IDOT Teamsters in Landmark Settlement

LU 916 vowed to fight politically-fueled layoffs

It’s been 9 years but Gary Verdung won’t forget the day he found out he and 39 co-workers in the Traffic Safety division at IDOT would be laid off. Not because there wasn’t enough work or enough funding. But because they had been targeted by a recently elected governor who wanted those positions to fill with loyal campaign workers.

It was an explosive charge of illegal patronage that has been validated not once, but now twice, thanks to the recent finalization of a settlement of the grievance filed against the state by Local 916.

“I still can’t believe they pulled it off,” said Verdung. “I told Leo (Carroll, Local 916 Executive Assistant), I would have been tickled pink just getting $10,000. But fixing what happened to my pension? That’s worth everything.”

Local 916 dogfight

It was a solid win for Local 916, despite the countless hours devoted to the case and legal bills that ran to more than $200,000.

“This was about fighting for our members who were clearly wronged, but it was also about standing up to a political sham and a blatant violation of union contracts,” said Local 916 President Tony Barr. “We drew a line in the sand on behalf of the entire membership.”

While 9 years seems like a long time to reach a conclusion, Barr said it was extraordinarily complicated. More than 40 IDOT employees lost their jobs in 2004 – some were members of Local 916 and some were not. Local 916 immediately filed a grievance on behalf of its members involved, but tempor-
idly backed off when a group of the employees filed a federal lawsuit against the state. Local 916's strategy was to wait for a favorable outcome in the courts so that the evidence could be used during the grievance proceeding.

Gary Verdung was one of 12 employees that chose not to participate in the federal lawsuit. "I was 58 years old at the time, and eligible for retirement," said Verdung. "Who wants to pay an attorney for years and years and maybe not realize anything? I just didn't have the energy for it, and so I retired."

Verdung said he never had any regrets about that decision, even when he watched those co-workers finally win their suit in 2012, represented by attorneys that included Don Craven and Carl Draper of Springfield. Local 916 immediately retained the services of Craven and Draper and the grievance was back on, this time on behalf of the remaining 12 employees.

Despite multiple delays by the state that dragged out the proceedings for 18 months, Craven, Draper, and attorney Michael O'Hara, along with Local 916 attorney J.P. Fyans and Leo Carroll, were tenacious. In February 2012, they successfully fought a motion by the state to dismiss. Then, armed with evidence that proved there was no IDOT restructuring or reorganization in 2004 that would account for the layoffs, and no evidence that a review of the positions took place, as required, the attorneys dug in.

Over the course of the next year, the parties conducted hearings, took testimony and presented more than 100 exhibits of evidence. The parties engaged in settlement negotiations sporadically between arbitration dates. However, settlement talks were at a standstill because IDOT would not even meet the Union's first criteria for a settlement - the restoration of jobs.

They called a multitude of IDOT officials to testify and explain their actions, including former agency director Tim Martin. In March 2013, in the middle of arbitration, with Martin set to testify for the second time, the state asked to settle. It took only hours to hammer out a settlement, then months to get all the paperwork in place.

Five employees were re-employed by IDOT, lost wages were paid and pension benefits were increased. The total cost to the state for lump sum distributions, pension credits and restored service time was $1.2 million. Each individual's resolution varied depending on their previous salary, service years, the individual grievant's request and other factors.

"It had been almost 8 years, and I asked Leo if he thought it was still possible to get anything," said Verdung. "He said, 'yes, it's possible. I have always had a lot of respect for them, but I gave us a 50-50 chance."

"To this day, I still don't know which way the arbitrator was leaning," said Draper. "But we had proof that state officials, all the way to the Governor's office, tried to use personnel policy for political gain. And that's just wrong, morally wrong."

Verdung pauses when asked whether he thinks the employees were "made whole" by the settlement.

"I don't think we can say that, although I'm grateful, especially for making my pension right," said Verdung. "But it was very stressful."

Verdung says even being able to retire didn't spare him from difficulty. His wife was laid off two years after he was. Some of his younger co-workers saw their careers stall, hindered by the 2008 recession and competition with professionals possessing MBAs and PhDs. Verdung said one co-worker had to declare bankruptcy.

"Fortunately, I have a way of looking at things long term," said Verdung. "At least the Teamsters got them to honor the contract."

Oh, and that governor that originally tried to manipulate the system? He's currently serving a 14-year prison term.
Senate Bill 1 Passes, Governor Signs Into Law
Pension changes will affect more than 2,000 members

NOTE: Local 916 will continue to update members on the status of this legislation and legal challenges to it, as well as provide information important to members and their retirement planning. Barring a successful court challenge, the legislation takes effect July 1, 2014.

SUMMARY: The provisions of the bill affect active members, inactive members and retirees of SERS as outlined below. The bill does not reduce the current monthly benefit amounts of retirees and it does not eliminate or reduce COLAs that have already been received. It reduces COLAs prospectively beginning in January 2015.

Defined Benefit (DB) Changes
Maximum Annual Adjustments (COLAs)
Beginning January 2015, the 3% COLAs will be applied to the lesser of the actual annuity, or the number of years of a retiree's service credit multiplied by $1,000 for service not covered by Social Security or $800 for service covered by Social Security (maximum COLA amount). The maximum COLA ($1,000 or $800 per year of service) will be indexed each year by the growth in the Consumer Price Index (CPI). Those with an annuity that is less than their years of service multiplied by the applicable $1,000 or $800, or what these amounts have grown to at the time of retirement, will receive a 3% COLA compounded each year until the annuity reaches the maximum COLA amount.

There is no limit on the number of years of service credit that can be used in the maximum COLA calculation. Survivor annuities and disability annuities will continue to receive 3% compounded COLAs on the entire annuity amount.

Skipped COLAs
Employees who retire on or after July 1, 2014 will have annual adjustments skipped depending on age at the effective date: employees age 50 or over, 1 COLA skipped (year 2); employees age 47 to 49 will have 3 COLAs skipped (years 2, 4, and 6); employees age 44 to 46 will have 4 COLAs skipped (years 2, 4, 6, and 8); employees age 43 and under, 5 COLAs skipped (years 2, 4, 6, 8, 10). Please refer to Table 1.

Pensionable Salary Cap
Applies the Tier II salary cap ($110,631 for 2014) to all Tier 1 members. This cap is adjusted annually by the lesser of 3% or one half of the annual CPI. Salaries that currently exceed the cap or that will exceed the cap based on raises in a collective bargaining agreement are grandfathered in.

Retirement Age
For employees age 45 or younger on June 1, 2014, the retirement age is increased on a graduated scale. For each year a member is under 46, the retirement age will be increased by 4 months (up to a 5 year increase for members under age 32 on June 1, 2014). The incremental increase in retirement age applies to all formulas and the Rule of 85. Please refer to Table 1.

Employee Contributions
Beginning July 1, 2014, all SERS employee contribution rates will decrease by 1%.

Optional Defined Contribution (DC) Plan
Defined Contribution Plan
Beginning July 1, 2015, up to 5% of Tier 1 active members can make an irrevocable election to switch from the DB plan to a DC plan. Employee contributions to the DC plan will be equal to those of the DB plan. Employer contributions to the DC plan will change annually and must be at least 3% but not higher than the employer's cost of the DB benefits. The employee must participate in the DC plan for at least 5 years to become vested in the employer contributions made to their DC account. When a member opts into the DC plan, benefits previously accrued in the DB plan will be frozen.

Funding Changes
Funding Schedule
A funding schedule is established that will achieve 100% funding no later than the end of FY 2044. Contributions will be certified using the entry age normal (EAN) actuarial cost method, which spreads costs evenly over an employee's career and results in level employer contributions.

continued on page 4
Supplemental Contributions
The State will contribute (i) $364 million in FY 2019, (ii) $1 billion annually thereafter through 2045 or until the system reaches 100% funding, and (iii) 10% of the annual savings resulting from pension reform beginning in FY 2016 until the system reaches 100% funding. The supplemental contributions will be divided among the State-funded retirement systems.

Funding Guarantee
If the State fails to make a required annual or supplemental contribution, SERS may file an action in the Illinois Supreme Court to compel the State to make the required annual or supplemental contribution.

Table 1.

<table>
<thead>
<tr>
<th>Age on June 1, 2014</th>
<th>Increase in Retirement Age (Rate of 85 and Normal Retirement Age)</th>
<th>Reduction in number of COLAs</th>
</tr>
</thead>
<tbody>
<tr>
<td>50 and over</td>
<td>None</td>
<td>1 – year 2</td>
</tr>
<tr>
<td>49</td>
<td>None</td>
<td>3 – years 2, 4 and 6</td>
</tr>
<tr>
<td>48</td>
<td>None</td>
<td>3 – years 2, 4 and 6</td>
</tr>
<tr>
<td>47</td>
<td>None</td>
<td>3 – years 2, 4 and 6</td>
</tr>
<tr>
<td>46</td>
<td>None</td>
<td>4 – years 2, 4, 6 and 8</td>
</tr>
<tr>
<td>45</td>
<td>4 months</td>
<td>4 – years 2, 4, 6 and 8</td>
</tr>
<tr>
<td>44</td>
<td>8 months</td>
<td>4 – years 2, 4, 6 and 8</td>
</tr>
<tr>
<td>43</td>
<td>1 year</td>
<td>5 – years 2, 4, 6, 8 and 10</td>
</tr>
<tr>
<td>42</td>
<td>1 year 4 months</td>
<td>5 – years 2, 4, 6, 8 and 10</td>
</tr>
<tr>
<td>41</td>
<td>1 year 8 months</td>
<td>5 – years 2, 4, 6, 8 and 10</td>
</tr>
<tr>
<td>40</td>
<td>2 years</td>
<td>5 – years 2, 4, 6, 8 and 10</td>
</tr>
<tr>
<td>39</td>
<td>2 years 4 months</td>
<td>5 – years 2, 4, 6, 8 and 10</td>
</tr>
<tr>
<td>38</td>
<td>2 years 8 months</td>
<td>5 – years 2, 4, 6, 8 and 10</td>
</tr>
<tr>
<td>37</td>
<td>3 years</td>
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<td>3 years 4 months</td>
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<tr>
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<td>4 years 8 months</td>
<td>5 – years 2, 4, 6, 8 and 10</td>
</tr>
<tr>
<td>Under 32</td>
<td>5 years</td>
<td>5 – years 2, 4, 6, 8 and 10</td>
</tr>
</tbody>
</table>

This information was taken from/provided by the State Employees Retirement System (SERS).
Since November, J.C. 25 encouraged Teamster members to call and email their elected officials to oppose any damaging pension legislation. Together with the We Are One labor coalition, more than 25,000 phone calls and messages were sent to the State Capitol, urging the legislature to vote against SB 1.

In the end, Illinois lawmakers voted against the livelihood of thousands of active and retired public employees, who have honorably paid their pension benefits every month for decades. In overhauling the pension system, legislators chose to jeopardize the ability of workers to retire with dignity and respect, while failing to establish any strict funding guarantees from the state to protect pensions in the future.

According to the We Are One labor coalition, the legality and constitutionality of SB 1 may soon be challenged in court.

Local 916 and Joint Council 25 hosted a legislative reception at the Abraham Lincoln Hotel in Springfield on November 4. (Left to right) Larry Larson, LU 916 Business Agent; State Senator and Candidate for State Treasurer, Michael Frerichs (D-Champaign); Diane Van Dorn; Tony Barr.
Local 916 Christmas Party 2013

Saturday, December 21 • 6 - 8 pm

Local 916 president Tony Barr and Charlie Fyans (son of L.U.’s J.P. Fyans) welcome the 500+ members and family members to the annual party.

Santa Claus made an appearance.

(left to right) Kristin Fyans (wife of J.P. Fyans), Trevor Clatfelter, and Linda Clatfelter (wife of Tom Clatfelter).

Diane Van Dorn, Tony Barr, Larry Larson and Julie Lloyd.
Congratulations to the Local 916 Scholarship Recipients – $500 Awards

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Local 916 Sponsor: Andrew York
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McKendree University

Cortini Volkman
Local 916 Sponsor: Dina Volkman
Pro Tech Div. 8
Murray State University

Jessica Vonachen
Local 916 Sponsor: Robert Vonachen
Pro Tech Div. 6
Benedictine University

John Vonachen
Local 916 Sponsor: Robert Vonachen
Pro Tech Div. 6
St. John's Nursing

Elizabeth Walsh
Local 916 Sponsor: Patrick Walsh
Pro Tech Div. 1
DePaul University

Sarah Walsh
Local 916 Sponsor: Patrick Walsh
Pro Tech Div. 1
DePaul University
Local 916 Leadership Earns White Ballot

Local 916 President Tony Barr said he and the rest of the LU Executive Board are honored by the third straight “white ballot” and the show of trust from the membership.

A “white ballot” means there was no opposition running against the slate of incumbent candidates. The membership votes for its leadership every three years.

Re-elected were Barr as President, David Rush as Vice President, Tom Clatfelter as Secretary/Treasurer, and Jim Frankin, Lenny Reynolds, and Dave Shafer as Trustees. Newly elected was J.P. Fyans as Recording Secretary. Leo Carroll decided to retire as Recording Secretary. He will remain on staff as Executive Assistant and Business Agent at Local Union 916.

“We appreciate the opportunity to continue to work hard on behalf of the membership,” said Barr. “We believe the experience we bring to our positions will help the Local weather the challenges ahead for unions.”

From the President

Pension Hit

We knew it was coming. What we didn’t predict, was the legislative leaders would ram it through in one day, until we heard that the House had been called back into session by Speaker Madigan on November 3. Union input – from any union – has officially been rejected. It’s done and has been signed by Governor Quinn.

As you know, there are some serious changes for our membership. You’ve all read at least something about them in your local newspapers. Please read our full coverage on the changes on pages 3–5 of this newsletter. We will continue to provide needed information about the specific changes and new developments, as they occur.

This is a blow to every employee who chose to work in public service in this state. Our members at state agencies and in Constitutional offices have earned those benefits and the Illinois Constitution protects them. There will likely be a court challenge, spearheaded by the labor coalition We Are One.

Tornado Relief

A huge thanks to our Local 916 employers M.J. Kellner and Sysco! The two food wholesalers stepped in big time when asked by this Local to contribute to the food drive launched by our fellow Local 627 to benefit the victims of the November tornado that devastated the community of Washington. Both sent several skids of food supplies to the region, an act of generosity they have done multiple times over the years in response to various disasters. Thank you!

It’s Scholarship Time Again!

We set a record last year, and the year before. We’ve done it again. Scholarships were awarded this fall to 158 children, grandchildren, step-children, step-grandchildren and spouses of members.

Take a look at the faces on pages 7–13 and see the future. Best of luck to all the recipients!

Happy New Year!

I hope you and your families experienced joy and peace this holiday season. Here’s to a happy and prosperous 2014!

— Tony Barr, Local 916 President

Washington, IL was devastated by a F4 tornado on November 17. UPI/Brian Kersey
2013 IDOT District 6 Annual Awards

Congratulations to all Local 916 recipients!

**Engineer of the Year**
Bill Burger

**Technician of the Year**
Bob Vonachen

**Employee of the Year**
Sal Madonia

**Work Unit of the Year**
High Speed Rail

**Making a Difference Award**
Mike Dwyer

**SERVICE AWARDS**

**35 Year Service Employees**
Mark McQuality (Project Implementation)

**30 Year Service Employees**
Nathaniel Wheatley (Project Implementation)

**25 Year Service Employees**
Scott Armistead (Project Development)
Stan Clow (Operations)
Sue Graham (Program Development)
Sal Madonia (Program Development)
Malcom Love (Project Implementation)

**20 Year Service Employees**
Denise Peters (Program Development)
Greg Heckel (Project Implementation)
Michael Tappan (Project Implementation)
Tim Connelly (Operations)
Marcus Bruce (Program Development)

**15 Year Service Employees**
Douglas Woodruff (Project Implementation)
Sadie Jones (Project Implementation)
Kevin Spann (Project Implementation)
Michael Dwyer (Program Development)
Arthur Patridge (Project Implementation)
Bradley Schlieper (Project Implementation)
Mark Branham (Program Development)
Jeffrey Schoonover (Project Implementation)
Mark Dust (Program Development)
Chad Morse (Project Implementation)
Doug Chamness (Project Implementation)
Brian Galloway (Project Implementation)
Keith Laughlin (Project Implementation)
Andrew Wilcox (Project Implementation)
Brandon Dudley (Project Implementation)
Ryan Stevenson (Project Implementation)
Laura Milancik (Program Development)
Michael Hamby (Project Implementation)
Stella Nwajei (Project Implementation)

**10 Year Service Employees**
Tracey Switzer (Program Development)
David Vereen (Operations)
Jen Jen Bai (Program Development)
Michael Rohlfing (Project Implementation)
Michael Pine (Project Implementation)
Bill Shaw (Operations)
Lyle Lascelles (Administrative Services)
Be Sure to Get a Withdrawal Card

It is important to take a withdrawal card from the Local if you do not work any days in a given month. This applies if you terminate your employment, go on sick leave, workers’ compensation, leave of absence, are laid off, or any other reason that keeps you from your job.

Your request should be made the end of the month in which you last worked. A withdrawal card allows a member to maintain their membership on an inactive basis. In other words, you will not owe union dues until you return to work. A withdrawal card is in effect indefinitely, or until you return to work. If you retire, request a Retiree withdrawal card.

If you allow your dues to go delinquent 90 days you will be placed on suspension status. When you request your withdrawal card, make sure you receive it in the mail within one week’s time. If you do not receive the card, call The Hall at (217) 522-7932 or (toll free) 1-877-349-4916.

Teamsters at YRC Worldwide Inc. (YRCW) have rejected the company’s proposal that would have extended and modified the existing memorandum of understanding. Members voted over the past several weeks and ballots were counted January 10. The proposed extension and modification was soundly rejected, 61 percent to 39 percent.

“The Teamsters Union believes in democracy and we’ve let the democratic process take its course,” said Tyson Johnson, Director of the Teamsters National Freight Division and Co-Chairman of the Teamsters National Freight Industry Negotiating Committee (TNFINC). “Our members have made huge sacrifices to keep this company alive and a majority made the decision not to sacrifice anymore.”

YRCW management communicated with Teamster members and leaders in late October and early November 2013 about the need to make modifications and get an extension. At stake, according to YRCW, was the very existence of the company, as the banks holding the notes had threatened to call the notes for repayment if the agreement with the union was not modified. The current agreement does not expire for 18 months.

The company submitted a proposal that Teamster local union leaders agreed to send to members for their vote, while management also worked to line up new money to reduce company debt and go to market on refinancing its remaining debt – with all three contingent on the other.

Teamsters at YRCW, including 65 members of Local 916, have already made tremendous sacrifices, beginning six years ago with a 15 percent wage concession from the National Master Freight Agreement rate and a 75 percent reduction in pension contributions.

“Our members have sacrificed billions of dollars in wages and pension benefits over the past five years and yet the company has been unable to recover from the disastrous policies of the previous management,” said Jim Hoffa, Teamsters General President.

Leo Carroll and David Rush represented Local 916 at the union’s initial meetings with YRCW. They will be monitoring what happens now regarding the freight company’s debt burden and any fallout that affects local members.

Watch for it! New Local 916 Website Coming

Watch for the new teamsters916.org website, coming soon! The new website will be easier to navigate, more user-friendly, and provide members with immediate access to a broad range of services.
Western Illinois Members Celebrate Early

November 13 Holiday Party • Stoney Creek Inn Quincy

Local 916 members and their families enjoy the 2013 Christmas Party on December 21 at the Crowne Plaza.

Golf Outing Tradition Resurrected

The LU 916 Golf Outing was held at The Rail Golf Course in Springfield on September 16, the first such event in a couple of years. The turnout was even greater than expected, reinstituting a fun tradition and raising money for the Local’s D.R.I.V.E. political action committee.
Got an interesting story to tell?

We’d love to feature you in an issue of The Hall Report. Let us know what’s happening to you, your spouse, or your kids. Special hobby? Award? Honor? You can also tell us about a co-worker who may be too shy to come forward him or herself. And if you’re retiring, let us know!

Call Teri at (217) 522-7932. Then expect a call from our newsletter editor.

Local 916 Scores Victory With Passage of SB 1910
Effort to take member jobs out of union thwarted

Nearly 200 IDOT technical professionals targeted for reclassification that would remove them from the union are safe, thanks to a relentless effort by Local 916 and state Senator Andy Manar (D-Bunker Hill).

Senator Manar, along with Local 916 governmental affairs director Trevor Clatfelter, drove support of Senate Bill 1910, which removed targeted IDOT positions from Public Act 098-0100, the “Management Act” legislation passed last Spring. The Management Act removes all positions considered management from union representation. It’s in response to the massive rate of unionization that has taken place in Illinois – nearly 98% of public workers are now in unions, driven by the lack of salary increases for those not covered by a union contract.

“There were 17 job classifications targeted at IDOT that affected our members. We maintained from the beginning that they were not upper level management positions as described by the new law,” said Trevor Clatfelter. “In the end, the Senate (passed 47–8) and the House (passed 89–29) agreed with us.”

Clatfelter said the reclassification was to take effect at the end of January, 2014, so the members were not actually taken out of the union, thanks to quick action by Local 916 and Senator Manar. Also assisting were other affected unions – Laborers, and Operating Engineers.

“Responsible Bidder” Amendment Would Maintain Quality

The initiative being pushed by Clatfelter and lobbyists from other unions amends the Prevailing Wage Act by requiring the successful bidders on public works projects to maintain accredited apprenticeship training programs.

“Those contractors that already do this know how important it is to both the quality of the work and the safety of the workers,” said Clatfelter. “This amendment would eliminate from consideration the contractors who hire temporary workers they know little about, at low wages, to make sure they have the low bid.”

Not surprisingly, said Clatfelter, opposition to the change is coming from business groups, who claim it would stifle competition and steer jobs to union contractors.

Between now and Spring Session 2014, a committee of labor and business will explore possible solutions that could avoid the need for new legislation.

Contract Status

Settled: Attorney General’s Office; H.D. Smith

Still at the Table: State Journal-Register Drivers; Sherman Streets Department; Aramark; Adams County Highway; Menard County Highway; Illinois Plumbing

Newly Organized: Curran-Gardner Township water district

We’re working hard on your behalf. We’ll keep you posted on progress.
The Hall Report  page 19

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Local 916 Welcomes Lisa Howard
New addition is go-to person for pension inquiries, website & more

Welcome Lisa, what were you doing prior to accepting this job?

I worked at a local Real Estate company and also at a restaurant in Elkhart. I was responsible for building and marketing their websites, and also worked seasonal harvest at the local grain elevator.

My background includes 11 years of guest relations and working in hospitality management, and a position in Purchasing at Caterpillar in Decatur. I have also filled in occasionally in the Local 916 office since 2011.

What will your duties be at Local 916?

I am a Secretary/Administrative Assistant, future Titan Operator (in-training right now!), I will handle Pension and Health & Welfare inquiries, and I will also be responsible for maintaining the new website when it’s up and active.

Do you have any union connections?

My father-in-law is a current member of the Pipefitters Local 597 out of Chicago. My father was a member of the union at Borden Chemical in Illiopolis for 29 years.

Tell us a little bit about you, personally.

I am married to Heath Howard, a Navy Corpsman, Paramedic Supervisor for America Ambulance Company in Springfield, a Paramedic with Logan County Paramedics Association, and a volunteer with the Elkhart Fire Department. We have lived in Elkhart, IL for 14 years, but I was born and raised in Decatur.

We have two daughters. Abrielle is 13 years old and in the 8th grade at Mt. Pulaski Grade School. We enjoy watching her play volleyball. Delaney is 9 years old and in 4th grade, and is interested in gymnastics and cheerleading.

What do you expect to enjoy the most about this job?

I don’t think I will have a favorite part. I enjoy everything from interacting with our members that walk-in or call with questions, to diving into a spreadsheet. I have a great group of folks here to work with!

Thank you to all the members who brought their families to The Hall on August 10 for the Annual Membership Appreciation Luncheon. It was great to see you!

Tis the season!

Our hard-working highway maintainers will be out there clearing the roads of snow so the rest of us can travel safety. Please drive carefully and urge others to do the same. Safe travels to everyone this winter!
TEAMSTERS LOCAL 916 CALENDAR OF EVENTS

JANUARY 2014

Thurs., Jan. 16th – Membership Meeting – 6 pm – The Hall

FEBRUARY 2014

Thurs., Feb. 20th – Membership Meeting – 6 pm – The Hall

MARCH 2014

Thurs., Mar. 20th – Membership Meeting – 6 pm – The Hall
TBA – Annual Pro Tech Seminar – 8 am - 4 pm – Crowne Plaza Springfield

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