



REGULAR EXECUTIVE BOARD MEETING

Wednesday, April 3, 2002

ATTENDING:

Louis P. Fallot  
William F. Freeh  
Eugene E. Games  
Frank G. Snell

Local President  
Local Vice-President  
Local Secretary  
Local Treasurer

EXECUTIVE BOARD:

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

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

The Salute to the Flag was led by LP Fallot.

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

**Motion #1**

"Move to accept the March 2002 Executive Board Minutes as corrected." (EBM 02-4-1)

(Sullivan 2nd Novak)

**FOR:** Freeh, Garnes, Snell, Keyes, Greenberg, Hinrichsen, Cappo, Cook, Sullivan, Focarile, Novak

**AGAINST:** None

**ABSTAIN:** Donatien, Endara, Robblee

**ABSENT:** None

**MOTION PASSED**

**V OLD BUSINESS**

- g) **E-Board Even Seats** - Election Chairman Jones reported. He reported on the Executive Board Election held on Tuesday, April 2, 2002 involving Units #4 & #6 and Unit #16. In Units #4 & #6 the following were the results of the balloting:

161 ballots were sent out in the 1<sup>st</sup> mailing.  
86 ballots were defective and resent a 2<sup>nd</sup> time.

Total ballots received	82
Total ballots disqualified	3 (No ID)
Thomas Cappo	66
Steven Gonzalez	62
Frank Pellegrino	27
Blank	13

Thomas Cappo and Steven Gonzalez are duly elected.

In Unit #16 the following were the results of the balloting:

124 ballots mailed  
75 ballots received

Brian Delvanthal	17
Michael DeSouza	14
Peter Sullivan	42
Blank	2

Peter Sullivan is duly elected.

- i) **Delegates Election** - Chairman Jones reported. We have 6 petitions returned and approved. He urged all Board members to notify the Union when members in their respective areas leave so we can notify them of their rights to apply for a withdrawal card. The count of the ratification of the NBC proposed agreement will be held on April 19, 2002, at the Union office. The Election committee will be conducting the count.

Motion #2

"Move to accept the election report as read." (EBM 02-4-2)

(Robblee 2nd Focarile)

**FOR:** Freeh, Garnes, Snell, Keyes, Greenberg, Hinrichsen, Endara, Donatien, Cook, Novak, Robblee, Sullivan, Focarile

**AGAINST:** None

**ABSTAIN:** Cappo

**MOTION PASSED**

la **SWEARING IN OF NEWLY ELECTED EXECUTIVE BOARD REPRESENTATIVES** - At this time, LP Fallot administered the oath of office to the returning E-Board members T. Cappo, S. Robblee, P. Sullivan, and A. Donatien.

**II CORRESPONDENCE**

The Correspondence file was available for inspection

**III NEW MEMBERS -**

Raymond J. McDonough	TVSNY - Staff
Michael A. Diana	TVSNY - Staff
Michael R. Trier	TVSNY - Staff
Daniel P. Scalley	TVSNY - DH
Jeffrey R. Richardson	NBC - 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) **By-Laws** - No report

- c) **Elections** -No report.
- d) **Financial** - LT Snell reported. He distributed the Local 11 Sector Rebate schedule, the actuals for March and the actuals for the fiscal year. The 1838 report was also distributed to the Board as were the 2002 Local Dues deductions summary and the 2002 initiation fee deductions summary. We are 6 months into our fiscal year. LS Garnes sent a letter to the Sector stating that we have accepted the proposed 70% rebate plan. We should see a change in our rebate in the April rebate check from the Sector. Sturm & Perl has agreed to a retainer of \$5,000.00 per month for legal services and will continue the legal assistance plan at \$1,000.00 per month.
- e) **Grievance Report** - LVP & Grievance Chairman Bill Freeh reported:

**At NBC**

- Mar. 7 - LS G. Garnes, E. Board members T. Cappo, E. Hinrichsen, J. Keyes, and I attended a safety update meeting with Kenya Blount, to discuss several ongoing safety problems and concerns. Please see the full report later in the minutes under Safety Committee. The next Safety Meeting update will be held April. 9th.  
  
Later, I attended a disciplinary meeting with a member, and the matter was resolved with a written warning.
- Mar. 11- We reached a tentative four year contract with NBC. The proposals which affect Local 11 under Article XX, Grievance and Arbitration, call for an expedited procedure under section 20. 8, when grievances are referred to the American Arbitration Association (AAA). Also under section 20. 10, the Expedited Grievance Procedure, Arbitrator Carol Wittenberg would replace Herbert Fishgold.
- Mar. 12 - LP Fallot, E. Board member P. Sullivan, Shop Steward Julie Ann Ulbrich, and I attended a HUB update meeting with HUB managers R. Westcott, D. Crestfield, and R. Olsen. We discussed workload; WNBC/ WRC HUB integration; job pressure; disciplinary matters; quality of life issues- breaks, water cooler in HUB; merit upgrades; and the Telemundo impact. Two grievances involving workload and improper FICA deductions were filed and will be discussed at the March 26th Grievance Meeting.
- Mar. 14 - We met before Dr. Joan Parker to arbitrate Grievance NN01-33, the use of non-NABET crews to tape segments for the Conan show. This was the third session, and after additional discussion, NBC stated that vendors would not be used for these tapings, except in a rare instance. We were not able to reach settlement language, so this arbitration will remain open.

- Mar. 19 -** I attended an investigatory meeting in Labor Relations with a member, and our Attorney L. Peterson. No action was taken by NBC against our member.
- Mar. 20 -** LP Fallot and I met with our members from News Technical Services and the Network EJ camera crews in Long Island City.
- Mar. 21 -** E. Board member T. Gorry and I attended a meeting with a member and managers MB. Scalici, R. Schiller, and D. Powell to discuss procedures for servicing the Dateline program.

Later, we met before Dr. Joan Parker to arbitrate two grievances. The first, NN02-10 involved improper pay for twelve WNBC daily-hire news-writers. After a full discussion, and after NBC showed that those news-writers were paid after the grievance was filed, we withdrew the grievance. One additional newswriter will be paid by April 5th

Next, we arbitrated Grievance NN02-11, which was improper pay for daily-hires in the P contract (HVAC). Payroll manager R. Ellis was present with one of our members who assists with scheduling, and they will meet again to compare all the facts and figures. This arbitration will remain open. Attorney S. Sturm argued these cases.

At noon I was present for a test of the third floor fire alarm system in the Studio Building. Kenya Blount and Tech. Mgr. Jackie Armador were present with representatives from Tishman-Speyer. I requested the installation of 5 additional alarms in the Studio 3C staging areas, 3A video room, and the 3rd floor equipment room (328S). When this is completed, another test will be held.

- Mar. 26 -** The Grievance Committee met all day with NBC for a full agenda. We began by discussing three NIO's (national grievances) filed for contract violations at the Salt Lake Olympics. One involved improper pre-payment of the meal per diem (\$50.) for two members. After F. McCulloch researched this, our members were paid properly. Another grievance involved a non-NABET Today show producer operating VTR's at the IBC. This will be further investigated by NBC. The third national grievance involved poor quality hotels used for some of our members. These hotels were arranged by the news department, not the Olympic unit, so this will be on hold until we can meet with the news department. Another local grievance, NN02-14, was filed regarding improper travel time/pay for our members departing Salt Lake. Since NBC denied the grievance, we will arbitrate it on April 14th.

We discussed an additional 13 grievances involving: Sports, Network EJ Editing workload, Conan non-NABET tapings, and the failure to collect and remit Sector and Local dues and fees. We were able to resolve NN02-01, the improper FICA deductions for some members in the HUB. The remainder of the grievances were put on joint, Company, and Union hold, pending further discussion. Three additional meetings will be set up to discuss grievances on overseas pay issue, improper dues collections, and a security meeting with NBC security director Jim McCool. Additionally, E. Board member E. Hinrichsen attended the meeting to discuss problems with the new STORM payroll system in the Network Graphics area.

E. Board member R. Focarile attended a disciplinary meeting with a member from WNBC. No discipline was forthcoming.

**Mar. 27 -** LP Fallot and I met with our members from the WNBC EJ camera crews and Maintenance departments in Moonachie.

#### **At NBAE**

**Mar. 20 -** LP Fallot, E. Board member S. Robblee and I met with the shop in Secaucus to discuss various issues.

We are examining a tentative settlement agreement for Grievance NBAE 01-02, whereby our member who reached the 1,800 hour limit will be made permanent, and continue in the bargaining unit, while also performing non-bargaining unit work.

#### **At TEAM (CNN)**

**Mar. 1 -** Team Video Services of NY began operations at the CNN New York News bureau as the new sub-contractor, replacing PTSC of Washington, D.C. We met with TVS management representatives to begin negotiations for a new NABET-CWA contract. Our original proposal was that TVS hire all of the current PTSC employees, and honor the current PTSC contract, which expires Dec. 6, 2003. TVS rejected our proposal, but did hire more than 90% of our PTSC members.

**Mar. 4,5 -** We reached a tentative agreement for the first year of a four year NABET-CWA/TVS contract, and will meet later in the month to negotiate the remaining three years. There is no proposal to change Article VII, the Grievance and Arbitration procedure, at this time.

**Mar. 25 -** The Local 11 Negotiating Committee met in an all-day session with TVS management to complete the terms of the remaining three years of the proposed four year contract. Since we remained far apart on the

economic issues and health plan, TVS asked for more time to review our proposals, and we agreed to meet again on April 16th and 17th.

**At ROC** Opening day at Yankee Stadium is Friday, April 5th.

**At CBS** No report.

**TWC of NYC** HR Manager J. Dunn met with E. Board member A. Donatien and Shop Steward C. Nimako to discuss training on new equipment for Video On Demand.

**MAP** -LP Fallot reported. Committee member Jeff Osias will meet with the NYC Central Labor Council in an attempt to secure grant money.

g) **Retirement & Pension** - LP Fallot reported. The buyout initiative is now underway. B&NO needs to trim 30 positions from its ranks. This buyout package will include tuition reimbursement.

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

i) **Safe** - LS and Safety Chairman G. Garnes reported. The Committee, along with LVP Freeh, E. Hinrichsen, T. Cappel, and James Keyes met with NBC's Safety department representative and Labor Relations to discuss many issues of concern. A follow up letter was also sent to Kenya Blount. V. Novak reported on Ground Zero that OSHA and FEMA are now reporting that they were in error over how toxic the areas were. This could have a negative impact on our members who have been present there. Some of our members were not afforded protective gear and in some cases they were not given the gear for 10 days. The CWA will have a Occupational Safety & Health Course from May 5th thru May 8th in Cleveland Ohio.

**Seniorty** - LVP & Seniority Chairman Freeh reported. The new official NBC "A," contract list was distributed to the Board. If anyone finds an error, please let him know, so he can make the necessary change.

k) **Member News** -

**Illness**

Kathy Salvio (NBC-MOC) is out ill.

Rich Olsen (NBC Graphics) remains out ill.

Joe Thornley (Net EJ) remains out ill.

Carrise-Anne Holloway (Local News) is out ill.

Floyd Webb (NBC-BSE) remains out ill.

## Deaths

Vinnie Lucchese's (Net EJ) father passed away.  
Executive Board Representative Larry Greenberg's Grandfather passed away.

## Other News

DeWitt Luff (NBC Skypath) has returned to work.  
Executive Board Representative Anthony Donatien is getting married.

Dr. Michael Maiorino, son of Peter Maiorino (NBC-Mtce) was awarded the New York State Liberty Award.

- l) Vacations - T. Cappo reported that the only problems encountered are getting people to pick vacations in Post Production and E-Board representative P. Sullivan will continue to work on this.
- m) Membership Services - LP Fallot reported. The deposit check was sent to the Supper Club and also a check to the disc jockey for the August 2<sup>nd</sup> membership event.
- n) Website - No report.
- o) E-Board Reorganization - No report.
- P) Daily Hire Advisory Committee -No report.
- q) Diversity Committee -No report.
- r) Training - No report

### Motion #3

"Move to accept the Committee Reports"(EBM 02-4-3)

(Robblee 2nd Garnes)

UNANIMOUSLY PASSED

### Motion #4

"Move to accept the new members upon payment of all applicable dues and fees."(EBM 02-4-4)

(Endara 2nd Greenberg)

UNANIMOUSLY PASSED

## V OLD BUSINESS

- a) **NBC** -LP Fallot reported. We have reached a tentative agreement with NBC on the Master Agreement. The Committee has had many meetings since August 21, 2001 which ended with the tentative agreement. Discussion on how the agreement was reached ensued. The NNC voted 3-1 to accept the package. Washington D. C. has recommended that the "C" contract be ratified, but the "A" contract be rejected. Brother Cappo felt that the current proposals are devastating to NBC Studio/field members.
- b) **TWC/ROC/BMG** - LP Fallot reported. We are dealing with a pay disparity issue at TWC which involves at least 1 member. We will be investigating this further. At River Operating Company (ROC), Shop Steward Jim Shutterly reported that the Company has added some positions, so we will gain some new members. A shop meeting will be held there in the near future.
- c) **NBA Entertainment** - LP Fallot reported. He is putting the finishing touches on an agreement for a member who reached the 1800 hours mark. The agreement will allow him to be made staff, remain in the bargaining unit and do non-bargaining unit work.
- d) **TEAM (PTSC)** -LP Fallot reported. We have some negotiating dates set up with the Company on April 16th & 17th. However, the Company made a request to change them but, we have decided to keep those dates. We will try to stay in touch with Local 31 during the talks as they have dealt with TEAM Video before. The old 401.(k) program (Manulife) was supposed to have been rolled over into the new TEAM 401.(k) plan (Legg-Mason), but Manulife, would charge a penalty to the members for early withdrawal and it is felt that PTSC should pick up the penalty fees associated with the early withdrawal. Discussion ensued.

### Motion #5

"Moved to go out of order on the agenda to address Item "n" under Old Business, items "j", "b", "n", "f" & "g" under New Business."(EBM 02-4-5)

(Hinrichsen 2nd Donatien)

UNANIMOUSLY PASSED

## V NEW BUSINESS

**ERISA Attorney** - LP Fallot reported. We need to allocate monies to hire an attorney who specializes in ERISA Laws, so that we can take PTSC to court if necessary. Discussion ensued on the amount to allocate.

**Motion #6**

"Move to appropriate up to the sum of \$5,000.00 to hire an ERISA Attorney to file paperwork against PTSC in Washington, D.C. for the purpose of protecting our members 401.(k) monies during the transition to TEAM Video's 401.(k) plan."(EBM 02-4-6)

(Greenberg 2nd Robblee)

**UNANIMOUSLY PASSED**

- b) **Overseas Assignments** - V. Novak reported. Discussion regarding a group of engineers sent overseas to cover the LISS Roosevelt and the problems they encountered regarding lodging assignments, meals and alleged thefts that took place while they were on the ship. In addition, the crews traveled coach on the airlines.
  
- n) **CWA Safety & Health** - V. Novak reported. The CWA will be conducting a safety & health seminar from May 5 thru May 8, 2002 and he feels that the Local should send a Safety Committee representative. Discussion ensued.

**Motion #7**

"Move to allocate up the sum of \$3,000.00 to send a representative from Local 11 to attend the CWA Safety & Health Seminar to be held in Cleveland, Ohio from May 5th thru May 8, 2002."(EBM 02-4-7)

(Novak 2nd Cook)

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

**AGAINST:** Hinrichsen, Cappo

**ABSTAIN:** None

**MOTION PASSES**

**V OLD BUSINESS**

- n) **Initiation Fee Verification** - LT Snell reported. He discussed a proposed method of verifying a new member's salary when applying for membership. Many times the incorrect figure is given to us and the new member pays the wrong fee. We hope to have a new system in place by next month's meeting.

VI NEW BUSINESS

Retirement/Death Benefits - LT Snell reported. We have several requests for the retirement benefits and a death benefit to approve.

Joseph Thompson Death Benefit. Brother Thompson passed away recently.

Motion #8

"Move to pay the Local 11 Death Benefit of \$1,775.00 to the named beneficiaries of Joseph Thompson."(EBM 02-4-8)

(Endara 2nd Sullivan)

UNANIMOUSLY PASSED

Dennis Burke has requested the Local's Retirement Benefit. The BMG retiree has 33 years of active service with the Local.

Motion #9

"Move to pay the Local 11 Retirement Benefit of \$825.00 to Dennis Burke contingent upon all financial obligations to NABET-CWA being met." (EBM 02-4-9)

(Freeh 2nd Donatien)

UNANIMOUSLY PASSED

George Jarvis has requested the Local's Retirement Benefit. The NBC retiree has 30 years of active service with the Local.

Motion #10

"Move to pay the Local 11 Retirement Benefit of \$750.00 to George Jarvis contingent upon all financial obligations to NABET-CWA being met." (EBM 02-4-10)

(Keyes 2nd Hinrichsen)

UNANIMOUSLY PASSED

Mike Moran has requested the Local's Retirement Benefit. The BMG retiree has 42 years of active service with the Local.

Motion #11

"Move to pay the Local 11 Retirement Benefit of \$1,050.00 to Michael Moran contingent upon all financial obligations to NABET-CWA being met." (EBM 02-4-11)

(Donatien 2nd Hinrichsen)

UNANIMOUSLY PASSED

- g) Caron Shagiro Request - LT Snell reported. He read 2 letters from Sister Shapiro requesting withdrawal status from 1993-2001. Discussion ensued. There is a discrepancy involving her initiation payments where she claims they were paid off in full. She will provide bank statements as proof. No action taken at this time.
- e) Secretary Report -No report.
- f) Organizing - L.S. & Director of Organizing G. Garnes reported. He updated the Board on the status of organizing within the Local. We are still waiting to hear from the NLRB on the Staten Island Community Television appeal.
- k) Storm Vacation -E. Hinrichsen reported. The Company has instituted a new system of scheduling called Storm. The Company has indicated that they want us to pick next year's vacation via this new system. It may be a good idea to address the issue now before it's too late. LP Fallot will look into this further.
- l) Political Legislative Report - J. Endara reported. He and W. Freeda attended the CWA Political Legislative Conference in Washington, D. C. They met with various members of Congress. All in all it was a worth while effort and we should encourage others who are interested to attend this conference.
- o) Charges - LVP Freeh reported. In the Matter of Garnes vs. Donovan, Brother Donovan has filed an appeal with the Sector over his guilty verdict by the Trial Body.
- p) Xerox Machine -LVP Freeh reported. Our machine is old and constantly breaking down. We will be getting a new one, which will cost us \$50.00 a month more than now, plus we will have 18,000 copies a month before additional charges apply.
- q) Mobilization - LP Fallot reported. He appointed the following people to the committee: J. Endara, R. Focarile, V. Novak, P. Sullivan and K. Decker.

- r) Bill Steckman - LP Fallot reported. Rescuers have recovered some of the remains of Bill Steckman. LP Fallot has spoken with Barbara Steckman and family to let them know that we are here for them if they need anything.

VI NEW BUSINESS

- a) Legal Concerns - J. Keyes reported. \*Executive Session\*.
- c) Studio/Field Contract Issues - (Please see item "a" under old business)
- d) Tee-Shirts - J. Endara reported. He proposed making up tee-shirts as a fund raiser in memory of Bill Steckman. Discussion ensued. No action taken.
- e) Contract Issues - (please see item "a" under old business)
- h) Computer Systems- LVP Freeh reported. We need to purchase a version of "Go Live" to replace the one former Website Committee Chair Robert Enderlin has. This will be used for the website.

Motion #12

"Move to appropriate up to the sum of \$600.00 to purchase the latest version of Adobe Go-Live for updating Local 11's Website."(EBM 02-4-12)

(Freeh 2nd Garnes)

FOR: Freeh, Garnes, Snell, Keyes, Donatien, Cook, Robblee, Sullivan, Focarile

AGAINST: Hinrichsen, Cappo, Endara

ABSENT: Greenberg

MOTION PASSES

- i) NY Emmy's Dinner -LP Fallot reported. April 21st is the New York National Academy of Arts and Sciences Emmy Dinner. Bill Steckman is being awarded an Emmy and it would be a nice show of support for his family if we were represented there.

**Motion #13**

"Move to purchase 2 tickets at \$300.00 per ticket for the NY Emmy Awards Dinner to be held on April 21, 2002, at 6pm Pier 60, at the Chelsea Piers. The purpose of this is the Posthumous Emmy Award being awarded to William Steckman." (EBM 02-4-13)

(Freeh 2nd Cappo)

**UNANIMOUSLY PASSED**

- k) **Election Committee** - LP Fallot reported. We need help on the Election Committee to help count the ballots for the NBC ratification. A. Donatien volunteered to assist.

**Motion #14**

"Move to appoint Anthony Donatien to the Local Eleven Election Committee."(EBM 02-4-14)

(Hinrichsen 2nd Keyes)

**ABSENT:** Greenberg

**UNANIMOUSLY PASSED**

- l) **US Open** - LP Fallot reported. We need a NABET-CWA representative to volunteer at the US Open in Bethpage, New York from June 12th thru the 16th. Discussion ensued. LP Fallot will check with Melanie Rock.

**Motion #15**

"Move to adjourn"(EBM 02-4-15)

(Endara 2nd Donatien)

**UNANIMOUSLY PASSED**

The meeting was adjourned at 4:58 PM.

Respectfully Submitted,

  
Gene Garnes,

Secretary & Director of Organizing

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[www.nabetiocai11.org](http://www.nabetiocai11.org)