



National Association of Broadcast Employees and Technicians

Gene Garnes
Secretary & Director
of Organizinc

REGULAR EXECUTIVE BOARD MEETING

Wednesday, November 6, 2002

ATTENDING:

Louis P. Fallot	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 (excused) | #12 R. Calamera |
| #4. S. Gonzalez | #13. V. Novak |
| #5. T. Gorry | #14. S. Robblee |
| #6. T. Cappel | #16 P. Sullivan |
| #7. | #18. R. Focarile |
| #9. J. Endara | |

The meeting was called to order at 9:12 am with LP Fallot presiding.

LP Fallot led the salute to the Flag.

V Old Business Business

- i) **Election Report** - Election Chairman Jon Jones reported. We have received the following petitions for the officers elections;

President	Louis P. Fallot Edward McEwan
Vice-President	William Freeh Larry Worster
Treasurer	Mark Hollis Frank Snell
Secretary	Eugene Garnes

As Eugene Games was unopposed and submitted a valid petition, he is declared duly elected. Some of the rules pertaining to elections have been changed, including the signature rule and walk-in rules. We sent out 1383 ballots to the membership and some additional ones, which were requested by individual members. The count will be held on November 26, 2002, 10am, at the AAA.

Motion #1

" Move to accept the election report."(EBM 02-11-1)

(Focarile 2nd Gonzalez)

UNANIMOUSLY PASSED

At this time, LP Fallot administered the oath of office to LS Garnes.

APPROVAL OF THE MINUTES OF THE October 2002 REGULAR EXECUTIVE BOARD MEETING -

Motion #2

"Move to accept the October 2002 Executive Board Minutes as corrected." (EBM 02-11-2)

(Gonzalez 2nd Sullivan)

FOR: Freeh, Garnes, Snell, Keyes, Greenberg, Gonzalez, Gorry, Cappel, Donatien, Cook, Sullivan

AGAINST: None

ABSTAIN: Novak

ABSENT: Robblee, Focarile

MOTION PASSED

Ia APPROVAL OF THE MINUTES OF THE OCTOBER 2002 SPECIAL EXECUTIVE BOARD MEETING

Motion #3

"Move to accept the October 2002 Special Executive Board Minutes as corrected." (EBM 02-11-3)

(Greenberg 2nd Gonzalez)

UNANIMOUSLY PASSED

V OLD BUSINESS

v) **Pat Scanlon Meeting** - At this time, Brother Richard Carter addressed the Board and advised them that a meeting was held in Washington, D.C. on October 9th with himself, Attorneys Lowell Peterson, Matt Harris and CWA's Pat Scanlon to discuss mis-classified employees and the possibility of the CWA funding a lawsuit. LP Fallot received approximately 10 personal services contracts from NBC prior to leaving for the meeting. Afterwards, CWA President Morty Bahr called to say how impressed he was with the presentation. It could possibly become a national issue.

II CORRESPONDENCE

The correspondence file was available for inspection

III NEW MEMBERS

John Conroy	TVS - DH
Gerard Cancel	NBC - DH
David J R Weber	TVS - DH
Seth H. Goldman	NBC - DH
Ronald L. Thompson	TVS - DH
Frank Romao, Jr.	TVS - DH

Matthew W. Celli	NBC - DH
Giuseppe Restivo	NBC - DH
Travis S. Glynn	NBC - DH
Kristi J. Harper	TVS - DH
Julian R. Williams	NBC - DH
Andrea Sgroi	SICTV - Staff- Excelsior List
Christopher Zilinski	SICTV - Staff - Excelsior List
Sanije Cucaj	SICTV - Staff - Excelsior List
Eileen M. Hanlon	SICTV - Staff - Excelsior List
Francis V. Harding	SICTV - Staff - Excelsior List
Kenny P. Graham	SICTV - Staff - Excelsior List
Darrin DeRosa	SICTV - Staff - Excelsior List
Mindy Machlin	SICTV - Staff - Excelsior List
Darlene A. Johnson	SICTV -Staff - Excelsior List
Jason Recevuto	SICTV - Staff - Excelsior List
Reino F. Sebayon, Jr.	SICTV - Staff - Excelsior List

Motion #3

"Move to accept the new members contingent upon payment of all applicable dues and fees." (EBM 02-11-3)

(Greenberg 2nd Gonzalez)

UNANIMOUSLY PASSED

Motion #4

"Move to accept the newly organized members of Staten Island Community Television and grant them excelsior list status." (EBM 02-11-4)

(Garnes 2nd Freeh)

UNANIMOUSLY PASSED

IV COMMITTEE REPORTS

- a) **Benefits** - No report.
- b) **By-Laws** - No report.
- c) **Election** - (please see item "I" under old business)
- d) **Financial Report** - LT Snell reported. He distributed the report for the month of October for our new fiscal year. Local Dues, Sector Dues, Rebate and Initiation Fee Spreadsheets were likewise distributed. Copies of the 1838 report for the month of September were handed out. Cash basis balance sheet was also available for

those desiring a copy. The Expense Voucher folder was available for inspection. We have a proposal for union liability insurance for our Officers and Executive Board members. The premium is \$7,133.00 for those desiring optional Labor Leader Defense coverage, it is available for an additional cost to individual Officers and Board members. If you are interested, contact LT Snell and a check from the Officer or Board Member will be necessary. We had several meetings with Macktez and now have a proposal to consider for our database. Copies of the proposal were distributed to the Board. If anyone knows of any other companies that do database design, please let LT Snell know. He proposed to invite Jeremey from Macktez to attend our December E-Board Meeting to give a presentation. We interviewed three accounting firms to conduct our audit and it will be discussed later.

- e) Grievance Report - LVP & Grievance Chairman Wm. Freeh reported.

At NBC

- Oct. 1, 2 - | met with a member who has been discharged, for alleged overtime irregularities, to prepare for arbitration. Attorney S. Sturm will argue this case.
- Oct. 3 - | attended a meeting with Labor Relations and a member, for an investigation into alleged overtime irregularities
- Oct. 9 - | attended an investigatory meeting with a member, based on a complaint by another member, alleging misconduct.

Later in the day. a meeting was held to discuss problems with the OTE (opportunity to eat) and breaks on the Caroline Rhea Show. Crew chief Ed McEwan, Video Engineer Bill Vaccaro, Grievance Committee member B. Freeda and I presented examples of abuses of the OTE provisions to manager MB Scalici and Production Manager D. Powell. The crew will monitor the OTE's for the next few weeks, along with management, but we may also file a grievance.

- Oct. 10 - We met for another arbitration session of grievance NN02-29, a discharge case. We did not begin the arbitration at the request of our member, but used the day for continued negotiation of a settlement agreement. Arbitrator Dr. Joan Parker was available if we went forward with the case.

Later, E. Board members R. Calamera, J. Keyes, and I met with the

second floor maintenance shop to discuss a wide range of topics.

Oct. 15, 16 - Other investigatory meetings were held on the member vs. member complaint.

Oct. 17 - The Grievance Committee met at NBC to discuss 8 grievances from 2002, including: Daily Hire HVAC underpayments; Weekend Nightly News/Sports Traffic OTE's; individual upgrades; sports/field assignments; Bob Wright/Jeff Zucker days off; Sector/Local dues under deductions. Additionally, we discussed: investigations/discipline; diversity/sexual harassment/integrity training; staff/DH assignments; hyphenates; video training; studio/field/pvt lounge; training posters; overseas assignments; LOA's; individuals' retroactive pay; and the Article XXV meeting.

Later, another meeting was held with our member who was discharged, to continue settlement negotiations.

Oct. 22 - LP Fallot attended a meeting with HR Director M. Donnachie and a daily-hire member who was accused of verbal abuse of a manager.

Oct. 23 - Investigatory meetings continued on the overtime irregularities issue, and an additional disciplinary meeting was held with a member who failed to provide medical documentation for several illnesses above the allowed limit of 11 days.

Oct. 24 - We met for a third scheduled arbitration session of grievance NN02-29, the discharge case. We spent the day with more interviews and negotiations on a proposed settlement agreement, with arbitrator Dr. Joan Parker available if our member decided to go ahead with the arbitration.

Oct. 25 - LP Fallot, E. Board member E. Hinrichsen, and members from the WNBC graphics Department - T. Brown, L. Marinaro, and C. Pernelli - met with Labor Relations to discuss the new graphics HUB being created, and the impact it may have on our members working in NY. Our members will continue to be an integral part of the WNBC Graphics Department.

Two members were suspended with pay, pending the results of the investigation into alleged overtime irregularities.

Oct. 27 - I visited studio 1A to brief the Weekend Today Show crew on the ongoing investigation of alleged overtime irregularities, and prepare a member for an upcoming interview.

Oct. 30 - LP Fallot, E. Board members T, Cappel, T. Gorry, Grievance Committee member B. Freedman and I attended a meeting with Labor Relations to discuss an ongoing practice of disparate treatment of staff in regard to regular assignments. Later in the day, LP Fallot, Attorney L. Peterson, and I attended three additional investigatory meetings with three members on the overtime issue.

Additionally, LP Fallot and I attended an Article XXV meeting with Day Krolik, I. Brand, David Rabinowitz, and Dan Forman to discuss NBC's future business plans, to the extent they are known. A follow-up meeting will be necessary to discuss the fifth floor build-out project.

At NBAE

Oct. 14 - LP Fallot and E. Board member S. Robblee met with the shop to discuss the possible buyouts at NBA.

They also spoke with VP K. Adelson to discuss the latest changes to the exemptions (slots) allowed under Article VI.

At TEAM

Oct. 8 - A meeting was held with Team management and a member accused of misconduct. Our member was given a 30 day suspension initially, but after some negotiation, and assistance from the Local 11 MAP, we were able to reduce it to a one week suspension and a written warning.

Oct. 16 - Shop Steward B. Kiederling and I met with a member to discuss a warning our member received about poor job performance.

Oct. 25 - An investigatory meeting about alleged misconduct by a member was held with TEAM Management and our member. After several hours of questioning, our member's suspension is continued pending further investigation.

Oct. 28 - E. Board member L. Greenberg attended four investigatory meetings with three members and TEAM management in an alleged misconduct investigation. I met with three members to discuss their roles in the allegations and investigation.

At ROC

Oct. 16 - LP Fallot filed grievance R0002-01, the Company's failure to pay our members on the Scoreboard Crew for the post season Playoff

games scheduled for Oct. 8th and 9th, as such games were posted and the crew had to be available to work.

At CBS No report

At TWC/NYC

Oct. 31 - LP Fallot met with Senior Manager L. Pestana to discuss the upcoming wiring project for Video On Demand and future additional work plans for our members and also the Nextel phones.

- r) **Training** - Chairman J. Salvaggio reported. The BURST seminar went very well for the Local. The Newspaper Guild has expressed an interest in joining the committee.

V OLD BUSINESS

- l) **Kathy Hirsch Appearance** - At this time Kathy Hirsch, a representative of Guaranty Residential Lending appeared before the Board to discuss preferential lending rates and assistance to our members. Discussion ensued. No action taken.

VI COMMITTEE REPORTS (Con't)

- f) **MAP** - LP Fallot reported. The Committee continues to assist our members and their families in need of assistance and referrals. It was also noted that Brother Jeff Osias has re-located to the Chicago area and is now assisting Local 41 members as needed.
- g) **Retirement & Pension** - No report.
- h) **Quality Of Life** - No report
- i) **Safety** - LS & Safety Committee Garnes reported. We received a letter from WNBC's Larry Seary advising us of the installation of satellite transmitters at the Moonachie facility. In the letter was a report of testing done to ensure that the RF emissions met the Federal Standards. A letter was sent to NBC's Kenya Blount requesting a meeting be set up to discuss various issues that have arisen. L. Greenberg advised that recently a guest managed to somehow sneak an M-16 rifle past security at CNN. The building is looking to tighten up security in view of this. LT Snell advised that the Fire Warden list is missing from the West Side Building at NBC. V. Novak reported that NBC has been conducting ongoing safety meetings in Long Island City. NBC's Stacey Brady's mother & father both died from carbon monoxide poisoning in their house.

This should heighten our awareness of company safety measures at work and home. Members need to be careful when in the field and parking their trucks near other trucks. T. Gorry reported that several of his members have expressed concern about working outside on the TODAY Show during rainy weather and being exposed to high voltage electric cables. We will look into this forthwith. E-Board Member S. Gonzalez will be attending a fork lift operator training class. This is in view of the fact that a camera operator was killed in a fork lift accident recently and the company has decided to have training for our members.

i) **Seniority** - LVP Freeh reported. The list for the Newswriters is almost complete. He is also working on a Team Video seniority list.

j) **Membership News** -

Illness

George Balok (NBC Local EJ) remains out ill.

Greg Gural (NBC V/T Opns) is recovering from surgery.

Rich Langwell (NBC Genesis) is out ill.

Tom Hyre (NBC S/F) remains out ill.

E-Board Member E. Hinrichsen's wife, and Kathy Salvio's (NBC Library) sister, is recovering from surgery.

Deaths

Scott Gibson's (NBC Net EJ) mother & father passed away.

Dan Miller's (NBC Net EJ) mother -in-law & father-in-law passed away.

LP Fallot's sister-in-law and his son-in-law's mother passed away.

In Other News

Harry Weissman (NBC S/F) is the father of a baby boy.

k) **Vacation** - T. Cappo reported. He announced that the 2003 Engineering Vacation Agreement has been signed. Copies were distributed to the Board members. Respective areas may now begin to negotiate profiles.

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

m) **Website** - R. Calamera reported. He continues to update the website as he receives information.

- n) E-Board Re-Organization - No report.
- o) Daily Hire Advisory Committee - No report.
- p) Diversity Committee - J. Endara is interested in joining the Committee. A. Donatien reported that he is unsure whether or not NBC is willing to meet with the Committee as long as Kyle Little is involved. We are attempting to ascertain whether or not Kyle wants to remain on the Committee.

Motion #4

"Move to accept the Committee Reports."(EBM 02-11-6)

(Garnes 2nd Novak)

UNANIMOUSLY PASSED

- g) Diversity Committee - LP Fallot reported. Discussion ensued regarding J. Endara's request to serve on the Diversity Committee. The Board was in agreement and as such LP Fallot appointed J. Endara to the Committee.

V OLD BUSINESS

- a) NBC - LP Fallot reported. T. Gorry, T. Cappo, LP Fallot and LVP Freeh met with NBC and discussed the perma-temp issue. It was a very hard hitting meeting and we proved our allegations to the company. The studio/field E-Board reps will be monitoring the situation. Peter Smith is involved with the 5th floor buildout at 30 Rockefeller Plaza and it will be a lot of work for our members. All construction work will be done by NABET-CWA engineers.
- b) Time-Warner Cable/ROC/BMG - LP Fallot reported. He met with Larry Pestana and is working out an agreement where our members would be paid for every completed phone call made to them at night. We have filed a grievance against ROC for failure to pay our members for two days of work scheduled, but later canceled when the Yankees lost the pennant race. At BMG, there is a rumor that some work will be coming their way, which means that since the collective bargaining agreement is still in effect, we would do the work.
- c) NBA Entertainment - LP Fallot reported. There are a number of issues. One issue involves the Company modifying the exemption list. They want to add to the list. LP Fallot will check to see if the bonus

pool money was distributed to the members. One individual has accepted a buyout offer proposed by the Company.

- d) **TVS** - LP Fallot reported. There will be a quarterly shop stewards meeting on November 7th. The Negotiating Committee has continued to meet and discuss strategy.
- e) **Secretary's Report** - No report.
- f) **Organizing** - LS & Director of Organizing Garnes reported. We had a successful election at Staten Island Community Television. The count was 11 in favor of the union, 1 opposed. The appeal which was filed by the Company was denied by the NLRB and for all intents and purposes, we now represent the shop. We will now be conducting elections for a negotiating committee and shop steward.
- g) **CLC Report** - LS Garnes reported. He read Delegate Arthur Finklestein's report. The strike involving the Teamsters and Snapple is over. The CLC is asking unions support to help promote the Earned Income Credit Tax benefit for its members. The Labor Day Parade will be held on Saturday, September 6, 2003.
- h) **2003 Pocket Calendars** - LP Fallot reported. He reminded all present that the calendars are in and all E-Board members should pick up what they need for their respective areas.
- j) **Shop Stewards Election** - LP Fallot reminded the Board that they should be concluding Shop Steward elections for the upcoming year. All results should be given to the NABET-CWA Local 11 Office.
- k) **Mark Hollis** - LP Fallot reported. Brother Hollis did not appear at the Board as requested of him. Discussion ensued. LP Fallot will send him another letter demanding an appearance at next month's Board meeting.
- l) **Trial** - LP Fallot reported. He went to Chicago to attend his trial vs. the Coleys of Local 41. We are awaiting the official verdict of the Local 41 Trial body.
- m) **District One Leadership Conference** - LP Fallot reported. The District's annual leadership conference will be held from December 15th thru December 17th at the NY Sheraton. Discussion ensued as to how many to send.

Motion #7

"Move to allocate up to the sum of \$9,000.00 to send seven people in addition to the Local 11 President and Vice-President to the CWA District #1 Leadership Conference to be held in New York City from December 15th through December 17, 2002." (EBM 02-11-7)

(Calamera 2nd Freeh)

UNANIMOUSLY PASSED

- n) **Folders** - LS Garnes reported. We are awaiting pricing from Hudson Printing so we can order more folders. We should know the cost very soon
- o) **Local Eleven Audit** - S. Robblee reported. As per our By-Laws, we need to conduct an audit of the books of the Local. We looked at three accounting firms and have decided on hiring the one who gave us the most economical price and strength of presentation. Discussion ensued.

Motion #8

"Move to hire the accounting firm of Gould, Kubrick & Schlapp, P.C. to conduct an audit of the Local's books." (EBM 02-11-8)

(Robblee 2nd Endara)

UNANIMOUSLY PASSED

- p) **Local 11 By-Laws** - S. Robblee reported. Discussion on the By-Laws pertaining to audits occurred. We are currently required to have two audits done every year.

Motion #9

"Move modify Article III, Section 3.5 of the Local By-laws to read:

All books of the Local shall be compiled into a financial statement annually. Such compilation shall occur at the close of the fiscal year which shall be considered the period between October 1st and September 30th. The compilation shall be performed by a Certified Public Accountant (CPA) and be completed by the December 31 st following the fiscal year. Every third year, to run concurrent with the end of the term of the Local Treasurer, the books of the Local shall be subject to an audit. This audit shall be performed by an independent Certified Public Accountant (CPA), not held on retainer by the Local." (EBM 02-11-9)

(Robblee 2nd Gorry)

Discussion resumed.

MOTION WITHDRAWN

- l) **Charges** - LVP Freeh reported. In the matter of Garnes vs. Donovan; Donovan vs. Garnes & Donovan vs. Sullivan, Brother Donovan has filed an appeal with the CWA Convention, which will be heard in 2003.

VI NEW BUSINESS

- a) **MAP Conference** - LVP Freeh reported. We need to allocate funds to pay for expenses incurred by Committee Chairman Angelo Vigorito. The total comes to \$650.00. Discussion ensued.

Motion #10

"Move to allocate up to \$650.00 to pay the additional travel and conference expenses of MAP Chair Angelo Vigorito in relation to the EAPA Conference he attended in Boston on October 25th & 26, 2002, and for an upcoming one-day conference, at a date to be determined."(EBM 02-11-10)

(Freeh 2nd Calamera)

UNANIMOUSLY PASSED

MAP Telephone Motion

Motion #11

"Move to allocate up to \$500. for registration and travel expenses for MAP member Angelo Vigorito to attend the EAPA Conference in Boston on October 25 - 26, 2002."

(Freeh 2nd Garnes)

FOR: Freeh, Garnes, Snell, Keyes, Greenberg, Hinrichsen, Gonzalez, Gorry, Cappo, Donatien, Calamera, Robblee, Sullivan, Focarile

UNREACHABLE:

Endara, Cook, Novak

MOTION PASSED

V OLD BUSINESS (Con't)

Robert McEwan Retirement Benefit - LT Snell reported. He did some investigation and found that Brother McEwan had already retired in 1984 and received the benefit. He subsequently returned to work as an active member and has filed paperwork for a second benefit. Discussion ensued. No action taken by the Board. LS Garnes will send Brother McEwan a letter advising him of such.

- r) Wilfred Melanson - LT Snell reported. Brother Melanson has requested the Local's Retirement Benefit, however a check of the records indicates that he owes the local \$210.30 in Sector and \$8.20 in Local Dues. Discussion ensued. No action taken.

VI NEW BUSINESS

- b) Lanyards - LS Garnes reported. We have run out of lanyards and need to order more. Discussion ensued.

Motion #12

"Move to allocate up to \$900.00 to purchase 400 new lanyards." (EBM 02-11-12)

(Focarile 2nd Sullivan)

FOR: Freeh, Garnes, Snell, Keyes, Greenberg, Gorry, Endara, Donatien, Cook, Calamera, Novak, Robblee, Sullivan, Focarile

AGAINST: Cappo

ABSTAIN: None

ABSENT: Gonzalez

MOTION PASSED

- c) Local 209 Dues Issue - LT Snell reported. Local 209 claims that we held back dues that were owed to them. He had earlier received a communication alleging this, but the information we requested was too vague to make a determination. Discussion ensued. We will request more information from them before making a determination.
- d) John Conroy Initiation Fee - LT Snell reported. Brother Conroy is requesting the 50% discount due to the fact that he wasn't aware of the discount when he was notified of joining the union. Discussion ensued.

Motion #13

"Move to afford John Conroy the Local's 50% discount in his Initiation Fee." (EBM 02-11-13)

(Calamera 2nd Focarile)

ABSENT: Endara, Donatien

UNANIMOUSLY PASSED

- e) MUMS 2000- Training LP Fallot reported. He reported that training is being provided for MUMS and we'd benefit by having our OPIEU staff attend the training sessions. Discussion ensued.

Motion #14

"Move to allocate up to the sum of \$1,000.00 to send the OPIEU Staff to the MUMS 2000 Training Seminar to be held on December 13th & 14th at the New York Sheraton Hotel." (EBM 02-11-14)

(Freeh 2nd Calamera)

UNANIMOUSLY PASSED

- f) Gerard Cancel Initiation Fee - LT Snell reported. Brother Cancel is requesting an extension of his Initiation Fee due to financial hardship. Discussion ensued.

Motion #15

"Move to extend the Initiation Fee payments of Gerard Cancel from 80 to 120 pay periods." (EBM 02-11-15)

(Cappo 2nd Focarile)

UNANIMOUSLY PASSED

- g) Open House - LP Fallot reported. We need to allocate monies if we are going to conduct an open house in conjunction with our General membership meetings. Discussion ensued.

Motion #16

"Move to allocate up to the sum of \$5,000.00 to conduct our Annual Open House and General Membership Meetings on December 11, 2002 from 12 noon to 10pm. The meetings will be at 12:00 noon and at 7:00 pm. (EBM 02-11-16)

(Garnes 2nd Gonzalez)

UNANIMOUSLY PASSED

There being no further business, a motion to adjourn was in order.

Motion #16

"Move to adjourn" (EBM 02-11-16)

(Robblee 2nd Freeh)

UNANIMOUSLY PASSED

The Meeting was adjourned at 4:35pm.

Respectfully Submitted,



**Gene Garnes,
Secretary & Director of Organizing**

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