

# NWPA ALF NEWS

OCTOBER EDITION

## Indigenous Peoples Day



## WHAT IS INDIGENOUS PEOPLES' DAY?

Indigenous Peoples' Day advocates say the recognition helps correct a "whitewashed" American history that has glorified Europeans like Italian explorer Christopher Columbus who have committed violence against Indigenous communities. Native Americans have long criticized the inaccuracies and harmful narratives of Columbus' legacy that credited him with his "discovery" of the Americas when Indigenous people were there first.

"It is difficult to grapple with the complete accomplishments of individuals and also the costs of what those accomplishments came at," said Mandy Van Heuvelen, the cultural interpreter coordinator at the Smithsonian's National Museum of the American Indian.

There are no set rules on how one should appreciate the day, said Van Heuvelen, a member of the Cheyenne River Sioux Tribe from South Dakota. It's all about reflection, recognition, celebration and an education.

"It can be a day of reflection of our history in the United States, the role Native people have played in it, the impacts that history has had on native people and communities, and also a day to gain some understanding of the diversity of Indigenous peoples," she said.

The idea was first proposed by Indigenous peoples at a United Nations conference in 1977 held to address discrimination against Natives, as [NPR has reported](#). But South Dakota became the first state to replace Columbus Day with Indigenous Peoples day in 1989, officially celebrating it the following year.

Biden's proclamation signifies a formal adoption of a day that a growing number of states and cities have come to acknowledge. Ten states and Washington, D.C., now recognize Indigenous Peoples' Day via proclamation, while [10 states officially celebrate it](#). More than 100 cities celebrate the day, with many of them having altogether dropped the holiday honoring Columbus to replace it with Indigenous Peoples' Day.

Native Americans have borne the brunt of the work to make that happen.

What might seem to some like a simple name change can lead to real social progress for Indigenous Americans, said Van Heuvelen. "What these changes accomplish, piece by piece, is visibility for Native people in the United States," she said. "Until Native people are or are fully seen in our society and in everyday life, we can't accomplish those bigger changes. As long as Native people remain invisible, it's much more easier for people to look past those real issues and those real concerns within those communities."

[Goodbye, Columbus? Here's what Indigenous Peoples' Day means to Native Americans - OPB](#), By Emma Bowman (NPR), Accessed 9/18/23.

## UPCOMING EVENTS

**MONDAY, OCTOBER 23, 2023**

**LAST DAY TO REGISTER TO VOTE**

[WWW.VOTE.PA.GOV](http://WWW.VOTE.PA.GOV)

**SATURDAY, OCTOBER 28, 2023**

**56TH ANNUAL MEADVILLE HALLOWEEN PARADE**

6:30 PM

[WWW.MEADVILLEHALLOWEENPARADE.COM](http://WWW.MEADVILLEHALLOWEENPARADE.COM)

**TUESDAY, NOVEMBER 7, 2023 ELECTION**

POLLS OPENED: 7:00 AM-8:00 PM

**SATURDAY, NOVEMBER 18, 2023**

**ROSANN BARKER'S RETIREMENT PARTY**

SATURDAY, NOVEMBER 18, 2023 BEGINNING AT 5 PM

VFW

FRANKLIN, PA 16323

TICKETS ARE STILL AVAILABLE \$25

DINNER AND CASH BAR

IF YOU ARE INTERESTED IN VOLUNTEERING OR FURTHER INFORMATION

[DIRECTOR.NWPA.ALF@GMAIL.COM](mailto:DIRECTOR.NWPA.ALF@GMAIL.COM)

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This Halloween, don't settle  
for a **trick!** Make sure  
your candy selection  
is a union-made **treat.**

*NWPA ALF Golf Outing 9/8/23*  
*Thank you to all our Sponsors and Participants*







## **Asbestos and Toxic Exposure Notice**

By Signe O'Brien Rudberg, Esquire

If you believe you were exposed to asbestos or other toxins at any jobsite, you should be aware of your legal rights.

Please note that based on Pennsylvania law, if you were exposed to asbestos containing products or other toxins and have been diagnosed with a related medical condition, you may have a Workers' Compensation case against your employer AND a case against the manufacturers of the toxic products. In certain circumstances, if a Workers' Compensation case cannot be filed you may be able to sue your employer directly. Previously you would not have been permitted to file a case against your employer for benefits. This claim would be a claim filed in Common Pleas Court and not a Workers' Compensation claim so this is an exception to the Workers' Compensation Act allowing you to bring a claim directly against your employer.

Please be advised that the following disease processes have been linked to exposure to asbestos related products:

- Mesothelioma
- Lung Cancer
- Asbestosis
- Esophageal Cancer
- Colon Cancer

Please also note that exposure to BENZENE may permit you to file a claim for the development of the following diseases:

- Leukemia
- Acute Myelogenous Leukemia (AML)
- Myloplastemia
- Aplastic Anemia
- Refractory Anemia
- Chronic Myelomonocytic Leukemia (CMML)
- Chronic Lymphocytic Leukemia (CLL)
- Multiple Myeloma
- Non Hodgkins Lymphoma (B-Cell Lymphoma or Follicular Lymphoma)

If you need assistance with this or any other Work Comp or injury issue, please feel free to contact the Attorneys at EDGAR SNYDER & ASSOCIATES toll free at 1-866-306-2667 or email [srudberg@edgarsnyder.com](mailto:srudberg@edgarsnyder.com).



US Steel Tower 10<sup>th</sup> Floor, 600 Grant St, Pittsburgh PA 15219  
1.866.306.2667 – 412.488.6000  
[www.edgarsnyder.com](http://www.edgarsnyder.com)

**Know Your Rights!**

**Protect Your Rights!**

## This Is Why We Should Celebrate Indigenous People's Day, Not Columbus Day

BY LOLA MÉNDEZ

10.09.20 at 12:05 pm



A student of Anahuacalmecac International University Preparatory of North America school for indigenous students holds incense during an event celebrating Indigenous Peoples Day in the Hollywood area on October 8, 2017 of Los Angeles, California. Photo by David McNew/Getty Images.

Colonizer Christopher Columbus sailed across the Atlantic ocean and accidentally arrived in the Americas in 1492 but it isn't really something worth celebrating considering the destruction, disease, violence, and genocide he brought with him. Rather, Columbus Day, which has been "celebrated" on the second Monday of October since 1937 is a day of mourning for Indigenous people across the Americas.

This year, many of the festivities are going virtual due to the pandemic—but why are they even happening at all? It's clear from the number of Columbus statues that have been unearthed during the anti-racism demonstrations that the Italian voyager isn't our hero. Even without as many statues bearing his likeness across the country, Columbus remains revered as an important historical figure rather than being known for the bloodshed he caused.

When Columbus set foot in America's he and his predecessors unleashed havoc. European colonizers were responsible for the death of [at least 56 million Indigenous](#) people across the Americas by the 1600s. This is still the biggest genocide in history. Yet some people, even Latinx, still hail Columbus as the founder of the "new world" who "saved savages."

The movement to replace Columbus Day with [Indigenous Peoples Day](#) has been gaining momentum in recent years. We must honor the history and culture of the first people who inhabited the land without denying or diminishing the violence they endured when Europeans came to conquer their land.

Italian-Americans, we ask you sincerely, is this the claim to fame your community wants to support? [Gov. Andrew Cuomo](#) is against removing the statue of Columbus in Manhattan's Columbus Circle as he believes the statue signifies "appreciation for the Italian-American contribution to New York." We can think of many better Italian figures for this honor rather than a person who is the reason why Indigenous people today are still oppressed.

[This Is Why We Should Celebrate Indigenous People's Day Not Columbus Day \(remezcla.com\)](https://remezcla.com)



**LOOK FOR THE FOLLOWING CANDIDATES ON YOUR BALLOT  
TUESDAY, NOVEMBER 7, 2023**



**SUPREME COURT—JUDGE DAN MCCAFFERY**  
[WWW.JUDGEMCCAFFERY.COM](http://WWW.JUDGEMCCAFFERY.COM)



**COMMONWEALTH COURT— JUDGE MATT WOLF**  
[WWW.JUDGEMATTWOLF.COM](http://WWW.JUDGEMATTWOLF.COM)



**SUPERIOR COURT—JUDGE TAMIKA LANE**  
[WWW.JUDGELANEFORPA.COM](http://WWW.JUDGELANEFORPA.COM)



**SUPERIOR COURT—JILL BECK**  
[WWW.JILLBECK.COM](http://WWW.JILLBECK.COM)



## **MOTORCYCLE INSURANCE: MAKE SURE YOU'RE COVERED BEFORE HITTING THE OPEN ROAD**

By: Kelly Enders and Samsher Dhaliwal

Motorcycle riders often patronize a specific make of motorcycles and know the bikes like the back of their hand, but what about motorcycle insurance after the purchase is made? Riders face unique dangers on the road, as they are far less protected in a crash than typical motorists. Nobody wants to think about insurance when looking at a brand-new bike, but it can make a profound difference for you and your family if things go wrong.

Insurance doesn't just affect your ability to ride your bike legally, it affects your rights and financial well-being in the event of an accident. This past summer, our firm has seen a significant rise in seriously injured motorcyclist cases. Unfortunately, a common thread in many of these cases has been the lack of adequate coverage under the injured individual's own policy. Accordingly, we felt compelled to make motorcyclists aware of their insurance options by providing a guide to motorcycle insurance coverages.

### **Liability Limits**

Pennsylvania law requires motorcyclists to carry the same required liability insurance limits as regular car insurance coverage—meaning that you must have a minimum of at least \$15,000 in bodily injury per person, \$30,000 in total bodily injury per accident, and \$5,000 in property damage per accident. Liability coverage protects your assets if you cause an accident—so consider raising your policy to higher limits in case you cause significant injuries to another motorist.

### **First Party Benefits and Medical Coverage (at least \$10,000)**

When purchasing regular car insurance, your First Party Benefits may include wage loss, medical coverage, and funeral benefits. Medical coverage, sometimes referred to as personal injury protection, provides coverage for your own injuries relating to an accident—regardless of fault and without co-pay and deductibles. Distinct from car insurance where medical coverage is required, Pennsylvania law does not require any form of first party benefits for motorcycle insurance. Without this type of coverage, motorcyclists may have to make a claim under their own health insurance policy to pay for treatment after an accident, and any payments made may be subject to rights of reimbursement of the health insurance company called “subrogation.” Health insurance subrogation is often complex and should only be handled by an experienced attorney.

In order to protect yourself from extensive medical bills, we recommend having a minimum of \$10,000 in first party medical coverage on your motorcycle insurance policy.

### **Right to Sue: Full Tort/Limited Tort Not Applicable**

All motorcycle insurance is considered “full tort,” meaning that all motorcycle riders can legally recover for pain and suffering in the event of an accident. Again, this is different from regular car insurance where there is a “limited tort” option that trades your right to sue for injuries caused by another person in exchange for a lower premium. Because motorcycle insurance is subject to different laws than car insurance, all motorcyclists retain full rights to sue for pain and suffering.



**Underinsured and Uninsured Motorist** (at least \$100,000 per person/\$300,000 per occurrence)

In Pennsylvania, uninsured and underinsured coverage is optional for motorcycle insurance. However the importance of obtaining these coverages is highlighted by three scenarios: 1) you suffer injuries, wage loss, and medical expenses greater than the at-fault driver's liability policy limits for the injuries and damages you sustained, 2) the at-fault driver is completely uninsured, or 3) you're the victim of a hit-and-run and the at-fault driver cannot be located?

In the first instance, underinsured coverage provides recovery against your own insurance for damages suffered in excess of the at-fault party's insurance limits. Where a car can absorb some of the impact in a collision, a motorcycle is exposed and therefore more likely to result in serious injuries to the rider. Without underinsured coverage, the bodily injury limit of the at-fault driver's policy is the maximum that you can recover even if your medical bills far exceed that limit. Especially without medical coverage, underinsured coverage is a necessity for all motorcyclists to receive full compensation for their injuries.

In the second and third instance, uninsured coverage provides recovery against your own insurance if the at-fault driver doesn't have insurance or you're the victim of a hit-and-run and the police can't find the at-fault driver. Without uninsured coverage, both situations may leave you responsible for all of your medical bills. For these reasons, our firm recommends maintaining at least \$100,000 per person/\$300,000 per occurrence for underinsured and uninsured coverage through your motorcycle insurance policy.

**Stacking of Limits**

Both underinsured and uninsured coverage can be "stacked," meaning that the limits for uninsured and underinsured coverage are multiplied by the number of vehicles/motorcycles in your household. Stacking provides the most protection for the motorcyclist suffering serious and potentially life-threatening injuries. Maximizing the insurance available to you protects not only you, but also your family in the event of a crash.

**Call Caroselli, Beachler & Coleman, LLC—Experienced Motorcycle Attorneys**

Insurance coverage is often a second-thought when it's all that stands between you and the open road. Even though the minimum coverages reflect a lower monthly premium, it fails to protect you and your loved ones financially if something goes wrong—and that can mean a difference in your ability to pay for the best care available. Ultimately, if someone else is liable for the accident, our attorneys can hold them accountable. With over 50 years representing injured motorcyclists, at Caroselli Beachler & Coleman we have the experience to identify the most favorable insurance coverages and ultimately obtain the compensation you deserve. If you have questions, we can be reached toll-free at 1-800-222-8816. Our team would be happy to sit down with you, your family member or friend to discuss any potential case or insurance coverage you may need for yourself or your family.

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## **DON'T GET "TRICK"-ED INTO GIVING UP YOUR RIGHTS!**

There is no reason to be "fright"-ened when you suffer a work injury. Some employers will try to get an injured worker to avoid the workers' compensation route for an injury and make life difficult, but it's YOUR SKELETON that is injured, so you need to stand your ground! And having an attorney to represent you is the best first step. Till you talk with us, though, here are some pointers.

First, many employers will say the injury "didn't happen," or "didn't happen here." This is particularly true for someone who might suffer a cumulative trauma injury, such as carpal tunnel or an injury where your back or knee just "gives out." If your job is physical or repetitive, then the injury should be reported as an over time injury, with the last day of work before seeking medical treatment as the date of injury. Don't let anyone trick you into giving a date that doesn't go along with that timeline—"when did you first notice it?" "well didn't something specific happen?" In the first situation, an employee might have noticed the complaints months ago, but they have gotten worse over that time period. If the date of injury given is months ago, it could be more than 120 days since the issue arose—and that would mean notice is **UNTIMELY! BOO!** Don't fall into that trap! Similarly, if the employer asks about a specific incident, and there wasn't one, just say so—trying to "create" a specific incident will just result in issues when testifying before the Judge—a tangled spider web of complications! Cumulative trauma injuries are often denied for these very reasons—no specific date, coming on over a period of time—**BUT THEY ARE COMPENSABLE.** Don't let an employer/carrier frighten you off from asserting your rights!

Second, don't be afraid to switch among the panel providers if the first doctors isn't helping. Remember from our prior articles that you must treat with a panel provider for 90 days from the date of the first appointment, but you don't have to stay with the same one(s) and the employer/carrier cannot tell you "witch" one to see. If there is a specialist on the panel for your work injury—orthopedic provider for a bone injury, for example (or muscles or ligaments too)—an injured worker should not need a specific referral to see that provider—**THEY ARE ON appointment.** And remember—the adjuster or HR representative doesn't need to make the appointment for you—don't let them bewitch you into giving up the right to manage your own care! Similarly, watch if you are being given prescriptions or other "potions" that are being denied for coverage or you start getting bills from providers who are on the panel—or you thought were on the panel. This means there is something wrong and you need to contact us right away!

If the doctor gives you restrictions that cannot be accommodated by the employer for whatever reason, **DO NOT COLLECT UNEMPLOYMENT WITHOUT CALLING US.** If you have a work injury and have medical restrictions, you have the right to be paid total disability benefits—but if the claim is denied, or has not yet been accepted by Bureau of Workers' Compensation documents, some employers will not offer modified duty. In some situations, of course, that injured worker simply must apply for unemployment—bills, family, etc.—but that is a taxable benefit, where workers' compensation is not. Please call us right away, so that a claim can be filed if the doctor is treating you for a work injury and says the restrictions are due to that injury—don't wait to see if the employer/carrier might change the decision. And if you are back to work with restrictions but not permitted to accept overtime or are working a lesser paying shift due to the restrictions, you likely have a partial disability benefit due—but employers/carriers often try to avoid the payment. Don't let them!

Should your claim be accepted without litigation, and things be running smoothly, be aware—there are examinations an injured worker must attend and forms that must be completed or benefits can be sacrificed. Sometimes these matters can **CREEP** up on an unsuspecting injured worker! And if there are questions or concerns, don't be afraid to call us—we don't charge a fee for inquiries like these!

**THE PANEL.** Contact the office of the panel provider you want to see and make an appointment. And remember—the adjuster or HR representative doesn't need to make the appointment for you—don't let them bewitch you into giving up the right to manage your own care!

Similarly, watch if you are being given prescriptions or other “potions” that are being denied for coverage or you start getting bills from providers who are on the panel—or you thought were on the panel. This means there is something wrong and you need to contact us right away!

If the doctor gives you restrictions that cannot be accommodated by the employer for whatever reason, **DO NOT COLLECT UNEMPLOYMENT WITHOUT CALLING US.** If you have a work injury and have medical restrictions, you have the right to be paid total disability benefits—but if the claim is denied, or has not yet been accepted by Bureau of Workers' Compensation documents, some employers will not offer modified duty. In some situations, of course, that injured worker simply must apply for unemployment—bills, family, etc.—but that is a taxable benefit, where workers' compensation is not. Please call us right away, so that a claim can be filed if the doctor is treating you for a work injury and says the restrictions are due to that injury—don't wait to see if the employer/carrier might change the decision. And if you are back to work with restrictions but not permitted to accept overtime or are working a lesser paying shift due to the restrictions, you likely have a partial disability benefit due—but employers/carriers often try to avoid the payment. Don't let them!

Should your claim be accepted without litigation, and things be running smoothly, be aware—there are examinations an injured worker must attend and forms that must be completed or benefits can be sacrificed. Sometimes these matters can CREEP up on an unsuspecting injured worker! And if there are questions or concerns, don't be afraid to call us—we don't charge a fee for inquiries like these!

Finally, if the time comes to settle your workers' compensation claim, don't be tricked into taking less than you are entitled to have. If an offer to settle is made and you are unrepresented by counsel, that usually means your case is worth more than they are offering! Don't be afraid to call us to discuss the settlement and make sure everything that you need to have covered is covered. You may be tricked into giving up future rights for a lump sum now! Or there might be strings attached to the settlement that no one tells you until it's the eve of the settlement hearing!!! It is never a good idea to settle a workers' compensation claim without competent counsel who understand the workers' compensation settlement process. The devil is in the details! Also, there will be a hearing, and a Judge will want to know that the employee hasn't been tricked and there hasn't been skull-duggery—so you want to be confident that you are treated right!

**BLAUFELD SCHILLER & HOLMES LLP**  
810 Penn Avenue, Suite 700  
Pittsburgh, PA 15222  
412-391-0775  
1-800-343-9384  
bsh@bshlaw.net



**NWPA ALF Blended Meeting**

**Meeting 7:00 PM on Wednesday, 12/13/23**

**EBoard 6:00 PM**

**In person: AFSCME DC 8 Hall**

**1276 Liberty St Franklin, Pa 16323 or via Zoom**

**Special Speakers—TBD**

**RSVP 814-450-6520 or [director.nwpa.alf@gmail.com](mailto:director.nwpa.alf@gmail.com)**

**BEAVER-LAWRENCE CLC:**

MEETING 7:00 PM  
MONDAY, 10/16/23  
IBEW 712 HALL  
217 SASSAFRAS LANE  
BEAVER, PA 15009

FOR MORE INFORMATION CALL  
724-971-7473

**ERIE-CRAWFORD CLC**

MEETING 6:30 P M  
WEDNESDAY, 10/4/23

ADMIRAL ROOM-BLASCO  
LIBRARY 160 W. FRONT ST  
ERIE ,PA 16507

FOR MORE INFORMATION CALL  
814-823-9940.

**MERCER COUNTY CLC:**

MEETING 7:30 PM  
THURSDAY, 10/19/23

USW 1660 HALL  
1028 ROEMER BLVD  
FARRELL, PA16121  
FOR MORE INFORMATION CALL  
724-854-0605.

**BUTLER COUNTY CLC:**

MEETING 7:30 PM ON WEDNES-  
DAY, 10/4/23  
UAW 3303 HALL  
112 HOLLYWOOD RD., BUTLER,  
PA 16003

FOR MORE INFORMATION CALL  
724-285-4883 EXT. 233

**GREATER WESTMORELAND  
CLC:**

MEETING 7:00 PM ON MONDAY,  
10/16/23

HEMFIELD VFD  
421 THORNTON RD GREENS-  
BURG 15601

FOR MORE INFORMATION CALL  
724-600-6266.

**VENANGO-CLARION CHAPTER:**

BLENDED MEETING 6:00 PM  
THURSDAY, 10/12/23

IAM 1842 HALL  
24 FRONT ST  
FRANKLIN 16323

FOR MORE INFORMATION CALL 814-  
671-4420.

**CLEARFIELD-ELK-CAMERON-  
JEFFERSON (POTTER) CLC**

BLENDED MEETING 7:30 PM  
THURSDAY, 10/5/23

IBEW LU5  
1400 LEONARD ROAD  
CLEARFIELD, PA16830

FOR MORE INFORMATION CALL  
814-937-2208.

**INDIANA-ARMSTRONG CLC:**

BLENDED MEETING 7:30 PM  
THURSDAY, 10/26/23

UMWA 1412  
51 ELEVENTH ST  
LUCERNEMINES, PA 15754

FOR MORE INFORMATION CALL  
724-479-0923.

**WARREN-FOREST (MCKEAN) CLC:**

BLENDED MEETING 6:00 PM THURS-  
DAY, 10/5/23

IUOE 95 HALL  
116 DOBSON AVE  
WARREN 16365

FOR MORE INFORMATION CALL  
814-730-7558



**PA Area Labor Federation Officers**

Chair Andrew Harkulich  
Sec Treas Phil Lasky  
Vice-Chair Shane Clark  
Vice-Chair Richard Galiano  
Vice-Chair Julie Barnett  
Vice-Chair Maria Delgado  
Vice-Chair William Palmer  
GMP Rep/Trustee Anthony Modaffare  
OPEIU Rep/Trustee Jeffrey Hapke  
IBEW/Trustee Declan Pape

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Rep B CLC Jim Saeler  
Rep CECJ (P)CLC Jeff Miller  
Rep E-C CLC Angel Negron  
Rep GWCLC Walter (Pat) Geiger  
Rep I-A CLC Rachel Sternfeld  
Rep M CLC Lonnie McFall  
Rep V-C Chapter CJ Pete Kluck  
Rep W-F (M) CLC Richard Barrett  
Rep B&CTC Rep Retiree Groups Daryl Busch  
Rep AFSCME Dave Carey  
Rep AFT Antonella Spinelli  
Rep CWA Steve Tulblaenko  
Rep APSCUF Lee Williams  
Rep GMP Anthony Modaffare  
Rep IBEW Frank Telesz Jr  
Rep IBT John Cerra  
Rep IUOE Jeff Blymiller  
Rep IUPAT Ron Buechel  
Rep Iron Workers Greg Bernarding  
Rep OPEIU Jeffrey Hapke  
Rep PAJBWU John Cochran Jr  
Rep SEIU Mike Butler  
Rep TWU Dennis Sabina  
Rep UA James C Kirsch  
Rep UBC Lonnie McFall  
Rep UFCW Rebecca Valvo  
Rep UMWA Chuck Knisell  
Rep USW Paul Pelc

**Director NWPALF**  
Amy Alcorn

**NWPA AREA LABOR FEDERATION,  
AFL-CIO'S**

**CODE OF CONDUCT**

*THE NWPA AREA LABOR FEDERATION, AFL-CIO IS  
COMMITTED TO PROVIDING AN ENVIRONMENT FREE*

*FROM DISCRIMINATION AND HARASSMENT, REGARD-  
LESS OF AN INDIVIDUAL'S RACE, ETHNICITY, RELIGION,  
COLOR*

*SEX, AGE, NATIONAL ORIGIN, SEXUAL ORIENTATION, DIS-  
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PREGNANCY, OR ANY OTHER CHARACTERISTIC PROHIB-  
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*AS, THE AFL-CIO WILL NOT TOLERATE DISCRIMINATO-  
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WORKPLACE—AND THOSE WHO PARTICIPATE IN ANY OF  
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