

Subject: Sent on behalf of Jon Abbott: Confidential

Date: Friday, February 25, 2011 4:39 PM

From: Jennifer Ward <jward@wgbh.org>

To: AllStaff AllStaff@wgbh.org

Dear Staff,

Today the Foundation presented what is formally referred to in labor negotiations as its “last, best and final proposal” for a new collective bargaining agreement to AEEF/CWA Local 1300, a union that represents approximately 280 of our production and service group staff.

As many of you know, we began negotiations with AEEF/CWA in August 2010. Since that time, we have met with the union leadership for 30 full-day sessions, 10 of which, at the Foundation’s request, included a federal mediator. Over the course of the negotiations, and in response to the concerns raised by the union, we have significantly revised our proposals and accepted many of the union’s counterproposals; while continuing to focus on the overall goal of a fair and responsible agreement that positions WGBH appropriately for a challenging future.

When we began these negotiations last summer, we shared with the union and with you how rapidly the media industry is changing and how those changes have impacted the economy of and business models for content production. At the same time, funding for the public media system has declined due to the impact of the recession on corporate sponsorship, foundation grants, state and local funding, and membership support.

Since then, the House of Representatives has voted to de-fund the Corporation for Public Broadcasting, which is the central means for funding public media, including PBS, NPR, and stations across the country, who are also a very significant source of funding for our national production work, and all of whom are our funders and/or distribution partners. As we explained to the union, while we are all doing everything

possible to demonstrate the value of and rationale for the federal government's investment in public media, given the fiscal and political climate, significant cuts in funding may be inevitable.

Throughout the negotiations, we have communicated in a timely and thorough way with the union and with you. We have conducted briefings with union leadership and bargaining unit members to share information about our industry, competitive challenges, economic circumstances, and how the expired collective bargaining agreement related to those issues. All of our proposals and the union's responses and counterproposals have been, and continue to be, posted on InnerTube. We have spent many days discussing the issues at length with the union leadership, and we have responded to all requests for information.

At this point, as we have told the union leadership, we have put forth our best thinking on the issues before us and made as much movement and as many concessions as we can to respond to the concerns raised by the union leadership. That thinking is reflected in the proposal, which is attached.

As we have expressed to the union leadership, it is our sincere hope that AEEF/CWA and its members will agree to the terms in our proposal so that we can all focus on working together to tackle the important and difficult issues before us. We must continue to adapt our ways of producing high-quality, engaging content that serves our mission, audiences and our community. And we must do so in a manner that is responsible to those contributing funds to our mission and that is fair to all employees by providing good wages, benefits and the opportunities to learn and develop new skills.

We understand that our proposal reflects change from the former collective bargaining agreement and that we are asking the union and its

members to make concessions on important, hard issues—concessions that in many cases management and NABET made years ago. As we explained to the union leadership, we are asking that these concessions be made as an investment in the future of the Foundation, its employees and the union. Sacrifices made now by AEEF/CWA members—in conjunction with the sacrifices already made by non-union and NABET employees—will result in a stronger future for all of us, including AEEF/CWA and NABET.

As we have told the union and you many times, our goal in this negotiation has been to reach a contract that will enable the Foundation to become a more nimble, flexible, creative, and innovative producer so that we can stabilize, and then grow, production. This negotiation has not been about weakening or undermining AEEF/CWA. Every proposal we have made has included provisions that preserve AEEF/CWA's jurisdiction, require that employees occupying bargaining unit positions be union members, provide for withholding dues from employees' paychecks, allow the union access to and means for communicating with employees, and afford means for enforcing the contract. None of the Foundation's proposals have sought to remove positions from the bargaining unit, reduce the union's jurisdiction, or reduce its right to bargain collectively.

We realize that AEEF/CWA may decline to make this investment and may reject our last, best and final proposal. As we informed the union leadership, if the proposal is rejected, we believe the parties will be at an impasse; and if we reach impasse, the Foundation's intent is to implement the terms of its final proposal, as allowed by law.

We believe it is better for all of us to have an agreement on how we work together, and we hope the union will accept our proposal. We understand that you may have questions about this. We have prepared an FAQ which is attached and which is also posted on InnerTube. If you have further

questions, please do not hesitate to speak with your manager, senior manager or either of us, or with your union leaders and representatives.

Sincerely,
Jon and Ben

WGBH'S LAST, BEST AND FINAL PROPOSAL, FEBRUARY 25, 2011

COLLECTIVE BARGAINING AGREEMENT
BY AND BETWEEN
WGBH EDUCATIONAL FOUNDATION
AND
THE ASSOCIATION OF EMPLOYEES OF THE
EDUCATIONAL FOUNDATION,
COMMUNICATIONS WORKERS OF AMERICA, LOCAL 1300
EFFECTIVE MARCH 15, 2011

Certain Foundation proposals for changes in the language of the expired agreement may be intended for purposes of clarification only. Any Foundation proposal, or any withdrawal or modification of a proposal, does not constitute a waiver by the Foundation of the interpretation it places upon the language of the expired agreement or its terms, and may not be construed as an admission that the language or terms of the expired agreement has a meaning different from that stated in the proposed language.

What is a “last, best and final proposal”?

A “last, best and final” proposal, as it is formally referred to in labor negotiations, means that one party—here, the Foundation—is giving the other party—AEEF/CWA—its final proposal in the negotiations, and that the final proposal contains the best terms that will be offered. In other words, as we told the union leadership, the proposal contains the Foundation’s best thinking as to how to meet the interests of the Foundation, AEEF/CWA and its members on the issues and includes the most the Foundation can give the union in exchange for its agreement.

Why did the Foundation give AEEF/CWA its final proposal now?

The Foundation has given AEEF/CWA its final proposal now because the parties have exhausted their bargaining efforts and the Foundation has reached the point where it will not make any further concessions. As outlined in the FAQs posted on February 8, 2011, the Foundation has made significant movement on many concerns raised by the union: wages, benefits, who can do what work, subcontracting, the form of the contract, and clarity that the union’s role as the representative of its members is not changing. In the final proposal, the Foundation made further movement, including, among other things:

providing further specificity on benefits;

narrowing the circumstances in which employees who perform on-air work could be terminated for artistic discretion;

further enhancing severance for employees who lose their positions so that their work can be subcontracted or for on-air employees who lose their positions as a result of artistic discretion;

eliminating language that the union has identified that it considers “rhetoric” that expresses a point of view or does not concern terms and conditions of employment, including the Foundation’s mission;