companies, we strongly suggest you do not give permission for release of medical records other than the current injury or illness. You are not required to do so. We have received many complaints about these vendors trying to gain access to all of an employee's medical records. Think twice before you agree to this. Additional medical records could be used by the vendors to deny your application.

DAT Allotments – Please be sure to notify Northwest management (Cheri Lindgren) before October 20, 2009 about how you plan to use your DAT allotments for 2010. If you do not contact her, you will automatically be given up to 10 DATs for 2010.

Union Meeting – The late shift union meeting will be held on Thursday, September 24 at 11:15 PM. There will be important updates on the progress of our representation election.

Rodney Carpenter – Many readers of Red Tales are familiar with the case of Rodney Carpenter, a Delta ticket agent who was fired on June 29 for attendance reliability. Carpenter was initially

denied unemployment insurance because Delta challenged his claim. Carpenter appealed this denial and won his appeal on September 4. Delta has 20 days to appeal.

We have reprinted part of the unemployment judge's decision below; "The unemployment law judge found Carpenter's first hand testimony to be more likely than the vague evidence submitted by the employer. The evidence shows that the bulk of Carpenter's absences were due to illness and outside of his control. The evidence also shows that Carpenter had no reasonable way of confirming his start time on June 29, 2009 and reported to work when he was told he should; his June 29, 2009 tardy was also outside his control. The available evidence fails to show that Carpenter either clearly displayed a serious violation of the employer's expectations or clearly displayed a substantial lack of concern for his employment. Carpenter was discharged for reasons other than employment misconduct."

Carpenter also has an active appeal of his termination moving forward with Delta Human Resources. However, this appeal process does not include arbitration before a neutral third party, as the IAM contract requires. Carpenter's case will simply be reviewed by Human Resources.