

Welcome to the inaugural edition of CWA Local 4250 **Just-U.s**, Volume 1/Issue 1. This article was written in collaboration with CWA Local 1153 President Mary Lou Algieri. It deals with AT&T's abuse/misuse of the H-1B Visa Program and plans to transfer CWA and IBEW represented work, such as various systems and databases, provisioning, maintenance, call center, billing, etc., to offshore locations and its potential risk to Homeland Security. The sole reason for the off shoring of AT&T's workers' livelihoods can be summed up in one word:

GREED!

Local 4250's web site has a new page titled, **H-1B Visa/Offshore & Outsourcing**. This article, as well as future items dealing with these issues, will be posted on the new page. You may subscribe to receive upcoming **Just-U.s** issues by registering for e-mail alerts on our web site (Under Construction). You may access our web site at <http://www.cwalocal4250.org/outsourcing>

Fight Back:

Steve Tisza, President
CWA Local 4250
Chicago

PROLOGUE

AT&T persists in jeopardizing America's Homeland Security! AT&T either has, or is in the process of, off shoring programming and maintenance of major engineering systems and databases. AT&T continues to train foreign nationals on network programming and has trained foreign nationals to do provisioning work for the 4E and 5E switch networks. Recently, after assuming her new role as AT&T President, Betsy Bernard and her leadership team notified the CWA Constructive Relationship Council that AT&T intends to **offshore AT&T call center work to India**.

AT&T - H-1B VISA SCENARIO

In January 2002, CWA Locals 4250 & 4998 union representatives learned that AT&T was training Indian foreign nationals to perform 4E and 5E provisioning work in their Oakbrook, Illinois provisioning center. AT&T had closed the center in December 2001 resulting in the termination of approximately 165 employees. When challenged, AT&T Labor Relations informed CWA National Vice-President Ralph Maly the training was part of AT&T's **contingency plan** to be used in the event of a strike in May 2002. Locals 4250 & 4998 immediately filed a joint grievance. At the combined Step Two grievance meeting, AT&T management refused to provide the Locals any information about the training of foreign nationals or what work they were being trained to perform. **The ONLY information AT&T provided was, the foreign nationals were contract workers provided by Tata, a company headquartered in India!** We believe AT&T's refusal to provide all relevant and necessary information required to process our grievance placed them in violation of the National Labor Relations Act. Charges are still pending.

On January 24, 2002, Local 4250 President Steve Tisza sent a letter to Daniel P. Burnham, Chairman of the National Security Telecommunications Advisory Council (NSTAC). The purpose was to request an immediate investigation by the NSTAC regarding AT&T's training of Indian foreign nationals and the potential risk to America's Homeland Security via possible vulnerabilities in the AT&T communications network.

Afterward, other CWA Local union representatives uncovered AT&T training foreign nationals in New York, California and Ohio. In White Plains, NY and Pleasanton, CA., AT&T trainers were schooling foreign nationals in what is believed to be occupational and management programming work. In Cincinnati, Ohio extensive amounts of network and systems programming work are already gone. The primary engineering systems, most notably **TIRKS, moved to India by way of IBM.** Today, when you call to open a trouble ticket on TIRKS you are speaking to someone in **Bangalore, India.** These jobs were formerly AT&T management positions that are also disappearing. Notwithstanding the loss of their jobs, the eroding loyalty to AT&T by its management workers is undeniable. Reduced pensions (Cash Balance Accounts) and ongoing increases in contributions to health care plans for management employees is an underlying factor.

We firmly believe AT&T's 2002 contingency plan, with regard to their training of foreign nationals, was a smokescreen to camouflage AT&T's true intent. We believe AT&T was/is "training the trainers", who are back in India training AT&T's future offshore workforce.

As important as these issues are, they are insignificant compared to the **potential risk to Homeland Security.** AT&T's contracting out of the maintenance and programming of AT&T switch networks to **offshore** locations could be placing our U. S. military, financial and infrastructure communications in the hands of potential terrorists, perhaps operating from their own countries. Over the years, AT&T has suffered several massive lengthy outages in various networks due to mistyped programming commands. A skilled programmer could crash networks as easily, if not more so, than a switch maintenance technician could. Furthermore, code errors can be inserted in ways to make them extremely difficult to diagnose and restore. The overwhelming majority of U.S. military, financial services, utility, transportation, various infrastructure, emergency response and long distance voice & data communications utilize AT&T networks. **ONE** individual, typing on a keyboard, could hold countless lives of U.S. soldiers and civilians at his/her fingertips. ***In short, a tremendous peril to Homeland Security exists because of AT&T's preference of an offshore workforce!***

In March 2002, at the Annual CWA Legislative Conference, the five CWA Local Presidents representing localities where AT&T was training foreign nationals corroborated on drafting of letters for every member of Congress. Every member of Congress that CWA Delegates met with received copies of the letters beginning Monday,

March 4, 2002. The intense lobbying by CWA delegates generated a great deal of commotion in Washington, D.C. In fact, CWA had NEVER pressed an issue that caused as much furor on the hill! Senator Edward Kennedy, Chairman of the Senate Armed Services Subcommittee, took personal charge of our issue. CWA International President Morty Bahr's statement on Senator Kennedy's involvement can be viewed at, <http://www.cwa-comtech.org>. **Read the April 11, 2002 posting entitled "H-1b Visa Update."** Also, Illinois Senator Richard Durbin, member of the Senate Select Committee on Intelligence, called President Bahr's office within minutes of being informed of AT&T's contingency plan of training foreign nationals.

Apparently, AT&T received a few phone calls too. **The next day, March 5, 2002, AT&T immediately issued a gag order on all employees** via an AT&T- ESAP e-mail message to employees. **The e-mail threatened employees with discipline up to and including dismissal** for talking with the press and/or members of Congress about our issue. Between March 5, 2002 and April 18, 2002, despite news coverage and inquiries from Congressional offices and employees, AT&T's response was a resounding **"no comment."** To this day, AT&T has never made an attempt to deny our charges.

On April 13, 2002, AT&T, CWA and the IBEW reached a tentative settlement on a new collective bargaining agreement. Even though a contract agreement was reached, AT&T continued their training of foreign nationals. On April 18, 2002, AT&T President Frank Ianna sent a letter to the CWA in which he purported that AT&T had ceased all contingency training of management and contractors. Ianna alleged this included the foreign nationals being trained in provisioning of the 4E/5E switches. His letter can be viewed at <http://www.cwa-comtech.org>.

If you read the text of the letter you probably noted AT&T was very careful to say that only contingency training was suspended. Training of domestic and/or foreign national contractors continues. We believe AT&T has off shored over 80 systems and has plans for dozens more. These systems, among other things, control the physical networks and contain the sum of a given network's engineering and customer records.

After the tentative contract agreement, AT&T tried to paint our issue of Homeland Security as nothing more than a union bargaining scheme. Meanwhile, CWA Locals 4250 and 4998 produced a thirty-second television commercial regarding AT&T's training of foreign nationals and its potential threat to Homeland Security. Commercial time was purchased and it was scheduled to air on the Chicago affiliate of the NBC *Good Morning America Show* on April 24, 2002 and run until May 11, 2002. On April 18, 2002, AT&T Vice President Christopher O'Flynn faxed Local 4250 President Tisza a thinly veiled threat of legal action should the commercial spot air. O'Flynn's letter said running the commercial; *"will cause AT&T substantial harm if broadcast."* Because of obvious pressure from AT&T, *NBC news officials caved in and pulled the 30 second commercial at the very last minute.* NBC faxed a letter to Local 4250 President Steve

Tisza on April 26, 2002 that stated, “*NBC 5 was unable to accept our commercial.*” NO reasons were given! You may view the 30-second commercial at the local 4250 web site <http://www.cwalocal4250.org/outsourcing>

This was the only time AT&T issued any sort of denial. To date, AT&T has not offered an explanation or rebuttal to our charges of a potential risk to the network by using foreign nationals to provision the 4/E & 5/E switches. AT&T has not offered any response to the network restoration risks posed by the engineering systems’ programming and maintenance work that is being performed offshore. AT&T has not provided an explanation or acknowledgement of foreign nationals currently in training for a wide variety of critical work. In sum, rather than face the issues AT&T continues to stonewall the CWA, AT&T employees, Congress and the public with a total disregard for Homeland Security!

We have reason to believe the work associated with over 80 computer systems and applications has already been off shored to **India** and **China**. Plans are in place to move all application maintenance offshore in the next two to three years. It is AT&T’s intent to only perform system development in this country. Soon, every AT&T network system, circuit and customer record will be in the hands of **offshore workers**.

CWA Vice President Ralph Maly has explained to AT&T that our issue was never about bargaining. **Homeland Security takes precedence**. Former CEO Armstrong did not get it. Perhaps it is more accurate to say he chose not to get it. He preferred to stonewall while continuing to offshore work. Hundreds, perhaps thousands of management systems and programming jobs are already lost. How many more jobs will we allow to leave our country? Armstrong is finally gone. But his legacy remains. To date, the CWA hasn’t received any indication from CEO Dave Dorman that he will be any more empathetic or forthcoming. **AT&T continues to bury the truth**. AT&T is counting on threats and intimidation of union representatives and employees to prevent further information from leaking. We fully acknowledge AT&T’s extreme sensitivity to these issues and the corresponding high risk of disciplinary action as evidenced by the following example.

In April 2002, because of AT&T’s steadfast refusal to provide us with necessary and relevant information to process a grievance regarding the training of foreign national contractors on work performed by our members, five (5) CWA Local Presidents composed a letter which was sent to AT&T employees and contractors. The letter requested information AT&T refused to provide the Local Presidents and the NLRB. The CWA five are; Steve Tisza Local 4250, Mary Lou Algieri Local 1153, Keith Adams Local 4351, Dan Danaher Local 4998 and Kathy Kinchius Local 9415.

On June 14, 2002, the CWA five Presidents received a letter from *Akin, Gump, Strauss, Hauer & Feld a Washington, D.C. law firm* representing AT&T. AT&T accused us of *violating the Federal Economic Espionage Act*. Keith Adams and Dan Danaher, *employees of AT&T*, were also accused of violating AT&T’s Code of Conduct. On/about

July 1, 2002, AT&T security interrogated Adams of Cincinnati and Danaher of Oakbrook and *both were disciplined and placed on final misconduct warnings as a result of our joint April 2002 letter*. Only interventions by the CWA National office saved them from termination.

On June 18, 2002, delegates attending the 64th Annual CWA Convention unanimously passed a resolution to repeal the H-1B Visa Program. The CWA five local presidents AT&T accused of Economic Espionage and the Ad-Hoc Committee spearheaded passage of the resolution. To date, CWA is the *only AFL-CIO International Union to have passed such a resolution*.

In September 2002, Local 4250 President/Delegate Steve Tisza submitted a resolution similar to CWA's to delegates attending the 35th Illinois State AFL-CIO Convention. The resolution passed unanimously and Illinois became the *only State AFL-CIO body to pass a resolution to repeal the H-1B Visa Program*.

One final point, the CWA Communications & Technologies Ad-Hoc Committee met with Barbara Maniscalco, newly appointed AT&T Vice President of Labor Relations, on January 31, 2003. Upon conclusion of her remarks to the full Committee, *Dave Skotarczyk, President of Detroit Local 4050 requested the disciplinary warnings be expunged from Keith Adams and Dan Danaher's records*. Ms. Maniscalco promised she would investigate and get back to the Ad-Hoc Committee. Time will tell if she truthfully wants to partner with the union as she professed during her remarks to the Ad-Hoc Committee. *As we go to press, she has not responded!*

EPILOGUE

WE NEED YOUR HELP ON

- AT&T work already known to be off shored
- AT&T work to be off shored in the future
- Who performs the work (Work Location, Organization & Job Titles)
- How many jobs are affected
- Are there any national security concerns related to the work being off shored
- Any/all other relevant information

If you have any information on the above items, or training of foreign nationals, please contact either of us immediately. All communications with us will be kept strictly confidential and **all relevant information will be forwarded to Senator Ted Kennedy**.

If you cannot provide us with any information, you can help by **WRITING** your Congressperson immediately. Go to, <http://www.congress.org>. Input your zip code and e-mail them now! When you go to your Congressional Representatives' web site make

note of their fax numbers. Because of the high security for regular mail most Congressional offices are backed up on their e-mail. ***Faxed personal letters are currently the best method of congressional communications.***

As you ponder your decision to send us information, consider whether your loyalty to your country and to your family is greater than your loyalty to, or fear of, AT&T senior management. Do you have a family member in the military? Has your pension been slashed? Have your health care costs increased? Our soldiers and perhaps even our families' lives are at risk. Certainly our livelihoods and standards of living are at risk!

We wish to make clear our separation between AT&T and its current senior management. We wish no harm to the Company itself. On the contrary, our and our members' livelihoods and retirement benefits are contingent upon a healthy AT&T. It is the senior management team with whom we are at odds. ***They have no honor or integrity!***

Further, nothing in this letter is intended to show disrespect or hostility towards any other country, its culture or its citizens. We bear no animosity towards any individual H-1b or other visa-carrying employee. Like us they are trying to earn a living and feed their families.

Prior to September 11, 2001, we unquestionably would have focused only on the job loss issues. As most Americans, we would have been inclined to ignore the national security risks. Now, we cannot afford to! ***YOU*** cannot afford to! Especially, when such a disaster is within our power to prevent.

Information and articles regarding the H-1B Visa Program and offshore & outsourcing of work can be found on the CWA Local 4250 Web Site under the icon titled, ***H-1B Visa/Offshore & Outsourcing***. Items on this page are listed in chronological order. Access the CWA Local 4250 web site now, at <http://www.cwalocal4250.org/outsourcing> Please ***Register for e-mail alerts*** and future ***Just-Us*** issues before you leave!

Fight Back:

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You may request to be removed from future mailings of Just-us by replying to this e-mail and ask to be removed from our list.

Sunday, April 28, 2002 – Washington, DC

TO: All Members, Retirees, Activists and LNS Employees

SUBJECT: NBC REFUSES TO AIR LOCAL 4250 30 SECOND SPOT

I became aware of the attached [letter](#) from Christopher W. O'Flinn, Vice President AT&T Employee Relations dated April 19, 2002 upon my return to the local union office on Tuesday, April 23, 2002.

On Monday, April 22, 2002, without prior notification to me, NBC – Chicago Channel 5 *preempted* our 30-second spot and ran another spot in our place. On Friday, April 26, 2002, while on my way to Washington, DC to a contract explanation meeting, NBC faxed me notification that *NBC 5 was unable to accept our Commercial copy*. No reasons were given as to why.

Members, Retirees, Activists and LNS Employees who have a concern about *Freedom of Speech and First Amendment Rights* may express their views to AT&T CEO C. Michael Armstrong at mikearmstrong@ems.att.com

Fight Back:

**Steve Tisza, President
CWA Local 4250**



April 19, 2002

Steve Tisza, President, Local 4250
Communications Workers of America AFL-CIO
806 N. Dearborn Street
Chicago, IL 60610

Dear Mr. Tisza:

It has come to our attention that you are planning to run a commercial on NBC on April 22, 2002.

This is to advise you that certain statements contained in this commercial pertaining to AT&T are false and, as such, will cause AT&T substantial harm if broadcast.

Specifically,

1. The subcontractors in question would have had no access to AT&T's core network nor performed any work for government customers;
2. Network maintenance would not be done outside the United States; and
3. We have ceased training outside contractors for contingency planning purposes.

These are facts. To publicly misrepresent this situation as a network security issue is both irresponsible and damaging to AT&T.

Sincerely,

A handwritten signature in cursive script that reads "Chris O'Flinn".

Christopher W. O'Flinn
Vice President

cc: Ralph Maly

STEVE TISZA, PRESIDENT
LOCAL 4250/5050, C.W.A.

APR 23 2002

RECEIVED

STEVE TISZA, *President*



LOCAL 4250/5050

Workers of America

January 24, 2002

Daniel P. Burnham, **NSTAC CHAIR**
Chairman and CEO, Raytheon Company
141 Spring Street
Lexington, Massachusetts 02421

(AFFILIATED WITH AFL-CIO)

806 NORTH DEARBORN STREET
CHICAGO, ILLINOIS 60610
TELEPHONE 312 988-9177
FAX 312 988-9302

RE: THREAT TO NATION'S COMMUNICATIONS INFRASTRUCTURE

Mr. Burnham:

I am writing to you requesting an immediate inquiry and/or hearing by the National Security Telecommunications Advisory Council (**NSTAC**) to investigate the training of foreign nationals from India by AT&T Corp. Training is currently taking place at an AT&T work location in Oakbrook, Illinois. When questioned by the Communications Workers of America (CWA) National Office, AT&T employee relations would only state that the ongoing training is ***a contingency plan to be used by AT&T in the event of a strike by the CWA on May 11, 2002.*** AT&T has denied CWA Local 4998 access to the Oakbrook, Illinois work location and has changed all door codes. NLRB charges are in the process of being filed. However, time is of the essence.

Meanwhile, Indian nationals are being trained on work formerly performed by approximately one hundred sixty-five (165) CWA Local 4250 and 4998 represented workers from the Oakbrook, Illinois and 10 South Canal, Chicago AT&T work locations. Most of these workers were fired by AT&T on December 14, 2001. ***Trained Indian workers will have access to AT&T's network via all nationwide 4E and 5E switches. Access is needed to provide AT&T's large and small business customers services such as inbound and outbound 800 lines, ISDN and T1 pipes.***


This information is being conveyed to you because of your position as Chairman of the NSTAC. As you know, former President Ronald Reagan created the council in 1982. It was accomplished via his Executive Order (E.O. 12382) due to the pending divestiture of AT&T, the increased reliance of the Government on commercial communications, the potential impact of new technologies on NS/EP telecommunications and the growing importance of command, control and communications to military and disaster response. September 11, 2001 made us all too aware of the importance of protecting our nation's communications infrastructure. Obviously, our national air security and intelligence was breached when three of four terrorist-piloted planes hit their targets. One did not, solely because a few passengers decided to ***fight back.***

As a CWA Local Union President and former AT&T technician, I represent AT&T/CWA employees in Chicago and Northwest Indiana. I know a little bit about AT&T security, or lack of, as a result of thirty-five years of experience in dealing with them. ***Did AT&T inform U.S. Security and/or Intelligence Agencies of "AT&T's contingency plan?" Should AT&T allow foreign nationals access to our nation's communications infrastructure?*** AT&T refuses to answer these questions and others. Their response has been, ***It's our contingency plan.*** It wouldn't take much for a computer hacker, with access to the AT&T network, to wreak havoc on our nation's critical communications infrastructure. ***Why should AT&T be allowed to continue with this un-American contingency plan?*** Especially, in the aftermath of 9-11, the ongoing war on terrorism and current stand off between India and Pakistan.

This is not just a CWA – AT&T labor relations issue. If unchecked, it could become a potential threat from hostile foreign intelligence agents to the telecommunications, energy, financial, transportation, health care, manufacturing and emergency service sectors of our great country.

God Bless America!

Fight Back:


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cc: Homeland Security
Business Round Table