

# **REGULAR EXECUTIVE BOARD MEETING**

**Wednesday, November 7, 2001**

**ATTENDING:** Louis p. Fallot (Negotiations) Local President  
William F. Freeh Local Vice-President  
Eugene E. Garnes Local Secretary  
Frank G. Snell Local Treasurer

**EXECUTIVE BOARD:** #1. J Keyes #10. A.Donatien  
#2. L.Greenberg #11. J. Cook  
#3. E.Hinrichsen #12. R.Calamera  
#4. S.Gonzalez #13. V.Novak  
#5. T.Gorry #14. S.Robblee  
#6. T.Cappo(Excused) #16. P.Sullivan  
#7. #18. R.Focarile  
#9. J. Endara

The meeting was called to order at 9:13 AM with LVP Freeh presiding.  
The Salute to the Flag was led by LT Snell.

## **I. APPROVAL OF THE MINUTES OF THE OCTOBER 2001 REGULAR AND SPECIAL EXECUTIVE BOARD MEETINGS -**

## **Motion #1**

**"Move to accept the October 2001 Executive Board Minutes as corrected."(EBM 01-11-1)**

(Focarile 2nd Hinrichsen)

**UNANIMOUSLY PASSED**

## **Motion #2**

**"Move to accept the October 2001 Special Executive Board Minutes as corrected."( EBM 01-11-2)**

(Focarile 2nd Snell)

FOR: Garnes, Snell, Keyes, Hinrichsen, Greenberg, Gonzalez, Gorry, Cappo, Endara, Donatien, Cook, Robblee, Sullivan, Focarile

AGAINST: None

ABSTAIN: Novak

**MOTION PASSED**

## **II. CORRESPONDENCE**

The Correspondence file was available for inspection

## **III. NEW MEMBERS**

Jason Swain - NBAE - Staff  
David M. Tinsch - NBC - DH  
William E. Stafford - NBC - DH  
Kevin Crosby - NBC - DH  
Thomas R. Russo - NBC - DH  
William F. Millevoi - NBAE - Staff  
Ramon A. Olivo - PTSC - DH

It was decided to hold off until later in the meeting for the approval of the new members.

## **IV. COMMITTEE REPORTS**

**a) Benefits- No report**

**b) Bar-Laws - No report c**

**c) Elections -No report.**

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**e) Grievance Report - LVP & Grievance Chairman Bill Freeh reported:**

## **At NBC**

**Oct. 1** - Because of the many EJ crews working at the Ground Zero World Trade site, I made several visits to them. They reported no problems, stating that NBC and WNBC were doing all the right things during the coverage of this tragedy.

**Oct. 1-12** - As the alternate negotiator for Local 11, I participated in six sessions with the NABET Negotiating Committee and NBC. One of our contract proposals calls for Daily Hires who work 100 days in a calendar year to be protected by Article XIV (discharge) and Stipulation 12 (suspension). Another of our proposals seeks to make changes in the arbitrator for the Washington, DC office.

The Oct. 12th session was ended abruptly because of the midday notice of the Anthrax case at NBC. LP Fallot immediately went to NBC with the Labor Relations team who were meeting in our office, while I remained in the office to field phone calls. LP Fallot demanded that all our members be removed from the third floor, and Nightly News be moved to studio 1A. By late afternoon NBC set up Anthrax testing, which continued for several days.

**Oct. 15** - Grievance Committee member B. Freeda and I spent the afternoon visiting many NBC shops to discuss the Anthrax situation. We attended a meeting in studio 1A, conducted by Tom Brokaw, and attended by many of our members, to discuss the ongoing Anthrax situation. Many of our members were angry that we were not notified of this scare in a timely manner.

**Oct. 16** - We instructed Network Coordinator J. Krieger to file a 20.10 grievance (expedited arbitration procedure) against NBC for the failure to notify us in a timely manner about the Anthrax case and bomb scares at 30 Rock. This case will be argued before Dr. Joan Parker on Oct. 25.

**Oct. 17** - There were two General Membership meetings at the Local 11 office. The main topic of the day was the Anthrax situation at NBC.

**Oct. 18** - The Grievance Committee met to prepare for the Nov./Dec. Grievance meeting with NBC. We discussed nine grievances involving editing, warning letters, workload, non-NABET personnel doing our work, including technical manager R. Cucci, as well as the 20.10 grievance on the Anthrax notification.

**Oct. 19** - I visited several NBC shops to follow up on the Anthrax situation.

**Oct. 24** - We prepared Grievance NN01-202, the Anthrax notification case, for arbitration.

**Oct. 25** - We met before Dr. Joan Parker, under the expedited grievance procedure, to arbitrate grievance NN01-202, NBC's failure to properly notify us of the Anthrax case, as well as various bomb scares/evacuations. Present for NABET-CWA were: Sector President J. Clark, LP Fallot, E. Board members T. Gorry, J. Keyes, member B. Batsche, and Attorney S. Sturm. After opening statements by both parties, and long heated discussions over several hours, we requested meetings with key NBC officials, and other agency officials, to answer all our questions regarding the health and safety issues surrounding these recent events at NBC, which jeopardized many of our members. We also agreed to hold open the grievance until our next arbitration date, Nov. 15, to see what, if anything, has been resolved by then. Local 11, under LP Fallot's leadership, will continue to aggressively pursue all matters relating to this case.

**Oct. 30** - The first follow-up safety meeting was held as a result of the 20.10 arbitration. LP Fallot and Local 11 Safety Chairman, Gene Garnes attended this meeting. The Company provided some additional information, but further meetings will be necessary.

**Oct. 31** - I attended the next session (#15) of the NBC negotiations. Additional sessions are scheduled thru November 9th .

#### **At BMG**

**Oct. 25** - We received the arbitration award from Dr. Joan Parker for grievances BMG01-01, the early retirement program, and BMG01-02, the voluntary resignation program. We won this case for our members, as she ruled that BMG violated our contract and must allow our members to participate in these two programs. Thanks to Sector President J. Clark, shop steward M. Hartry, and our Attorney, S. Sturm, for their successful efforts on behalf of our members at BMG, who can now face the closing of the BMG Studios with enhanced financial security.

#### **At NBAE**

**Oct. 16** - LP Fallot met with E. Board member S. Robblee in Secaucus to discuss an issue of one of our members reaching the 1800 hour threshold, and not being made permanent. They investigated the issue of non-NABET personnel being assigned to multi-media work, and also met with the members involved. We are awaiting a response from the Company.

## **At PTSC**

**Oct. 1** - I visited the ENG crews who were stationed at the Ground Zero World Trade site.

**At ROC** - The season at Yankee Stadium has concluded. There were no grievances filed.

## **TWC of NYC**

There is an ongoing issue with Manager M. Buccino performing NABET work. E Board member A. Donatien is investigating.

**p) Daily Hire Advisory Committee** - Attorney Lowell Peterson appeared before the Board to report on the status of the Daily Hire Benefits issue. Some people are excluded because of collective bargaining agreements. He reported on the anthrax situation at NBC and the member's legal options.

**q) Diversity Committee** - G. Muro reported. Kyle Little was elected Chairman of the Committee. The Committee discussed the issue of John Rivera's removal and TPNN. They also discussed the Committee's mandate and are committed to keeping it. The noose incident at NBC is still a topic of discussion with the Committee. They would like to see some closure to it. The Committee will issue a memo clarifying offensive behavior.

**p) Daily Hire Advisory Committee (Con't)** - Attorney Lowell Peterson answered questions regarding the anthrax and bomb scares.

**d) Financial** - LT Snell reported. We completed the first month of our fiscal year. The voucher folder was available for inspection. The 1838 report for August and September was distributed to the Board. He discussed the outcome of the NIO Sector Dues arbitration. We were supposed to get a 60/40 check from the Sector from the \$46,000.00, plus a check for \$5,000.00 for administration expenses, but when we got the check, the Sector had deducted the \$5,000.00 administration expenses off of the top and then figured our cut based on the remaining monies. He feels that this is about all of the monies the Sector will hand over to us. Due to the Sector's new centralized dues collection system, letters went out to all members who were behind in their dues to find out what their intentions are regarding membership. We have already received a number of calls from members in regards to this.

**f) MAP - No report**

**g) Retirement & Pension - No report**

**h) Quality of Life** - No report.

**i) Safety** - LS and Safety Chairman G. Garnes reported. He reported on the meetings that he attended, along with LP Fallot in regards to the anthrax, fire safety, and evacuation. He distributed copies of the bulletins issued to the membership detailing what had taken place at the meetings. The Committee will meet with NBC for its regular meeting on November 27th.

**j) Seniority** - No report

**k) Member News** -

### **Illness**

Rich Langwell (Genesis) is on medical leave.  
Bob Basile (S/F) is in the hospital.  
Vinnie Deale (V/T Opns) remains out on LTD.  
Floyd Webb (BSE) remains out ill.

### **Deaths**

Nolan Kehoe's (NBAE) Father passed away.  
Former Executive Board Member Rich Phillips passed away.

### **Other News**

Frank Pellegrino (S/F) and his wife Angela adopted a baby girl.  
Willie Wong (TWC) and his wife Mimi are the parents of a baby girl.  
Executive Board Member Richard Focarile is a grandfather of a baby girl.

**l) Vacations** - Chairman T. Cappo reported. He distributed copies of the signed 2002 Engineering Vacation Agreement to the Board. Board members are now free to negotiate their profiles in their individual areas.

**m) Membership Services** - No report.

**n) Website** - No report

**o) E-Board Reorganization** - No report.

**Motion #3**

**"Move to accept the Committee Reports."(EBM 01-11-3)**

(Robblee 2nd Donatien)

ABSENT: Hinrichsen

**UNANIMOUSLY PASSED**

**Motion #4**

**"Move to accept the new members contingent upon payment of all applicable dues and fees."(EBM 01-11-4)**

(Garnes 2nd Robblee)

ABSENT: Hinrichsen

**UNANIMOUSLY PASSED**

**VI. OLD BUSINESS**

- a) **NBC - LVP Freeh** reported. Negotiations are currently ongoing and the committee hopes that an agreement can be reached.
- b) **TWC of New York City /ROC/BMG - LVP Freeh** reported. The baseball season is over for our members at Yankee Stadium. We won our arbitration at BMG Records and as such employees who are eligible, must now be offered buy outs. The shop is expected to close by the end of the year.
- c) **NBA Entertainment - LVP Freeh** reported. There is an issue involving the conversion of freelancers to staff after 1800 hours of freelance work. There is another issue of the Company using loggers to operate technical equipment normally done by Tape Operators.
- d) **PTSC - L. Greenberg** reported. Some discussions were held with PTSC in regards to rollbacks requested, as CNN may cancel the contract with PTSC. A meeting will be scheduled for later on this month.
- e) **Secretary Report - LS Garnes** reported. He distributed copies of a draft outlining holidays for the various shops and requested that Board members check them for accuracy. He is still working to resolve our dues issue with NYCOSH.

**f) Organizing** - L.S. & Director of Organizing G. Garnes reported. He updated the Board on the status of organizing within the Local.

**g) 2002 Pocket Planners** - LVP Freeh reported. He reminded the Board that the pocket planners are waiting to be picked up and distributed to the members.

**h) Officer's Fees** - LVP Freeh reported. At this time he turned the chair over to LS Garnes while he made the following motions;

**Motion #5**

**"Move to amend Article III, Section 3.5(g) of the Local Eleven By-laws to read:**

**(g) The Local Treasurer, when not on full-time Leave of Absence, shall receive four hundred and twenty five (\$425) per month as a fee in connection with his/her office. This amount shall be paid each month by the Local Treasurer without further authorization." (EBM 01-11-5)**

(Freeh 2nd Robblee)

FOR: Freeh, Snell, Keyes, Greenberg, Gonzalez, Gorry, Cappo, Donatien, Cook, Calamera, Novak, Robblee, Sullivan, Focarile

AGAINST: None

ABSTAIN: Endara

ABSENT: Hinrichsen

MOTION PASSED

**Motion #6**

**"Move to amend Article III, Section 3.4(c) of the Local Eleven By-laws to read:**

**(c) The Local Secretary, when not on full time Leave of Absence, shall receive two hundred and fifty dollars (\$250) per month as a fee in connection with his/her office. This amount shall be paid by the Local Treasurer without further authorization."(EBM 01-11-6)**

(Freeh 2nd Focarile)

FOR: Freeh, Snell, Keyes, Greenberg, Gonzalez, Gorry, Cappo, Donatien, Cook, Calamera, Novak, Robblee, Sullivan, Focarile

AGAINST: None

ABSTAIN: Endara

ABSENT: Hinrichsen

**MOTION PASSED**

**Motion #7**

**"Move to amend Article IV, Section 4.7, of the Local Eleven By-laws, to read:**

**4.7 Each member of the Local Executive Board, when not on full time Leave of Absence, shall receive one hundred and seventy five dollars (\$175) per month as a fee in connection with his/her office. This amount shall be paid each month by the Local Treasurer without further authorization."(EBM 01-11-7)**

(Freeh 2nd Snell)

FOR: Freeh, Snell, Keyes, Greenberg, Gonzalez, Gorry, Cappo, Cook, Novak, Robblee, Sullivan, Focarile

AGAINST: Donatien

ABSTAIN: Endara, Calamera

ABSENT: Hinrichsen

**MOTION PASSES**

A second reading will be done at the next regularly scheduled Executive Board Meeting and if passed, approval by the Sector will be needed to effect the change. The Chair was then turned to LVP Freeh,

**i) Charges** -LVP Freeh reported. In the matter of Garnes vs. Donovan, Donovan vs. Garnes and Donovan vs. Sullivan, the trial is scheduled for November 29, 2001, at the Local 16 offices.

**j) Office Computer** - R. Focarile reported. He proposed that we buy a new computer to replace the one that E. Roth is currently using as it is outdated. Discussion ensued.

**Motion #8**

**"Move to allocate up to the sum of \$2,000.00 to purchase computer equipment for the office." (EBM 01-11-8)**

ABSENT: Hinrichsen, Cook

**UNANIMOUSLY PASSED**

## NEW BUSINESS

a) **December Open House** -LVP Freeh reported. Discussion ensued as to if and when we want to conduct our annual Holiday Open House. It was decided to have the open house in conjunction with our regular Membership Meeting scheduled for December 12, 2001. We will need to allocate some funds for refreshments for the membership.

### **Motion #9**

**"Move to allocate up to the sum of \$3,500.00 to conduct our Annual Holiday Open House and General Membership Meeting on Wednesday, December 12, 2001." (EBM 01-11-9)**

(Garnes 2nd Sullivan)

ABSENT: Hinrichsen, Cook, Calamera

### **UNANIMOUSLY PASSED**

b) **January 2002 Executive Board Meeting** - LVP Freeh reported. Discussion ensued about the possibility of moving the Executive Board meeting from January 2 to January 9, 2002. It was decided to move the meeting to the latter date.

c) **Mobilization Lanyards**- LVP Freeh reported. He suggested that the Board consider purchasing lanyards for our members for mobilization purposes. LS Garnes to get pricing and report back at next month's meeting.

d) **Shop Steward Elections** -LVP Freeh reported. Shop Steward Elections should already be underway, if not already completed. If there are any problems, Election Chairman J. Jones should be contacted.

j) **CWA Dinner** - LVP Freeh reported. We have received an invite from the CWA to send guests to a Dinner/Dance honoring Barbara Easterling on November 30th. Tickets are \$125.00 per ticket. Discussion ensued.

### **Motion #10**

**"Move to allocate up to the sum of \$500.00 to purchase 4 tickets for the March of Dimes Salute To Labor Dinner/Dance to be held on November 30, 2001." (EBM 01-11-10)**

(Garnes 2nd Snell)

ABSENT: Hinrichsen

### **UNANIMOUSLY PASSED**

**f) Organizers Conference** - LS Garnes reported on an Organizers Conference to be held in Saratoga Springs in December. In view of the fact that we have an Organizing Drive underway, if anyone is interested in attending, please see him.

**g) Carson Daley** - S. Gonzalez reported. This is a new show that NBC will be producing and he inquired if it is a "four wall" under the master agreement. LVP Freeh will look into it.

**h) Fire and Safety Evacuation** - (please see "i" under Committee Reports)

**i) 3rd Floor Newsroom Rebuild** - J. Keyes reported. Manager Ron Schiller awarded most of the work to IBEW #3. Apparently the manager was intimidated by the Local 3 representatives. VP Steve Fastook is looking into it.

**k) Retroactive Withdrawal Status** - LT Snell reported. Discussion ensued on active members who failed to go to withdrawal status upon leaving active work. Many of these members are in bad standing as a result.

### **Motion #11**

**"Move to that NABET-CWA Local 11 members who meet the following criteria be afforded the opportunity to apply for retroactive withdrawal status:**

1. The member received a letter dated 10/26/01 from the NABET-CWA Local 11 office advising them that they are a member not in good standing and suspended.
2. The member contacted the NABET-CWA Local 11 office in response to the letter by 11/16/01.
3. (a) The member did not work in any industry within the jurisdiction of NABET-CWA since 12/31/99, or  
(b) Within the period of 1/1/94 through 12/31/00, the member did not work in any industry within the jurisdiction of NABET-CWA at any time in a calendar year for at least 2 consecutive calendar years.
4. The member must have been a member in good standing on the date when retroactive withdrawal status is being requested.

Upon proper execution of the withdrawal application form by 11/30/01, the effective withdrawal date will be 12/31 of the year when the member last worked in

any industry within the jurisdiction of NABET per item (3) above. As a Withdrawn member, the member will then not be obligated to pay the annual minimum Sector and Local dues for the time period between the effective withdrawal date and the date of return to work. However, if a member works any part of a calendar year, the member is obligated to pay the minimum Sector and Local dues for that entire year. The member's withdrawal status will change back to active status if and when the member returns to work in any industry within the jurisdiction of NABET. Because this motion would relieve members of certain Sector dues obligations, this motion is subject to the approval of the Sector." (EBM 01-11-11)

(Snell 2nd Robblee)

ABSENT: Hinrichsen, Cappo, Cook

**UNANIMOUSLY PASSED**

**D) Juan C. Hortua Dues Letter** - LT Snell read a letter from Brother Hortua requesting dues relief. Discussion ensued. No action taken.

**m) Conrad Carrano Retirement** - Brother Carrano has requested the Local's Retirement Benefit. He has 5 years of service.

**Motion #12**

**"Move to pay the Local 11 Retirement Benefit of \$125.00 to Conrad Carrano contingent upon all financial obligations to NABET-CWA being met. (EBM 01-11-12)**

(Garnes 2nd Novak)

ABSENT: Hinrichsen, Cook

**UNANIMOUSLY PASSED**

**m) William A. Knight Retirement Benefit** - Brother Knight has requested the Local 11 Retirement Benefit. He has 26 years of service.

**Motion #13**

**"Move to pay the Local 11 Retirement Benefit of \$650.00 to William A. Knight contingent upon all financial obligations to NABET-CWA being met. (EBM 01-11-13)**

(Novak 2nd Cook)

ABSENT: Hinrichsen, Cook

**UNANIMOUSLY PASSED**

**o) Get A Pass** - T. Cappo reported. For those employed by GE, they have a new program which will, through payroll deductions, allow you to purchase your transportation tickets with pre-tax dollars. Those interested should contact the Company.

**p) CLC Rehab Request** - LVP Freeh reported. We received a letter from the CLC requesting our financial support of the Rehab Council to help keep it going. This program has helped many of our members in need of help. No action taken at this time. There being no further business, a motion to adjourn was in order.

**Motion #14**

**"Move to adjourn"(EBM 01-11-14)**

(Endara 2nd Donatien)

ABSENT: Hinrichsen

**UNANIMOUSLY PASSED**

The meeting was adjourned at 4:05pm.

Respectfully Submitted,

Gene Garnes,  
Secretary & Director of Organizing