



Gene Garnes
Secretary & Director
of Organizing

REGULAR EXECUTIVE BOARD MEETING

Wednesday, September 4, 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 (vaco) | #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 9:27am with LP Fallot presiding.

LP Fallot led the salute to the Flag.

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

Motion #1

"Move to accept the July 2002 Executive Board Minutes as corrected." (EBM 02-9-1)

(Robblee 2nd Cook)

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

AGAINST: None

ABSTAIN: Cappo, Endara

MOTION PASSED

CORRESPONDENCE

The correspondence file was available for inspection

NEW MEMBERS

Richard Kearsley	NBC - DH
Zachary Johnson	NBC - DH
Robert V. Takayama	NBC - DH
Mark K. Hubbard	TVS - DH
Jeffrey N. McRoberts	NBC - DH
Thomas J. Weber	NBC - DH

It was decided to hold until later in the meeting for approval of the applications.

IV COMMITTEE REPORTS

- c) **Elections** - Election Chairman J. Jones reported. He proposed the following election time table for Local Officers to the Board;

Notification of election sent:	September 6, 2002
Petitions Available:	September 13, 2002
Petitions due back at the office:	October 11, 2002 (by 5pm)
Ballots mailed:	October 25, 2002
Ballots to be postmarked:	November 22, 2002
Due Date: (by 5pm)	November 25, 2002
Count:(10am)	November 26, 2002

- a) **Benefits** - No report.
- b) **By-Laws** - No report.
- d) **Financial** - LT Snell reported. The Local dues summary spreadsheet, the 2001-2002 year-to-date actuals, income/expense summary for the month of August and the Initiation Fees summary spreadsheets were distributed to the Board. The voucher folder

was available for inspection. We had our first meeting with Macktez, who will be working with us on the database and it went well. On September 12th we have an arbitration date with Dr. Joan Parker and we will have a dues update with the Company prior to the arbitration to discuss among other items, the hyphenates dues issue. Most items have already been presented to the Company in advance. The Budget Meeting will be on October 11, 2002.

- e) **Grievance Report** - LVP & Grievance Chairman W. Freeh reported.

At NBC

- Aug. 12 -** We prepared for the second arbitration session of grievance NN02-22, an OTE grievance, to be held on August 26th. Sector President J. Clark assisted with this prep.
- Aug. 15 -** We prepared grievance NN02-28 for arbitration on Sept. 12th. This grievance alleges NBC assigned an OTE (opportunity to eat) to our member in the sports traffic department. Our position is that the OTE provision does not apply to this group.
- Aug. 16 -** LS Garnes attended investigatory meetings with four of our members, the Law Department, and Labor Relations. NBC is investigating a complaint made about what it calls "irregularities" in reporting overtime. The marathon interviews lasted into the early evening, and I would like to thank LS Garnes for his assistance and patience.
- Later, Attorney S. Sturm wrote a letter to the Law Department to protest the short notice of these investigatory meetings.
- Aug. 19 -** Attorney S. Sturm and I met with a member on a disciplinary matter that NBC is investigating. Later in the day, we met with Labor Relations to answer the allegations against our member.
- Aug. 21 -** A meeting was held with a member and M. Donnachie, the Director of Human Resources. Our member filed a complaint about inappropriate voice mail messages and material found in the workplace, and this meeting was to report the results of the investigation. NBC was not able to determine who was responsible.
- Aug. 22 -** LP Fallot, E. Board member E. Hinrichsen, and I attended a meeting with Labor Relations to discuss DesignWorks' latest attempt at creating an employee work tracking system, whereby our members would be required to account for each work assignment

through the work day, including a tally of how many graphics were created, used/not used for air, etc. We voiced our objections to this latest attempt at a time study.

A meeting was held with a member and M. Donnachie, to investigate allegations of our member harassing another employee.

Later, E. Board member J. Keyes and I met with two members to try to resolve a dispute between them.

Aug. 26 - We held the second arbitration session of grievance NN02-22, the improper application of the OTE penalty, before Dr. Joan Parker. LP Fallot, E. Board member T. Cappo, assistant to the LP, B. Freeda, member B. Vaccaro, Attorney S. Sturm and I represented Local 11. LP Fallot was our witness, and testified to the contract negotiation history. NBC Labor Relations VP I. Brand testified for NBC also on negotiation history. Because of the extensive testimony, we were not able to reach closing statements, so we will conclude the case most likely on our September 26th, arbitration date.

Aug. 27 - I attended an investigatory meeting with a member, to conclude the investigation begun August 16th. We will meet with NBC next week to discuss their conclusions, if any.

Aug. 28 - A meeting was held with a member, manager MB. Scalici, and myself to discuss a personal issue.

On our next arbitration date, September 12th, we will begin with a dues update meeting on the progress of the collection of back Sector/Local dues, followed by NN02-28, the improper assigning of an OTE for our members in the Sports Traffic area.

At NBAE No report.

At TEAM

Aug. 9 - I visited the new CNN studio in the Time-Life building on Sixth [Ave. to](#) investigate a safety concern regarding the moving of scenery by our members on the afternoon crew.

Aug. 12 - I returned to the CNN Sixth Ave. Studio to meet with the morning crew regarding travel issues for them, as well as the scenery issue.

Aug. 15 - LP Fallot, E. Board member L. Greenberg, the TEAM Shop Stewards and I met to continue preparations for the first quarterly grievance meeting with TVS management later in the day. We discussed four grievances involving: management doing NABET work (TVS02-01); a discharge of a member (TVS 02-02); denial of personal/vacation day (TVS02-03); and a warning letter issued to a member without just cause (TVS02-04). We also discussed many other topics/issues including: the audix call-in system, expense reimbursements/cash advances, training and cross-training, job postings, TVS/CNN managers doing NABET work, ENG crew issues, taxi/car service, new NABET members, altering of time sheets by managers, vacation/personal days, seniority list, schedule change penalties for DH's, job descriptions, 6th Ave. studios, 401 (k) update, problem managers, and the auto insurance policy.

Aug. 23 - LP Fallot reached a settlement agreement on grievance TVS02-02, the improper discharge of a member. Our member will be reinstated for a three month period, after which termination will take place, unless there is improved performance.

At ROC

Aug. 21 - I attended a shop meeting at Yankee Stadium with our members. There were no grievances or complaints to report, but they had great concern over a possible baseball strike, and the potential loss of work for them all at Yankee Stadium.

Aug. 30 - The baseball owners and players reached an agreement, which averted a strike and allowed the baseball season to continue, allowing our members to continue their employment at Yankee Stadium.

At CBS No report

At TWC/NYC No report

- f) **MAP** - LP Fallot reported. The Committee continues to assist our members and their families in need of assistance and referrals. Committee Member Jeff Osias has retired and the Committee is looking for a volunteer to join the Committee.
- g) **Retirement & Pension** - LP Fallot reported. We have members who are still accepting buyouts and SERO packages at NBC.
- h) **Quality Of Life** - No report

i) **Safety** - LS & Safety Chairman E. Games reported. We met with NBC's Kenya Blount on August 14th and conducted an inspection of the transmitting facilities at Empire. Later in the afternoon, LS Garnes went out to the Long Island City News facility and conducted an inspection there where a few safety issues were discovered. We are currently working with the Company to correct these issues. NBC has informed us that they will be moving the lockers out of the engineer's lounge on the seventh floor at NBC due to lack of space. J. Keyes inquired as to the status on the ^{2nd} floor east building safety ventilation system. We are still awaiting the specifics from NBC. V. Novak questioned as to whether operators of forklifts at Long Island City News facility are required to wear hard hats, steel toed boots and gloves when operating the fork lift. He was advised that this was the rule. He also inquired as to the Driver Qualification policy; are our members who were here before the policy's effective date grandfathered or must they adhere to the new policy? LP Fallot believes that they are grandfathered.

j) **Seniority** - No report

k) **Membership News** -

Illness

George Balok (NBC Local EJ) remains out ill.
Frank Muratore (NBC V/T Ops) remains out ill.
Tom Hyre (NBC S/F) was in an auto accident and is recovering.

Deaths

Victor Desantis' (NBC BSE) father passed away
Scott Pinto's (NBC BSE) father passed away.
Greg Heim's (NBC BSE) Grandmother passed away.
Richard Leible's (NBC S/F) mother passed away.

In Other News

Tim McCartney (NBC S/F) has left NBC and will be teaching college.

l) **Vacation** - T. Cappo reported. He advised that he'll be meeting with J. Kiick to work on the Engineering Vacation Agreement.

- m) **Membership Services** - W. Freeh reported that we incurred a large loss since we did not meet the minimum guarantee number of members as requested by the Supper Club. He suggested that we look at alternative events or perhaps a joint event with Local 16.
- n) **Website** - R. Calamera reported. He is working with Elise Roth to get her up to speed on placing bulletins on the web site. He has also updated the front page of the site, so we now have a new look.
- o) **E-Board Re-Organization** - No report.
- p) **Daily Hire Advisory Committee** - No report.
- q) **Diversity Committee** - No report.
- r) **Training** - Chairman J. Salvaggio and Committee Member F. Pellegrino reported. BURST will be conducting an open house at the Local 11 Office on October 4th. They read off a list of vendors that will be at the open house and advised that there will be loads of giveaways for those attending.

Motion #2

"Move to accept the new members contingent upon payment of all applicable dues and fees."(EBM 02-9-2)

(Focarile 2nd Donatien)

UNANIMOUSLY PASSED

Motion #3

"Move to accept the committee reports."(EBM 02-9-3)

(Robblee 2nd Endara)

UNANIMOUSLY PASSED

V OLD BUSINESS

- a) **NBC** - LP Fallot reported. He discussed Ron Schiller's latest antics. He recently had five long-term daily-hires terminated and started assigning Opportunity-To-Eat meals to the construction supervisors. Labor Relations is aware of our concerns. WNBC has hired Dan Foreman back.

- b) **Time-Warner Cable/ROC/BMG** - LP Fallot reported. Since the Major League Baseball Strike was averted, our members at ROC will continue to be working at Yankee Stadium.
- c) **NBA Entertainment** - LP Fallot reported. The Company has indicated that they are interested in offering buyouts for various represented employees.
- d) **TVS** - LP Fallot reported. We are still working to achieve a contract with TVS and it is hoped that we can finish this matter up by February 2003. Medical benefits still remain unresolved.
- e) **Secretary's Report** - LS Garnes reported. In the matter of Taragano vs. Wright, a trial has been scheduled for September 26th.
- f) **Organizing** - LS & Director of Organizing Games updated the Board on the status of organizing within the Local.
- g) **TVS Mobilization** - LP Fallot reported. He stressed the importance of an event scheduled by the committee, as time is paramount.
- h) **WTVJ Organizing** - LP Fallot reported. A group of HUB employees at NBC-owned WTVJ Miami have petitioned for an election for representation. The election will be later this month.
- i) **NABET-CWA Cope** - LP Fallot reported. Mailings of COPE sign-up forms have gone out from the Sector to all of our NBC members. We should encourage our members to sign up for this, as we will be the ones to benefit from having pro-labor candidates winning elections.
- j) **Daily Hires and Dues** - S. Gonzalez reported. He informed the Board that some Daily-Hires are not paying dues; in fact, two individuals have never joined as they are supposed to do and as a result, one individual joined and the other was terminated from further employment. There are other issues involving upgrades and meal periods. Discussion ensued.
- k) **Skypath/Transmission/HUB** - J. Endara reported. The new Skypath system that controls and receives commands, transmits and receives commands, is up and running. There have been some bugs in the system, but they are being worked out. The Transmission "right" side has been moved to the lower deck, but the "left" side has not due to a lack of wiremen. "Lifeboat" has been installed in Genesis and is now being tested. The HUB is now operating on a four-day work week schedule.

- i) Diversity Committee - LP Fallot reported. Kyle Little has resigned from NBC. He remains interested in remaining on the Committee. He desires no compensation for this and at this time is an active member of the Local. Discussion ensued. Kyle Little remains on the Committee.

VI NEW BUSINESS

- c) 2003 Pocket Calendars - LP Fallot reported. If we're going to order pocket calendars for our membership for next year, now would be a good time to allocate the funds. Discussion ensued with the following motion being generated;

Motion #4

"Move to appropriate the sum of \$2,000.00 to purchase pocket planners for the year 2003 to be distributed to our membership." (EBM 02-9-4)

(Freeh 2nd Sullivan)

ABSENT: Calamera

UNANIMOUSLY PASSED

- c) National Life Insurance - LP Fallot reported. The CWA is offering this proposal to our members at no charge. A representative of the company would like to address our membership at our next regular Executive Board Meeting. Discussion ensued. It was decided to invite the representative to appear at our next regularly scheduled E-Board meeting.
- d) November NCC Meeting - LP Fallot reported. He would like to attend the upcoming NCC meeting to be held in New Orleans. To do this he'll need funding by the Board. Discussion ensued.

Motion #5

"Move to allocate up to the sum of \$600.00 to pay expenses of LP Fallot to attend the NCC meeting to be held from November 16th through November 19th in New Orleans." (EBM 02-9-5)

(Garnes 2nd Freeh)

ABSENT: Calamera

UNANIMOUSLY PASSED

- e) LOA MSNBC - V. Novak reported. Some of our Staff EJ Crew members took LOA to work for MSNBC. It appears that MSNBC did not want to pay contract wages for the Ashley Banfield Road Show, and members who still wanted to be assigned to this took LOA. Discussion ensued. We may ask for them to prove that it was a bonafide LOA. A grievance will be filed.
- f) Traffic 'Executive Session**
- g) Chris Stanton Initiation Fee Request - LT Snell reported. He read a letter from Brother Stanton requesting an extension of his Initiation Fee payments due to financial hardship. Discussion ensued.

Motion #6

"Move to extend the Initiation Fee payments of Chris Stanton from 80 to 120 weeks." (EBM 02-9-6)

(Garnes 2nd Greenberg)

ABSENT: Keyes, Calamera, Cook

UNANIMOUSLY PASSED

- h) Benefit Forms/Folders - LS Garnes reported. The Local will be changing the format of the Local's Beneficiary Form. Discussed whether it would be feasible having new one's printed up or using the new computer database instead. It was decided to use the new computer database, as it will be in operation next year. LS Garnes also discussed ordering new folders, as we are very low on our current supply. He presented 2 different options available to the Board and will get pricing for next month's meeting.
- i) Bob Rizzo's Retirement Request - LT Snell reported. Brother Rizzo has requested the Local's Retirement Benefit. All paperwork is in order and he has been retired for at least 6 months.

Motion #7

"Move to pay the Local 11 Retirement Benefit of \$775.00 to Robert Rizzo contingent upon all financial obligations to NABET-CWA being met." (EBM 02-9-7)

(Sullivan 2nd Endara)

ABSENT: Calamera

UNANIMOUSLY PASSED

- j) **Rooney Lawsuit** - LP Fallot reported. Brother Rooney intends to launch a lawsuit against NBC and would like the Union to consider funding the lawsuit by contributing \$10,000.00 to help him get it started. Discussion ensued.

Motion #8

"Move to grant Robert Rooney \$10,000.00 to fund his lawsuit against NBC." (EBM 02-9-8)

(Cappo 2nd None)

Motion dies for the lack of a second.

- k) **Washington, D.C. Daily- Hire Meeting** - LP Fallot reported. He has been working with CWA President Morty Bahr's office to convince the CWA Legal Department to file a lawsuit against NBC on behalf of all Daily-Hires at NBC who are longtime employees. We'd like to send 2 Daily-Hires from this Local to Washington, D.C. to attend these meetings. It is anticipated that it would cost around \$2,600.00 to cover the expenses. Discussion ensued.

Motion #9

"Move to appropriate up to the sum of \$2,600.00 to send 2 Local Eleven Daily-Hire members, Attorney Lowell Petersen and Local President L. Fallot to Washington, D.C., to meet with CWA Chief Legal Counsel Pat Scanlon, for the possibility of CWA funding a lawsuit on behalf of Daily-Hire members"(EBM 02-9-9)

(Focarile 2nd Freeh)

ABSENT: Calamera

UNANIMOUSLY PASSED

- l) **WOR Radio** - LP Fallot reported. Local 209, which consists of WWOR-TV and WOR radio, will be losing a vast majority of the membership due to the purchase of WWOR-TV by Fox and the impending transfer of WWOR-TV engineers into IATSE. This will leave the Local with only about 8 or 9 members, which will cause the Local to close. The SEC may transfer this Local into ours.

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

Motion #9

"Move to adjourn" (EBM 02-9-10)

(Novak 2nd Focarile)

ABSENT: Calamera

UNANIMOUSLY PASSED

The Meeting was adjourned at 3:23pm

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Gene Games", with a long horizontal flourish extending to the right.

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

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www.nabetlocal11.org